

2001 GENERAL ASSEMBLY SESSION PRELIMINARY LEGISLATIVE REPORT
Bills adopted by General Assembly as of February 26, 2001

This report provides a summary of each bill passed during the 2001 General Assembly session, grouped by category. The bills are now subject to review by the Governor's office. The Governor may choose to sign a bill, to amend it, or to veto it. If a bill is signed, it is effective July 1, 2001, unless otherwise indicated. If a bill is amended, the General Assembly will either accept or reject the Governor's amendments during the reconvened session scheduled for April 4, 2001. During the reconvened session, vetoes of bills by the Governor may be overridden by the General Assembly, with the votes of two thirds of its members. Links to the text of a bill and its legislative history may be made by [clicking here](#). You will be linked to the Legislative Information System and can simply type in the number of the bill of interest.

STANDARDS OF ACCREDITATION, STANDARDS OF QUALITY

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 2144 Drake Companion bill to SB 1324	§ 23-9.2:3	The bill would prevent the governing body of every higher educational institution from considering the accreditation status of a Virginia public high school when making admissions determinations for students who have earned a diploma pursuant to requirements established by the Board of Education.	July 1, 2001
HB 2401 Tata	§ 22.1-253.13:4,	The bill would permit each school board to devise, in reference to the awarding of diplomas to secondary students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade purged for such a class.	July 1, 2001
HB 2674 Orrock	§ 22.1-253.13:3	The bill would restore language inadvertently deleted through a drafting error in a bill passed by the 2000 General Assembly session, stating that, effective July 1, 2003, requirements for a standard high school diploma include at least two sequential electives.	July 1, 2003

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 2777 Dillard	§ 22.1-253.13:1	The bill would require the Board of Education to solicit public comment prior to adopting Standards of Learning (SOL) resource guides. Notice of the board's intended action is to be published 30 days prior to soliciting public comment.	July 1, 2001
SB 1056 Quayle	§ 22.1-227.1 and § 22.1-253.13:3	The bill would provide the Board of Education with the option of authorizing, through regulations, the substitution of industry certification and state licensure examinations for Standards of Learning (SOL) assessments for awarding verified units of credit for career and technical education courses, when the content of the SOL has been integrated within these courses.	July 1, 2001
SB 1324 Stolle Companion bill to HB 2144	§ 23-9.2:3	The bill would prevent the governing body of every higher educational institution from considering the accreditation status of a Virginia public high school when making admissions determinations for students who have earned a diploma pursuant to requirements established by the Board of Education.	July 1, 2001
SB 1391 Potts	§ 22.1-253.13:3	The bill would require the Board of Education to authorize an elective course for credit in comparative religion in grades 9 through 12.	July 1, 2001

INSTRUCTION

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 1691 Black	§ 22.1-70.2	The bill would require a school division to include a technology selected to be used on its computers with Internet access to filter or block access to child pornography as set out in § 18.2-374.1:1 and obscenity as defined in § 18.2-372 in its acceptable use policy (AUP) submitted to the Department of Education. Private schools that accept federal funds for Internet access would also have to meet these requirements.	July 1, 2001
SB 1055 Quayle	All sections of the Code in which the name “vocational technical education” appears	The bill would replace language throughout the Code referring to the term “vocational” with the term “career and technical” as it pertains to vocational education.	July 1, 2001
SB 1057 Quayle	§§ 22.1-199.1 and 22.1-253.13:6	The bill would specify that all funds provided for educational technology may be used for career and technical, as well as academic, programs. An enactment clause authorizes school boards to use any educational technology funds provided in the appropriation act for career and technical education programs, including funding allocated for professional development in educational technology and purchase of software and hardware for upgrading capacity.	July 1, 2001

TEACHER LICENSURE; RECRUITMENT; RETENTION

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 252 Dillard Identical to HB 1589	§§ 22.1-23 and 51.1-155	The bill provides that retired members of the Virginia Retirement System may be hired as teachers and administrators without interrupting their retirement benefits, if they agree to serve in critical shortage areas of teachers and administrative personnel, identified by geographic region, school division, and subject matter by the Superintendent of Public Instruction, providing certain conditions are met.	In force with passage; Provisions of act expire on July 1, 2006
HB 1589 Hamilton Identical to HB 252	§§ 22.1-23 and 51.1-155	The bill provides that retired members of the Virginia Retirement System may be hired as teachers and administrators without interrupting their retirement benefits, if they agree to serve in critical shortage areas of teachers and administrative personnel, identified by geographic region, school division, and subject matter by the Superintendent of Public Instruction, providing certain conditions are met.	In force with passage; Provisions of act expire on July 1, 2006
HB 1887 Rhodes	Adds § 2.1-639.4:2	The bill would provide that the State and Local Government Conflict of Interests Act does not prohibit a teacher or school board employee from accepting an award or payment in honor of meritorious or exceptional services.	July 1, 2001
HB 1983 Watts	§ 22.304	The bill would require any county having the county manager plan form of government or any city having a population between 105,000 and 125,000 (inclusive) to notify all teachers of a reduction in force due to a decrease in budget. Notice would be required by May 15 of each year. It affects Arlington, Fairfax, and Falls Church.	In force with passage; Provision of act expire July 1, 2003

