# Report on 2022

# General Assembly

# activity

This report provides an update on the status of

legislation introduced during the 2022 Regular Session of the

General Assembly related to preK-12 education as well as

early childhood care and education.

Updated as of March 14, 2022.

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**\*Bills that are greyed out were either continued to 2023, incorporated, left in committee, or failed to report.**

## Assessments

[HB197](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB197) (Webert) Public elementary and middle schools; student growth assessments; NWEA MAP Growth assessment program. Requires the Board of Education, in implementing the through-year growth assessment system for the administration of reading and mathematics assessments in grades three through eight, to seek input and suggestions from each interested local school division in the Commonwealth regarding ways in which such system can emulate the functionality of the NWEA MAP Growth assessment program, including ease of administration and use, and shall, to the extent possible, incorporate such input and suggestions into the through-year growth assessment system.

[HB433](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB433) (Bulova) Certain Standards of Learning assessments; method of administration. Requires (i) the reading and mathematics Standards of Learning assessments in grades three through eight and the science assessments administered to students in grade five and after the student receives instruction in the grade six science, life science, and physical science Standards of Learning and before the student completes grade eight to be traditional achievement tests and (ii) the Virginia Studies and Civics and Economics assessments to be performance based and to measure the test taker's ability to apply the skills and knowledge learned in the class. The foregoing provisions of the bill have a delayed effective date of July 1, 2023. The bill also requires the Department of Education, with such funds as may be appropriated for such purpose pursuant to the general appropriation act, to develop a task bank for performance-based assessments that is built using vetted tasks that have been developed by practitioners and align with the Department's Virginia Quality Criteria Review Tool for Performance Assessments. \*Incorporated, in part, into HB585 (VanValkenburg)

[HB585](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB585) (VanValkenburg) Middle and high school end-of-course assessments; number and type. Requires, except for those middle and high school students with significant cognitive disabilities who participate in an alternate assessment, each student in middle and high school to take only those end-of-course Standards of Learning assessments necessary to meet federal accountability requirements and Virginia high school graduation requirements. The bill requires the Department of Education, in addition to such assessments, to develop or adopt and require each high school student to take, during junior year or at such other time as may be appropriate, statewide skills-based and performance-based end-of-course assessments in biology and U.S. history that are aligned to the Standards of Learning for each such subject. The bill requires each such assessment to be graded by the Department of Education according to statewide grading rubrics. The bill requires student performance on each such assessment to account for 10 percent of the student's final grade in each such course. The foregoing provisions of the bill have a delayed effective date of July 1, 2027, and the bill provides that the first such assessments shall be administered during the spring of the 2027–2028 school year. The bill further requires the Department of Education to (i) semiannually publish on a publicly accessible portion of its website sample statewide skills-based and performance-based end-of-course assessments in biology and U.S. history during the 2022–2023 through 2026–2027 school years and (ii) annually administer a pilot program during the 2023–2024 through 2026–2027 school years whereby it administers skills-based and performance-based end-of-course assessments in biology and U.S. history to high school juniors in select school divisions to determine the validity of such assessments and make such adjustments as may be necessary before the first such assessments are administered statewide during the spring of the 2027–2028 school year.

[SB430](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB430) (Dunnavant) Department of Education; assessing individual student growth. Requires the Department of Education to create or request proposals for a system for value-added modeling to assess growth of students in public schools. The bill requires each school board in the Commonwealth to, upon the creation of such system, implement the system and make reports made by the system available to parents or guardians for their child's report and the Department. \*Continued until 2023.

[SB760](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB760) (Suetterlein) Department of Education; task bank for performance-based assessments. Requires the Department of Education to develop a task bank for performance-based assessments that is built using vetted tasks that have been developed by practitioners and aligns with (i) the Department's Virginia Quality Criteria Review Tool for Performance Assessments, (ii) the content in the standards of quality, and (iii) the skills in the Profile of a Graduate. The bill provides that school divisions may select tasks from the task bank.

## Athletics, Interscholastic Programs, and Youth Sports

[HB522](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB522) (March) Students who receive home instruction; participation in interscholastic programs. Prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) receives home instruction; (ii) has demonstrated evidence of progress for two consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is a person of school age for whom public school is free; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers applicable to all high school athletes. The bill provides that no local school board is required to establish a policy to permit students who receive home instruction to participate in interscholastic programs. The bill permits reasonable fees to be charged to students who receive home instruction to cover the costs of participation in such interscholastic programs, including the costs of additional insurance, uniforms, and equipment. The bill has an expiration date of July 1, 2027.

[HB844](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB844) (Lopez) and [SB285](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB285) (Ebbin) High school interscholastic athletic competition; prevention of hate speech and ethnically or racially insensitive expressions. Requires the organization governing high school athletics and academic activities for public and approved nonboarding nonpublic high schools (the organization), with such funds as may be appropriated by the General Assembly for such purpose pursuant to the general appropriation act, to develop (i) rules and standards for the prevention of inequities involving the use of hate speech or ethnically or racially insensitive expressions during athletic and academic competitions sponsored by the organization's member schools, (ii) procedures for the enforcement of and penalties for the violation of such rules and standards, and (iii) training materials on such rules and standards. The bill requires each member school of the organization to abide by and implement such rules, standards, procedures, and penalties and ensure that each student who will participate in high school interscholastic athletic or academic competition, the parent of each such student, and each individual, whether paid or unpaid, who coaches a team that will participate in high school interscholastic athletic or academic competition receives and reviews such training materials. The bill requires the organization to make part of the process to become a registered official in good standing for any association offering services to the organization an education and training requirement that is consistent with the training materials developed by the organization. The bill has a delayed effective date of January 1, 2023.

[HB1043](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1043) (Tran) and [SB483](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB483) (McClellan) Department of Education; recommendations on background check and training requirements for youth sports coaches and staff. Directs the Department of Education to make recommendations regarding appropriate background check and training requirements for coaches, staff members, and other volunteers of competitive sports leagues in which persons under the age of 18 participate. The bill requires the Department of Education to consult with child sexual assault victims advocates and youth competitive sports leagues in making its recommendations and to submit to the Governor and General Assembly a report of its recommendations by November 1, 2022.

[HB1298](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1298) (Price) Certain student-athletes; compensation for name, image, or likeness. The bill prohibits any (i) high school student-athlete who participates in interscholastic athletic competition from entering into any contract to receive compensation in exchange for the use of such student's name, image, or likeness and (ii) student-athlete enrolled at an institution of higher education in the Commonwealth who participates in intercollegiate athletic competition from entering into any contract to receive compensation in exchange for the use of such student's name, image, or likeness, the duration of which extends beyond the student's enrollment at such institution.

[SB161](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB161) (Hashmi) Department of Education; heat-related illness; guidelines. Directs the Department of Education, in conjunction with stakeholders, to develop guidelines on policies to inform and educate coaches and student athletes and their parents or guardians of the nature and risk of heat-related illness, how to recognize the signs of heat-related illness, and how to prevent heat-related illness to be distributed to local school divisions by August 1, 2022.

[SB766](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB766) (Kiggans) Schools; athletics; participation in female sports; civil cause of action. Requires each elementary or secondary school or a private school that competes in sponsored athletic events against such public schools to designate athletic teams, whether a school athletic team or an intramural team sponsored by such school, based on biological sex as follows: (i) "males," "men," or "boys"; (ii) "females," "women," or "girls"; or (iii) "coed" or "mixed." Under the bill, male students are not permitted to participate on any school athletic team or squad designated for "females," "women," or "girls"; however, this provision does not apply to physical education classes at schools. The bill provides civil penalties for students and schools that suffer harm as a result of a violation of the bill. Such civil actions are required to be initiated within two years after the harm occurred.

## Board of Education

[HB879](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB879) (Rasoul) Board of Education; membership; qualifications. Requires the nine-member Board of Education, all of whom are appointed by the Governor, to include at least one member with experience or expertise in local government leadership or policymaking, at least one member with experience or expertise in career and technical education, and at least one member with experience or expertise in early childhood education.

[HB938](file:///C:\Users\lesliemsale\Downloads\HB938) (Robinson) Board of Education; stakeholder group; evaluation of and recommendations for certain current and proposed policies and performance standards for public elementary and secondary schools. Requires the Board of Education to collaborate with the Superintendent of Public Instruction and the Secretary of Education to convene a group of stakeholders to include parents, public school principals, public school superintendents, public school board members, institutions of higher education, the State Council of Higher Education for Virginia, industry partners and employers, and other concerned stakeholders to evaluate, to implement where possible, and to otherwise make recommendations to the General Assembly regarding seven enumerated goals. The bill requires the Secretary of Education and the Superintendent of Public Instruction, no later than November 30, 2022, to report to the chairmen of the House Committee on Education and the Senate Committee on Education and Health the results of such evaluation and recommendations to achieve such goals.**\*This is a Governor’s bill. The companion bill, SB558 (Suetterlein), failed to report from Senate Education and Health.**

[HB1188](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1188) (Davis) Board of Education; Student Advisory Board. Establishes a Student Advisory Board for the purpose of providing student perspectives on matters before the Board of Education. The Advisory Board shall consist of eight members appointed by the Governor, each of whom shall be a high school student who will enter senior year during the following school year and each of whom shall reside in a different Superintendent's region.

## Charter and College Partnership Laboratory Schools

[HB344](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB344) (Davis), [SB608](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB608) (Suetterlein), and [SB635](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB635) (Chase) Public charter schools; applications; review and approval. Permits the Board of Education (the Board) to receive, review, and rule upon applications for public charter schools and enter into agreements for the establishment of public charter schools. Under current law, the power to grant or deny a public charter school application and enter into an agreement for the establishment of a public charter school rests solely with local school boards. The bill also provides that the decision of the Board or a local school board to grant or deny a public charter school application or to revoke or fail to renew a public charter school agreement is final and is not subject to appeal. Current law contains an appeal process for such decisions. **\*These are Governor’s bills.**

[HB346](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB346) (Davis) and [SB598](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB598) (Pillion) College partnership laboratory schools; application and establishment. Permits any public institution of higher education, private institution of higher education, or private business to apply to the Board of Education (the Board) to establish a college partnership laboratory school as a new school or through the conversion of all or part of an existing school. Under current law, only public and private institutions of higher education that operate approved teacher education programs are permitted to apply to the Board to establish such a school and no explicit provision is made for the conversion of an existing school. The bill requires the Board, in reviewing such applications, to give substantial preference to any application from a historically black college or university and any application to establish a college partnership laboratory school in an underserved community, which the bill defines as a geographical area that is served by public schools in which a high percentage of students are eligible to receive free or reduced-price lunch, as determined by the Board. **\*These are Governor’s bills and because they were still in conference at the time of adjournment, will be carried over to the special session.**

[HB356](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB356) (Tata) and [SB125](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB125) (Obenshain) Public schools; regional charter school divisions. Authorizes the Board of Education (the Board) to establish regional charter school divisions consisting of at least two but not more than three existing school divisions in regions in which each underlying school division has (i) an enrollment of more than 3,000 students and (ii) one or more schools that have accreditation denied status for two out of the past three years. The bill requires such regional charter school divisions to be supervised by a school board that consists of eight members appointed by the Board and one member appointed by the localities of each of the underlying divisions. The bill authorizes the school board, after a review by the Board, to review and approve public charter school applications in the regional charter school divisions and to contract with the applicant. The bill requires that the state share of Standards of Quality per pupil funding of the underlying school district in which the student resides be transferred to such school. **\*These were Governor’s bills.**

## Early Childhood Care and Education

[HB41](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB41) (Scott) Early childhood care and education; publicly funded providers; assessment of children. Provides that, except as otherwise required by federal law, no child who is enrolled at a publicly funded provider shall be required to participate in the Virginia Kindergarten Readiness Program or any other program for the assessment of the child's cognitive ability, development, learning, or readiness for kindergarten.

