| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |
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# Agenda Item: M

## Date: March 19, 2020

### Title: Update on the 2020 General Assembly Presenter: Ms. Emily Webb, Director of Board Relations

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## Purpose of Presentation:

For information only. No action required.

## Executive Summary:

This written report provides summaries of K-12 legislation introduced and acted on by the 2020 General Assembly that will require action by the Board of Education or the Virginia Department of Education or otherwise relates to the work of the Board as it affects local school divisions.

## Action Requested:

No action requested.

## Superintendent’s Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education receive this report.

**Previous Review or Action:**

No previous review or action.

## Background Information and Statutory Authority:

This report provides summaries of K-12 legislation introduced and acted on by the 2020 General Assembly that will require action by the Board of Education or the Virginia Department of Education or otherwise relates to the work of the Board as it affects local school divisions.

## Timetable for Further Review/Action:

These items will come before the Board for appropriate action later in 2020 or 2021.

## Impact on Fiscal and Human Resources:

Department staff will provide the staff resources to assist the Board in developing the policies, guidance and regulations necessary to implement final actions by the General Assembly and Governor.

**2020 General Assembly Report**

This report includes relevant education legislation that was alive after Crossover and passed the 2020 General Assembly. This list does not include legislation that was carried over to the 2021 session.

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# Assessments

[**~~HB 634~~**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB634)**~~School Divisions of Innovation; local assessments (LaRock)~~**

~~Allows a local school board, when applying for its school division to be designated as a School Division of Innovation, to apply to the Board of Education to replace the Virginia Studies and Civics and Economics Standards of Learning assessments with local assessments that include performance-based assessments. The bill requires any such application to (i) demonstrate that the proposed local assessment requires that students demonstrate the knowledge and skills required by the relevant Standards of Learning and that students demonstrate one or more of the skills and qualities of critical thinking, creativity, collaboration, communication, or citizenship and (ii) provide evidence of the local school board's capacity to administer and score performance-based assessments.~~

# Data Collection and Reporting

[**HB 351**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB351)**(Bell)/** [**SB 324**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB324)**(Deeds) School bus drivers; critical shortages**

Requires the Superintendent of Public Instruction, with the assistance of each school board or division superintendent, to survey each local school division to identify critical shortages of school bus drivers by geographic area and local school division and to report any such critical shortage to each local school division and to the Virginia Retirement System. The bill permits any school bus driver in any geographic area or school division in which a critical shortage of school bus drivers has been so identified to elect to continue to receive a service retirement allowance if the driver meets certain other conditions.

[**HB 376**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB376)**Teacher and support staff shortages; data, reporting (Willett)**

Requires (i) each school board to report to the Department of Education annually the number and type of teacher, other instructional personnel, and support staff vacancies in the school division and (ii) each approved education preparation program to report to the Department of Education annually the number of individuals who completed the program by endorsement area. The bill requires the Department of Education to (a) establish deadlines for and the format of the reporting of such data and (b) aggregate and report such data annually on the Department's website.

### [HB 1443](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1443) Teachers; biennial compensation review, report (VanValkenburg)

Requires the Department of Education to conduct a biennial review of teacher compensation that takes into consideration the Commonwealth's compensation for teachers relative to national average teacher salary. Current law requires the Director of Human Resource Management to complete such biennial review.

### [HB 1653](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1653) School counselors; staffing ratios, flexibility (Wilt)

Requires the Department of Education to collect data from local school board regarding their ability to fill school counselor positions, including the number of school counselors employed in elementary, middle, and high schools in the local school division; (ii) the number and duration of school counselor vacancies; (iii) the number, role, and license type of other licensed counseling professionals employed by the school board; and (iv) information about their preferences for meeting updated school counselor to student ratios with other licensed counseling professionals. The Department of Education shall report the results of such 15 data collection to the Governor, the Secretary of Education, the House Committee on Appropriations, and 16 the Senate Committee on Finance and Appropriations no later than June 30, 2021.

# Discipline

[**HB 256**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB256)**Disorderly conduct; students (Mullin)**

Provides that a student at any elementary or secondary school is not guilty of disorderly conduct in a public place if the disorderly conduct occurred on school property or a school bus.

[**HB 257**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB257) **(Mullin)/** [**SB 729**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB729) **(McClellan) School principals; incident reports**

Eliminates the requirement for reports to be made to division superintendents and school principals on incidents involving assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity. The bill also eliminates the requirement that school principals report certain enumerated acts that may constitute a misdemeanor offense to law enforcement.

* **SB729 has been signed by the governor.**

[**HB 415**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB415)**Discipline; suspension, access to graded work during and after suspension (Delaney)**

Requires school boards to adopt policies and procedures to ensure suspended students are able to access and complete graded work during and after the suspension.

[**HB 1081**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1081)**School attendance officers; petitions for violation of a school attendance order (Guzman)**

Provides that an attendance officer, or a division superintendent or his designee when acting as an attendance officer, to complete, sign, and file with the intake officer of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, a petition for a violation of a school attendance order entered by the juvenile and domestic relations district court in response to the filing of a petition alleging the pupil is a child in need of supervision. The bill provides that such actions do not constitute the unauthorized practice of law.

### [SB 3](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB3) Disorderly conduct in public places; school activities (McClellan)

Eliminates the Class 1 misdemeanor for disrupting willfully or while intoxicated, whether willfully or not, the operation of any school or any school activity conducted or sponsored by any school if the disruption (i) prevents or interferes with the orderly conduct of the operation or activity or (ii) has a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed.

### [~~SB 59~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB59) Juvenile law-enforcement records; disclosures to school principals (Hanger)

~~Changes from discretionary to mandatory that the chief of police of a city or chief of police or sheriff of a county disclose to a school principal all instances where a juvenile at the principal's school is a suspect in or has been charged with a violent juvenile felony, an arson offense, or a concealed weapon offense and adds an offense that requires a juvenile intake officer to make a report with the school division superintendent to the list of such instances that must be disclosed to a school principal for the protection of the juvenile, his fellow students, and school personnel.~~

### [SB 237](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB237) School attendance officers; petitions for violation of a school attendance order (Barker)

Provides that an attendance officer, or a division superintendent or his designee when acting as an attendance officer, may complete, sign, and file a petition for a violation of a school attendance order in response to the filing of a petition alleging the pupil is a child in need of supervision with the intake officer of the juvenile and domestic relations district court on a form approved by the Virginia Supreme Court.