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 2123 Darner	§ 22.1-298	The bill would require the Board of Education to provide for an alternative for Praxis I assessments.	The act is effective with passage.
HB 2514 Reid Companion bill to SB 1304	§ 22.1-303	The bill would require continuing contract status for a teacher to be contingent upon successful completion of training in instructional strategies and techniques for intervention or remediation of students who fail or are at risk of failing the Standards of Learning assessments. The bill would require school divisions to provide timely training at no cost to teachers.	July 1, 2001
HB 2589 Christian	Adds § 22.1-290.01, and repeals § 22.1-212.2:1	The bill would reorganize the Code referencing the Virginia Teaching Scholarship Loan Program. The bill would require the State Council of Higher Education and the Board of Education to make information about the loan program widely available to parents, students, school personnel, and academic advisors and higher education representatives.	July 1, 2001
SB 954 Couric Similar to HB 252 and HB 1589	§§ 22.1-23 and 51.1-155	The bill provides that retired members of the Virginia Retirement System may be hired as teachers and administrators without interrupting their retirement benefits, if they agree to serve in critical shortage areas, identified by geographic region, school division, and subject matter by the Superintendent of Public Instruction, and certain conditions are met.	In force with passage; Provisions of act expire on July 1, 2006
SB 1304 Newman Companion bill to HB 2514	§ 22.1-303	The bill would require that continuing contract status for teachers be contingent upon successful completion of training in instructional strategies and techniques for intervention or remediation of students failing or at risk of failing the Standards of Learning assessments. The bill would require school divisions to provide timely training at no cost to teachers.	July 1, 2001

LOCAL SCHOOL DIVISIONS

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 1862 McDonnell Companion bill to SB 1032	§§ 18.2-251 and 22.1-315	The bill would eliminate the possibility of a school employee charged with a first-time drug offense to make claim to any escrowed salary or reinstatement when the commonwealth or another state has dismissed the case against the employee without prejudice (nolle prosequi) and placed the employee on probation.	July 1, 2001
HB 1996 Parrish	§§ 19.2-83.1 and 22.1-296.2	The bill would provide that the criminal history records checks obtained by school boards for applicants who are offered or who accept school board employment on a temporary or permanent, full-time or part-time, basis must include a search of all Class 1 misdemeanor convictions, including equivalent offenses in other states. Reports of all arrests of school board employees would also be reported to school boards, and arrested employees would be required to submit to fingerprinting and a criminal history records checks.	July 1, 2001
HB 2395 Tata	Adds § 22.1-89.4	The bill requires school boards to develop policies governing commercial, promotional, and corporate partnerships and sponsorships of schools, school organizations, and school activities.	July 1, 2001
HB 2588 Christian	§ 22.1-296.2	The bill would permit a school board, with permission of the applicant, to share criminal history records information with another school board to which the applicant has applied for employment, if the boards have reciprocity agreements and the last records check was conducted within the previous 90 days.	July 1, 2001

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 2750 Blevins	§ 2.1-344	The bill would authorize public bodies (i.e. school boards) to hold closed meetings on matters that would involve the disclosure of information contained in a student's scholastic record of any public institution of higher education or any state school system.	July 1, 2001
HB 2786 Blevins	§ 22.1-1	The bill would change the definition of "school board" in the Code to mean "the school board that governs a school division." The bill would change the definition of "governing body" or "local governing body" to mean "the board of supervisors of a county, council of a city, or council of a town responsible for appropriating funds for such locality."	July 1, 2001
SB 1032 Stolle Companion bill to HB 1862	§§ 18.2-251 and 22.1-315	The bill would eliminate the possibility of a school employee charged with a first-time drug offense to make claim to any escrowed salary or reinstatement when the commonwealth or another state has dismissed the case against the employee without prejudice and placed the employee on probation.	July 1, 2001
SB 1201 Forbes	§ 22.1-270	The bill would permit licensed physician assistants under the supervision of licensed physicians to conduct and make the report of the preschool physical examination required of children before they enter a public kindergarten or elementary school.	July 1, 2001
SB 1207 Forbes	§ 22.1-130.1	The bill would require school boards to provide representatives of the military forces of the commonwealth and the United States the same access to high school career fairs and other school or division-wide activities as representatives of occupational, professional, or educational institutions.	July 1, 2001

