

VACo Education Steering Committee

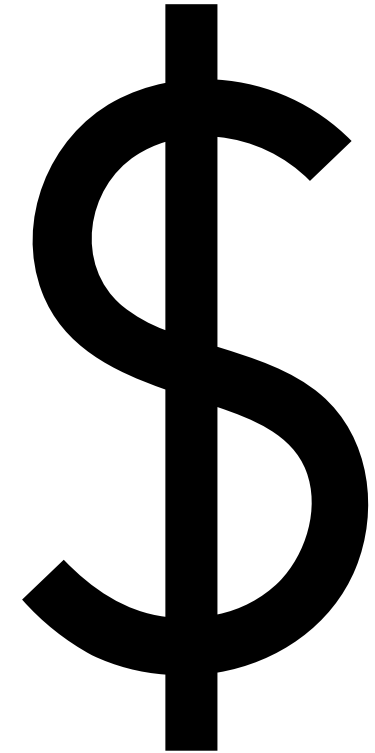
August 15, 2024

2024 General Assembly Session Review of Relevant Issues



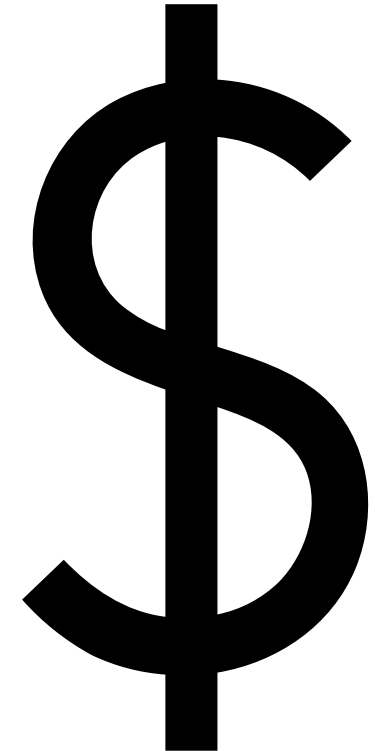
Key Provisions of the Amended 2024-2026 Biennial Budget

- **Restoration of Hold-Harmless for Elimination of State Portion of Grocery Tax:**
 - Includes \$243 million over the biennium in General Fund payments provided in lieu of the K-12 dedicated sales tax on grocery and personal hygiene products that would have been collected had the state portion of the tax not been eliminated effective January 1, 2023.
- **Support Cap:**
 - Retains current staffing standard of 24 support positions per 1,000 ADM, as funded in the budget approved in September 2023.
- **Teacher Retirement:**
 - Includes \$150 million GF in FY 2025 for teacher retirement contributions; directs \$150 million from the Literary Fund for this purpose in FY 2026.
- **School Capital:**
 - Authorizes the Department of Education to offer up to \$250 million in school construction loans from the Literary Fund over the biennium. Appropriates \$80 million per year to the School Construction Assistance Program from casino gaming proceeds.
- **At-Risk Add-On:**
 - Provides \$186.7 million in FY 2025 and \$184.6 million in FY 2026 to consolidate the SOQ Prevention, Intervention, and Remediation and At-Risk Add-On programs into one At-Risk Add-On program; use federal Identified Student Percentage rates rather than federal free-lunch rates to estimate the number of At-Risk students (with a multiplier of 1.25, plus one-quarter of English learner students); distribute an 11 percent basic aid add-on per estimated at-risk student; and provide an add-on percentage ranging from 0 to 37 percent, depending on each school division's relative concentration of at-risk students.



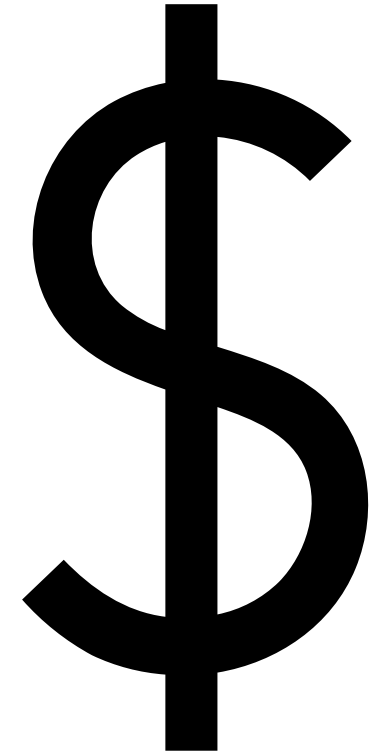
Key Provisions of the Amended 2024-2026 Biennial Budget (cont).