[HB389](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB389) (Bulova) Early childhood care and education; regional entities; Child Care Subsidy Program Overpayment Fund established. Requires the Board of Education to establish a system of regional entities that will be responsible for coordinating early childhood care and education services, guiding quality improvement of such services and coordinated access to such services for families, and implementing the uniform measurement and improvement system. The bill establishes the Child Care Subsidy Program Overpayment Fund, consisting of all overpayment moneys collected or recovered by the Department of Education or any state or local agency contracted to administer the Child Care Subsidy Program, net of any refunds due to the federal government, to be used solely for the purpose of covering the cost of providing training and supports to early childhood care and education entities. **\*This is an agency bill.**

[HB994](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB994) (Brewer) and [SB529](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB529) (Reeves) Board of Education; Child Care Subsidy Program; Armed Forces. Directs the Board of Education (the Board) to amend its regulations to permit all active duty members of the Armed Forces of the United States who serve as caregivers to dependents to apply for the Child Care Subsidy Program. The bill directs the Board to adopt emergency regulations to implement the provisions of the bill. **\*These are Governor’s bills and have been signed by the Governor.**

[HB1328](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1328) (Delaney) and [SB737](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB737) (Boysko) Early childhood care and education entities; administration of epinephrine. Requires the Board of Education to amend its regulations to require each early childhood care and education entity to implement policies for the possession and administration of epinephrine in every such entity, to be administered by any nurse at the entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to any child believed to be having an anaphylactic reaction. The bill mandates that such policies shall require that at least one school nurse, employee at the entity, 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 facility hours any such epinephrine that is stored in a locked or otherwise generally inaccessible container or area. This bill shall be known as Elijah's Law.

[SB193](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB193) (Mason) Child day programs; licensure; accredited private schools. Adds to the list of child day programs not required to be licensed by the Superintendent of Public Instruction to operate in the Commonwealth programs offered by accredited private schools that are in good standing with the Virginia Council for Private Education and operate for no more than four hours per day. The bill provides that, to be exempt from licensure, such accredited private school programs must be staffed by the accredited private school's employees and attended by children who are at least five years of age and are enrolled in the school. The bill requires such programs to be subject to safety and supervisory standards established by the Virginia Council for Private Education.

[SB574](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB574) (Mason) Child care; background checks. Allows applicants for employment and applicants to serve as volunteers to work in certain child day centers, family day homes, and family day systems pending the results of a full background check, provided that (i) the applicant has received qualifying results on a fingerprint-based background check through the Central Criminal Records Exchange or the Federal Bureau of Investigation and (ii) the applicant is supervised at all times by a person who received a qualifying result on a full background check within the past five years.

## Facilities and Transportation

### Facilities

[HB63](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB63) (Edmunds) Additional local sales and use tax to support schools. Adds Prince Edward County to the list of localities that, under current law, are authorized to impose an additional local sales and use tax at a rate not to exceed one percent, with the revenue used only for capital projects for the construction or renovation of schools.

[HB251](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB251) (Simonds) and [SB481](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB481) (McClellan) School boards and local governing bodies; unexpended local funds; school maintenance, renovation, and construction. Encourages each school board to enter into a collaborative agreement with the local governing body to set aside in a separate fund any sums appropriated to the school board by the local governing body that are unexpended by the school board in any year in order to use such sums to finance school maintenance, renovation, or construction in the local school division. The bill declares any school board that fails to enter into such a collaborative agreement ineligible to participate in any state grant, loan, or bond program that supports school maintenance, renovation, or construction. This bill is a recommendation of the Commission on School Construction and Modernization.

[HB253](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB253) (Simonds) Literary Fund; loans; application process; maximum loan amounts; rates of interest; closing costs; waiting lists. Makes several changes to the provisions relating to loans from the Literary Fund to finance the construction and renovation of public elementary and secondary school buildings in the Commonwealth. The bill requires the Board of Education (the Board) to establish an annual open application process for Literary Fund loans to occur during the period that the Board deems most suitable. The bill increases from $7.5 million to $25 million the maximum Literary Fund loan amount and permits the Board to increase such maximum to up to $35 million for loans for any school construction or renovation project that facilitates the consolidation of schools. The bill requires the Board to fix the interest rate on all loans made from the Literary Fund at not less than one percent per year, not more than three percent per year, and at increments of one half of one percent per year between such minimum and maximum rates, payable annually, and to utilize a sliding scale based on the local school division's composite index of local ability to pay to determine the interest rate on each such loan. Under current law, such rates are required to be set between two and six percent per year. The bill requires the Board to establish a competitive program for the award of up to $25,000 to a school division that receives a Literary Fund loan for the purpose of subsidizing all or a portion of the closing costs for such loan. The bill also permits the Board to remove any project that has been inactive for at least five years from any Literary Fund loan project waiting list that it maintains. This bill is a recommendation of the Commission on School Construction and Modernization.

[HB391](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB391) (Frietas) Certain school board property; establishment of gun-free zone permitted. Removes the authority of any school board to deem any non-school zone building or property that it owns or leases where employees of such school board are regularly present for the purpose of performing their official duties as a gun-free zone. Under current law, any school board may prohibit any individual, subject to exceptions, from knowingly possessing, purchasing, transferring, carrying, storing, or transporting firearms, ammunition, or components or combination thereof while such individual is upon such property.

[HB559](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB559) (O'Quinn) Local school boards; composite index of local ability-to-pay; required local effort; adjustment in certain circumstances. Provides that in any case in which a local school board enters into a comprehensive agreement with a private entity pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002 whereby the private entity finances the construction of a new public school building in the local school division through the issuance of bonds; leases the building to the local school board in an arrangement such as a certificate of participation, a double net lease, or a triple net lease; and expects the local school board to make lease payments in an annual amount that approximates or is equal to the annual debt service on such bonds, the Department of Education shall not consider 50 percent of such lease payments as capital outlay and debt service and therefore shall not subtract such payments in the biennial calculation of net local expenditures for operations or required local effort for the purpose of determining such local school division's composite index of local ability-to-pay, if so requested by the local school board.

[HB563](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB563) (O'Quinn) School Construction Matching Grant Fund and Program; established; funding sources. Establishes the School Construction Matching Grant Fund and Program for the purpose of awarding matching grants on a competitive basis to local school boards that demonstrate poor school building conditions, commitment, and need, based on certain enumerated factors, in order for such local school boards to fund the construction of new public school buildings in the local school division. The bill permits the Board of Education to transfer sums from the Literary Fund to the School Construction Matching Grant Fund and for the Department of Education to use such sums to provide matching grants pursuant to the Program.

[HB608](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB608) (Bourne) and [SB276](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB276) (Stanley) School boards; unexpended local funds; capital projects. Permits any school board to finance capital projects with any funds appropriated to it by the local governing body that are unexpended by the school board in any year. The bill is a recommendation of the Commission on School Construction and Modernization. **\*HB608 (Bourne) was left in House Education. SB276 (Stanley) was incorporated in SB481 (McClellan).**

[HB1100](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1100) (LaRock) and [SB603](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB603) (Stanley) Board of Education; standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings. Requires the Board of Education (the Board) to make recommendations to the General Assembly for amendments to the Standards of Quality to establish standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings. The bill requires such recommendations to include standards for the percentage of the current replacement value of a public school building that a school board should budget for the maintenance and operations of the building and such other standards as the Board deems appropriate. The bill also requires the Board to solicit the input of relevant stakeholders and the public in developing such recommendations. Finally, the bill requires the Board to submit its recommendations to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than December 1, 2022. This bill is a recommendation of the Commission on School Construction and Modernization.

[SB37](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB37) (Norment) Sales tax; additional local tax for schools. Adds Isle of Wight County to the list of localities that, under current law, are authorized to impose an extra one percent local sales tax. Revenue from the tax may be used only for constructing or renovating schools.

[SB117](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB117) (Newman) K-12 funding. Provides that for any year in which there is a surplus, the Governor shall include in his proposed budget an appropriation of five percent of such surplus for the operational costs of local school divisions. The bill provides for an equivalent decrease in the amount of operational costs funded by the Lottery Proceeds Fund and an equivalent increase in the amount of funds in the Fund restricted exclusively for local school divisions' capital construction and renovation costs. If the restricted amount is equal to or greater than the amount in the Fund, the increases and decreases are no longer required under the bill. **\*SB117 was incorporated in SB473 (McClellan).**

[SB238](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HBSB238) (McPike) Department of Education; school division maintenance reserve tool. Requires the Department of Education, in consultation with the Department of General Services, to develop or adopt and maintain a data collection tool to assist each school board to determine the relative age of each public school building in the local school division and the amount of maintenance reserve funds that are necessary to restore each such building. The bill requires each school board to provide to the Department of Education in a timely fashion the local data that is necessary to ensure that such tool remains relevant and useful for the determination of maintenance reserve needs. The bill requires the Department of Education to consider converting or using as a template the Department of General Services' M-R FIX tool to meet the above requirement to maintain such a tool. This bill is a recommendation of the Commission on School Construction and Modernization. **\*The companion bill, HB252 (Simonds), was left in House Education.**

[SB298](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB292) (Deeds) and [HB545](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB545) (Hudson) Additional local sales and use tax to support schools. Adds the City of Charlottesville to the list of localities that, under current law, are authorized to impose an additional local sales and use tax at a rate not to exceed one percent, with the revenue used only for capital projects for the construction or renovation of schools.

[SB472](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB37) (McClellan) Additional local sales and use tax to support schools. Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent, with the revenue used only for capital projects for the construction or renovation of schools. Under the bill, the tax can only be imposed if it is initiated by a resolution of the local governing body and approved by the voters in a referendum. The bill requires the governing body to specify in the enacting ordinance the time period, not to exceed 20 years, for which the tax would be imposed, and revenue from the tax is required to be used solely for capital projects for new construction or major renovation of schools in the locality enacting the tax. Under current law, only Charlotte County, Gloucester County, Halifax County, Henry County, Mecklenburg County, Northampton County, Patrick County, Pittsylvania County, and the City of Danville are authorized to impose such a tax. **\*The companion bills, HB531 (Hudson) and HB1099 (LaRock), were left in House Finance.**

[SB473](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB473) (McClellan) Department of Education; School Construction Fund and Program; Gaming Proceeds Fund revenues. 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. The bill provides that three percent of any fiscal year's budget surplus shall be appropriated to the School Construction Fund and Program. The bill also provides that any remaining revenues not appropriated by the Gaming Proceeds Fund shall be appropriated to the School Construction Fund and Program. Under current law, any remaining revenues in the Gaming Proceeds Fund not appropriated remain in the Fund until appropriated by the General Assembly for programs established to address public school construction, renovations, or upgrades. **\*The companion bill, HB254 (Simonds), was left in House Appropriations.**

### Transportation

[HB113](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB113) (March) Public school buses; decals; "In God We Trust" and "One Nation Under God." Permits local school boards, notwithstanding any regulation to the contrary, to display on the sides and rear of public school buses decals containing the motto "In God We Trust" or the phrase "One Nation Under God", provided that no such decal obstructs the name of the school division or the number of the school bus.

[HB313](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB313) (Krizek) Public school buses; seat belts. 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, 2040, each school bus that it uses for the transportation of students is equipped with a seat belt in every seat.