Bill Number and Patron	Amended Code Section	Summary	Timeline
SB 1331 Barry	§ 22.1-202	<p>The bill would require all students to learn the Pledge of Allegiance and to demonstrate such knowledge. Each school board must require the daily recitation of the Pledge of Allegiance in each classroom of the school division and must ensure that an American flag is in place in each classroom. Each school board must determine the appropriate time during the school day for the recitation of the Pledge. No student shall be compelled to recite the Pledge if he, his parent, or legal guardian objects on religious, philosophical or other grounds. The school board's code of conduct shall apply to disruptive behavior during the recitation of the Pledge.</p>	July 1, 2001
HB 637 Dillard	§ 22.1-32	<p>The bill would allow any elected 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. An appointed school board would still be required to request the General Assembly's consideration of an increase in its annual salary. The limit for discretionary salary increases for all school board chairmen would be raised to \$2,000 per year, given the adoption of resolutions by the appropriate appointing local governing body or the elected school board.</p>	July 1, 2001

SPECIAL EDUCATION

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 1226 McEachin	Adds § 22.1-215.1	The bill would require the Board of Education to publicize and disseminate information about procedures and rights related to the placement and withdrawal of children in special education programs, as provided in federal law and regulations, to parents of students enrolled or recommended for placement in such programs.	July 1, 2001
SB 1163 Hanger Identical to SB 1340	§ 22.1-346.1	The bill would add two additional individuals to the ten members presently appointed to the Advisory Commission for the Virginia Schools for the Deaf and the Blind and modify the eligibility criteria of one of the two existing citizen members. The two additional members would be a parent of a sensory impaired multi-disabled student who is or was a former student of the school at Hampton and a current member of the State Board of Education. One of the two currently existing citizen members would be required to be a former student of either school.	July 1, 2001
SB 1340 Maxwell Identical to SB 1163	§ 22.1-346.1	The bill would add two additional individuals to the Advisory Commission for the Virginia Schools for the Deaf and the Blind and modify the eligibility criteria of one of the two existing citizen members. The two additional members would be a parent of a sensory impaired multi-disabled student who is or was a former student of the school at Hampton and a current member of the State Board of Education. One of the two currently existing citizen members would be required to be a former student of either school.	July 1, 2001

SCHOOL SAFETY

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 1587 Hamilton Identical to SB 1334	§§ 9.173.21 and 22.1-278.1	The bill would require public schools to submit their school safety audits to their respective division superintendents, and the division superintendents to assemble and submit the audits to the Virginia Center for School Safety. The Virginia Center for School Safety is to provide school divisions with technical assistance during the development of initiatives promoting school safety, including the development of school crisis and emergency management plans.	July 1, 2001
HB 1652 Hamilton	§ 9-171.1	The bill would establish the School Resource Officer Grants Program, to be administered by the Criminal Justice Services Board, in consultation with the Board of Education. The Fund would be disbursed to award matching grants to local law-enforcement agencies and local school boards that have established a collaborative agreement to employ uniformed school resource officers in middle and high schools. Up to five percent of the Fund could be disbursed for the training of the school resource officers.	July 1, 2001
HB 1724 Black	§ 22.1-178	The bill would provide that the character reference statement required for school bus driver applicants may be signed by two reputable persons who reside in the applicant's community or in the division's jurisdiction.	July 1, 2001
HB 2103 Darner Companion bill to SB 1222	§ 46.2-834	The bill would permit uniformed school crossing guards to control traffic at marked school crossings.	July 1, 2001