- **English Learners:**
 - Provides \$37.9 million in FY 2025 and \$34.2 million in FY 2026 for the state’s share of additional English Learner teachers, based on student proficiency. Language allows for staffing in the first year to equate to the number of teachers required during the 2023-2024 school year, plus one-half of the additional positions that would otherwise be required.
- **School-Based Mental Health:**
 - Includes language directing the Superintendent of Public Instruction to enter into a statewide contract with one or more telehealth providers to provide mental health care to public school students and authorizing school divisions to purchase services from this contract.
 - Directs the Department of Education to work with the Department of Behavioral Health and Developmental Services (DBHDS) and the Department of Medical Assistance Services (DMAS) on a plan for a new program to deliver flexible mental health funding to school divisions.
 - Includes \$15 million per year for technical assistance to school divisions for the implementation and expansion of school-based mental health services (providing for the ongoing General Fund (GF) costs of the appropriation made in the September 2023 budget) and specifies that this funding is to be used to provide grants to contract with federally qualified health centers or other health care organizations to establish school based health clinics to provide mental health services and primary medical care to students and their families, as well as school staff.
- **Rebenchmarking:**
 - Includes \$969 million over the biennium for rebenchmarking and related technical updates.
- **School Resource Officer Incentive Grants:**
 - \$23.1 million in FY 2025 and \$20.4 million in FY 2026 (a reduction of \$4.1 million in FY 2025 and \$6.8 million in FY 2026 from the September 2023 budget spending levels, which were maintained in the December 2023 introduced budget). Eliminates language that would have waived matching requirements in FY 2025.



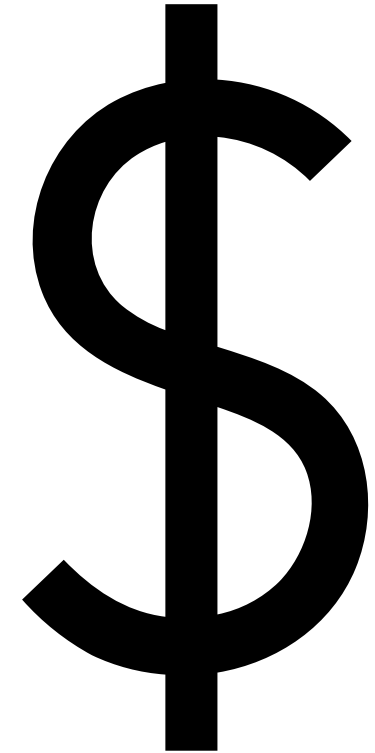
Key Provisions of the Amended 2024-2026 Biennial Budget (cont).

- **Compensation: K-12 Instructional and Support Positions:**
 - Provides for the state’s share of a 3 percent salary increase in each year for SOQ recognized instructional and support positions, effective July 1, 2024, and July 1, 2025. A local match is required. The state’s share will be pro-rated for divisions providing less than an average 3 percent increase, but in order to draw down the state funds, school divisions must provide at least an average 1.5 percent increase in the first year, and at least an additional average 1.5 percent increase in the second year. School divisions providing an average increase of more than 3 percent in the first year can credit the excess portion of the increase toward the second year.
- **Child Care/Early Childhood:**
 - Provides an additional \$456.8 million over the biennium to maintain Child Care Subsidy and Mixed Delivery slots after the expiration of federal funding. Maintains the 0.5000 cap on the Local Composite Index for the Virginia Preschool Initiative but applies historical nonparticipation rates for VPI. Consolidates all early childhood programs into one Early Childhood Care and Education section in the budget.
 - Eliminates \$24 million of the proposed \$25 million included in the introduced budget for an early learning capital incentives fund. Uses the remaining \$1 million for DHCD to enter into an MOU with Reynolds Community College to establish a child care facility for state employees.
 - Requires that the first \$3 million in ARPA State and Local Fiscal Recovery Fund dollars that are to be returned if not obligated by specified dates are to be redirected to the Virginia Tourism Authority; the next \$169.9 million would be redirected to the Child Care Subsidy Program. Requires school boards to obligate any ARPA-funded ventilation improvement grants by July 1, 2024
- **Aid to Local Public Libraries:**
 - Provides an additional \$2.5 million per year to increase state aid to local public libraries