[HB452](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB452) (Bennett-Parker) Public school buses; display of advertising; hiring of school bus drivers in the local school division. Permits any local school board, notwithstanding any regulation to the contrary, to display decals, posters, and stickers on the sides and rear of school buses advertising the hiring of school bus drivers in the local school division, provided that the local school board is responsible for the cost of such decals, posters, and stickers and that no such decal, poster, or sticker obstructs the name of the school division or the number of the school bus.

## Learning and Instructional Material

### Career and Technical Education

[HB1064](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1064) (Brewer) and [SB628](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB628) (Stanley) Public School Trades Incentive Fund and Program; established. Establishes the Public School Trades Incentive Fund (the Fund) and the Public School Trades Incentive Program (the Program) for the purpose of providing grants on a competitive basis from the Fund to any school board that seeks to (i) restore high school programs that teach students skilled trades that lead to earning industry-recognized certifications or credentials or (ii) create or restore middle school programs that encourage and recruit students to participate in high school programs that teach students skilled trades that lead to earning industry-recognized certifications or credentials. The bill requires the Department of Education to administer the Program and to establish such rules and procedures relating to applications and awards as it deems appropriate, provided that the Department considers and gives appropriate weight to certain criteria for grantees. The bill permits any grantee to use Program funds for equipment, curriculum development, or instructor training. The bill requires each grantee to longitudinally track students who complete any program for which the school board received funds in order to determine the effectiveness of the (a) new or restored middle school programs in recruiting students to participate in restored high school programs and (b) restored high school programs in matching students with high-paying jobs in the fields in which they are certified or credentialed.

[HB718](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB718) (Filler-Corn) and [SB661](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB661) (Lucas) Virginia Board of Workforce Development; powers and duties; collaboration to develop apprenticeship program. Directs the Virginia Board of Workforce Development to assist the Governor in collaborating with the Department of Education and the Secretaries of Labor, Education, and Commerce and Trade to develop and administer an office that shall serve as the primary office for apprenticeship programs. The Department of Education and the Secretaries of Labor, Education, and Commerce and Trade shall rely on data from the Office of Education and Labor Market Alignment in developing apprenticeship programs that are based on high-demand industry needs.

### Family Life Education

[HB785](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB785) (LaRock) Family life education curriculum guidelines; human reproduction; viewing of ultrasound video recording. Requires the instruction on human reproduction contained in the Board of Education's family life education curriculum guidelines to include the viewing of a video recording of an ultrasound of a live unborn human in the uterus.

[HB789](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB789) (LaRock) Family life education programs; student participation; summaries. Prohibits any public elementary or secondary school student from participating in any family life education program without the prior written consent of his parent. The bill requires the summary that is required to be posted and distributed to parents for each such program to include contact information for the individual or office responsible for maintaining printed and audio-visual program materials.

[HB1023](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1023) (Guzman) Certain family life education curricula; optional instruction on human trafficking. Permits any family life education curriculum offered by a local school division before high school to incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of human trafficking of children.

[HB1347](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1347) (LaRock) Family life education instruction; school year time limit. Requires each school board that offers a family life education curriculum to limit instruction delivered to students pursuant to such curriculum to one hour per school year in each grade level.

### General Curriculum and Instructional Material

[HB533](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB533) (Batten) Public elementary and secondary schools; agreements to establish opportunity classrooms. Requires each school board to enter into an agreement, upon request, with a public elementary or secondary school teacher or a group of such teachers in a local school division who represents more than 20 students to establish an opportunity classroom, which the bill defines as a classroom in which a curriculum in English, mathematics, science, history and social science, and any other subject area, as set forth in such agreement, is offered that is different than any curriculum that is otherwise offered in such subject areas in the local school division. The bill permits each school board to enter into such agreement for an opportunity classroom if the requesting teacher or group of teachers represents fewer than 20 students. The bill contains requirements for such agreements to establish opportunity classrooms and provisions relating to funding for opportunity classrooms and for services, transportation, and assessments for students who are enrolled in an opportunity classroom.

[HB781](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB781) (Williams) Public elementary and secondary schools; student citizenship skills; certain instructional policies prohibited; parental rights; disclosures; penalties; other remedies. Requires the Board of Education to incorporate into each relevant Standard of Learning and associated curriculum framework a requirement that each student demonstrate the understanding of, among other concepts, the fundamental moral, political, and intellectual foundations of the American experiment in self-government, as well as the history, qualities, traditions, and features of civic engagement in the United States. The bill prohibits any public school teacher or other instructional staff member from being required to discuss any current event or widely debated and currently controversial issue of public policy or social affairs and provides that any such employee who chooses to discuss any such event or issue in the scope of his instructional duties shall, to the best of his ability, strive to explore such issues from diverse and contending perspectives, without giving deference to any one perspective. The bill prohibits the Board and Department of Education and each local school board from teaching, instructing, or training certain individuals and groups, including teachers and students, to support, believe, endorse, embrace, confess, act upon, or otherwise assent to a divisive concept, as defined in the bill, or penalizing or discriminating against any such individual or group for refusing to do so. The bill also prohibits any school board or employee thereof from teaching or incorporating into any course or class any such divisive concept or creating a position or hiring a consultant with the job title of equity director or diversity director or a substantially similar title and with a job description that includes any activity that would result in a violation of a provision of the bill. The bill further declares that the parent of each student enrolled in a public elementary or secondary school has the right to be aware of all curricula, instructional materials, lessons, and other forms of instruction provided to his child and may request that the student's teacher provide any such item for review. Finally, the bill provides that in the event that a local school board finds that a school board employee has persistently, knowingly, and intentionally violated any of the bill's provisions, the parent of any student affected by such violations may request and the local school board shall provide a voucher in an amount equal to all sums from any source that the local school board received for the education of such student and the parent shall use such voucher to provide for the education of his child in any setting set forth in relevant law.

[HB786](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB786) (LaRock) Board of Education; policy on certain instructional material and related academic activities; annual parental notification; replacement or alternative material and activities; local compliance. Requires the Board of Education to establish, and each local school board to comply with, a policy to require each public elementary or secondary school to (i) annually notify the parent of any student enrolled in a class or course in which the instructional material or related academic activities includes or may include sexually explicit content, as defined in the bill, or content that depicts sexual misconduct, as defined in the bill; (ii) permit the parent of any student to review instructional material that includes sexually explicit content or content that depicts sexual misconduct, upon request; and (iii) provide, as a replacement or an alternative to instructional material and related academic activities that include sexually explicit content or content that depicts sexual misconduct, instructional material and related academic activities that do not include sexually explicit content or content that depicts sexual misconduct to any student whose parent so requests.

[HB787](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB787) (LaRock) Training or instruction on certain concepts in public elementary and secondary education; declaration as unlawful and discriminatory practice. Declares it an unlawful and discriminatory practice for any local school board or employee or contractor thereof to train or instruct any individual on any divisive concept, as defined in the bill, for the purpose of promoting and encouraging such individual to adopt or believe such concept. The bill requires the Department of Education to establish model policies for the prevention of such unlawful and discriminatory practice and each local school board to adopt policies that are consistent with but may be more comprehensive than the model policies established by the Department.

[HB946](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB946) (Wampler) Board of Education; local school boards; public notice and comment regarding certain materials. Requires the Board of Education (the Board), in order to provide appropriate opportunity for input from the general public, parents, teachers, and local school boards, to solicit public comment prior to revising, adopting, or approving any Standards of Learning resource guide or curriculum framework, list of recommended textbooks in any Standards of Learning academic subject, textbook, instructional aid or material, or required or recommended reading list. The bill requires the Board to publish notice of its intended action at least 30 days prior to soliciting public comment, provide interested parties reasonable opportunity to be heard and present information prior to final action of the Board, and make such materials available for public inspection at least 30 days prior to final revision, adoption, or approval, as the case may be. Under current law, such requirements for public input apply only to the adoption or revision of Standards of Learning resource guides and lists of recommended textbooks in any Standards of Learning academic subject. The bill also requires the Board to establish minimum standards for local school boards to provide appropriate opportunity for input from the general public, parents, and teachers by soliciting public comment prior to revising, adopting, or approving any curriculum, textbook, instructional aid or material, or required or recommended reading list. The bill requires each local school board to comply with such minimum standards, which are required to include opportunities for public input that are substantially similar to those that are required to be provided by the Board.

[HB1032](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1032) (LaRock) Superintendent of Public Instruction and local school boards; standards for certain public school library materials; parental review of library and other educational materials. Requires the Superintendent of Public Instruction to develop and distribute to each local school board and each such school board to enforce throughout the local school division mandatory statewide standards for evaluating, classifying, and removing from any public elementary or secondary school library any explicit material. The bill also permits the Office of the Attorney General to enforce compliance with such standards in any local school division. The bill also establishes means and processes for the review of education materials and the review and approval of library materials by parents, including requiring the parents of all students who attend a public elementary or secondary school to comprise the Parental Review and Approval Committee for such school and requiring such Committee to review and vote to approve or disapprove of each item on a list of proposed library materials distributed to it by the school.

[HB1068](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1068) (Cordoza) and [SB570](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB570) (Kiggans) Public elementary and secondary schools; curricula and instruction including inherently divisive concepts prohibited. Requires each public elementary or secondary school principal to ensure that no curriculum utilized or instruction delivered in the school includes inherently divisive concepts, as that term is defined in the bill, regardless of whether such curriculum or instruction is provided by a school board employee or any other individual or entity. **\*These are Governor’s bills.**

[HB1126](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1126) (Avoli) Public education; parental rights; access to certain facilities and accommodations; instructional content; bullying. Declares that the parent of any student enrolled in a public elementary or secondary school in the Commonwealth has the right to (i) obtain and review any educational material and curriculum utilized in any class or course in which the student is enrolled; (ii) opt his child out of any class or course activity, lesson, or reading assignment or the use of any audiovisual material or library book to which the parent objects; (iii) easily access a list of the title and author of each book in each classroom and each library in the school in which the student is enrolled; (iv) receive notice of and attend any public meeting of the school board governing the local school division in which the student is enrolled; (v) review the annual school division budget and expenditures; (vi) send his child to attend school in a safe environment; and (vii) be updated by the school principal on any violent activity in the school in which the student is enrolled. The bill requires each school board to adopt policies to require each student and school board employee to have access to restrooms, locker rooms, and other changing facilities in public school buildings that are shared only by members of the same biological sex; lodging accommodations during school-sponsored trips that are shared only by members of the same biological sex; and a single-user restroom, locker room, or other changing facility in a public school building, upon request, if the school can reasonably accommodate such a request. The bill also prohibits any school board employee or individual who provides any school-sponsored program from teaching or promoting to any student or school board employee the concept that (a) any race is inherently superior or inferior; (b) any individual is racist, privileged, oppressive, biased, or responsible for actions committed by others of the same race or skin color by virtue of the individual's race or skin color; (c) the United States is fundamentally racist; or (d) market-based economics is inherently racist. The bill finally requires each school board to implement policies and procedures to educate school board employees about bullying and the need to create a school environment in which all individuals are treated with dignity and respect and any incident of bullying is taken seriously and handled in a robust manner.

