

2004 GENERAL ASSEMBLY SESSION LEGISLATIVE REPORT
Education Bills and Joint Resolutions adopted by the 2004 General Assembly

This report provides a summary of each bill and joint resolution passed during the 2004 General Assembly session and signed by the Governor, grouped by category. All legislation is effective July 1, 2004, unless otherwise indicated. Links to the text of the bill and its legislative history are available by clicking on the bill number. You will be linked to the Legislative Information System and can simply type in the number of the bill of interest.

ADMINISTRATIVE ISSUES/FOIA

Bill Number and Patron	Amended Code Section	Summary
SB 404 Reynolds	§§ 22.1-254 22.1-254.2	States that the requirements of compulsory attendance shall be satisfied for those persons 16 through 18 years of age who are housed in adult correctional facilities when such persons are actively pursuing a general educational development certificate (GED) but are not enrolled in an individual student alternative education plan (IAESP).
SB 562 Lambert	§ 2.2-3705	Expands the current record exemptions under the Freedom of Information Act to include certain records of designated internal auditors of any school board or local governing body.
HJ 6 Cox	N/A	Creates a joint subcommittee to study the Virginia Public Records Act, electronic records, and their effect on the state depository system. The joint subcommittee shall examine the Virginia Public Records Act and the extension of its scope to (i) provide and assign authority to establish and maintain guidelines or regulations for the creation, transfer, and archival preservation of electronic state records and publications; (ii) provide and assign authority to establish and maintain procedures for the official authentication of e-records and documents; and (iii) establish a means to identify, describe, receive, and manage discrete electronic government information products covered by copyright.

BROWN V. BOARD OF EDUCATION 50TH ANNIVERSARY OBSERVANCE

Bill Number and Patron	Amended Code Section	Summary
SB 230 Lambert	N/A	Creates the <i>Brown v. Board of Education</i> Scholarship Program to assist students enrolled in public schools in Virginia between 1954 and 1964, in jurisdictions in which public schools were closed to avoid desegregation, to obtain a high school diploma, the General Education Development certificate, career or technical education or training, or an undergraduate degree from a public institution of higher education in Virginia.
HJ 78 Bryant SJ 26 Marsh	N/A	Commends the Brown v. Board of Education 50th Anniversary Commission on leading the national commemoration of the 50th anniversary of the desegregation of the nation's public schools. Under the leadership of the Dr. Martin Luther King, Jr. Memorial Commission, Virginia launched its official 18-month long commemoration of <i>Brown v. Board of Education</i> with the three-day state visit of the <i>Brown v. Board of Education</i> 50th Anniversary Commission.
SJ 73 Marsh	N/A	Designates 2004 and 2005, as Brown v. Board of Education Years in Virginia, and requests the Governor to call upon the citizens of Virginia to observe the designated commemorative period by engaging in the activities offered in their communities.

CAREER AND TECHNICAL EDUCATION

Bill Number and Patron	Amended Code Section	Summary
HB 40 Orrock	§ 3.1-14.2	Establishes a unit of agriculture education specialists within the Department of Agriculture and Consumer Services to (1) assist in the development and revision of local agriculture curricula to integrate the Standards and Learning; (2) provide professional development for agriculture instructional personnel to improve the quality of agriculture education; (3) conduct site visits to the schools providing agriculture education; and (4) seek information from business and industry representatives regarding the content and direction of agriculture education programs in the public schools of Virginia. The unit will be administered by the Department of Agriculture Education at Virginia Polytechnic Institute and State University.
HB 637 Tata	§§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11 and 54.1-3029 Adds §§ 23-276.13, 23-276.14, 23-276.15 Repeals §§ 22.1-326.1, 22.1-333, 22.1-334, and 22.1-335	Eliminates division of regulatory responsibility between the State Council of Higher Education (SCHEV) and the Board of Education (BOE) for privately owned, for-profit career training schools by granting SCHEV regulatory authority for private institutions of higher education operating in Virginia and postsecondary schools (which may or may not offer degree programs).