Additional Provisions of the Amended 2024-2026 Biennial Budget

- Provides \$30.5 million in FY 2025 and \$30.7 million in FY 2026 for the state share of reading specialist positions in accordance with legislation passed in 2023. Provides an additional \$4.2 million in FY 2025 and \$2.2 million in FY 2026 in net increases for literacy screening, coaching, technical assistance, and professional development.
- Provides \$100,000 in FY 2025 to the Commission on Youth for a review of the state’s special education dispute resolution system.
- Transfers \$25 million from the College Partnership Lab Schools Fund to the General Fund in the caboose budget. Does not provide new funding for College Partnership Lab Schools in the biennium budget. Reinserts language defining a college partnership laboratory school; adds language in the caboose and biennium budgets outlining a process for ineligible institutions to partner with eligible institutions and requiring that college partnership laboratory schools reach financial sustainability by the end of their initial approval period.
- Directs the Superintendent of Public Instruction to enter into a statewide contract for assistance to school divisions with outreach and support for disengaged, chronically absent, or struggling students.
- Provides \$2.2 million per year for regional special education family support centers, professional development, and special education coaching.
- Restores \$1.9 million per year that was proposed to be eliminated in the introduced budget for the Office of School Quality.
- Provides \$300,000 per year to support the Joint Subcommittee on Elementary and Secondary Education Funding.
- Provides an additional \$1.75 million per year for supplemental support for Accomack and Northampton County school divisions for teacher recruitment and retention efforts.



2024 Legislation Related to VACo Education Platform/ Proposed Revisions

Early Childhood Education

- **HB 419 / SB 54 Early childhood care and education system; need- and demand-based funding.**
 - Requires, for the purpose of addressing family demand and preferences for affordable, high-quality early childhood care and education services, state general funds to be provided to support the provision of services to families for early childhood care and education, as specified in the general appropriations act. The bill requires such projected general funds to be based on the annual per-child cost, determined as set forth in the bill, for the Virginia Preschool Initiative, the Mixed Delivery Program, and the Child Care Subsidy Program, the current eligibility criteria for such programs, and maximization of certain regularly recurring federal funds. The bill requires each regional entity established by the Board of Education pursuant to applicable law, each local school division, and each locality to annually indicate the number of slots needed, respectively, in the region for the Mixed Delivery Program, the local school division for the Virginia Preschool Initiative, and the locality for the Child Care Subsidy Program. The bill requires the Department of Education to (a) reallocate by July 1 any slots with available funding from the Child Care Subsidy Program and the Mixed Delivery Program, (b) make adjustments based on family preferences following the fall enrollment periods, and (c) first expend all current-year state general funds in providing funding for slots, among other provisions.



2024 Legislation Related to VA Co Education Platform/ Proposed Revisions

Early Childhood Education

- **HB 508 Child day program employees and volunteers; background checks, dissemination of information.**
 - Requires the Department of Education, upon receiving a written request for a written certification from an individual, to provide written certification to an entity designated by the Department that provides staffing for child day programs that such individual satisfies all requirements set forth in relevant law and is eligible to serve as an employee, temporary employee, or volunteer in a child day program, among other provisions.
- **HB 1277 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 finger print 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.



2024 Legislation Related to VACo Education Platform/ Proposed Revisions Standards of Quality

- **HB 1247 / SB 272 Public school funding; ratios of instructional positions to English language learner students.**
 - Requires state funding to be provided pursuant to the general appropriation act to support ratios of instructional positions to English language learner students based on each such student's English proficiency level, as established in the general appropriation act. (JLARC Recommendation)



2024 Legislation Related to VACo Education Platform/ Proposed Revisions

School Capital Needs

- **HB 462 / SB 474 School Construction Fund and Program; definitions.**
 - Clarifies that, for the purposes of eligibility to receive grants through the School Construction Fund and Program, “local school division” includes any joint or regional school established in accordance with relevant law and “public school buildings and facilities” or “public school buildings” include any building or facility used for career and technical education programs provided at any such joint or regional school.
- **HB 599 School boards; unexpended local funds, capital reserve fund permitted.**
 - Permits any school board, with the concurrence of the local governing body, to establish a capital reserve fund as a savings account into which it exclusively deposits the local operating funds that remain unexpended at the end of the year for future school division capital expenditures at no additional cost to local taxpayers, subject to certain conditions enumerated in the bill.
- **HB 281 / SB 13 Child day programs; use of office buildings, waiver of zoning requirements.**
 - Permits any locality to by ordinance provide for the waiver of any requirements for zoning permits for the operation of a child day program in an office building, as defined by the bill, provided that such facility satisfies the requirements for state licensure as a child day program.