[HB1272](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1272) (Batten) and [SB739](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB739) (Dunnavant) Public elementary and secondary schools and public school-based early childhood care and education programs; student instruction; masks; emergency. Requires, except in the case of the 10 unscheduled remote learning days otherwise permitted by law or in certain cases of student discipline, each school board to offer in-person instruction, as defined in the bill, to each student enrolled in the local school division in a public elementary or secondary school for at least the minimum number of required annual instructional hours and to each student enrolled in the local school division in a public school-based early childhood care and education program for the entirety of the instructional time provided pursuant to such program. The bill permits, notwithstanding any other provision of law or any regulation, rule, or policy implemented by a school board, school division, school official, or other state or local authority, the parent of any child enrolled in a public elementary or secondary school, or in any school-based early childhood care and education program, to elect for such child to not wear a mask while on school property. The bill provides that no parent making such an election shall be required to provide a reason or any certification of the child's health or education status and no student shall suffer any adverse disciplinary or academic consequences as a result of this parental election. The bill requires each local school division to comply with the foregoing provisions relating to masks no later than March 1, 2022. The bill clarifies that none of the foregoing provisions shall be construed to affect the authority granted to the Governor to achieve the purposes of relevant emergency services and disaster law with regard to a communicable disease of public health threat. SB739 contains an emergency clause. **\*These are Governor’s bills. SB739 (Dunnavant) has already been signed and enacted per its emergency clause.**

[SB275](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB275) (DeSteph) Public school libraries; printed and audiovisual materials; selection, evaluation, checkout, and removal procedures. Requires each local school board to adopt policies that address the selection and evaluation of all printed and audiovisual materials purchased by, donated to, or otherwise made available to the school division that will be available to students in school libraries and requires such policies to contain clear procedures for (i) parental involvement in and a reasonable opportunity for public comment before the selection and evaluation of printed and audiovisual materials that will be available to students in school libraries; (ii) mandatory prior written parental consent before a student is permitted to check out from the school library any such printed or audiovisual materials that could be considered grooming video or materials, as that term is defined in relevant law; and (iii) the removal from the school library of any such printed or audiovisual materials that could be considered grooming video or materials, as that term is defined in relevant law.

[SB656](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB656) (Dunnavant) Board of Education; policy on sexually explicit instructional material. Requires the Board of Education to establish, and each local school board to comply with, a policy to require each public elementary or secondary school to (i) notify the parent of any student whose teacher reasonably expects to provide instructional material that includes sexually explicit content, (ii) permit the parent of any student to review instructional material that includes sexually explicit content upon request, and (iii) provide, as an alternative to instructional material and related academic activities that include sexually explicit content, nonexplicit instructional material and related academic activities to any student whose parent so requests. **\*These are Governor’s bills. The companion bills, HB1007 (Scott) and HB1009 (Durant), were left in House Education and Senate Education and Health, respectively.**

### Governor’s Schools

[HB127](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB127) (Davis) Academic year Governor’s Schools; certain practices prohibited and permitted. Prohibits any academic year Governor’s School or governing board member, director, administrator, or employee thereof from discriminate against any individual or group on the basis of race, sex, color, ethnicity, or national origin in the process of admitting students to such school. Each local school board that jointly manages and controls a regional academic year Governor's school shall collaborate to ensure that each public middle school that is eligible to send students to attend such Governor's school offers coursework, curriculum, and instruction that is comparable in content and in rigor in order to provide each student in each such middle school with the opportunity to gain admission to and excel academically at such Governor's school. **\*This is a Governor’s bill.**

[HB486](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB456) (Subramanyam) Thomas Jefferson High School for Science and Technology; admissions requirements. Requires the Thomas Jefferson High School for Science and Technology academic year Governor's School in Fairfax County to annually admit for first-time enrollment as freshmen at least 100 students who reside in the Loudoun County school division.

### Literacy

[HB319](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB319) (Coyner) and [SB616](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB616) (Lucas) Virginia Literacy Act; early student literacy; evidence-based literacy instruction; science-based reading research. Makes several changes relating to early student literacy, including requiring (i) each education preparation program offered by a public institution of higher education or private institution of higher education or alternative certification program that provides training for any individual seeking initial licensure with an endorsement in a certain area, including as a reading specialist, to demonstrate mastery of science-based reading research and evidence-based literacy instruction, as such terms are defined in the bill; (ii) the literacy assessment required of individuals seeking initial teacher licensure with endorsements in certain areas to include a rigorous test of science-based reading research and evidence-based literacy instruction; (iii) each school board to establish a divisionwide literacy plan; and (iv) each local school board to provide a program of literacy instruction whereby, among other things, (a) the program provides reading intervention services to students in kindergarten through grade three who demonstrate deficiencies based on their individual performance on the Standards of Learning reading assessment or an early literacy screener provided or approved by the Department of Education; (b) a reading specialist, in collaboration with the teacher of any student who receives such reading intervention services, develops, oversees implementation of, and monitors student progress on a student reading plan; and (c) each student who receives such reading intervention services is assessed utilizing either the early literacy screener provided or approved by the Department or the grade-level reading Standards of Learning assessment again at the end of that school year. The provisions of the bill become effective beginning with the 2024–2025 school year. **\*These are Governor’s bills.**

[HB418](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB418) (Delaney) Public elementary and secondary education; at-risk add-on funds; Reading Recovery. Removes Reading Recovery from the list of programs and initiatives for which school boards may use at-risk add-on funds.

### Other

[HB340](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB340) (Davis) Board of Education; high school graduation; alternative pathways to the advanced studies diploma; associated diploma seals. Directs the Board of Education to establish pathways to the advanced studies high school diploma, and associated diploma seals for students who successfully follow and demonstrate excellence on such pathways, that require advanced coursework in career and technical education in lieu of world language courses or any other required course that the Board deems appropriate. The bill requires such pathways and diploma seals to become effective for the 2023-2024 school year and to be available to any student, regardless of the school year during which the student enters ninth grade.

[HB1108](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1108) (Rasoul) Public schools; instruction concerning gambling. Requires instruction concerning gambling and the addictive potential thereof to be provided by the public schools as prescribed by the Board of Education.

[HB1246](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1246) (Tran) Public elementary and secondary schools; students; digital tools; accessibility. Requires the Department of Education to convene a work group to provide input and recommendations to the Department of Education, the Board of Education, and the General Assembly no later than November 1, 2022, regarding (i) ways in which school divisions can effectively identify and receive responsive and responsible bids from vendors to procure digital tools, including online platforms, courses, digital applications, information and communication technology services, and digital content, that comply with the federal accessibility standard and (ii) any statutory or regulatory changes that may assist school divisions to procure such digital tools that comply with such standard.

[HB1215](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1215) (Ransone) Physical education; public safety training. Requires any physical education class offered to students in grades seven and eight to include at least one hour of public safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training, social media education, and self-defense tactics training.

[HB1299](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1299) (Coyner) and [SB738](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB738) (Morrissey) Department of Education; State Council of Higher Education for Virginia; instruction concerning post-graduate opportunities for high school students. Requires the Department of Education to collect and distribute to public schools and publicly post on its website information that assists high school students in making more informed decisions about their futures after graduating from high school and in doing so ensure that such students are aware of the costs and benefits of different educational and certificate programs. The bill directs the Department to annually collect and compile such information in consultation with the State Council of Higher Education for Virginia and any other entity that can assist the Department with collecting and compiling such information and to update its distribution materials accordingly each year. The bill requires the Department to post and distribute the information to school boards, with any relevant updates, no later than October 1 each year and requires each school board to ensure that the information is readily available to each high school student and distributed to each high school student who expresses an interest in attending an institution of higher education or completing another training program as described in the bill.

[SB78](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB78) (Norment) Board of Education; driver education programs; parent/student driver education. Requires the Board of Education to include the requirement for an additional minimum 90-minute parent/student driver education component in its driver education program for all public school divisions. Under current law, the parent/student driver education component is required for Planning District 8 (Northern Virginia) and optional in all other school divisions.

[SB384](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB384) (Dunnavant) Department of Education; Statewide Learning Management System established. Directs the Department of Education to establish the Statewide Learning Management System (VaLMS). The VaLMS shall be available to each public school in the Commonwealth. The bill allows school boards to utilize the VaLMS as an alternative to a multidivision online provider in the provision of virtual school programs.

### STEM+C

[HB217](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB217) (Simonds) Virginia Science, Technology, Engineering, and Mathematics (STEM) Education Advisory Board; STEM and Computing (STEM+C); review federal occupational categories; report. Requires the Virginia STEM Education Advisory Board (the Board) to (i) review the occupational categories in the U.S. Bureau of Labor Statistics' standard occupational classification system to determine the occupational categories that are not properly captured in the Commonwealth's existing STEM+C workforce profile and the gaps in the Commonwealth's tracking of careers in these occupational categories for the purpose of better aligning K%9616 education priorities and the Board's tracking and coordination of STEM+C and (ii) share its findings with the Virginia Economic Development Partnership Authority's Office of Education and Labor Market Alignment (the Office) to include in the Office's efforts to specifically align STEM+C workforce and education. The bill requires the Board, in conducting such review, to focus on occupational categories such as advanced manufacturing, agriculture, financial systems, health care, military, and K12 education careers that are not currently tracked or categorized by the U.S. Bureau of Labor Statistics as STEM+C career fields. The bill also requires the Board to submit its findings and any recommendations to the General Assembly no later than October 1, 2022.

[HB221](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB221) (Davis) and [SB239](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB239) (Hashmi) STEM+C; Virginia STEM Education Advisory Board. Adds science, technology, engineering, mathematics and computing (STEM+C), which includes real-world, interdisciplinary, and computational instruction and preparation of students in STEM+C, to the list of topics that shall be included in the Standards of Learning for the Commonwealth. The bill also directs the Virginia STEM Education Advisory Board to develop and submit to the Board of Education (i) a rubric that shall be used by the Board of Education in setting out what factors permit a school to be defined as a STEM school and (ii) recommendations for the Board to create a measurement for quality of STEM programming in general education instruction. The bill also directs the Virginia STEM Education Advisory Board to draft and report to the Department of Education proposed common language and terminology that better defines the basic literacies employed in STEM+C as methodological approaches to solving universal human challenges and, as essential, generalizable and transferable literacy toward the application of skills and content needed to solve those challenges. The bill also directs the Department of Education, based on such proposed language and terminology and no later than December 1, 2022, to recommend finalized language and terminology to the Board of Education.

[HB362](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB362) (Subramanyam) Department of Education; local school boards; instruction on climate change. Requires the Department of Education, in collaboration with environmental groups and other relevant state agencies such as the Department of Environmental Quality and the Department of Health and to assist local school boards in the implementation of programs of instruction that comply with the requirements relating to the Standards of Learning, specifically relating to citizenship and environmental issues and geography necessary for responsible participation in American society and the international community, to develop, no later than July 1, 2023, an interdisciplinary program of instruction on the causes of and potential solutions for climate change. The bill requires each local school board to incorporate, during the 2024-2025 school year, such program of instruction into curricula and instruction in the local school division in each core academic subject area at the grade levels that it deems most appropriate. The bill requires the Department of Education to implement and oversee a one-year pilot program to provide training and technical assistance to a diverse cross section of local school boards to implement such program of instruction in the local school division during the intervening 2023-2024 school year between the development and full local implementation of such program of instruction.