* **Signed by the governor**

### [SB 1020](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB1020) Public schools; alternative accountability process (Stanley)

Permits a school board to adopt an alternative school discipline process to provide a principal and parties involved in an incident involving assault, or assault and battery without bodily injury, that occurs on a school bus, on school property, or at a school sponsored event the option to enter into a mutually agreed-upon process between the involved parties. The bill provides that a principal in a school division with such an alternative school discipline process may attempt to engage the parties involved in such an incident in the process prior to reporting such incident to the local law-enforcement agency and prohibits, if provided for by the school board, a principal from reporting a party who successfully completes the alternative school discipline process.

# Early Childhood

[**HB 1012**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1012) **(Bulova)/** [**SB 578**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB578)**(Howell) Early childhood care and education; establishment of system, licensure**

Requires the Board of Education to establish a statewide unified public-private system for early childhood care and education in the Commonwealth to be administered by the Board of Education, the Superintendent of Public Instruction, and the Department of Education. The bill transfers the authority to license and regulate child day programs and other early child care agencies from the Board of Social Services and Department of Social Services to the Board of Education and Department of Education. The bill maintains current licensure, background check, and other requirements of such programs. Such provisions of the bill have a delayed effective date of July 1, 2021. The bill requires the Superintendent of Public Instruction to establish a plan for implementing the statewide unified early childhood care and education system and requires the Department of Social Services and the Department of Education to enter into a cooperative agreement to coordinate the transition. The bill also requires the Board of Education to establish, no later than July 1, 2021, a uniform quality rating and improvement system designed to provide parents and families with information about the quality and availability of certain publicly funded early childhood care and education providers and to publish the initial quality ratings under such system in the fall of 2022.

# Facilities

[**HB 797**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB797)**Local school boards; lead testing, report, parental notification (Askew)**

Requires each local school board's plan to test and remediate certain potable water sources to be consistent with guidance published by the U.S. Environmental Protection Agency or the Department of Health. The bill require each local school board to submit such testing plan and report the results of any such test to the Department of Health. The bill also requires local school boards to take all necessary steps to notify parents if testing results indicate lead contamination that exceeds 10 parts per billion.

### [~~HB 1633~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1633)~~Education, Board of; school modernization loan interest rate subsidy payments, eligibility (Edmunds)~~

~~Requires the Board of Education to establish a program to use Literary Fund proceeds to subsidize interest payments on certain loans made by the Virginia Public School Authority to local governing bodies and school boards for the design and construction of new school buildings and facilities or the modernization and maintenance of existing school buildings and facilities as follows: for school divisions in localities determined to have above-average or high fiscal stress by the Commission on Local Government in its most recent version of such report, the Board shall subsidize up to 100 percent of the interest due on such loan. Under current law, eligibility for such interest rate subsidy payment is based on the local composite index of ability to pay.~~

### [~~SB 4~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB4)~~Public School Assistance Fund and Program; created (Stanley)~~

~~Creates the Public School Assistance Fund and Program, to be administered by the Department of Education, for the purpose of providing grants to school boards to be used solely for the purpose of repairing or replacing the roofs of public elementary and secondary school buildings in the local school division. The bill permits any school board in the Commonwealth to apply for Program grants but requires the Department of Education to give priority in the award of grants to school boards that demonstrate the greatest need based on the condition of existing school building roofs and the ability to pay for the repair or replacement of such roofs.~~

### [~~SB 5~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB5)~~Board of Education; uniform minimum standards modern; public school buildings (Stanley)~~

~~Requires the Board of Education to prescribe by regulation uniform minimum standards for the erection of modern public school buildings and the modernization of existing public school buildings for the purpose of promoting positive educational outcomes for each public elementary and secondary school student. The bill requires such regulations to include uniform minimum modern public school building standards that promote (i) the delivery of instruction that complies with the Standards of Learning by addressing enrollment capacity and available space and (ii) the health and safety of each enrolled student. The bill requires each school board to annually (a) assess and report to the Board the extent to which each public school building in the local school division complies with such uniform minimum standards and (b) submit to the Board a long-range plan for compliance with such uniform minimum standards, including an assessment of the cost of such compliance, in any case in which the school board determines that a public school building in the local school division does not comply with such standards.~~

### [SB 392](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB392) Local school boards; lead testing, report, parental notification (McPike)

Requires each local school board to submit its plan to test and remediate certain potable water sources and report the results of any such test to the Department of Health.

### [SB 410](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB410) Public school buildings; testing for Legionella bacteria, review, report (Hashmi)

Requires each school board to test each public school building in the local school division for the presence of Legionella bacteria at such regular intervals as the school board deems necessary to maintain the health and decency of such buildings. The bill requires the Department of Education to make recommendations for the frequency of testing for the presence of Legionella bacteria in public school buildings and to notify each local school board of its recommendations no later than September 1, 2020. The bill also requires each public elementary and secondary school to maintain files of its Legionella bacteria test results and make such files available for review and the division superintendent to report such results to the Department of Health.

### [SB 845](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB845) School buildings, public; mold testing (Ebbin)

Requires each local school board to develop and implement a plan to test and, if necessary, remediate mold from sources identified by the U.S. Environmental Protection Agency as high priority for testing. The bill requires local school boards to give priority in the testing plan to schools whose school building was constructed, in whole or in part, before 1986 and to submit their testing plan and any testing results to the Department of Health. The bill also requires local school boards to take all steps necessary to notify the parents of all enrolled students if testing results indicate the presence of mold in a school building.

### [SB 888](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB888) School Construction and Modernization, Commission on; established, report (McClellan)

Establishes the Commission on School Construction and Modernization for the purpose of providing guidance and resources to local school divisions related to school construction and modernization and making funding recommendations to the General Assembly and the Governor. The bill has a sunset date of July 1, 2026, with a provision that if the Commission does not receive funding in the appropriation act after its first year, it will sunset on July 1 of the following year.

### [~~SB 1087~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB1087)~~School Construction Fund and Program; created and established (Pillion)~~

~~Establishes the School Construction Fund as a special nonreverting fund in the state treasury and requires the Department of Education to establish the School Construction Program for the purpose of providing grants from the Fund, subject to certain conditions, to school boards that leverage federal, state, and local programs and resources to finance the design and construction of new school buildings and facilities or the modernization and maintenance of existing school buildings and facilities.~~

# Instruction

[**HB 916**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB916)**(Sickles)/** [**SB 853**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB853) **(Boysko) Culturally Relevant and Inclusive Education Practices Advisory Committee; established, report**

Requires the Department of Education to establish and appoint such members as it deems appropriate to a Culturally Relevant and Inclusive Education Practices Advisory Committee for the purpose of providing (i) standards recommendations to the Department of Education which shall be considered by the Board of Education during the 2021-2022 review of the history and social science Standards of Learning and (ii) recommendations on meaningful professional development with school personnel related to culturally relevant and inclusive education practices. The bill requires the Committee to report its recommendations to the Board of Education, the Governor, and the Chairpersons of the House Committee on Education and the Senate Committee on Education and Health no later than July 1, 2021.