CAREER AND TECHNICAL EDUCATION CONTINUED

Bill Number and Patron	Amended Code Section	Summary
HJ 125 Hamilton	N/A	Requests the Board of Education, the State Board for Community Colleges, and the State Council of Higher Education for Virginia to develop a template for a statewide articulation agreement for career and technical education in order to facilitate students' movement through a K-16 system that allows smooth transitions between high school, community college, and four-year institutions of higher education. The template is to include among other things some standardization of credit transfers, options tailored to match the capabilities of the educational agencies in local areas, a list of programs and courses that are articulated, the identity of the agencies that are articulated for each program or course, and the tuition charges for the various classes at the different levels.
HJ 126 Hamilton	N/A	Recognizes the value of the local career and technical education advisory councils across Virginia in providing the essential link between employers and instructional personnel and programs. The resolution notes that the local advisory councils continue to work to improve career and technical curricula and opportunities for career and technical education students by supporting projects to advance career and technical education, developing mechanisms for ensuring program continuity and meeting employers' needs, and encouraging modernization of programs, curriculum and equipment.

CHARTER SCHOOLS

Bill Number and Patron	Amended Code Section	Summary
<p>HB 380 Lingamfelter</p>	<p>§§ 2.2-3109 22.1-212.5 22.1-212.6 22.1-212.8 22.1-212.9 22.1-212.11 22.1-212.12</p>	<p>Amends the charter schools statute to (i) allow charter schools to contract with private as well as public institutions of higher education for school facilities, services, and other undertakings, including construction; (ii) add evidence of the support of school division residents for a charter school to those items that may be included in proposed charter agreement materials; (iii) allow charter applicants to submit the proposed charter agreement to the Board of Education for review and comment, and to require inclusion of the Board's findings in the charter application to the local school board; (iv) delete the authority of school boards to limit the number of charter schools within the division and the statutory cap on the maximum number of charter schools; (v) delete the requirement that half the charter schools in the division be designed to benefit at-risk pupils, and instead direct school boards to give priority to applications designed to benefit these students, particularly those at-risk students currently served by schools that have not achieved full accreditation; (vi) direct the Board to report annually to the General Assembly the number of public charter school applications granted and denied, and the reasons for any such denials; and (vii) increase the maximum charter term from three to five years. The Board of Education must set objective criteria for the review and comment on the applications, and the Board's comments cannot relate to whether the local school board should approve the application. The bill also amends the State and Local Government Conflicts of Interests Act to allow the governing body, administrators, and other personnel within a public charter school to have an ownership or financial interest in renovating, lending, granting, or leasing public charter school facilities, if such interest has been disclosed in the public charter school application. The provisions of this bill will sunset on July 1, 2009.</p>

FINANCE

Bill Number and Patron	Amended Code Section	Summary
HB 433 Brink	§ 1	Authorizes the Arlington County School Board (an elected school board of a division comprised of a county having the county manager plan of government) to grant itself fringe benefits, expenses, and reimbursements, or any of them, as it deems appropriate, and in the manner and form as such fringe benefits, expenses, and reimbursements are provided for school board employees, after satisfying notice and public hearing requirements.
HB 1013 Dillard	Adds § 22.1-199.4	Creates the At-Risk Student Academic Achievement Program and Fund to provide noncompetitive grants to public school divisions to implement research-based programs or programs identified as best practices for at-risk students. The amount of grants and required local matching funds shall be determined as provided in the appropriation act. Funds received through this program shall be used to supplement, not supplant, any local funds currently provided for at-risk programs within the school division.
HB 1336 Parrish SB 644 Colgan	§ 22.1-32	Increases the salary of the Manassas Park School Board from \$1,800 to \$3,000.
SB 518 Hanger	§ 22.1-98.2	Creates a mechanism whereby any school board of a school division in which fewer than 350 students (Highland County) were included in average daily membership for the preceding school year, upon entering into certain cost-savings agreements with a contiguous school division for the sharing of educational, administrative, or support services, shall receive the state share for basic aid computed on the basis of the composite index of local ability-to-pay of the contiguous school division, calculated annually, for a period of 15 years. Board of Education eligibility criteria will address the cost-savings and service-sharing agreements and will provide for the adjustment of the state share for basic aid, consistent with the appropriation act. The local school board receiving the adjusted state share cannot use the additional funds received to supplant local funds appropriated for education. The adjusted state share cannot be used to reduce local operating expenditures for education from the prior fiscal year.

FINANCE CONTINUED

Bill Number and Patron	Amended Code Section	Summary
HJ 105 Drake	N/A	Creates a joint subcommittee to study the level of the Commonwealth's assistance to localities that is necessary for developing adequate K-12 schools infrastructure. The joint subcommittee shall consider the physical and technical structure needs of K-12 schools throughout the Commonwealth and various options for funding those needs.