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 2754 Jackson	§ 46.2-871	The bill would permit school buses to travel 65 mph only when the posted speed limit is 65 mph and the bus is traveling on an interstate highway.	July 1, 2001
SB 905 Mims	§§ 46.2-844 and 46.2-859	The bill would establish that the testimony of a school bus driver, the supervisor of school buses, or a law-enforcement officer, that a vehicle passed by a motorist was yellow, conspicuously marked as a school bus, and equipped with warning devices, is sufficient evidence to presume that the vehicle is in fact a school bus.	July 1, 2001
SB 1022 Houck	§§ 22.1-278.1, 23-9.6:1, and 44-146.18	The bill would require public schools to institute tornado drills. This bill modifies the definition of <i>school crisis and emergency management plan</i> to include <i>tornadoes</i> among the natural disasters, severe weather conditions, and other incidents that must be addressed in the procedures required to prevent, manage, and respond to emergency situations. The duties of the Department of Emergency Management, the Coordinator of Emergency Management, and the Virginia Center for School Safety have been extended to provide consultation services to the Board of Education.	July 1, 2001
SB 1222 Whipple Companion bill to HB 2103	§ 46.2-834	The bill would permit uniformed school crossing guards to control traffic at marked school crossings.	July 1, 2001

Bill Number and Patron	Amended Code Section	Summary	Timeline
SB 1334 Newman Identical to HB 1587	§§ 9.173.21 and 22.1-278.1	The bill would require public schools to submit their school safety audits to their respective division superintendents, and the division superintendents to assemble and submit the audits to the Virginia Center for School Safety. This bill would also require the Virginia Center for School Safety to provide school divisions with technical assistance during the development of initiatives promoting school safety, including the development of school crisis and emergency management plans.	July 1, 2001

DRIVER'S LICENSES

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 1575 Orrock Companion bill to SB 789	§ 16.1-278.9	The bill would add threats to bomb or damage buildings or means of transportation to the list of offenses for which a child may lose driving privileges.	July 1, 2001
HB 1882 Albo	§ 22.1-206	The bill would require instruction in public schools concerning the public safety hazards and dangers of alcohol abuse, underage drinking, and drunk driving. The Department of Alcoholic Beverage Control would provide educational materials to the Department of Education for approval and distribution to schools.	July 1, 2001
HB 2554 O'Brien Identical to SB 1329	§§ 22.1-205, 46.2-330, 46.2-334, 46.2-334.01, 46.2-335, and 46.2-335.2; Adds § 46.2-334.02	The bill would change the minimum ages for learner's permits and provisional licenses to 15 years and six months and 16 years and three months, respectively. Driver education programs in public schools would require a minimum number of miles driven behind-the-wheel. To receive a provisional license, the holder of a learner's permit who is less than 18 years old would be required to have driven a motor vehicle for at least forty hours, ten after sunset. The minimum time to hold a learner' permit for persons under 18 prior to applying for a driver's license would be nine months, or the 18 th birthday. The bill would require driving curfews for persons with learner's permits and provisional licenses between midnight and 4:00 a.m. It would restrict the number of passengers under 18 years old in vehicles driven by holders of learner's permits and provisional licenses, with some exceptions, including driver education programs.	July 1, 2001

Bill Number and Patron	Amended Code Section	Summary	Timeline
SB 789 Houck Companion bill to HB 1575	§ 16.1-278.9	The bill would add threats to bomb or damage buildings or means of transportation to the list of offenses for which a child may lose driving privileges.	July 1, 2001
SB 1329 Mims Identical to HB 2554	§§ 22.1-205, 46.2-330, 46.2-334, 46.2-334.01, 46.2-335, and 46.2-335.2; Adds § 46.2-334.02	The bill would change the minimum ages for learner's permits and provisional licenses to 15 years and six months and 16 years and three months, respectively. Driver education programs in public schools would require a minimum number of miles driven behind-the-wheel. To receive a provisional license, the holder of a learner's permit who is less than 18 years old would be required to have driven a motor vehicle for at least forty hours, ten after sunset. The minimum time to hold a learner' permit for persons under 18 prior to applying for a driver's license would be nine months, or the 18 th birthday. The bill would require driving curfews for persons with learner's permits and provisional licenses between midnight and 4:00 a.m. It would restrict the number of passengers under 18 years old in vehicles driven by holders of learner's permits and provisional licenses, with some exceptions, including approved driver education programs.	July 1, 2001

STUDENT DISCIPLINE AND WEAPONS

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 197 Sherwood	§ 18.2-60	The bill would provide that a person is guilty of a Class 6 felony if he or she communicates a written threat (including by electronic means), causing a reasonable apprehension of death or bodily harm, against any person or persons who are (i) on the grounds or premises of any elementary, middle or secondary school property; (ii) on the grounds or premises of any elementary, middle or secondary school-sponsored event; or (iii) on a school bus. regardless of whether the person(s) receives the threat. Any person who orally makes a threat to any employee of any elementary, middle or secondary school, while on a school bus, on school property, or at a school-sponsored activity, to kill or to do bodily injury to such person, would be guilty of a Class 1 misdemeanor.	July 1, 2001
HB 247 Dillard	§ 18.2-280	The bill would remove the current exemptions of the use of an established shooting range and lawful hunting from Class 4 felony charges in the discharge of a firearm upon the buildings and grounds of any public, private, or parochial elementary, middle, or high school. Programs or curriculum sponsored by or conducted with permission of such schools would remain exempt. Any person who discharges any firearm upon any public property within 1,000 feet of the property line of such schools would be guilty of a Class 4 felony, with the exception of lawful hunting.	July 1, 2001