[HB636](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB636) (Carr) Virginia student environmental literacy; plan; grant fund and program. Requires the Board of Education, in consultation with the Department of Environmental Quality, the Department of Health, any other stakeholder that it deems appropriate, and the public, and in order to assist each local school board in developing and implementing a program of instruction for grades kindergarten through 12 that is aligned to the Standards of Learning and emphasizes environmental literacy as an essential skill and concept of citizenship that is necessary for responsible participation in American society and in the international community, to establish and update at least once every five years a Virginia student environmental literacy plan (the plan) that (i) prepares students to understand, analyze, and address the major environmental challenges facing the Commonwealth and the United States; (ii) provides field experiences as part of regular school curricula and creates programs that contribute to healthy lifestyles through outdoor recreation and sound nutrition; and (iii) creates opportunities for the enhanced and ongoing professional development of teachers that improves teachers' environmental subject matter knowledge and pedagogical skills in teaching about environmental issues, including the use of interdisciplinary, field-based, and research-based learning and innovative technology in the classroom. The bill requires the plan to include a description of (a) how the Board will measure the environmental literacy of students, including relevant Standards of Learning and related curricula and courses or subjects where environmental education instruction will be integrated throughout grades kindergarten through 12 curricula, and the relationship of the plan to the high school graduation requirements established by the Board; (b) programs for the professional development of teachers to improve teachers' environmental subject matter knowledge and pedagogical skills in teaching about environmental issues, including the use of interdisciplinary, field-based, and research-based learning and innovative technology in the classroom; and (c) how the Board will implement the plan, including securing funding and other necessary support. The bill establishes the Virginia Student Environmental Literacy Plan Grant Fund and Program, to be administered by the Department of Education, for the purpose of awarding grants on a competitive basis to any local school board that seeks assistance to initiate, expand, or improve teacher professional development opportunities or student environmental education programs that align with the content and objectives of the plan.

[HB1026](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1026) (Guzman) Superintendent of Public Instruction; establishment of the Digital Citizenship, Internet Safety, and Media Literacy Advisory Council. Requires the Superintendent of Public Instruction to establish and appoint no more than 12 members to the Digital Citizenship, Internet Safety, and Media Literacy Advisory Council (the Council), including at least one of each of the following: teacher, librarian, representative of a parent-teacher organization who is the parent of a school-age child, school administrator, and individual with expertise in digital citizenship, Internet safety, and media literacy. The bill requires the Council to (i) develop and recommend to the Board of Education for adoption a model policy for local school boards that would enable such school boards to better support the digital citizenship, Internet safety, and media literacy of all students in the local school division; (ii) develop and recommend to the Board for adoption model instructional practices for the safe, ethical, and responsible use of media and technology by students in public elementary and secondary schools; (iii) design and post on the Department of Education's website a page with links to successful instructional practices, curricula, and other teacher resources used in school divisions within and outside of the Commonwealth for the safe, ethical, and responsible use of media and technology by students and teachers; and (iv) submit a report of its findings to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than October 31, 2023. The bill has an expiration date of July 1, 2024.

[SB261](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB261) (Hashmi) Virginia STEM Education Advisory Board; comprehensive review of labor statistics categories; report. Directs the Virginia Science, Technology, Engineering, and Mathematics (STEM) Education Advisory Board (the Board) to perform a comprehensive review of U.S. Bureau of Labor Statistics categories within the standard occupational classification system and assess deficit areas that do not capture Virginia's existing STEM+C (Computing) workforce profile for the purpose of better aligning K-12 and higher education priorities. The Board shall report its findings to the Virginia Economic Development Partnership Authority Office of Education and Labor Market Alignment and the Chairmen of the House Committee on Communications, Technology and Innovation and the Senate Committee on General Laws and Technology no later than October 1, 2022.

## Local School Boards and Divisions

[HB18](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB18) (Fowler) Appointed school board members; salaries. Permits any appointed school board to pay each of its members an annual salary that is consistent with the salary procedures and no more than the salary limits provided for local governments in relevant law or as provided by charter, with certain exceptions and conditions. Current law sets a specific maximum dollar amount for the salary of members of each such appointed school board.

[HB466](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB466) (Subramanyam) Register of volunteer cybersecurity and information technology professionals. Directs the Secretary of Administration to establish a register of cybersecurity and information technology professionals interested in volunteering to assist localities and school divisions, in collaborating on workforce development, and in providing mentorship opportunities.

[HB650](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB650) (Kory) School boards; school consolidation and redistricting and pupil assignment; access to advanced academic programs. Requires a school board to demonstrate in advance that the consolidation of schools, redistricting of school boundaries, or adoption of a pupil assignment plan will maintain or increase equitable student access to advanced academic programs.

[HB688](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB688) (Kory) School boards; production of public records; fee schedules. Requires each school board to develop and post or otherwise make publicly available a fee schedule governing charges for the release of public records to be used by each school within its school division when responding to requests for public records pursuant to the Virginia Freedom of Information Act. The bill requires such fee schedule to be based on the most recent estimate of the aggregate costs incurred by each school within a school board's division in accessing, duplicating, supplying, or searching for requested public records. Finally, the bill provides that a school board shall review and update the fee schedule at least annually.

[HB977](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB977) (McGuire III) Public elementary and secondary education; school boards and employees; promotion of diversity and respect. Requires each local school board and employee thereof to promote (i) diversity and respect, with the understanding that all individuals are created equal and diversity is a strength of the United States, and (ii) the concept that all cultures have contributed greatly to the rich history of the United States and the way of life that Americans enjoy today. The bill prohibits any local school board or employee thereof from training, teaching, or promoting to enrolled students or school board employees the concept that (a) any race is inherently superior or inferior to any other race; (b) any individual, by virtue of his race or skin color, is inherently racist, privileged, or oppressive, whether consciously or unconsciously; (c) any individual, by virtue of his race or religion, bears responsibility for the actions committed by other members of his race or religion; (d) any individual's moral character is determined by his race; (e) the United States is a fundamentally or systemically racist country; or (f) capitalism is an inherently racist economic system.

[HB1138](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1138) (Reid) Loudoun County School Board; staggering of member terms; lot drawing; timeframe. Requires the lot drawing required to be conducted by the Loudoun County Electoral Board to determine the members of four of nine districts who will be elected to the Loudoun County School Board for four-year terms and the members of the remaining five districts who will be elected to the Loudoun County School Board for two-year terms to ensure the staggering of member terms for such school board to be conducted at the electoral board's first meeting of 2023 but no later than January 31, 2023.

[HB1284](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1284) (Taylor) School boards; method of selection; election required. Requires election as the method of selecting the members of each school board in the Commonwealth. Current law requires such members to be appointed but permits their election under certain circumstances.

[SB724](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB724) (Pillion) School boards; broadband; annual report. Requires each school board to submit an annual report to the Virginia Department of Education and the Virginia Department of Housing and Community Development that lists each student's 9-1-1 address that does not have broadband service, as defined by the Federal Communications Commission, to the home beginning in the fall of 2022 through the 2025 school year.

## Miscellaneous

[HB246](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB426) (Kilgore) and [SB596](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB596) (Pillion) School attendance; 4-H educational programs and activities. Provides that students who miss a partial or full day of school while participating in 4-H educational programs and activities shall not be counted as absent for the purposes of calculating average daily membership and shall receive course credit in the same manner as they would for a school field trip. The bill directs each local school board to develop policies and procedures for students to make up missed work and may determine the maximum number of school days per academic year that a student may spend participating in 4-H educational programs and activities to not be counted absent.

[HB1022](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1022) (Guzman) Certain public elementary and secondary school students; excused absences; attendance at pow wow. Provides that, subject to guidelines established by the Department of Education, any student who is a member of a state-recognized or federally recognized tribal nation that is headquartered in the Commonwealth and who is absent from school to attend such tribal nation's pow wow gathering shall be granted an excused absence.

[HB1164](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1164) (Runion) Composite index of local ability-to-pay; use value of real estate in certain localities. Requires, for the purpose of determining the state and local shares of basic aid funding, that the composite index of local ability-to-pay utilize the use value of all applicable real estate (i) devoted to agricultural use, horticultural use, forest use, and open-space use in each locality that has adopted an ordinance by which it provides for the use valuation and taxation of such real estate and (ii) used in agricultural and forestal production within an agricultural district, forestal district, agricultural and forestal district, or agricultural and forestal district of local significance in each locality that provides for the use valuation and taxation of such real estate, regardless of whether it has adopted a local land-use plan or local ordinance for such valuation and taxation.

[HB1352](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1352) (Bell) Private elementary and secondary schools; retaliation for good faith reports of child abuse or neglect prohibited. Prohibits any private elementary or secondary school from retaliating in any manner against any individual who in good faith reports child abuse or neglect as mandated by relevant law.

[SB421](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB421) (Edwards) Libraries and education services; obsolete provisions. Revises and repeals obsolete provisions in Title 22.1 (Education) related to early childhood education and elementary and secondary education and Title 42.1 (Libraries) related to libraries and the Virginia Public Records Act. The bill also makes technical amendments. This bill is a recommendation of the Virginia Code Commission.

[SB662](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB662) (Lucas) Department of Education; School Quality Profiles; teacher data. Requires the Department of Education to include on each School Quality Profile data on teachers' race and proficiency in any language other than English.

## School Health and Nutrition

### School Health

[HB215](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB215) (Robinson) and [SB62](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB62) (Favola) School Health Services Committee; report. Establishes the School Health Services Committee to review and provide advice to the General Assembly and other policy makers regarding proposals that require local school boards to offer certain health services in a school setting. The bill requires the Committee to submit its findings and recommendations to the General Assembly and the Governor by October 1 of each year. The bill has an expiration date of July 1, 2025.

[HB915](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB915) (Orrock) Required immunizations; regulations. Provides that a parent, guardian, or person standing in loco parentis of each child in the Commonwealth shall cause such child to be vaccinated in accordance with the Regulations for the Immunization of School Children of the State Board of Health (the Board) and that regulations of the Board setting forth such requirements shall be subject to the Administrative Process Act. Currently, a parent, guardian, or person standing in loco parentis of a child shall cause such child to be vaccinated in accordance with the Immunizations Schedule developed and published by the Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices, American Academy of Pediatrics, and American Academy of Family Physicians, and any regulations of the Board setting forth requirements related to vaccines are exempt from the Administrative Process Act.The bill also provides that no regulation of the Board of Health setting forth requirements related to vaccines shall become effective until after the next regular session of the General Assembly following the date on which the final adopted regulation is published in the Virginia Register of Regulations."

[HB1036](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1037) (LaRock) Local school boards; requirement for students to wear masks or other face coverings; evidentiary substantiation. Prohibits any local school board from requiring any student enrolled at a public elementary or secondary school in the local school division to wear a mask, face covering, or other covering of the student's nose and mouth at school, on a school bus, or at a school-sponsored activity unless the local school board substantiates such requirement with evidence that (i) such requirement is necessary to suppress a nuisance dangerous to the public health or a communicable, contagious, or infectious disease or other danger to the public life and health; (ii) no reasonable alternatives to such requirement exist in light of the impact on quality of life and economic well-being; and (iii) such requirement is narrowly tailored to address the nuisance dangerous to the public health or the communicable, contagious, or infectious disease or other danger to the public life and health.

[SB431](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB431) (Dunnavant) Board of Education; COVID-19; test-to-stay guidelines. Requires the Board of Education, in collaboration with the Department of Health, to (i) recommend as best practice the shortest duration of quarantine possible, as recommended by the Centers for Disease Control and Prevention, for students and employees at public schools who contract COVID-19 and (ii) develop test-to-stay guidelines for such schools and recommend such guidelines to schools for use as an alternative to quarantine for students and employees who contract COVID-19. The bill also provides that all guidelines established pursuant to the bill shall be immediately distributed to local school boards and shall reflect the most updated recommendations from the Centers for Disease Control and Prevention to limit the amount of time out of the classroom to be as short as possible, including no quarantine, as recommended for asymptomatic individuals who have been fully vaccinated either within six months or have a boosted vaccination status. The bill contains an emergency clause.