GRADUATION

Bill Number and Patron	Amended Code Section	Summary
HB 1257 Councill	Chapter 577 of the 2002 Acts of Assembly (Section 1 legislation)	Requires local school divisions to adopt procedures for awarding verified units of credit in science and history/social sciences in accordance with Board of Education guidelines to eligible students who entered the ninth grade for the first time during the school years of 2000-2001, 2001-2002, and 2002-2003, who have earned fewer than four of the student-selected verified credits required for the Standard Diploma, and who have scored within a 375-399 scale score range on relevant Standards of Learning tests after taking a test at least twice.
SB 438 Locke	§ 22.1-253.13:4	Requires local school boards to notify parents of students who are rising eleventh and twelfth graders of: (1) the number of standard and verified units of credit required for graduation pursuant to the Standards of Accreditation; (2) the remaining number of such credits the individual student requires for graduation; and (3) the years allowable for a free public education for general students, for limited English proficient students, and for special education students.

GRADUATION CONTINUED

Bill Number and Patron	Amended Code Section	Summary
<p>SB 553 Lucas</p>	<p>§ 22.1-26</p>	<p>Authorizes local school boards to establish joint or regional schools to provide a specialized curriculum designed for students who are eligible to enroll in public high schools that leads to a high school diploma and that may also lead to a postsecondary credential, such as industry certification, a career certificate, or a degree. With the Board of Education’s approval, the relevant school boards operating these schools may establish instructional schedules that include alternatives to the standard school day and year requirements of section 8 VAC 20-131-150 of the Standards of Accreditation. The school boards may contract with an accredited institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education to provide instruction.</p>

HEALTH AND SCHOOL SAFETY

Bill Number and Patron	Amended Code Section	Summary
HB 286 Cosgrove	§ 18.2-308.1	Adds off-duty law enforcement officers to the list of those who are permitted to possess a weapon on school property. Currently, only a law-enforcement officer while engaged in his official duties may carry his weapon onto school grounds.
HB 869 Byron	§ 22.1-279.3:1	Expands the enumerated activities that school principals must report to local law enforcement by providing that reportable offenses involving "firearms" on school property address any weapon prohibited on school property or at a school-sponsored activity pursuant to § 18.2-308.1, as well as (i) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (ii) the frame or receiver of any such weapon; (iii) any firearm muffler or firearm silencer; or (iv) any destructive device. "Firearm" shall not include any weapon in which ammunition may be discharged by pneumatic pressure. By linking the definition of "firearm" to the definition in § 22.1-277.07 (Gun-Free Schools), the measure captures possession of knives and other weapons.
HB 1080 Parrish	§ 16.1-260	Requires an intake officer to notify the school division superintendent of the filing of a petition against a juvenile in cases involving criminal street gang activity.
HB 1117 Weatherholtz	Adds § 22.1-277.07:1	Authorizes school divisions to establish disciplinary policies prohibiting the possession of firearms on school property, school buses, and at school-sponsored activities by students, and authorizes school divisions to take disciplinary actions against students who violate such policies. The measure indicates that the act is declaratory of existing law.
HB 1445 A.T. Howell	§ 46.2-834	Requires school crossing guards to whom hand-held stop signs are supplied by their local school divisions to use them to control traffic at school crossings.

HEALTH AND SCHOOL SAFETY CONTINUED

Bill Number and Patron	Amended Code Section	Summary
SB 593 Colgan	§ 16.1-260	Adds prohibited street gang participation to those enumerated crimes triggering a requirement that the intake officer provide notice to a school superintendent that a petition has been filed alleging a juvenile committed an act that would be a crime if committed by an adult.
SB 607 Wampler	§ 37.1-179.2	Prohibits the granting of an initial license to a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, if such provider is to be located within a one-half mile of a public or private day care center or public or private K-12 school, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner of the Department of Mental Health, Mental Retardation or Substance Abuse Services or owned or operated by an agency of the Commonwealth.
SB 633 Saslaw	§ 19.2-83.1	Requires that a public school student who is 18 or over and arrested for certain offenses be reported to the division superintendent. The offenses are the same as those for which a juvenile student would be reported. The bill extends this list of offenses for which a juvenile would be reported to include criminal street gang related activity.
HJ 260 Tata	N/A	Urges school divisions to provide age-appropriate and culturally sensitive health, nutrition and physical education necessary to develop the knowledge, attitudes, skills, and behaviors required for students to adopt and maintain healthy eating habits and physically active lifestyles.