[**HB 1139**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1139)**Board of Education; Regulations Governing Educational Services for Gifted Students; comprehensive review (Keam)**

Requires the Board of Education, as part of its current comprehensive review of its Regulations Governing Educational Services for Gifted Students, to consider revisions to (i) the process of screening and identifying students for eligibility for gifted and talented programs and referring students to such programs to improve the identification of student populations that are underrepresented in such programs, including economically disadvantaged students, English language learner students, and students with disabilities and (ii) the data collection requirements of the annual report required by such regulations to better inform equitable screening and identification for and access to gifted and talented programs for student populations that are underrepresented in such programs.

[**HB 1276**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1276)**School boards; career and technical education, academic and career plans, contents (O’Quinn)**

Requires each school board to include, as part of each student's academic and career plan in the career and technical education curricula, a list of (i) the top 100 professions in the Commonwealth by median pay and the education, training, and skills required for each such profession and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median pay of program graduates. The bill requires the Department of Education to annually compile such lists and provide them to each local school board.

[**HB 1336**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1336)**Family life education; SOL & curriculum guidelines, contemporary community standards (Keam)**

The bill requires each school board to conduct a review of its family life education curricula at least once every seven years.

### [HB 1394](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1394) Family life education programs; materials, summaries (Leftwich)

Requires each local school board that offers a family life education program to post for public viewing (i) on the local school division's official website a summary of such program and (ii) on the local school division's official website or a parental portal a complete copy of all printed family life education program materials not subject to copyright protection and a description of all family life education program audio-visual materials. The bill requires each local school board to implement the foregoing provisions no later than the start of the 2021-2022 school year.

### [HB 1680](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1680) Career and Technical Education Work-Based Learning Guide; Board of Education to review and revise (Tyler)

Requires the Board of Education to review and revise, in consultation with certain stakeholders and no later than December 1, 2020, its Career and Technical Education Work-Based Learning Guide to expand the opportunities available for students to earn credit for graduation through high-quality work-based learning experiences or in the case of agricultural education, supervised agricultural experiences, such as job shadowing, mentorships, internships, and externships.

### [~~HB 1711~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1711)~~Virtual Virginia; availability in public elementary and middle schools (Bagby)~~

~~Requires the Department of Education to expand eligibility of Virtual Virginia to public middle school students and permits eligibility to public elementary school students.~~

### [SB 142](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB142) Virtual Virginia; availability to all public schools (Dunnavant)

Requires that the Virtual Virginia Program, the statewide electronic classroom established by the Department of Education, be made available to all public schools. Currently, the program is available only to high schools. The bill requires the Department to utilize a learning management system for the purposes of implementing Virtual Virginia. The bill also authorizes the Department to charge a per-student, per-course fee to school divisions for each student enrolled in a full-time Virtual Virginia program beyond an initial allotment of 15 such students per course, per school. The bill prohibits the Department from limiting the total number of such students by school division. The bill requires the Department to annually report on the Virtual Virginia Program to the General Assembly.

### [~~SB 366~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB366)~~Learning management system; Department of Education to obtain for public schools (Dunnavant)~~

~~Directs the Department of Education to obtain a statewide learning management system for use in public schools by the start of the 2022-2023 school year.~~

# Miscellaneous

[**HB 973**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB973)**(VanValkenburg)/** [**SB 600**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB600) **(Lucas) Elementary and secondary schools, etc.; repealing several Acts relating to racial segregation**

Repeals several Acts of Assembly from 1901 to 1960 that contain provisions relating to the racial segregation of students in elementary and secondary schools and institutions of higher education in the Commonwealth.

* **Signed by the governor**

### [HB 1491](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1491) Student voters; public high schools to provide Virginia voter registration information (Guy)

Requires each public high school to provide to any enrolled student who is of voting age or otherwise eligible to register to vote access to Virginia voter registration information and applications and the opportunity to complete such application during the normal course of the school day.

### [HB 1513](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1513) Health insurance; credits for retired school division employees (McQuinn)

Requires school divisions to provide a health insurance credit of $4 per year of service to all retired members of local school divisions with at least 15 years of total creditable service. Currently, the $4 per year of service health insurance credit is provided only to teachers, and non-teacher school division employees are eligible for a credit of $1.50 per year of service, capped at $45 per month, if the locality has elected such coverage. An enactment clause provides that this measure does not apply to any local school division employee who retired on disability prior to July 1, 2020, if this measure would reduce the monthly credit currently payable to such former member. Eligible employees who retired prior to July 1, 2020, and did not receive a health insurance credit prior to that date will only receive the $4 per year of service health insurance credit prospectively.

### [~~SB 500~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB500)~~Teaching material expenses; establishes a tax credit, effective clause (Reeves)~~

~~Establishes an individual nonrefundable income tax credit of up to $250 for licensed teachers in taxable years beginning on or after January 1, 2020, but before January 1, 2025, for the purchase price of materials used in teaching public primary or secondary school students that were purchased during the taxable year, provided that such purchases were neither reimbursed nor claimed as a deduction on the teacher's federal income tax return. The total amount of tax credits available for a taxable year shall not exceed $1 million. If the amount of the credit exceeds the taxpayer's tax liability for the taxable year in which the teaching materials were purchased, such excess may be carried over for five years. The provisions of the bill are contingent on funding in a general appropriation act.~~

### [SB 957](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB957) Civic Education, Commission on; sunset and funding (Marsden)

Repeals the sunset provision for the Commission on Civic Education. The bill also repeals a prohibition on the use of general funds to support the work of the Commission.

# School Nutrition

[**HB 697**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB697)**School meals; adoption of policies (Roem)**

Requires each local school board to adopt policies that prohibit school board employees from requiring a student who cannot pay for a meal at school or who owes a school meal debt to throw away or discard a meal after it has been served to him.

[**HB 698**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB698)**School boards; distribution of excess food (Roem)**

Allows public school boards to distribute excess food to students eligible for the School Breakfast Program or National School Lunch Program administered by the U.S. Department of Agriculture or to students that the school board determines are otherwise eligible to receive excess food.

[**~~HB 701~~**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB701)**~~School boards; school meal policies, parental notification and opt-out (Roem)~~**

~~Requires each school board to adopt policies that (i) require each elementary and secondary school in the school division to send to the parents of each student by the end of the first week of the school year notice of the consequences of school meal debt and the school board policy and procedure relating to such debt, including any requirement that such student be served an alternative meal or be required to dispose of meals served to him while such debt remains unpaid; (ii) require any elementary or secondary school in the school division to resend such notice to the parents of any student who accrues a school meal debt before the consequences of such debt go into effect; and (iii) require the parents of any student who do not want their child to be served a school meal to submit a written request to the student's school.~~

[**HB 703**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB703)**School meal debt; donations (Roem)**

Permits any school board to solicit and receive any donation or other funds for the purpose of eliminating or offsetting any school meal debt at any time and requires each school board to use any such funds solely for such purpose.