[SB704](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB704) (Kiggans) Superintendent of Public Instruction; school health services information; survey. Requires the Superintendent of Public Instruction to, at least annually, survey all local school divisions and use such data to strengthen the comprehensive availability of school health services information. The bill provides that information to be collected in the survey shall include: (i) staffing levels of school health personnel, (ii) the prevalence of students with chronic health conditions, (iii) the percentage of students with health services written in their records, (iv) the number of visits to the school health office and dispositions, (v) health services provided by each school, and (vi) any other information deemed appropriate. The bill requires each local school division to complete each survey.

### School Nutrition

[HB583](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB583) (Roem) Public elementary and secondary school students; ability to pay for meals and school meal debt; extracurricular school activities. Requires each school board to adopt policies that prohibit the school board or any school board employee from denying a student the opportunity to participate in any extracurricular school activity because the student cannot pay for a meal at school or owes a school meal debt.

[HB587](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB587) (Roem) School Breakfast Program and National School Lunch Program; processing of applications. Requires each public elementary or secondary school to process each web-based or paper-based application for participation in the School Breakfast Program or the National School Lunch Program administered by the U.S. Department of Agriculture within five working days after the date of receipt of the application.

## School Safety and Discipline

[HB4](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB4) (Wyatt) and [SB36](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB36) (Norment) School principals; incident reports. Requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense. The bill provides, as an exception to the requirement to report any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity, that a principal is not required but may report to the local law-enforcement agency any such incident committed by a student who has an individualized education plan. **\*These are Governor’s bills.** **HB59 (McGuire III), HB308 (Ransone), SB613 (Stanley), and SB287 (DeSteph) were incorporated in the HB4 (Wyatt) and SB36 (Norment), respectively.**

[HB8](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB8) (Anderson) School security officers; scope of employment; certain veterans. Provides that each school security officer, in addition to performing each enumerated duty, is responsible for carrying out any other duty assigned to him by the local school board. The bill permits any local school board or private or religious school to employ as a school security officer any veteran who has served a minimum of 10 years as an active duty member in the Armed Forces of the United States, received an honorable discharge or general discharge under honorable conditions from such service, and meets the Department of Criminal Justice Services' minimum certification and training requirements for school security officers.

[HB12](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB12) (Anderson) Public school buildings; entry points; limits; screening. Requires each local school board to (i) limit to the lowest feasible number the entry points in each public school building in the local school division, (ii) ensure that each individual who seeks to enter any school building in the local school division is screened with a handheld metal detector wand by a school security officer or another appropriate school board employee who is appropriately trained in such method of screening, (iii) require each such school security officer or other appropriate school board employee to implement further screening according to a protocol that it deems appropriate in any case in which the school board employee who conducts the initial screening has reason to believe that the individual who seeks to enter the school building is in possession of a weapon, and (iv) prohibit any individual from entering any school building in the local school division if the individual fails or refuses to submit to the screening required in clauses (ii) and (iii).

[HB37](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB37) (Anderson) School boards; school resource officers; employment; threat assessment. Requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public middle and high school in the local school division and at least one school resource officer per five public elementary schools in the local school division, who is required to serve in each such elementary school on a rotating basis. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school.

[HB89](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB89) (Walker) Disorderly conduct in public places. Removes the provision that any instance of disorderly conduct by an elementary or secondary school student which occurred on the property of any elementary or secondary school, on a school bus as defined in § 46.2-100, or at any activity conducted or sponsored by any elementary or secondary school be excluded from the disorderly conduct in public places.

[HB741](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB741) (Bell) Annual public elementary and secondary school safety audits; creation or review of school building floor plans required. Requires each local school board, as part of each annual school safety audit, to create a detailed and accurate floor plan for each public school building in the local school division or certify that the existing floor plan for each such school is sufficiently detailed and accurate but provides that such floor plan may be withheld from public disclosure.

[HB863](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB863) (Reid) Local law enforcement; certain reports to school principals and division superintendents; form and scope. Requires local law-enforcement authorities to report in writing, and the principal or his designee and the division superintendent to receive each such report, on (i) any suspected offense, offense for which any charge has been filed, or offense that is subject to investigation, that was committed by a student enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving certain enumerated incidents, and (ii) whether the student is released to the custody of his parent or, if 18 years of age or older, is released on bond. Current law does not require such reports to be in writing and only applies to student offenses but does not specify whether such reports are required to be made for student offenses that are suspected, charged, or subject to investigation.

[HB873](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB873) (Greenhalgh) Public elementary and secondary schools; threat assessment team membership; law-enforcement liaison for certain school administrators. Requires, in the case of any public elementary or secondary school in which a school resource officer is employed, the threat assessment team for such school to include at least one such school resource officer. The bill requires the chief local law-enforcement officer for any local school division in which a public elementary or secondary school does not employ a school resource officer to designate a law-enforcement officer to receive, either in-person or online, the school safety training for public school personnel conducted by the Virginia Center for School and Campus Safety in accordance with relevant law and requires such officer to serve as the law-enforcement liaison for the school administrator in such a school who has also received such training as prescribed by relevant law.**\*This is a Governor’s bill. As introduced, SB415 (DeSteph) was the companion bill and failed to report from Senate Education and Health.**

[HB985](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB985) (Anderson) School principals; incident reports; violent offenses. Requires that school principals report to law enforcement any felony offenses and violent offenses enumerated in the bill that may constitute a criminal offense. Under the bill, principals have discretion to report certain non-violent crimes to law enforcement. Under current law, principals are required to make such reports to law enforcement only for such acts that may constitute a felony offense.

[HB1125](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1125) (Anderson) School boards; parental notification of certain threats, behavior, and unlawful acts; panic alarms. Requires, within four hours of receiving notification of (i) a preliminary determination by the threat assessment team that a student poses a threat of violence or physical harm to self or others; (ii) threatening or aberrant behavior that may represent a threat to the school; or (iii) unlawful acts committed on school property, on a school bus, or at a school-sponsored activity that involve the unlawful use or possession of a weapon, homicide, criminal sexual assault, or trespassing, each division superintendent to notify the parent of each student enrolled in the relevant school of such threat, threatening or aberrant behavior, or unlawful act. The bill requires each school board to equip each public elementary and secondary school building in the local school division with at least one panic alarm that adheres to nationally recognized industry standards, including the standards of the National Fire Protection Association and Underwriters Laboratories, and is installed by a licensed and qualified professional. The bill defines "panic alarm" as a silent security system by which the user manually activates a device that sends a non-audible signal to the local law-enforcement agency that indicates a school security emergency, including a non-fire evacuation, lockdown, or active shooter situation, that requires immediate response and assistance from such agency.

[HB1129](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1129) (Taylor) and [SB600](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB600) (Pillion) School safety audits; law-enforcement officers. Requires each local school board to require its schools to fully collaborate with the chief law-enforcement officer of the locality or his designee when conducting required school safety audits. Under current law, the division superintendent is required to make the results of such audits available to the chief law-enforcement officer upon request, and his approval is not needed. The bill also requires that the completed walk-through checklist using the standardized checklist provided by the Virginia Center for School and Campus Safety be made available to the chief law-enforcement officer of the locality or his designee. Current law requires that the completed walk-through checklist be made available to the chief law-enforcement officer or his designee upon request. **\*These are Governor’s bills and have been signed by the Governor.**

[HB1315](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1315) (Anderson) School boards; parental notification of certain threats, behavior, and unlawful acts. Requires division superintendents to notify the parent of each student enrolled in the relevant school of a threat, threatening or aberrant behavior, or unlawful act within four hours of receiving notification of (i) a preliminary determination by the threat assessment team that a student poses a threat of violence or physical harm to self or others; (ii) threatening or aberrant behavior that may represent a threat to the school; or (iii) unlawful acts committed on school property, on a school bus, or at a school-sponsored activity that involve the unlawful use or possession of a weapon, homicide, criminal sexual assault, or trespassing.

## Special Education and the Children’s Services Act

[HB547](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB547) (Hudson) Department of Education; statewide strategic plan; speech-language pathologists. Requires the Department to develop and maintain a statewide strategic plan for recruiting and retaining speech-language pathologists that, at a minimum, (i) analyze data to determine the specific staffing needs of local school divisions on an ongoing basis; (ii) evaluates the potential effectiveness of strategies for addressing recruitment and retention challenges, including tuition assistance, differentiated pay for speech-language pathologists, and the expansion of speech-language pathologist mentorships; and (iii) estimates the costs of implementing each such strategy, including the extent to which federal funds could be used to support implementation. The bill requires the Department, no later than November 1 of each year, to update the Chairmen of the Senate Committee on Education and Health and the House Committee on Education on its progress in implementing such plan. The foregoing provisions of the bill have a delayed effective date of July 1, 2023. The bill also directs the Department of Education and the Board of Education, in consultation with each local school board, to (a) examine the caseloads and compensation of speech-language pathologists in each local school division, (b) compare such caseloads and compensation to those of speech-language pathologists in contiguous states, and (c) make recommendations to the Governor and the General Assembly no later than November 1, 2022, for such amendments to relevant law and the general appropriations act as may be necessary to effectuate a reduction in caseloads and increase in compensation that would facilitate stronger recruitment and retention of speech-language pathologists in public elementary and secondary schools in the Commonwealth.

[HB649](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB649) (Carr) and [SB265](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB265) (Hashmi) Language development for children who are deaf or hard of hearing; assessment resources for parents and educators; advisory committee; report. Requires the Department of Education, in coordination with the Department for the Deaf and Hard-of-Hearing, to (i) select, with input from an advisory committee that the bill establishes, language developmental milestones and include such milestones in a resource for use by parents of a child from birth to age five who is identified as deaf or hard of hearing to monitor and track their child's expressive and receptive language acquisition and developmental stages toward English literacy; (ii) disseminate such resource to such parents; (iii) select existing tools or assessments for educators for use in assessing the language and literacy development of children from birth to age five who are deaf or hard of hearing; (iv) disseminate such tools or assessments to local educational agencies and provide materials and training on their use; and (v) annually produce a report that compares the language and literacy development of children from birth to age five who are deaf or hard of hearing with the language and literacy development of their peers who are not deaf or hard of hearing and make such report available to the public on its website.

[HB1047](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1047) (Tran) Students who need or use augmentative and alternative communication; instruction; eligibility; staff training. Provides that no student who needs or uses augmentative and alternative communication (AAC), which the bill defines as any device, tool, support, or service, or any combination thereof, that facilitates any form of communication, other than oral speech, that can be used to express thoughts, needs, wants, and ideas, shall be denied the opportunity for inclusion in regular classrooms or the provision of age-appropriate instruction on the basis that such student may require support with AAC. The bill prohibits any individualized education program team, member of such team, or school division employee from utilizing the results of any intelligence quotient test or any other test to measure intelligence or cognitive ability to determine a student with a disability's eligibility to be provided with and use AAC at school. The bill requires each school division to document on the individualized education program of a student with a disability who needs or uses AAC, beginning prior to the provision of instruction or support to the student, including any extended school year period, the student's AAC and communication access and support needs, including, as appropriate, individualized training as an assistive technology service for each school division employee or contractor who provides instruction or direct support to such student, to support the student's use of AAC and to ensure that curricula and instruction are designed or adapted as necessary to accommodate the student's unique communication access needs.

[SB356](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB356) (Stuart) Children's Services Act; special education programs. Expands eligibility for services under the Children's Services Act to students who transfer from an approved private school special education program to a public school special education program established and funded jointly by a local governing body and school division located within Planning District 16 (George Washington Regional) for the purpose of providing special education and related services when (i) the public school special education program is able to provide services comparable to those of an approved private school special education program and (ii) the student would require placement in an approved private school special education program but for the availability of the public school special education program.