INSTRUCTION

Bill Number and Patron	Amended Code Section	Summary
HB 576 Hamilton	§ 22.1-199.1 Adds chapter 6.2, consisting of §§ 51.1-617 and 51.1-618, to Title 51.1	Authorizes local school boards to contract with turnaround specialists to address conditions at a school impeding educational progress and student academic success. Establishes a middle school teacher corps for licensed instructional personnel who have been assigned to teach within a school division in a subject matter in grades six, seven, or eight where there is a critical need. Authorizes additional compensation, improved retirement benefits, bonuses, and other incentives for such personnel. Establishes a defined contribution plan to be administered by the Virginia Retirement System for eligible employees serving as turnaround specialists or as members of the middle school teacher corps.
HB 1015 Dillard	§ 22.1-207.1	Adds steps to take to avoid sexual assault and the availability of counseling and legal resources, and, in the event of such sexual assault, the importance of immediate medical attention and advice, as well as legal requirements to those items that the Board of Education is to include in its curriculum guidelines for family life education. Pursuant to the Standards of Accreditation (8 VAC 20-131-170), local school boards are authorized to implement the Standards of Learning for the Family Life Education program promulgated by the Board of Education or a Family Life Education program consistent with the Board's guidelines, which shall have the goals of "reducing the incidence of pregnancy and sexually-transmitted diseases and substance abuse among teenagers."
HB 1018 Dillard	§ 22.1-200.01	Requires school divisions to provide students with alternatives to animal dissection in relevant public school courses or curriculum and directs the Board of Education to develop guidelines for such alternatives addressing (i) the use of detailed models of animal anatomy and computer simulations as alternatives to dissection; (ii) notification of students and parents of the option to decline to participate in animal dissection; and (iii) such other issues as the Board deems appropriate.

INSTRUCTION CONTINUED

Bill Number and Patron	Amended Code Section	Summary
<p>SB 304 O'Brien</p>	<p>§§ 2.2-435.1-435.5 § 2.2-2670</p>	<p>Creates the position of the Special Advisor to the Governor for Workforce Development to coordinate workforce and career development programs, recommend actions for efficiency, and report annually to the Governor and to the Virginia Workforce Council on the progress made. The Special Advisor is to identify each agency that provides job-training programs by December 1, 2005. Beginning December 1, 2006, the Special Advisor will provide annual reports on these programs to the Governor, the Secretary of Finance, and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance, and the General Assembly. Information to be provided in annual reports includes program objectives, funding, program success rates, individuals served, and per person costs.</p>
<p>SB 315 Howell</p>	<p>§ 22.1-212.1:2</p>	<p>Authorizes the Board of Education to assist local school boards in the development and implementation of programs of instruction that comply with the provisions of Standard 1 of the Standards of Quality, specifically relating to citizenship and environmental issues and geography necessary for responsible participation in American society and the international community, by cooperating with the environmental groups, state agencies, and other stakeholders in the development of a green schools program for Virginia. In the development and implementation of any such program, the Board must examine other states' green schools programs and must receive input from parents, teachers, school administrators, school boards, business and industry leaders, and local governments. The Board must also strive to identify businesses and other organizations that may provide support in the form of resources or funding for appropriate awards for any green schools program. This provision must not be construed to require the Board or any school board in the Commonwealth to implement a green school program or to imply or otherwise indicate that state or local funding is required to develop or implement any green school program.</p>

LOCAL SCHOOL BOARDS / DIVISIONS

Bill Number and Patron	Amended Code Section	Summary
HB 318 Cox	Adds § 22.1-289.2	Provides that public school employees whose active duty service with the regular armed forces of the United States or the National Guard or other reserve component has required their absence from their full-time employment in a school division will receive supplemental pay as determined by and from the relevant local school division if the military compensation of such employee is less than the regular salary paid to such employee by the school division.
HB 575 Hamilton	§ 22.1-98	Permits the Board of Education to waive the requirement that local school divisions provide additional teaching days to compensate for school closings resulting from a declared state of emergency. The bill requires that if the Board of Education grants such a waiver, there shall be no proportionate reduction in the amount paid by the Commonwealth from the Basic School Aid Fund. Additionally, the local appropriations for educational purposes necessary to fund 180 teaching days shall not be proportionally reduced by any local governing body due to any reduction in the length of the term of any school or school division permitted by such waiver. Effective upon passage.
HB 978 Reese	§ 22.1-25	Directs the Board of Education to promulgate regulations that provide for a process for school divisions to submit proposals for the consolidation of school divisions. Such regulations shall provide for, among other things, a public notice and hearing process to be conducted by the applicant school divisions. The bill mandates what school division proposals must include. For five years following completion of such consolidation, the computation of the state and local share for an educational program meeting the Standards of Quality for school divisions resulting from consolidations shall be the lower composite index of local ability-to-pay of the applicant school divisions, as provided in the appropriation act.