### [HB 1426](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1426) School boards; school meals, availability to students (Roem)

Requires each school board to require each public elementary and secondary school in the local school division to participate in the federal National School Lunch Program and the federal School Breakfast Program administered by the U.S. Department of Agriculture and to make meals available pursuant to such programs to any student who requests such a meal, regardless of whether such student has the money to pay for the meal or owes money for meals previously provided, unless the student's parent has provided written permission to the school board to withhold such a meal from the student. The bill has a delayed effective date of July 1, 2021.

# School Safety

# [HB 270](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB270) Public schools; lock-down drills, notice to parents (VanValkenburg)

Requires every public school to provide the parents of enrolled students with at least 24 hours' notice before the school conducts any lock-down drill. The bill specifies that no such notice is required to include the exact date and time of the lock-down drill.

[**HB 271**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB271)**(VanValkenburg)/** [**SB 170**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB170) **(Locke) Public schools; school resource officers and school security officers, data**

Requires the Department of Criminal Justice Services, in coordination with the Department of Education and the Department of Juvenile Justice, to annually collect, report, and publish data related to incidents involving students and school resource officers. The bill also requires the Virginia Center for School and Campus Safety to analyze and disseminate submitted data.

[**HB 292**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB292)**(VanValkenburg)/** [**SB 221**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB221) **(Locke) School boards and local law-enforcement agencies; memorandums of understanding, frequency of review**

Shortens from every five years to every two years the frequency of the review period for memorandums of understanding between school boards and local law-enforcement agencies. The bill also requires local school boards to conspicuously publish the current division memorandum of understanding on its division website and provide notice and opportunity for public input during each memorandum of understanding review period.

[**HB 402**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB402)**Public schools; lock-down drills, frequency, exemptions (Keam)**

Requires every public school to hold at least one lock-down drill after the first 60 days of the school session, in addition to the two lock-down drills required to be held during the first 20 days of the school session at each such school. Current law requires each public school to hold at least two lock-down drills after the first 20 days of the school session. The bill requires preK and kindergarten students to be exempt from mandatory participation in lock-down drills during the first 60 days of the school session and requires the principal at each relevant school to implement such exemption by either (i) conducting teacher-only drills or otherwise providing suitable training for kindergarten teachers or (ii) notifying each parent of a kindergarten student at least five school days in advance of each planned lock-down drill and permitting each such parent to opt his child out of participation in such lock-down drill.

[**HB 1080**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1080)**Firearms or other weapons; unauthorized to possess on school property (Hope)**

Provides that no school board may authorize or designate any person to possess a firearm on school property other than those persons expressly authorized by statute. The bill also clarifies that no exemption exists for a special conservator of the peace to possess a firearm or other weapon on school property.

### [HB 1419](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1419) (Jones)/ [SB 171](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB171) (Locke) School resource officers and school security officers; training standards

Requires school resource officers and school security officers to receive training specific to the role and responsibility of a law-enforcement officer working with students in a school environment that includes training on (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of cultural diversity and implicit bias; (vii) working with students with disabilities, mental health needs, substance abuse disorders, or past traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent development and brain research.

### [SB 54](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB54) Virginia Retirement System; retired law-enforcement officers employed as school security officers (Cosgrove)

Allows a retired law-enforcement officer to continue to receive his service retirement allowance during a subsequent period of employment by a local school division as a school security officer. The provisions of the bill are contingent on funding in a general appropriation act.

### [SB 173](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB173) Stun weapons; prohibits possession on school property, exemptions (Hanger)

Allows the holder of a valid concealed handgun permit to possess a stun weapon on school property while in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school.

### [SB 594](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB594) Public School Security Equipment Grant Act of 2013; eligible security equipment (Hanger)

Classifies security-related devices located outside of the school building on school property and security-related devices located on school buses as eligible security equipment under the Public School Security Equipment Grant Act of 2013.

### [SB 595](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB595) Public School Security Equipment Grant Act of 2013; eligible security equipment, vaping detectors (Hanger)

Classifies vaping detectors as eligible security equipment under the Public School Security Equipment Grant Act of 2013.

# Special Education

[**HB 134**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB134)**(Runion)/** [**SB 186**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB186)**(Dunnavant) Individualized education program teams; Department of Education to develop guidelines**

Requires the Department of Education to establish guidelines for individualized education program (IEP) teams to utilize when developing IEPs for children with disabilities to ensure that IEP teams consider the need for age-appropriate and developmentally appropriate instruction related to sexual health, self-restraint, self-protection, respect for personal privacy, and personal boundaries of others. The bill requires each local school board, in developing IEPs for children with disabilities, in addition to any other requirements established by the Board, to ensure that IEP teams consider such guidelines.

* Signed by the governor

[**~~HB 332~~**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB332)**~~Reading diagnostic tests; intervention (Hope)~~**

~~Requires the Department of Education to develop and implement a geographically representative two-year pilot program to administer reading diagnostic tests that include all components of a normed rapid automatized naming test. Also requires each local school division in the pilot program to provide evidence-based instruction, including structured literacy instruction, to students in kindergarten through grade three who fall below the benchmark on any such reading diagnostic test or demonstrate deficiencies based on their individual performance on the Standards of Learning reading test. The Department of Education shall report to the Governor and General Assembly, no later than December 1, 2022, on the outcomes of the pilot program and the necessary resources for statewide implementation of such tests and instruction.~~

[**HB 410**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB410)**Parental notification; literacy and Response to Intervention screening and services (Delaney)**

Requires each local school board to enact a policy to require that timely written notification is provided to the parents of any student who (i) undergoes literacy and Response to Intervention screening and services or (ii) does not meet the benchmark on any assessment used to determine at-risk learners in preschool through grade 12, which notification shall include all such assessment scores and subscores and any intervention plan that results from such assessment scores or subscores.

### [HB 1722](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1722) Applied behavior analysis services; Department of Education to develop guidance and resources (Roem)

Requires the Department of Education to develop and publish no later than November 16, 2020, guidance and resources relating to the provision of applied behavior analysis services in public schools for students who are in need of such services.

### [SB 585](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB585) Guardianship; supported decision making (Dunnavant)

Creates the Supported Decision-Making Act, which allows an adult with an intellectual or developmental disability to enter into an agreement with another person, called a "supporter," for the purposes of having the supporter assist the adult in making decisions to manage his affairs, giving adults who need assistance a less restrictive means of receiving such assistance than being appointed a guardian or conservator by a court.

