

amend or repeal a regulation using the fast track process will be published in the Virginia Register and will appear on the Virginia Regulatory Town Hall (the electronic site for all state agency regulations).

The publication of this notice will be followed by a public comment period of at least 60 days. If an objection to the proposed regulatory change is received during the public comment period, the proposed rulemaking is continued using the usual APA process. If, however, there are no objections, the proposed regulation or repeal will become effective 15 days after the close of the public comment period, unless the regulation is withdrawn or a later effective date is specified by the Board of Education.

Summary of Major Elements: The purpose of this agenda item is to recommend two regulations for repeal that are unnecessary. The text of each regulation is attached.

The *Regulations Governing Textbooks – Free or Rental Systems State Aid* (8 VAC 20-190-10 et seq.) apply to the 1980-1982 biennium and do not reflect the current rate of reimbursement. The regulation is both out of date and unnecessary because the language providing for this reimbursement is in the appropriation act.

The *Regulations Governing Student Insurance Programs* (8 VAC 20-500-10 et seq.) authorize local school divisions to purchase, at their discretion, student accident insurance coverage for school-related injuries. This regulation does not require local school divisions to purchase student insurance, it simply permits them to do so. Since school divisions can already purchase student accident insurance coverage for school-related injuries, and it does not prescribe or require any action to be taken by local school divisions, this regulation is unnecessary.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and authorize the Department of Education staff to proceed with the requirements of the Administrative Process Act..

Impact on Resources: The repeal of the regulations as proposed is expected to have a minimal to no fiscal or administrative impact on the local school divisions or on the Department of Education.

Timetable for Further Review/Action: The timetable for further action will be governed by the requirements of the Administrative Process Act. Following the final approval of the repeal of the regulations as proposed, the fast track provisions of the APA will be initiated. All appropriate entities, including local division superintendents, will be notified and given opportunity to comment.

8 VAC 20-190-10. Reimbursement from state funds.

During the 1980-82 biennium, reimbursement from state funds is authorized by the Appropriations Act at the rate of \$2.00 per pupil in average daily membership in school systems which maintain rental or free textbook systems, as follows:

1. Free or rental textbook systems already established; or
2. Free or rental textbook systems established during the current biennium.

To participate in the distribution of this fund, a locality must have established, or agreed to establish, a rental or free textbook system. Such a system will not be eligible to school divisions on an individual grade basis, but any combination of grade levels (K-12) will qualify.

In the event sufficient funds are not available to reimburse localities for average daily membership as described above, this fund will be distributed on a pro rata basis.

During the 1980-82 biennium, reimbursement from state funds is authorized by the Appropriations Act to assist localities in furnishing free basic textbooks to students in the first and second grades the first year of biennium, and in the first, second, and third grades in the second year who qualify for free or reduced-price lunch programs.

Prior to receiving such reimbursement, each school division must certify to the Board of Education that all students have basic texts.

If sufficient funds are not available to reimburse as provided above, this fund will be distributed on a pro rata basis.

8 VAC 20-500-10. Accident insurance coverage for students.

Local school authorities are authorized to purchase, at their discretion, student accident insurance coverage for school-related injuries upon such terms as local school authorities determine to be in the best interest of the school system; however, no school division is to receive credit for sums expended in providing insurance in the distribution of state aid funds.