2024 Legislation Related to VACo Education Platform/ Proposed Revisions

Education Workforce

- **HB 583 Public elementary school teachers; length of daily lunch breaks.**
 - Requires the Department of Education to annually collect and present in the Virginia School Survey of Climate and Working Conditions school-level and division-level data on the share of teachers that are provided each working day a lunch break of at least 30 minutes in length and unencumbered by any teaching or supervisory duties.
- **HB 632 / SB 352 Teachers; changes to provisions relating to licensure and certification, reciprocity.**
 - Establishes universal licensure by reciprocity as a category of teacher licensure in the Commonwealth for teachers who hold a valid out-of-state teaching license with full credentials and without deficiencies that has been in force and in use by the individual as an employed teacher in a non-virtual classroom setting at a public or private elementary or secondary school for at least three years prior to and is in force at the time of application and meet other provisions set forth in the bill, among other provisions.
- **HB 731 Teachers; renewable licenses, requirements, assessments.**
 - Requires the Board of Education to eliminate the requirement for any individual to take and receive a passing score on the Virginia Communication and Literacy Assessment as a condition of the initial award or renewal of a renewable license as a teacher in the Commonwealth.



2024 Legislation Related to VACo Education Platform/ Proposed Revisions Education Workforce (cont.)

- **SB 142 Public school teachers; licensure requirements, issuance of a one-year local eligibility license.**
 - Requires the Board of Education to include in its teacher licensure regulations provisions authorizing each school board, upon recommendation of the division superintendent or the school board and in accordance with the criteria set forth in the bill, to issue a one-year, nonrenewable local eligibility license that is only valid within the issuing school division to any individual who (i) received a baccalaureate degree from a regionally accredited institution of higher education, (ii) has experience or training in a subject or content area as the school board and division superintendent may deem appropriate for the applicable teaching position or endorsement area, and (iii) is not seeking to provide instruction in special education or eligible for collegiate professional or postgraduate professional licensure, among other provisions.



2024 Legislation Related to VA Co Education Platform/ Proposed Revisions

School Safety and Health

- **HB 561 Annual school safety audits; items to be reviewed.**
 - Requires the Virginia Center for School and Campus Safety to include specific technology systems in the list of items to be reviewed and evaluated in required annual school safety audits.
- **HB 625 / SB 608 Community Schools, Office of; established within Department of Education, etc.**
 - Requires the Department of Education to establish the Office of Community Schools as an office within the Department for the purpose of supporting the development and growth of community schools throughout the Commonwealth in accordance with the Virginia Community School Framework by collaborating with the interagency task force established pursuant to subsection A; administering state funds provided to school divisions to develop and sustain community school models; assisting school leaders in the application for federal grant funds for their community school models; and providing technical assistance to school personnel and contracted coordinators regarding effective practices and models for community schools and capital considerations relating to community schools, including site acquisition and building construction, renovations, and additions.
- **HB 603 Public elementary and secondary schools; programs of instruction on mental health education.**
 - Requires health instruction provided to elementary and secondary school students to include certain topics relating to mental health that are enumerated in the bill, among other provisions.



2024 Legislation Related to VACo Education Platform/ Proposed Revisions School Safety and Health (cont.)

- **SB 283 Free school meals; work group to study offering to students statewide**
 - Requires the Superintendent of Public Instruction, in coordination with the Secretary of Education, to convene a stakeholder work group to study the estimated impact of offering free school meals to students statewide, identify options for reducing or eliminating student and school meal debt, and make recommendations on options for leveraging other programs funded at the state and federal levels for the provision of student school meals. The bill requires the work group to report its findings and recommendations to the Joint Subcommittee on Elementary and Secondary Education Funding by November 1, 2024.



2024 Legislation Related to VACo Education Platform/ Proposed Revisions

Special Education

- **HB 1089 / SB 220 Special education and related services; definitions, utilization of Virginia IEP.**
 - Makes several changes relating to special education and related services for children with disabilities in public elementary and secondary schools in the Commonwealth, including requiring (i) the Department of Education to (a) develop, establish, review and update as necessary at least once every five years, and make available to each local school board an IEP writing, facilitation, tracking, and transfer system to be referred to as the Virginia IEP that includes, at a minimum, an IEP template component and a data system component and (b) develop and publish a data dashboard for the annual public reporting of state level, division-level, and school-level special education data; (ii) each local school board to designate a faculty member to serve as a special education parent/family liaison to be a resource to parents and families to understand and engage in the referral, evaluation, reevaluation, and eligibility process if they suspect that their child has a disability and in the IEP process; and (iii) the Parent Training and Information Center in the Commonwealth designated pursuant to relevant federal law to establish special education family support centers in eight distinct regions of the Commonwealth that shall each be staffed by a regional special education family liaison employed by such center, coordinate with the designated special education parent/family liaisons in the local school divisions in the region, develop and implement outreach and support to parents of children with disabilities in its region, and track and report to the State Parent Ombudsman for Special Education data on questions and concerns raised by parents.