The bill further requires a guardian ad litem in a proceeding for the appointment of a guardian or conservator to consider whether a less restrictive alternative, including the use of an advance directive or durable power of attorney, is available to provide assistance to the respondent, and it requires the guardian ad litem to include in his report to the court information as to whether a supported decision-making agreement is a viable option in lieu of guardianship or conservatorship.

The bill also provides that if the respondent to a guardianship or conservatorship petition is between 17 and a half and 21 years of age and has an Individualized Education Plan (IEP), the guardian ad litem appointed to represent the respondent shall review the IEP and include the results of his review in the report required to be submitted to the court, and it requires the Superintendent of Public Instruction to prepare transitional materials, including information about supported decision-making agreements and guardianship to be provided to students and parents during the student's annual IEP meeting.

The bill requires the court, upon appointment of a guardian or conservator, to inform such person of his duties and that the respondent should be encouraged to participate in decisions, act on his own behalf, and develop or maintain the capacity to manage his personal affairs if he retains any decision-making rights. Finally, the bill sets out specific language to be included in all orders of appointment of a guardian. This bill is a recommendation of the Joint Commission on Health Care.

* **Signed by the governor**

### [SB 904](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB904) Higher educational institutions, public; dyslexia and literacy (Vogel)

Directs the State Council of Higher Education for Virginia to facilitate the development of a statewide coalition of public institutions of higher education in the Commonwealth to gather and share information on the latest evidence-based methods and approaches to effectively educate K-12 students in reading, including multisensory structured language education to instruct students with dyslexia. The bill states that each public institution's school of education, education department, or relevant department for the career paths of K-12 reading specialists and teachers may collect such information and collaborate with other public institutions of higher education in the Commonwealth regarding the latest reliable research for reading instruction to all K-12 students, with an emphasis on improving reading instruction to students with dyslexia. Each public institution of higher education may implement information learned through the coalition in the institution's undergraduate and graduate degree programs in education.

### [~~SB 1034~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB1034) Behavioral assessments and interventions; Department of Education to review certain guidelines (Chafin)

~~Directs the Department of Education to review and revise the Guidelines for Conducting Functional Behavioral Assessment and Developing Positive Behavior Intervention Supports and Strategies to align with research-based behavior science and best practices for functional behavior analysis. The bill also requires the Department to review and revise the content of the in-depth training provided to local school divisions on conducting functional behavioral analysis and developing quality behavior intervention plans.~~

# Standards of Accreditation and Standards of Quality

[**HB 516**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB516)**(Bulova)/** [**SB 112**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB112) **(Sutterlein) High school graduation; standard diploma requirements, etc.**

Requires the Board of Education to include in its graduation requirements the options for students to complete a dual enrollment course or high-quality work-based learning experience.

* HB516 signed by the governor

### [~~HB 273~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB273) ~~(VanValkenburg)/~~[~~SB 134~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB134)~~(Stuart) School boards; planning time and planning periods for elementary, middle, and high school teachers~~

~~Requires each local school board to ensure that each elementary school teacher has an average of one 45-minute period per school day of planning time and that each middle and high school teacher is provided an average of one planning period per school day or the equivalent, which shall be at least 45 minutes or one class period, whichever is longer. The bill permits local school boards and teachers to enter into an appropriate contractual arrangement providing for compensation in lieu of such planning time or period. Under current law, public elementary school teachers are guaranteed at least an average of 30 minutes of planning time per school day during a school week.~~

[**HB 975**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB975)**(Guzman)/** [**SB 910**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB910) **(Hashmi) Standards of Quality; state funding, ratios of teachers to English language learners**

Requires, effective with the 2020-2021 school year, state funding to be provided pursuant to the general appropriation act to support 18.5 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency and, effective with the 2021-2022 school year, 20 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency. Current law requires state funding to support 17 such positions for each 1,000 such students.

* This is a governor’s bill

[**HB 1143**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1143)**Local school boards; support services positions, licensed behavior analysts (Tran)**

Includes licensed behavior analysts as support services positions in a local school division for the purposes of Title 22.1 (Education).

### [HB 1388](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1388) Public school accreditation; triennial review (D.M. Adams)

Eliminates the ability of a school that only maintains a passing rate on Virginia assessment program tests or additional tests approved by the Board of Education of 95 percent or above in each of the four core academic areas for two consecutive years to apply for and receive a waiver of accreditation from the Department of Education, which waiver confers full accreditation for a three-year period. Current law provides high-performing schools a separate pathway to obtain three-year accreditation.

* This is an agency bill

### [HB 1508](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1508) School counselors; minimum staffing ratio (McQuinn)

Requires local school boards to employ school counselors in accordance with the following ratios, effective with the 2020-2021 school year: in elementary schools, one hour per day per 75 students, one full-time equivalent at 375 students, one hour per day additional time per 75 students or major fraction thereof; in middle schools, one period per 65 students, one full-time equivalent at 325 students, one additional period per 65 students or major fraction thereof; and in high schools, one period per 60 students, one full-time equivalent at 300 students, one additional period per 60 students or major fraction thereof. The bill also requires local school boards to employ one full-time equivalent school counselor position per 250 students in grades kindergarten through 12, effective with the 2021-2022 school year.

* This is a governor’s bill

### [SB 238](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB238) Public schools; increases kindergarten instructional time (Barker)

Increases from 540 hours to 990 hours the minimum instructional hours in a school year for students in kindergarten, beginning July 1, 2022. The bill directs the Board of Education to adopt regulations by July 1, 2022, establishing standards for accreditation that include a requirement that the standard school day for students in kindergarten average at least 5.5 instructional hours in order to qualify for full accreditation.

### [SB 323](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB323) High school graduation requirements; advanced diploma, standard units of credit (Barker)

Requires the Board of Education, in establishing high school graduation requirements, to pemit any student who is pursuing an advanced studies diploma to substitute two standard units of credit in computer science for two standard units of credit in a foreign language.