LOCAL SCHOOL BOARDS / DIVISIONS CONTINUED

Bill Number and Patron	Amended Code Section	Summary
<p>HB 1038 Saxman SB 576 Obenshain</p>	<p>§ 22.1-291.3</p>	<p>Requires each public school board and each administrator of every private or parochial school to post in each of their schools a notice, pursuant to § 63.2-1509, that (i) any teacher or other person employed in a public or private school who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to local or state social services agencies or the person in charge of the relevant school or his designee; and (ii) all persons required to report cases of such suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person acted in bad faith or with malicious purpose. The notice must also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline. A second enactment clause requires that the notice will be prepared and distributed to each public school board by the Office of the Attorney General. Further, the Attorney General will also furnish, upon request, the notice to any private school.</p>
<p>HB 1256 Van Landingham SB 452 Whipple</p>	<p>§ 22.1-98</p>	<p>Clarifies the circumstances in which state basic aid funding would be reduced because of school closings due to severe weather conditions or other emergency situations. Defines “severe weather conditions or other emergency situations” as “those circumstances presenting a threat to the health or safety of students that result from severe weather conditions or other emergencies, including, but not limited to, natural and man-made disasters, energy shortages or power failures.” The Board is authorized to waive the requirement that school divisions provide additional teaching days or teaching hours to compensate for school closings resulting from a declared state of emergency. School divisions are authorized to make up the missed teaching days by providing equivalent instructional hours. The Board may promulgate emergency regulations. HB 1256 is identical to SB 452, except that SB 452 includes an emergency enactment clause that makes the bill effective upon passage.</p>

LOCAL SCHOOL BOARDS / DIVISIONS CONTINUED

Bill Number and Patron	Amended Code Section	Summary
HB 1443 Baskerville	§§ 22.1-3, 22.1-5 22.1-270	Ensures that students whose parents are deployed outside the United States will continue to be admitted to public schools in the Commonwealth without tuition. This bill provides for admission to the public schools of any person living with an individual who is defined as a parent, not solely for school purposes, pursuant to a special power of attorney executed by a custodial parent as provided in federal law while the custodial parent is deployed outside the United States as a member of the Virginia National Guard or as a member of the United States Armed Forces. The bill also assures that the student will not be charged tuition because of being placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent and that the student will, when practicable, have the option to continue to attend the school in which he was enrolled while residing with his custodial parent.

LOCAL SCHOOL BOARDS / DIVISIONS CONTINUED

Bill Number and Patron	Amended Code Section	Summary
SB 270 Quayle	§ 22.1-3 § 22.1-3.1 § 22.1-4.1 § 22.1-270 § 22.1-271.2	Revises provisions addressing the public school enrollment of homeless children to reflect the definitions and requirements in the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001---law that is included within the federal No Child Left Behind Act. School divisions must coordinate provision of services to homeless students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions. Superintendents cannot exclude from school attendance those homeless children who do not provide the requisite health or immunization information required of other students. Requires the student to be immediately referred to the local school division liaison required to assist the student in obtaining necessary physical examinations or proof of completion of immunizations. Deletes references to "guardian," since § 22.1-1 includes guardians, legal custodians, and other persons having "control or charge of a child" within the definition of "parent" throughout Title 22.1.
SB 335 Stolle	§ 8.01-293 § 16.1-241 § 16.1-264 § 17.1-272	Restricts service of a summons on school property to only a sheriff or his deputy in any custody or visitation case where the summons is issued for a teacher or other school personnel who is not a party to the proceeding. The bill applies the \$12 service fee for service of a summons in any custody or visitation case.
HR 17 Dudley	N/A	Encourages Virginia's local school boards to ensure that the values and ideals of Western civilization are taught effectively in the Commonwealth's classrooms.
HJR 278 Johnson SJR 115 O'Brien	N/A	Expresses the General Assembly's support for the National Guard and Reserve, and other military personnel. Encourages programs of awareness, recognition, and appreciation by local governments, private employers, and local schools.

