

**LEGISLATIVE UPDATE
2012 GENERAL ASSEMBLY
FINAL REPORT**

Reported to: State Special Education Advisory Committee
 Reported by: Doug Cox, Special Education and Student Services
 Date: June 21, 2012

Number	Summary	Final Status
HB 218 [Bell] SB 399 [Hanger]	<p>Deaf and hard-of-hearing children; special education Requires LEAs to ensure that IEP teams consider the specific communication needs of deaf and hard-of-hearing children and address those needs as appropriate in the child's IEP. Lists specific provisions of what the IEP teams must consider; e.g.</p> <ul style="list-style-type: none"> • The child's individual communication mode or language; • The availability to the child of a sufficient number of age, cognitive, academic, and language peers of similar abilities if the parents so desire • The availability to the child of deaf or hard-of-hearing adult models of the child's communication mode or language. 	2-23-12: Continued to 2013; in the Senate Committee on Education and Health.
HB 325 [Massie]	<p>Students with autism spectrum disorders; school board to require training of personnel. Requires that by 9-1-14 from such funds as may be appropriated for such purposes, each school board ensures that aides assigned to work with a teacher who has primary oversight of students with autism spectrum disorder demonstrate competency in student behavioral management within 60 days of assignment to such responsibility. Also requires the BOE to: (1) provide training standards that LEAs may use to fulfill these requirements and (2) to develop in consultation with VCU online training to fulfill these requirements free of charge to LEAs.</p>	4-18-12: Incorporated Governor's recommendations; reenrolled in final form; it now becomes law.
HB 382 [Pogge]	<p>Assistive technology devices; transfer of by school division. Provides that a LEA may transfer assistive technology devices purchased by the division for a child with a disability to a different LEA to which the child transfers or to a state agency that provides services to a SWD upon the child's graduation or when a LEA ceases to provide special education services for the</p>	3-10-12: Passed General Assembly; Governor signed into law.

	student. VDOE to issue guidelines for transfer of AT devices by July 1, 2013.	
HB 400 [Hope]	Parents observing children. Requires local school boards to adopt and implement policies that would ensure parents may act as an observer in the child's classroom.	2-8-12: Defeated
HB 1061 [Byron] SB 489 [Ruff]	Secondary school graduation requirements; diplomas. BOE to modify the credits necessary for a student to earn a standard or advanced studies diploma. The advanced studies diploma shall be the recommended diploma for students pursuing baccalaureate study. The standard diploma shall include a concentration in career and technical education and a requirement to earn a CTE credential. Standard or advanced studies diploma will require successful completion of one virtual course. Eliminates the modified standard diploma. BOE to make provisions in regulations of SWD to earn a standard diploma. BOE to promulgate regulations to implement these new provisions effective within 280 days of the bill's enactment.	3-20-12: Passed the General Assembly; Governor signed into law.
HB 1107 [Greason] SB 656 [McEachin]	Possession and administration of epinephrine. Requires local school boards to adopt and implement policies for the possession and administration of epinephrine in every school. The school nurse, a school board employee, or an authorized and trained volunteer may administer the epinephrine to any student believed to be having an anaphylactic reaction. Also requires VDOE and the Dept. of Health Professionals to develop and implement policies for the recognition and treatment of anaphylaxis in the school setting.	4-18-12: Incorporated Governor's recommendations. Signed as president (Senate) as reenrolled; House also reenrolled the bill. It now becomes law.
HB 1156 [Farrell]	Administration of auto-injectable epinephrine. Requires local school boards to develop policies to maintain at least 2 auto-injectable epinephrine pens per school. The school nurse, or a trained and authorized school board employee if a nurse is unavailable, would be able to administer or provide the auto-injectable epinephrine to a student with a prescription on file or a student believed to be having an anaphylactic reaction. Neither the school nurse nor the authorized and trained school board employee shall be liable for any civil damages for ordinary negligence when acting in good faith.	2-14-12: Tabled in the House.

<p>SB 241 [Obenshain]</p> <p>Incorporated into SB 131.</p>	<p>Tax credits; assistance to low-income families, scholarships for K through 12 students attending private schools.</p> <ul style="list-style-type: none"> • The current Neighborhood Assistance Act Tax Credit program now covers SWD. • Removes the cap on business donations; to be unlimited. • Raises the tax credit to 65%. • Allows SWD to receive services after the agencies get the credit. • Defines SWD as meaning a student with an IEP who has been in public school for one year. • Defines SWD to also mean one who is at least 400% below federal poverty rate. • Creates a \$25 million scholarship program for SWD and students of poverty in private schools. Program takes effect in 2013; BOE will have to develop guidelines. • Related to the \$25 million scholarship program, the VDOE is mandated to collect data on student outcomes (e.g. graduation rates) as a public report on VDOE's web site. 	<p>4-19-12: Passed as part of the Budget.</p>
<p>SB 542 [Howell]</p>	<p>Health insurance coverage for autism spectrum disorder. Deleted the requirement that board certified behavior analysts be certified by the Board of Medicine. Defines a board-certified analyst as an individual certified by the Behavior Analyst Certification Board, or other nationally recognized organization with certification requirements that are no less stringent, as a board-certified behavior analyst.</p>	<p>2-6-12: stricken at the request of the Senate Committee on Commerce and Labor.</p>

NOTE: Nothing to report on General Assembly Resolutions.

For more detailed information on these bills and other education bills, please check VDOE's bill tracking web site at:
<http://www.doe.virginia.gov/boe/legislation/index.shtml>

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