### [~~SB 728~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB728)~~Standards of Quality; work-based learning, teacher leaders and mentors, principal mentors (McClellan)~~

~~Makes several changes to the Standards of Quality, including requiring the establishment of a unit in the Department of Education to oversee work-based learning statewide in Standard 1 and requiring the Board of Education to establish and oversee the local implementation of teacher leader and teacher mentor programs and the establishment of a unit in the Department of Education to oversee principal mentorship statewide in Standard 5. The bill also makes several changes relating to school personnel in Standard 2, including (i) establishing schoolwide ratios of students to teachers in certain schools with high concentrations of poverty and granting flexibility to provide compensation adjustments to teachers in such schools; (ii) requiring each school board to assign licensed personnel in a manner that provides an equitable distribution of experienced, effective teachers and other personnel among all schools in the local school division; (iii) requiring each school board to employ teacher leaders and teacher mentors at specified student-to-position ratios; (iv) requiring state funding in addition to basic aid to support at-risk students and granting flexibility in the use of such funds by school boards; (v) lowering the ratio of English language learner students to teachers; (vi) requiring each school board to employ reading specialists and establishing a student-to-position ratio for such specialists; (vii) requiring school boards to employ one full-time principal in each elementary school; (viii) lowering the ratio of students to assistant principals and school counselors in elementary, middle, and high schools; and (ix) requiring each school board to provide at least four specialized student support positions, including school social workers, school psychologists, school nurses, and other licensed health and behavioral positions, per 1,000 students.~~

### [SB 933](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB933) "Students with limited or interrupted formal education;" DOE to develop statewide definition (Favola)

Requires the Department of Education to develop and adopt a common statewide definition for the term "students with limited or interrupted formal education" and to require school boards to report on the number of students who fall under such definition as part of the required data collection and reporting on average daily membership for the purposes of documenting any changes in such numbers over time and allowing for comparisons of such numbers across local school divisions. The bill provides that in developing and adopting such common statewide definition, the Department of Education shall consider and may adopt existing definitions of "students with limited or interrupted formal education."

# Student Health

[**HB 405**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB405)**Menstrual supplies; certain school buildings (Keam)**

Requires each school board to make tampons or pads available at all times and at no cost to students in the bathrooms of each facility that it owns, leases, or otherwise controls that houses a public school at which any student in grades five through 12 is enrolled.

### [SB 232](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB232) Menstrual supplies; school boards shall make available in each school building (Boysko)

Requires each school board to make tampons and pads available at all times and at no cost to students in the bathrooms of each public school at which any student in grades five through 12 is enrolled.

[**HB 860**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB860)**Inhaled asthma medication; professional use by practitioners (Bell)**

Provides that a prescriber may authorize pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice, and with the consent of the student's parents, an employee of (i) a school board, (ii) a school for students with disabilities, or (iii) an accredited private school who is trained in the administration or supervision of self-administered inhaled asthma medications to administer or supervise the self-administration of such medication to a student diagnosed with a condition requiring inhaled asthma medications when the student is believed to be experiencing or about to experience an asthmatic crisis. Such authorization shall be effective only when a licensed nurse, nurse practitioner, physician, or physician assistant is not present to perform the administration of the medication.

[**HB 999**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB999)**School board policies; epinephrine, accessibility (Bell)**

Requires each school board's policies on the possession and administration of epinephrine in every school in the local school division to require that at least one school nurse, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine has the means to access at all times during regular school hours any such epinephrine that is stored in a locked or otherwise generally inaccessible container or area.

[**HB 1073**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1073)**Tobacco and nicotine vapor products; parental educational information (Kory)**

Requires each school board to annually provide parents of pupils in grades kindergarten through 12 information regarding the health dangers of tobacco and nicotine vapor products. The bill requires that the information provided be consistent with guidelines set forth by the Department of Education.

[**HB 1090**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1090)**Immunizations; Board of Health shall be consistent with schedule (Hope)**

Provides that the Board of Health's Regulations for the Immunization of School Children shall be consistent with the Immunization Schedule developed and published by the Centers for Disease Control and Prevention, the Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians.

[**HB 1174**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1174)**Inhaled asthma medications; school nurse, etc., may administer to a student (Lopez)**

Provides that a prescriber may authorize pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice, and with the consent of the student's parents, an employee of (i) a school board, (ii) a school for students with disabilities, or (iii) an accredited private school who is trained in the administration or supervision of self-administered inhaled asthma medications to administer or supervise the self-administration of such medication to a student diagnosed with a condition requiring inhaled asthma medications when the student is believed to be experiencing or about to experience an asthmatic crisis. The bill provides that such authorization shall be effective only when a licensed nurse, nurse practitioner, physician, or physician assistant is not present to perform the administration of the medication.

### [SB 44](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB44) Public elementary and secondary school students; use of topical sunscreen, etc (Spruill)

Permits any public elementary or secondary school student to possess and use topical sunscreen in its original packaging on a school bus, on school property, or at a school-sponsored event without a note or prescription from a licensed health care professional if the topical sunscreen is approved by the U.S. Food and Drug Administration for nonprescription use for the purpose of limiting damage to skin caused by exposure to ultraviolet light.

# Student Support

[**HB 145**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB145)**(Simon)/** [**SB 161**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB161)**(Boysko) Public elementary and secondary schools; treatment of transgender students, policies**

Requires the Department of Education to develop and make available to each school board, no later than December 31, 2020, model policies concerning the treatment of transgender students in public elementary and secondary schools that address common issues regarding transgender students in accordance with evidence-based best practices and include information, guidance, procedures, and standards relating to (i) compliance with applicable nondiscrimination laws; (ii) maintenance of a safe and supportive learning environment free from discrimination and harassment for all students; (iii) prevention of and response to bullying and harassment; (iv) maintenance of student records; (v) identification of students; (vi) protection of student privacy and the confidentiality of sensitive information; (vii) enforcement of sex-based dress codes; and (viii) student participation in sex-specific school activities, events, and athletics and use of school facilities. The bill requires each school board to adopt, no later than the beginning of the 2021–2022 school year, policies that are consistent with but may be more comprehensive than such model policies developed by the Department of Education.

* **Signed by the governor**

[**HB 308**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB308)**Students; DOE to establish guideline for excused absence due to mental and behavioral health (Hope)**

Requires the Department of Education to establish and distribute to each school board no later than December 31, 2020, guidelines for the granting of excused absences to students who are absent from school due to mental or behavioral health and requires any student who is absent from school due to his mental or behavioral health to be granted an excused absence, subject to such guidelines.

[**HB 753**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB753)**Social-emotional learning; DOE to develop guidance standards (Rasoul)**

Requires the Department of Education to (i) establish a uniform definition of social-emotional learning and develop guidance standards for social-emotional learning for all public students in grades kindergarten through 12 in the Commonwealth; (ii) make such standards available to each local school division no later than July 1, 2021; and (iii) issue a report no later than November 1, 2021, on the resources needed to successfully support local school divisions with the implementation of a statewide social-emotional learning program.

[**HB 817**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB817)**Public schools; use of digital devices (Hope)**

Requires the Department of Education, in collaboration with the Department of Health and medical professional societies, to develop and implement health and safety best practice guidelines for the use of digital devices in public schools no later than the 2021 - 2022 school year.