## Standards of Quality

[HB829](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB829) (Wilt) School counselors; staffing ratios; flexibility. Permits school boards to fulfill the staffing ratio requirements for school counselors by (i) employing, under a provisional license issued by the Department of Education for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, any professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling professional with appropriate experience and training, provided that any such individual makes progress toward completing the requirements for full licensure as a school counselor during such period of employment or (ii) in the event that the school board does not receive any application from a licensed school counselor, professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training to fill a school counselor vacancy in the school division, entering into an annual contract with another entity for the provision of school counseling services by a licensed professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training.

[HB1124](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1124) (Guzman) and [SB156](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB156) (Hashmi) Public schools; English language learners. Requires state funding to be provided to support, in the 2022-2023 school year and thereafter, a new divisionwide ratio of English learner students in average daily membership to full-time equivalent teaching positions of 22 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.

[SB490](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB490) (McClellan) Standards of Quality; principals; assistant principals. Requires each school board to provide at one principal per school and one assistant principal per 500 students in each elementary, middle, and high school. **\*SB490, as introduced, included all of the Board of Education’s 2021 prescriptions to the Standards of Quality. The companion to the introduced version of SB490, HB1135 (Bourne), was left in House Appropriations.**

## Studies

[HJ19](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HJ19) (Greenhalgh) Study; Department of Education; purpose and goals of public education; report. Requests that the Department of Education study the purpose and goals of public education by encouraging input from the citizens of the Commonwealth, including parents, teachers, school administrators, and local school board members, to clarify (i) the broader purpose of public education in light of the fundamental goal of public education, as expressed by the General Assembly and the Board of Education, and (i) the specific measurable outcomes that education laws, regulations, policies, and practices should help to achieve in order to further such broader purpose and such fundamental goal.

[HJ84](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HJ84) (Guzman) Study; Department of Education; root causes of public school bus driver shortages and working conditions of public school bus drivers in the Commonwealth; report. Requests that the Department of Education, with the assistance of each local school board, to study the root causes of public school bus driver shortages and the working conditions of public school bus drivers in the Commonwealth by (i) administering to each public school bus driver in each local school division in the Commonwealth and as many former public school bus drivers as is feasible a survey to determine the level of satisfaction with and the need for improvement to the working conditions of public school bus drivers in the Commonwealth, (ii) analyzing such survey data and such other information and data as it deems necessary and advisable, including information from other states and school districts contained therein that have had success in addressing public school bus driver shortages by addressing working conditions, and (iii) making recommendations for statutory, regulatory, or budgetary changes that may contribute to the improvement of the working conditions of public school bus drivers.

[SJ10](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SJ10) (Surovell) Study; joint subcommittee to study pandemic response and preparedness in the Commonwealth; report. Establishes a joint subcommittee to study pandemic response and preparedness in the Commonwealth. In conducting its study, the joint subcommittee is tasked with examining existing laws in the Commonwealth and developing recommendations regarding the pandemic response and future needs of the Governor, the General Assembly, local governments, public and private health care systems and other facilities and providers, health districts, the judicial system, K-12 and higher education systems, and the business regulatory system.

## Student Services

[HB988](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB988) (Wyatt) and [SB20](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB20) (Hackworth) Treatment of transgender students; model policies. Eliminates the requirement that each school board adopt policies that are consistent with the model policies developed by the Department of Education concerning the treatment of transgender students in public elementary and secondary schools. The bill also removes the requirement for such model policies to include information, guidance, procedures, and standards relating to the use of school facilities, requires the Department to amend its model policies to remove any such information, guidance, procedures, or standards, and requires the Department to make such amended model policies available to each school board no later than the beginning of the 2022-2023 school year. \*SB20 does not include the provision to amend the model guidance related to facilities.

[HB1034](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1034) (Ransone) Department of Education; school boards; guidelines for the provision of counseling services in public schools. Requires the Department of Education to develop and each local school board to adhere to guidelines for the provision of counseling services in public schools, which shall include (i) provisions for parental consent; written parental notification; parental involvement, as appropriate; and confidentiality; (ii) procedures by which a parent may limit or prohibit his child's participation; (iii) appropriate exceptions to the procedures by which a parent may limit or prohibit his child's participation such as imminent need, health, or safety or maintaining order in the school; and (iv) any other provision deemed necessary by the Department.

[HB1124](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1124) (Anderson) Board of Education; school boards; codes of student conduct; contents. Requires the Board of Education's guidelines and model policies for codes of student conduct to include a requirement that any code of student conduct is enforced and any student behavioral intervention or disciplinary method or measure is utilized in a fair, proportional, unbiased, and neutral manner, for the sole purpose of maintaining safe learning environments, and with full and sole consideration of the student's behavior and with no consideration of any individual immutable characteristic of the student such as the student's sex or race. The bill requires each school board to establish and continuously maintain a system of fair, proportional, unbiased, and neutral student behavioral intervention and discipline and prohibits any school board from establishing or maintaining any system of student behavioral intervention or discipline, including positive behavioral interventions and supports or any substantially similar disciplinary method, that targets or differentiates student behavioral interventions or disciplinary methods or measures based on any factor other than the student's behavior.

## Teacher Education and Licensure

[HB230](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB230) (Coyner) and [SB154](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB154) (Locke) Applications for teacher licensure by reciprocity; military spouses; timeline for determination. Requires the Board of Education's licensure regulations to provide for licensure by reciprocity for any spouse of an active duty or reserve member of the Armed Forces of the United States or a member of the Virginia National Guard who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department of Education. Current law requires such regulations to provide for licensure by reciprocity for any spouse of an active duty member of the Armed Forces of the United States or the Commonwealth. The bill requires such an individual to submit an official copy of the military permanent assignment orders of the individual's spouse as part of the complete application packet. The bill requires the Department to determine and communicate such individual's eligibility for licensure by reciprocity within 15 business days of receipt of the complete application packet.

[HB236](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB236) (Orrock) Board of Education; authority to temporarily extend certain teachers' licenses. Permits the Board of Education to grant a two-year extension of the license of any individual licensed by the Board of Education pursuant to its statutory authority whose license expires on June 30, 2022, in order to provide the individual with sufficient additional time to complete the requirements for licensure renewal. This bill has an emergency clause.

[HB419](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB419) (Delaney) Institutions of higher education; education preparation programs; coursework; audit. Requires each education preparation program offered by a public institution of higher education or private institution of higher education that provides training for any student seeking initial licensure by the Department of Education to (i) include a program of coursework and require all such students to demonstrate mastery in science-based reading research and evidence-based literacy instruction and require such program of coursework and the student mastery required to be demonstrated therein to be consistent with definitions and expectations established by the Board of Education and the Department of Education after consultation with a commission consisting of independent literacy experts and stakeholders with knowledge of science-based reading research and evidence-based literacy instruction that has reviewed the relevant regulations and (ii) for any such student seeking initial licensure by the Department of Education as a teacher with an endorsement in early childhood, elementary education, or special education or with an endorsement as a reading specialist ensure that reading course work and field practice opportunities are a significant focus of the education preparation program. The bill requires the Department of Education to audit at least once every seven years each education preparation program for compliance with such requirements.

[HB979](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB979) (Tran) and [SB68](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB68) (Favola) Board of Education; provisional teacher licensure; teachers licensed or certified outside of the United States. Requires the Board of Education to provide for the issuance of a provisional license, valid for a period not to exceed three years, to any individual who holds a valid and officially issued and recognized license or certification to teach issued by an entity outside of the United States but does not meet the requirements for a renewable license.

## Teacher Employment and Compensation

[HB9](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB9) (Ware) and [SB178](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB178) (Peake) Public school teachers; probationary term of service, grounds for dismissal, and dismissal hearings. Permits each school board to extend for up to two additional years the three-year probationary term of service that is required for each teacher in the school division before the issuance of a continuing contract and prohibits each school board from reemploying a teacher whose performance evaluation during such probationary period is not satisfactory. The bill provides that, for the purpose of the dismissal of a teacher for cause, the term "incompetency" may be construed to include consistent failure to meet the endorsement requirements for the position or one or more unsatisfactory performance evaluations. The bill also eliminates the option for a school board to conduct a teacher dismissal hearing before a three-member fact-finding panel, requires each such hearing to be set no later than 15 days after the request for the hearing, and reduces from 10 days to five days the minimum period of advance written notice to the teacher of the time and place of such hearing.

[HB271](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB271) (Byron) Local school boards and comprehensive community colleges; compensation structure for adjunct instructors; noncredit workforce credentials. Requires local school boards and comprehensive communities colleges to enter into local or regional agreements for the establishment and implementation of a competitive compensation structure to recruit and retain adjunct instructors to be jointly compensated by the relevant school boards and colleges to prepare both high school students and college students to earn noncredit workforce credentials, as that term is defined in relevant law.

[HB363](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB363) (Frietas) Certain school board employees; dismissal; grounds; continuing contract study; report. Prohibits school board employees who are not required to hold a valid license issued by the Board of Education and public school teachers from being dismissed based on a last-hired, first-fired dismissal policy or any other similar policy that mandates that, when considering more than one such employee for dismissal, the seniority of each such employee shall be the sole determinative factor in the dismissal decision. The bill also requires the Board of Education, the House Committee on Education, and the Senate Committee on Education and Health, in consultation with local school boards, to study and make recommendations to the General Assembly no later than November 1, 2022, regarding effective, alternative ways in which the performance of teachers may be evaluated for the purpose of awarding or rescinding continuing contract status.

[HB371](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB371) (Convirs-Fowler) Licensed school board employees; cultural competency training; bullying of Asian American and Pacific Islander students. Requires the Board of Education's guidance on cultural competency training for licensed school board employees to include a model curriculum for cultural competency training relating to the bullying of Asian American and Pacific Islander students and requires such model curriculum to be incorporated into the biennial cultural competency training required for licensed school board employees.

[HB440](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB440) (VanValkenburg) School boards; teachers; planning time and planning periods. Requires each local school board to ensure that each elementary school teacher is provided 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, 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.

[HB535](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB535) (Clark) Teacher compensation; at or above national average. Requires that public school teachers be compensated at a rate that is at or above the national average. Under current law, compensation at such rate is aspirational. The bill requires state funding to be provided pursuant to the general appropriation act in a sum sufficient to fund a 4.5 percent annual increase for public school teacher salaries, effective from the 2023-24 school year through the 2027-28 school year. The bill has a delayed effective date of July 1, 2023.

[HB581](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB581) (VanValkenburg) Local school boards; teacher career ladder compensation programs. Requires each local school board to establish a teacher career ladder compensation program (program) whereby each rung on the ladder corresponds to a specific teacher career and compensation level as determined by the local school board. The bill requires each local school board to design and implement its own program, provided, however, that each program shall include the following principles and components: (i) each teacher shall provide increasing levels of student academic progress as measured by objective criteria before the teacher progresses to the next rung of the ladder; (ii) each teacher shall demonstrate improvement in teaching skills before the teacher progresses to the next rung of the ladder; (iii) each teacher shall assume additional teaching and other responsibilities such as curriculum development, team teaching, mentoring, and professional development activities before the teacher progresses to the next rung of the ladder; (iv) the local school board is responsible for providing teachers in the program with appropriate professional growth and development opportunities; and (v) the local school board shall ensure that equal pay is provided to teachers in the program who are performing at the same level. The bill provides that teacher participation in a teacher career ladder compensation program is optional and any teacher may opt to be compensated pursuant to the local school board's standard salary scale.