SPECIAL EDUCATION

Bill Number and Patron	Amended Code Section	Summary
<p>HB 1047 Nixon</p>	<p>§ 2.2-5211</p>	<p>Clarifies that, in any instance in which an individual who is 18 through 21 years of age, inclusive, who is eligible for funding from the state pool and is properly defined pursuant to state education law as a school-aged child with disabilities is placed by a local social services agency that has custody across jurisdictional lines in a group home in the commonwealth and the individual's individualized education program (IEP), as prepared by the placing jurisdiction, indicates that a private day school placement is the appropriate educational program for such individual, the financial and legal responsibilities for the individual's special education services and IEP shall remain, in compliance with the provisions of federal law, Article 2 (§ 22.1-213 et seq.) of Chapter 13 of Title 22.1, and Board of Education regulations, the responsibility of the placing jurisdiction until the individual reaches the age of 21, inclusive, or is no longer eligible for special education services. The financial and legal responsibilities for such special education services shall remain with the placing jurisdiction, unless the placing jurisdiction has transitioned all appropriate services with the individual.</p>

STANDARDS OF QUALITY / STANDARDS OF ACCREDITATION

Bill Number and Patron	Amended Code Section	Summary
HB 769 Hurt	§ 22.1-253.13:1	Requires that local school boards include, within the currently required career and technical education program, curricula that promote knowledge of entrepreneurship and small business ownership. Also requires school divisions to include dual enrollment in their plans to notify students and their parents of the availability of advanced placement classes, the International Baccalaureate program, and Academic Year Governor's School Programs.
HB 1014 Dillard SB 479 Potts	§ 22.1-19.1 § 22.1-209.1:2 § 22.1-225 § 22.1-253.13:1- 22.1-253.13:8 § 22.1-254.2 § 22.1-279.3:1 § 22.1-279.6 § 22.1-292.1 § 22.1-200.01 § 22.1-202.1	Reorganizes the Standards of Quality and makes substantive amendments in the areas of elementary principals, assistant principals, elementary resource positions for art, music, and physical education, pupil-teacher ratios, speech language pathologist caseloads, reading specialists, technology support positions, and the current funding mechanism for remediation. The bill includes a second enactment clause providing that any new Standard of Quality incorporated into the bill shall not become effective unless an appropriation for the standard is included in the 2004-2006 Appropriation Act. The measure also includes a number of technical and editorial amendments.
HB 1254 Hull	§ 22.1-253.13:3	Requires the Board of Education to post disaggregated Standards of Learning (SOL) assessment scores and averages for each year on the Web site for the School Performance Report Card. The scores must be disaggregated for each school by gender and by race or ethnicity, reported to the public within three months of receipt, and provided in a format that allows year-to-year comparisons. The information on the School Performance Report Card may include the results from the National Assessment of Educational Progress (NAEP).

STANDARDS OF QUALITY / STANDARDS OF ACCREDITATION CONTINUED

Bill Number and Patron	Amended Code Section	Summary
<p>HB 1294 Reid</p>	<p>§ 2.2-4018 § 22.1-253.13:3 § 22.1-253.13:6 § 22.1-253.13:8</p>	<p>Provides that the Board of Education has authority to require a school division with chronically low-performing schools, as a result of failure of the school division to implement the Standards of Quality, to undergo a division level academic review. At the completion of the review, each school board must submit a corrective action plan to raise student achievement and to achieve full accreditation status to the Board of Education for approval and also include it in the school division’s six-year improvement plan. The Board of Education may petition the circuit court having jurisdiction in the school division to mandate compliance with the relevant standard and the development or implementation of the required corrective plan when it determines that a school division has failed or refused, and continues to fail or refuse, to comply with the Standards of Quality and the development or implementation in a timely manner of the corrective action plan.</p>
<p>SB 416 Newman</p>	<p>§ 22.1-253.13:1</p>	<p>Requires the Board of Education, in consultation with the chairpersons of the eight regional superintendents’ study groups, to provide for timely review of test scores by school divisions for coding and other errors and prompt reporting to the local school divisions by the Department of Education of the Standards of Learning test scores that will be used to determine each school’s status pursuant to the provisions of the federal No Child Left Behind Act of 2001 (P.L. 107-110).</p>