[**HB 837**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB837)**Dress Code Equity Act; guidelines and policies for dress or grooming codes in schools (Carroll Foy)**

Requires the Board of Education to include in its guidelines and model policies for codes of student conduct (i) standards for reducing bias and harassment in the enforcement of any code of student conduct and (ii) standards for dress or grooming codes, which the bill defines as any practice, policy, or portion of a code of student conduct adopted by a school board that governs or restricts the attire of any enrolled student. The bill permits any school board to include in its code of student conduct a dress or grooming code. The bill requires any dress or grooming code included in a school board's code of student conduct or otherwise adopted by a school board to (a) permit any student to wear any religiously and ethnically specific or significant head covering or hairstyle, including hijabs, yarmulkes, headwraps, braids, locs, and cornrows; (b) maintain gender neutrality by subjecting any student to the same set of rules and standards regardless of gender; (c) not have a disparate impact on students of a particular gender; (d) be clear, specific, and objective in defining terms, if used; (e) prohibit any school board employee from enforcing the dress or grooming code by direct physical contact with a student or a student's attire; and (f) prohibit any school board employee from requiring a student to undress in front of any other individual, including the enforcing school board employee, to comply with the dress or grooming code.

[**HB 928**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB928)**Chesterfield County School Board; recovery high school to be established (Coyner)**

Permits the Chesterfield County School Board to establish a recovery high school in the school division as a year-round high school (i) for which enrollment is open to any high school student who resides in Superintendent's Region 1 and is in the early stages of recovery from substance use disorder or dependency and (ii) for the purpose of providing such students with the academic, emotional, and social support necessary to make progress toward earning a high school diploma and reintegrating into a traditional high school setting.

### [HB 1355](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1355) Community schools; establishment, community programs, etc. (Rasoul)

Requires the Department of Education to establish an interagency task force composed of state and local agencies and entities in the areas of early childhood development, health, social services, community engagement, family engagement, higher education, communities in schools, and workforce development for the purpose of developing a program for the establishment of community schools whereby public elementary and secondary schools serve as centers for the provision of such community programs and services to students and their families as may be necessary on the basis of the unique needs of the student population to be served. The bill requires such program to include a process by which school boards and community partnerships may apply to the Department of Education to designate an elementary or secondary school in the local school division as a community school.

# Studies

### [SJ 15](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SJ15) Teacher licensing process; Department of Education to study (Locke)

Requests the Department of Education to study the teacher licensure process and the assessment requirements therein for any inherent biases that may prevent minority teacher candidates from entering the profession.

# Teacher Employment, Licensure and Preparation

[**HB 74**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB74)**(Kory)/** [**SB 619**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB619)**(Deeds) Public schools; mental health awareness training**

Requires each school board to (i) adopt and implement policies that require each teacher and other relevant personnel, as determined by the school board, employed on a full-time basis, to complete a mental health awareness training or similar program at least once and (ii) provide such training, which may be provided pursuant to a contract with the Department of Behavioral Health and Developmental Services, a community services board, a behavioral health authority, a nonprofit organization, or other certified trainer or via an online module.

### [HB 365](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB365) (Carroll Foy)/ [SB 98](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB98) (Locke) Public elementary & secondary school teachers; probationary term of service, performance evaluation

Removes (i) the option for local school boards to extend the three-year probationary term of service for teachers by up to two additional years and (ii) the prohibition against school boards reemploying any teacher whose performance evaluation during the probationary term of service is unsatisfactory.

* **Signed by the governor**

[**HB 392**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB392)**School boards; applicants for employment, criminal history (Ward)** Prohibits each school board from employing any individual who has been convicted of a violent felony set forth in the definition of barrier crime in subsection A of § 19.2-392.02 of the Code of Virginia or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child. The bill permits each school board to employ any individual who has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § 19.2-392.02 of the Code of Virginia and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, provided that in the case of a felony conviction, such individual has had his civil rights restored by the Governor. The bill contains parallel provisions for contractors and their employees who have direct contact with students on school property during regular school hours or during school-sponsored activities. Current law provides that any felony conviction is a bar to employment and contract work in public schools.

[**HB 570**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB570)**(Guzman)/** [**SB 167**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB167) **(Favola) Teachers, public school; grounds for dismissal**

Removes the definition of "incompetency" for the purpose of establishing grounds for the dismissal of public school teachers.

* **Signed by the governor**

[**HB 836**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB836)**Microcredentials; DOE to develop a plan to adopt, etc. (Carroll Foy)**

Requires the Department of Education to develop a plan to adopt and implement standards for microcredentials used toward add-on endorsements and renewal of licenses earned by Virginia license holders in science, technology, engineering, and mathematics (STEM) fields. The bill requires such plan to include (i) a process for reviewing and administering educator microcredentials; (ii) assurances that educator microcredentials rely upon demonstrable evidence from the submission of artifacts, such as student projects and teacher lesson plans, that are then objectively scored against existing rubrics; and (iii) assurances that educator microcredentials focus on interrelated competencies leading to logical teacher professional development pathways and stacks of educator microcredentials and align with the Board of Education's ongoing work on educator professional development. Such plan shall also include the resources needed for statewide implementation. The bill requires the Department of Education to complete and submit the plan to the Chairmen of the House Committee on Education, the House Committee on Appropriations, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations no later than December 1, 2020.

[**HB 894**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB894)**Education preparation programs; teacher licensure, certain coursework, training, or instruction (Levine)**

Requires education preparation programs offered by public institutions of higher education and private institutions of higher education to include instruction on positive behavior interventions and supports, crisis prevention and de-escalation, the proper use of physical restraint, and appropriate alternative methods to reduce and prevent the need for the use of physical restraint and seclusion. The bill requires every person seeking initial licensure as a teacher who has not completed such coursework to complete instruction or training on such topics. The bill requires the Board of Education to adopt regulations to implement the foregoing requirements.

### [HB 1344](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1344) Teacher licensure; written reprimand, suspension (Askew)

Provides that when adopting regulations regarding the issuance of written reprimands of teachers and other school personnel required to hold a license, the Board of Education shall establish in such regulations the grounds for such written reprimands and provides that for a teacher who breaches his contract, the local board of education or division superintendent, in addition to a written reprimand or revocation of the teacher's license as in current law, may issue a suspension of the teacher's license.

* This is an agency bill

### [HB 1469](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1469) Teachers employed in accredited private elementary and secondary schools; provisional licenses (Gooditis)

Requires the Board of Education to extend for at least one additional year, but for no more than two additional years, the three-year provisional license of a teacher employed in an accredited private elementary or secondary school or a school for students with disabilities that is licensed by the Board upon receiving from the school administrator of such school (i) a recommendation for such extension and (ii) satisfactory performance evaluations for such teacher for each year of the original three-year provisional license.