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 1706 Admundson	§ 22.1-277.2	The bill would allow school boards to exclude students suspended for more than 30 days or expelled by another school division, or denied admission by a private school, regardless of the offense, if the student presents a danger to the other students or staff and with a hearing process. The bill would eliminate the one-year maximum length of time an excluding school board may deny admission for an expelled student, and limit a term of exclusion in the case of a suspension of more than thirty days to the duration of the suspension; require that the excluding school board issue dates upon which the student may petition for readmission; and provide authority to excluding school boards to accept or reject any or all of the conditions for readmission imposed on such a student by the expelling school board.	July 1, 2001
HB 1707 Admundson	§ 22.1-276	The bill would authorize local school boards to take action against pupils who fail to return property owned by or under the control of the school board and used by the pupil in the course of his or her studies.	July 1, 2001
HB 1866 Orrock	Adds § 63.1-248.4:1	The bill would allow any person suspecting that a child has been subject to corporal punishment, as defined in § 63.1-248.2, to make a complaint with the local agency where the child resides or where the abuse or neglect occurred or to the Department of Social Services. The bill would include a delineation of actions by school personnel that do not constitute corporal punishment (such as quelling a disturbance.)	July 1, 2001

Bill Number and Patron	Amended Code Section	Summary	Timeline
<p>HB 2512 Reid</p> <p>Originally companion bill to SB 1359, although not exactly the same, as amended. Pending possible amendments requested by patron.</p>	<p>Affects sections in Chapter 14, Article 3 through amendments, additions, and deletions;</p> <p>Amends §§ 8.01-47, 9-6.14:4.1, 16.1-293, 22.1-254, 22.1-266;</p> <p>Adds §§ 22.1-4.3, 22.1-79.3, 22.1-203.2</p>	<p>Reorganizes, amends, deletes, and adds sections of the Code addressing student discipline for clarification and consistency. Incorporates provisions of HB 1706 and HB 1707.</p>	<p>July 1, 2001</p>
<p>SB 1144 Lambert</p>	<p>Adds § 22.1-200.1</p>	<p>The bill would authorize local school divisions to establish optional age-appropriate alternative education programs for children in grades kindergarten through five who require guidance, supervision, and discipline in a structured learning environment to re-direct the students toward appropriate and acceptable behavior. SB 1144 would allow this option in lieu of suspending or expelling these students from attendance at school. Optional education programs could not be construed as appropriate alternative placements for students who have been removed from special education for disciplinary purposes.</p>	<p>July 1, 2001</p>

Bill Number and Patron	Amended Code Section	Summary	Timeline
<p>SB 1359 Rerras</p> <p>Originally companion bill to HB 2512, although not exactly the same as amended. Preferred bill by Commission on Youth.</p>	<p>Affects sections in Chapter 14, Article 3 through amendments, additions, and deletions;</p> <p>Amends §§ 8.01-47, 9-6.14:4.1, 16.1-293, 22.1-254, 22.1-266;</p> <p>Adds §§ 22.1-4.3, 22.1-79.3, 22.1-203.2</p>	<p>Reorganizes, amends, deletes, and adds sections of the Code addressing student discipline for clarification and consistency. Incorporates provisions of HB 1706 and HB 1707.</p>	<p>July 1, 2001</p>

CHARTER SCHOOLS

Bill Number and Patron	Amended Code Section	Summary	Timeline
HB 2439 Harris Companion bill to SB 1393	§ 22.1-212.9	The bill provides that, prior to receiving applications for any charter school, a school board must provide public notice of its intent to accept or not accept such applications. After providing such notice, the school board may alter its decision to accept or not accept such applications.	July 1, 2001
SB 1393 Newman Companion bill to HB 2439	§ 22.1-212.9	The bill provides that, prior to receiving applications for any charter school, a school board must provide public notice of its intent to accept or not accept such applications. After providing such notice, the school board may alter its decision to accept or not accept such applications.	July 1, 2001