2024 Legislation Related to VA Co Education Platform/ Proposed Revisions

Assessments

- **HB 1076 / SB 435 Education, Board of; through-year growth assessment system, alternatives during 2024-2026.**
 - Requires the Board of Education to permit school boards to administer, during the 2024-2026 school years, assessments as alternatives to the through-year growth assessment system established by the Board, provided that any such alternative assessment is aligned to the Standards of Learning.
- **HB 1451 Standards of Learning; assessments, eligibility for expedited retakes.**
 - Requires the Board of Education to develop policies establishing that any student in grades three through 12 who scores in the 375 to 399 range on a Standards of Learning assessment shall be eligible to retake such assessment on an expedited basis and requires any student who is eligible to retake such assessment on an expedited basis to be offered intervention services after the student retakes the assessment.
- **HB 1477 Student instruction; local alternative instructional time models permitted.**
 - Requires the Board of Education to provide local school boards maximum flexibility to waive existing instructional clock hour requirements by developing alternative instructional time models in accordance with the Board's regulations and guidelines relating to instructional time waivers, among other provisions.



Failed Legislation

- **HB 805 / SB 14 Sales and use tax, local; additional tax authorized in counties & cities to support schools.**
 - Would authorized 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 if such levy is approved in a voter referendum. The bill would have removed the requirement that such a tax must have an expiration date on either (i) the date of the repayment of any bonds or loans used for such capital projects or (ii) a date chosen by the governing body. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax. (VETOED)



Failed Legislation (cont.)

- **HB 187 / SB 104 Teachers; process and timeline for increasing salary.**
 - Would have required the Governor's introduced budget bills for the 2025, 2026, and 2027 Regular Sessions of the General Assembly to propose funding for, and state funding to be provided pursuant to the general appropriation act enacted during any regular or special session of the General Assembly during 2025, 2026, or 2027 to fund, the Commonwealth's share of compensation supplement incentives for Standards of Quality funded instructional and support positions sufficient to increase the average teacher salary in the Commonwealth to at least the national average teacher salary by the end of the 2026–2028 biennium and established a detailed timeline and process for satisfying such requirement. (VETOED)



Failed Legislation (cont.)

- **HB 359 Public School Funding; nonpersonal cost categories, federal fund method methodology**
 - Would have required the Department of Education, (i) in calculating nonpersonal costs in the Standards of Quality funding formula, to include the costs associated with leased facilities and work-related employee travel and (ii) in calculating the deduction of federal funds in the Standards of Quality funding formula, to examine actual school division spending on support costs as a percentage of actual school division spending on all public education costs, with certain exceptions such as food service. The bill also would have required support services positions, which includes positions in each local school division that the school board deems necessary for the efficient and cost-effective operation and maintenance of its public schools, to be funded based on a calculation of prevailing costs and prohibits such positions from being subject to any method of funding calculation that caps the number of funded support services positions based on a ratio of such positions to students enrolled in the local school division. (Continued to the 2025 session in House Appropriations)
- **HB 624 / SB 105 English language learner students; ratios of instructional positions, At-Risk Program established.**
 - Would have renamed the National Teacher Certification Incentive Reward Program and Fund as the National Board Certification Incentive Reward Program and Fund, expanded eligibility for incentive grant awards from such Fund pursuant to such Program, among other provisions. The bill also would have established the At-Risk Program for the purpose of supporting programs and services for students who are educationally at risk, including prevention, intervention, or remediation activities required pursuant to relevant law, teacher recruitment programs and initiatives, programs for English language learners, the hiring of additional school counselors and other support staff, and other programs relating to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training. The bill also contained provisions relating to certain funding requirements for the At-Risk Program. Finally, the bill would have required state funding to be provided pursuant to the general appropriation act to support ratios of instructional positions to English language learner students based on each such student's English proficiency level, as established in the general appropriation act. (VETOED)



Failed Legislation (cont.)

- **HB 667 Virginia Education Success Account Program; established, report.**
 - Would have permitted the parents of qualified students, defined in the bill, to apply for a one-year, renewable Virginia Education Success 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 school division in which the qualified student resides, including the per pupil share of state sales tax funding in basic aid and any per pupil share of state special education funding for which the qualified student is eligible. The bill would have permitted the parent of the qualified student to use the moneys in such account for certain qualified 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, among other provisions.