### [HB 1568](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1568) (Rush)/ [SB 978](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB978) (Edwards) Technical professional licenses; military science endorsement

Directs the State Board of Education to amend its regulations to require that persons seeking a technical professional license with an endorsement to teach military science have either the appropriate credentials issued by the United States military or a recommendation from a Virginia employing educational agency.

* Signed by the governor

### [HB 1613](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1613) Public school teachers; technical professional licenses, eligibility criteria (Brewer)

Requires the Board of Education, pursuant to regulation, to permit any individual who seeks a technical professional license to substitute the successful completion of an intensive, job-embedded, three-year program of professional development for the nine semester hours of professional studies required for such license.

### [HB 1630](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1630) Public schools; extension of provisional teacher licensure (Kilgore)

Permits any school board and division superintendent to extend from three months to six months the period within which the provisional license of an individual seeking initial teacher licensure who has not completed professional assessments will expire for the purpose of establishing such individual's eligibility for initial licensure, provided that such individual has received a satisfactory mid-year performance review in the current school year and meets all other eligibility criteria.

### [SB 377](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB377) Teacher grievance procedures; hearing, three-member fact finding panel (Bell)

Permits a school board to conduct a teacher grievance hearing before a three-member fact-finding panel consisting of one member selected by the teacher, one member selected by the division superintendent, and an impartial hearing officer selected by the other two panel members, to serve as the chairman of the panel. Under current law, the school board has the option of appointing a hearing officer or conducting such hearing itself. The bill also removes the requirement that a teacher grievance hearing be set within 15 days of the request for such hearing and extends from five days to 10 days the minimum period of advanced written notice to the teacher of the time and place of such hearing.

### [~~SB 420~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB420)~~Public schools; seizure management and action plan, training (DeSteph)~~

~~Provides for the submission and utilization of seizure management plans for students with a seizure disorder. The bill requires that school nurses and certain school division employees complete an online course of instruction regarding treating students with seizure disorders. The bill also provides immunity from civil liability for acts or omissions related to providing for the care of a student under a seizure management plan.~~

### [SB 463](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB463) Student-athletes; sudden cardiac arrest prevention (Reeves)

Directs the Board of Education to develop, biennially update, and distribute to each local school division guidelines on policies to inform and educate coaches, student-athletes, and student-athletes' parents or guardians about the nature and risk of sudden cardiac arrest, procedures for removal from and return to play, and the risks of not reporting symptoms. The bill also requires local school divisions to develop and biennially update policies and procedures regarding the identification and handling of symptoms that may lead to sudden cardiac arrest in student-athletes.

### [SB 680](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB680) Teachers in certain schools for students with disabilities; extension of provisional licenses (Mason)

Requires the Board of Education to extend for at least one additional year, but for no more than two additional years, the three-year provisional license of a teacher employed in a school for students with disabilities that is licensed by the Board upon receiving from the school administrator of such school (i) a recommendation for such extension and (ii) satisfactory performance evaluations for such teacher for each year of the original three-year provisional license. The provisions of the bill mirror current law relating to the extension of provisional licenses for public school teachers.

* Signed by the governor

### [SB 832](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB832) Private schools; sexual misconduct, employment assistance prohibited (Ebbin)

Requires the governing boards or administrators of private elementary and secondary schools accredited on behalf of the Board of Education by the Virginia Council for Private Education to adopt and implement policies prohibiting any individual who is a governing board member, administrator, employee, contractor, or agent of such school to assist a governing board member, administrator, employee, contractor, or agent of such school in obtaining a new job if such individual knows or has probable cause to believe that the individual seeking new employment engaged in sexual misconduct regarding a minor or student in violation of law.

### [~~SB 1080~~](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB1080)~~Urban Teacher Fund and Program; established (Morrissey)~~

~~Establishes the Urban Teacher Fund and Program, to be administered by the Superintendent of Public Instruction, for the purpose of providing grants to persons employed in urban school divisions with teacher shortages who remain employed by the urban school division for a period of at least five years.~~

# Transportation

[**~~HB 15~~**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB15)**~~Public school buses; seat belts (Krizek)~~**

~~Requires the Board of Education to make regulations to require each new public school bus purchased for the transportation of students to be equipped with a seat belt consisting of a lap belt and shoulder strap or harness in every seat. The bill requires each school board to ensure that no later than July 1, 2038, each school bus that it uses for the transportation of students is equipped with a seat belt in every seat.~~

[**HB 75**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB75)**Electric utilities; electric school bus pilot program (Kory)**

Authorizes Dominion Energy to implement a pilot program under which it will deploy electric school buses in participating school divisions in its service territory. The initial phase of the pilot program is limited to the deployment of 50 electric school buses at a cost of up to $13.5 million. In each of the five years thereafter, the pilot program may be expanded by up to 200 additional electric school buses at a cost of up to $54 million per year. The pilot program provides that the utility may use vehicle-to-grid technology to access electricity in the storage batteries of the electric school buses when they are not in use. The duration of the pilot program shall not exceed 10 years, though the utility may petition the State Corporation Commission to make it permanent. Program costs, including the incremental cost of the electric school buses, are recoverable through the utility's base rates.

[**HB 1208**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1208)**Students, certain; waiver to access student transportation in certain cases (Tran)**

Each school board that provides for the transportation of students and that has established a rule, regulation, or policy to exclude certain students who reside within a certain distance from the school at which they are enrolled from accessing such transportation to establish a process for waiving, on a case-by-case and space-available basis, such exclusion and providing transportation to any such student whose parent is unable to provide adequate transportation for his child to attend school because the parent is providing necessary medical care to another family member who resides in the same household, as evidenced by a written explanation submitted by a licensed health care provider who provides care to such family member.

[**~~SB 988~~**](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB988)**~~Electric utilities; electric school bus projects (Lucas)~~**

~~Authorizes Dominion Energy Virginia to implement projects designed to encourage the proliferation of school buses that are fueled in whole or in part by electricity, along with associated charging and other infrastructure, for the purpose of transporting students and that may also serve as electric grid stabilization or peak shaving resources. Under an electric school bus project, Dominion may (i) purchase, own, manage, or control electric school buses, along with associated charging or other infrastructure; (ii) enter into third-party agreements for the purchase, lease, or use of electric school buses, along with associated charging or other infrastructure; (iii) enter into agreements with any the school board of any public school division located in the Commonwealth for joint ownership of or for leasing on commercially competitive terms of electric school buses, along with associated charging or other infrastructure; (iv) provide financial incentives or rebates to any school board to promote or facilitate the purchase and ownership by such public school board of electric school buses, along with associated charging or other infrastructure; and (v) engage in other activities to promote the development and proliferation of electric school bus transportation in the Commonwealth. The bill also provides a tax exemption for electric school buses and associated charging and other infrastructure that is related or incidental to an authorized electric school bus project.~~