[HB1005](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1005) (Guzman) Public school teachers; continuing contract; resignation. Declares a public school teacher employed after completing the probationary period to be entitled to a continuing contract whereby the contract continues in effect for the ensuing year in conformity with local salary stipulations, including increments, provided, however, that such teacher may be dismissed for any cause set forth in relevant law and in accordance with the procedures set forth in relevant law. Current law declares any such teacher to be entitled to such a continuing contract during good behavior and competent service. The bill requires a public school teacher who seeks to resign from a continuing contract (i) for the ensuing school year to give written notice of such resignation on or before June 15 of the current school year or (ii) in effect for the current school year or for the ensuing school year after June 15 of the current school year to request release from the contract at least two weeks in advance of intended date of resignation and requires such request to be in writing and to set forth the cause of resignation. Current law requires written notice of noncontinuation of a continuing contract by either party to be given by June 15 of each year and permits a teacher to resign after June 15 of any school year with the approval of the local school board or, upon authorization by the school board, with the approval of the division superintendent if the teacher requests release from the contract in writing at least two weeks in advance of the intended date of resignation and sets forth the cause of resignation. The bill also provides that if the school board has not authorized the division superintendent to approve resignations of teachers with continuing contracts, the school board shall decide whether to accept or reject the resignation of such a teacher.

[HB1093](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+1093) (Batten) Public elementary and secondary education; school boards and employees; cultural competency training; evaluations. Requires the evaluation of each public school teacher and principal and division superintendent to include an evaluation of cultural competency if the relevant local school board has adopted and implemented policies to require cultural competency training. Under current law, such an evaluation of cultural competency is required and not conditioned upon any such action of the local school board. The bill permits any school board to adopt and implement policies that require each teacher and any other school board employee holding a license issued by the Board of Education to complete cultural competency training, in accordance with guidance issued by the Board of Education, at least every two years, but only after providing 30 days' advanced written notice of and holding a public hearing regarding the adoption and implementation of such policies. Current law requires such cultural competency training and makes no provision for such notice and public hearing.

[HB1110](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1110) (Maldonado) Local school boards; grievance procedure for certain employees; timing of resolution of certain disputes. Requires each local school board's grievance procedure for school board employees, except the division superintendent, principals, assistant principals, teachers, supervisors, and other employees required to be licensed by the Board of Education, to afford a timely and fair method of the resolution of disputes arising between the school board and such employees before dismissal or other disciplinary actions, excluding suspensions. Current law requires such grievance procedures to afford a timely and fair method of the resolution of disputes arising between the school board and such employees regarding, but not before, dismissal or other disciplinary actions, excluding suspensions.

[SB157](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB157) (Hashmi) Competitive compensation for certain positions in public elementary and secondary schools. Declares it the goal of the Commonwealth that its public school teachers and all other individuals employed in Standards of Quality-funded positions be compensated at a rate that is competitive, defined as at or above the national average salary for the position, in order to attract and keep highly qualified individuals in such positions. The bill requires state funding to be provided pursuant to the general appropriation act in a sum sufficient to fund a five percent annual pay increase for each such position, effective from the 2023-24 school year through the 2027-28 school year, provided that such five percent annual pay increase (i) is subject to a local matching requirement in accordance with each local school board's composite index of local ability-to-pay and (ii) shall be adjusted annually as necessary to account for rebenchmarking and to yield a rate of compensation percentage increase for all Standards of Quality-funded positions that is pegged to providing a competitive average teacher salary in the Commonwealth. The bill has a delayed effective date of July 1, 2023.

## Tax Credits, Vouchers, and Savings Programs

[HB201](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB201) (Webert) In-person instruction; education vouchers; emergency. Requires, in the event that any school board does not provide the option of in-person instruction as the sole method of instruction for any enrolled student, the parent of any such student who withdraws his child from attendance to receive, upon request, an education voucher in an amount equal to a prorated share of the applicable Standards of Quality per-pupil state funds appropriated for public school purposes and apportioned to the school division, including the per-pupil share of state sales tax funding in basic aid and any state per-pupil share of special education funding for which the child is eligible, to cover the expenses of providing in-person instruction in an alternative setting. The bill permits the Department of Education to establish rules, regulations, or procedures for the issuance of such education vouchers. The bill contains an emergency clause.

[HB293](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB293) (Frietas) Education Savings Account Program; establishment. Establishes the Education Savings Account Program (the Program), to be administered by the Department of Education (the Department) with assistance from each local school board, whereby the parent of any elementary or secondary school student who (i) is a member of a household whose annual income does not exceed two times the annual household income that would qualify the student for free or reduced-price lunch and (ii) was eligible to attend a public school in the Commonwealth in the preceding semester or is starting elementary or secondary school in the Commonwealth for the first time is eligible to receive an education savings account, for as long as the student is of school age and the amount of which is determined pursuant to a calculation set forth in the bill, to cover certain enumerated educational expenses for his child. The bill requires the Department to establish rules and regulations for the Program and contains conditions, limitations, and other requirements for the Program, including provisions relating to the accountability and educational autonomy of individuals and entities receiving account funds to cover qualified expenses.

[HB294](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB294) (Frietas) Education improvement scholarship tax credits; eligible students in need of a safer school environment. Declares eligible for a scholarship from a scholarship foundation that receives an education improvement scholarship tax credit, on the same basis as any other eligible student, eligible students in need of a safer school environment, defined in the bill as any student who, while enrolled in a public elementary or secondary school in kindergarten through grade 12, was the victim of assault, battery, bullying, harassment, hazing, kidnapping, or robbery on school property, on a school bus, or at a school-sponsored activity, as substantiated by an investigation and written report by the school principal. The bill provides that (i) eligible students in need of a safer school environment are permitted to use such scholarships to cover the expenses associated with attending another public school within or outside of his school division of residence and (ii) there are no family income restrictions on scholarships for eligible students in need of a safer school environment.

[HB333](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB333) (Frietas) Public education; student education accounts. Permits any school board to establish a program to create savings accounts for students to be used for alternative educational programs. The bill requires the Department of Education to establish policies and procedures under which the parent of each student may use such funds on public or private educational programs.

[HB784](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB784) (LaRock) Home instruction and private school tax credit. Creates an individual, nonrefundable income tax credit for taxable years 2022 through 2026, for amounts paid by the parent or legal guardian of a child for the child's home instruction expenses or tuition for attending an accredited private school in Virginia. The credit shall equal the lesser of the amount actually paid in the taxable year for such costs or half of the average state standards of quality funding per student per year. The credit may be taken for instruction-related materials, courses, or programs used in home instruction or for private school tuition. The credit is available for two years per child and can be carried forward for five taxable years.

[HB788](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB788) (LaRock) Education Improvement Scholarships Tax Credits program. Increases from 65 percent to 75 percent the tax credit for the value of the monetary or marketable securities donation made by a taxpayer to an eligible scholarship foundation.

[HB982](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB982) (Scott) Education Savings Account Program established; Education Improvement Scholarships Tax Credits. Establishes the Education Savings Account Program, to be administered by the Department of Education, whereby the parent of any individual who is a resident of the Commonwealth and who is eligible to enroll in a public elementary or secondary school may apply for an Education Savings Account for his child into which the Department of Education deposits certain state and local funds and from which the parent makes certain enumerated qualifying expenses to educate his child in a setting and a manner other than full-time education in a public school. The bill requires the Program to be fully implemented prior to the beginning of the 2022–2023 school year. The bill also increases the value of the Education Improvement Scholarships income tax credit for a donation to a scholarship foundation from 65 percent to 100 percent of the donation. The bill removes the aggregate limit on tax credits per year, which under current law is $25 million, and removes individual minimum and maximum required donation amounts. The bill raises the threshold for students to qualify for scholarships to 1,000 percent of free or reduced-price lunch standards or, for eligible students with a disability, 1,200 percent of such standards. The bill grants scholarship foundations the discretion to determine what expenses may be funded by tax-credit-subsidized scholarships. Under current law, such expenses are limited by statute. The bill expands eligibility for scholarships to any student who is a Virginia resident and eligible to enroll in a Virginia primary or secondary school. Current law restricts eligibility to certain categories of students. The bill removes the requirement that scholarship-funded schools report test results of scholarship-funded students. The provisions of the bill pertaining to the Education Improvement Scholarships income tax credits apply starting with taxable year 2022.

[HB1024](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1024) (LaRock) Parental Choice Education Savings Accounts established. Permits the parents of qualified students, defined in the bill, to apply to the school division in which the qualified student resides for a one-year, renewable Parental Choice Education Savings Account that consists of an amount that is equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the resident school division in which the qualified student resides, including the per pupil share of state sales tax funding in basic aid and any state per pupil share of special education funding for which the qualified student is eligible. The bill permits the parent of the qualified student to use the moneys in such account for certain education-related expenses of the qualified student, including tuition, deposits, fees, and required textbooks at a private elementary school or secondary school that is located in the Commonwealth. The bill also contains provisions relating to auditing, rescinding, and reviewing expenses made from such accounts.

[HB1025](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1025) (LaRock) Parental Choice Education Savings Accounts established. Permits the parents of qualified students, defined in the bill, to apply to the school division in which the qualified student resides for a one-year, renewable Parental Choice Education Savings Account that consists of an amount that is equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the resident school division in which the qualified student resides, including the per pupil share of state sales tax funding in basic aid and any state per pupil share of special education funding for which the qualified student is eligible. The bill permits the parent of the qualified student to use the moneys in such account for certain education-related expenses of the qualified student, including tuition, deposits, fees, and required textbooks at a private elementary school or secondary school that is located in the Commonwealth. The bill also contains provisions relating to auditing, rescinding, and reviewing expenses made from such accounts.

[SB16](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB16) (Hackworth) Income tax; Education Improvement Scholarships Tax Credits. Increases the aggregate annual cap on the Education Improvement Scholarships Tax Credits from $25 million to $50 million, increases the value of the credit from 65 percent to 80 percent, and removes the credit's current sunset of January 1, 2028**. \*Incorporated into SB27 (Ruff).**

[SB27](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB27) (Ruff) Income tax credits; Neighborhood Assistance Program and Education Improvement Scholarships. Makes several amendments to expand the availability of the Neighborhood Assistance Program (NAP) and Education Improvement Scholarships Tax Credits (EISTC). The bill increases the limit on NAP credits approved by the Department of Education (DOE) from $9 million to $25 million. When added to the current limit of $8 million of NAP credits approved by the Department of Social Services (DSS), the overall limit on NAP credits would be $33 million. The bill makes decisions of DOE and DSS regarding the qualification of a scholarship foundation or the awarding of tax credits subject to judicial appeal; currently, such decisions are final. The bill provides that the annual allocation of tax credits among neighborhood organizations shall not rely solely on the amount of credits awarded in the previous year. For the EISTC, the bill allows certified public accountants to receive tax credits for donations of accounting services to scholarship organizations. The bill also authorizes scholarship foundations, which are the sole recipient of funding from the issuance of EISTC, to receive funding for scholastic assistance, defined in the bill as counseling or supportive services. Under current law, scholarship foundations may receive EISTC funding only for the purpose of providing scholarships.

[SB709](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB709) (DeSteph) Education improvement scholarships tax credits; sunset. Removes the sunset of taxable years beginning on or after January 1, 2028, for the tax credit for donations to certain scholarship foundations and removes the sunset for changes to the definition of an eligible student with a disability and certain income guidelines that were set to expire beginning with taxable years beginning on or after January 1, 2024. **\*Incorporated into SB27 (Ruff).**