STUDENT CONDUCT

Bill Number and Patron	Amended Code Section	Summary
HB 513 Marrs	§ 22.1-279.6	Adds self-defense to the list of standards to be included in guidelines established by the Board of Education for school board student conduct policies.
HB 1326 Marrs	§§ 16.1-241.2, 16.1-263 22.1-263 22.1-279.3 Adds § 16.1-290.1	Strengthens the enforcement of the compulsory attendance law by removing the restriction against the court's use of contempt power in enforcing compulsory school attendance and parental responsibility provisions. It clarifies and reinforces the court's power to order the child, the parent, or both, into programs such as extended day programs and summer school or other education programs and treatment, such as counseling. The court is given the authority to summon and force a parent to appear in court with the child. The parental responsibility and involvement statute includes compliance with compulsory attendance. The parent may be charged with a Class 3 misdemeanor for violating the provisions of the parental responsibility law related to compulsory school attendance.
HB 1331 Tata	§ 22.1-279.6 § 22.1-279.9	Requires the Board of Education to include hazing in its guidelines and model policies for codes of student conduct and school boards to prohibit hazing in their codes of student conduct. In addition, school boards must cite, in their standards for student conduct, the provisions of the criminal law prohibiting hazing, which renders convictions of violations a Class 1 misdemeanor.

TEACHERS / ADMINISTRATORS

Bill Number and Patron	Amended Code Section	Summary
HB 573 Hamilton	§ 22.1-298	Requires the Board of Education's <i>Licensure Regulations for School Personnel</i> to require that, on and after July 1, 2005, initial licensure for principals and other school leaders, as may be determined by the Board, be contingent upon passage of the School Leader's Licensure Assessment.
HB 1048 Hamilton	§ 22.1-299.3	Restricts the conditions of issuance of three-year local eligibility licenses to classroom teacher candidates by local school boards to subjects that do not represent core academic areas as defined by federal law; namely, English, reading or language arts, mathematics, science, foreign languages, arts, civics and government, economics, and geography. Specifies that local eligibility licenses may not be issued to teachers providing instruction in special education.
HB 1171 Dillard	§ 22.1-79 § 51.1-155 Adds § 22.1-70.3	Directs local school boards to annually survey their respective divisions to identify critical shortages of teachers and administrative personnel by subject matter, and report such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System (VRS). The school board may delegate this duty to the division superintendent. Retired persons rehired as teachers and administrators for such identified shortage positions may continue to receive VRS benefits under certain circumstances. Under current law, only the Superintendent of Public Instruction is empowered to identify the critical shortage areas; this authority expires on July 1, 2005. Similarly, additional enactment clauses create a corresponding July 1, 2005, sunset for this measure, and an emergency clause makes it effective upon final passage.
SB 145 Cuccinelli	§ 22.1-311 § 22.1-312	Permits school boards to hold a hearing for dismissal of a teacher and make a determination whether to make a recommendation to the Board of Education regarding the teacher's license at the same hearing or to hold a separate hearing for each action.

TEACHERS / ADMINISTRATORS CONTINUED

Bill Number and Patron	Amended Code Section	Summary
HJ 117 Jones	N/A	Encourages school boards to use performance-based contracts to evaluate division superintendents. Performance-based contracts are agreements between division superintendents and the school board that set priorities for performance, tie the superintendent's salary to student achievement and certain other indicators of job performance, and provide time for implementing change.
HJ 123 Hamilton	N/A	Requests the Board of Education to review its regulations as may be necessary to incorporate an alternative licensure route for principals and assistant principals. In conducting such review, the Board shall explore alternative routes that recognize the various and particular skills required for the particular functions of such positions as well as potential alternative sources of training for such licensure and present any recommendations regarding the implementation of such routes in the Commonwealth.
HJ 124 Hamilton	N/A	Continues the Commission to Review, Study, and Reform Educational Leadership.
HJ 168 Ward	N/A	Provides for General Assembly designation of March 27 and 28, in 2004, as the Great Virginia Teach-In in the Commonwealth, in which an enhanced job fair featuring teacher preparation programs, educational financing options, job recruiters, and other exhibitors will be held in an effort to attract a wider and more diverse pool of teaching applicants to the Commonwealth.