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SENATE BILL NO. 1031

AMENDMENT IN THE NATURE OF A SUBSTITUTE
 (Proposed by the Senate Committee on Education and Health
 on January 28, 2025)

(Patron Prior to Substitute—Senator Pekarsky)

A *BILL* to direct the Board of Education to convene a work group to study and make recommendations relating to the provision of home instruction and religious exemptions from compulsory attendance requirements in the Commonwealth; report.

Be it enacted by the General Assembly of Virginia:

1. § 1. The Board of Education (the Board) shall convene a work group for the purpose of studying and making recommendations on how, if at all, the current law relating to religious exemptions from compulsory attendance and the provision of home instruction could be amended to better ensure that all children in the Commonwealth receive an adequate education. The work group shall consist of (i) two representatives of local school boards, to be selected by the Speaker of the House of Delegates upon consideration of the recommendations of the Board; (ii) two representatives of public school teachers, to be selected by the Senate Committee on Rules upon consideration of the recommendations of the Board; (iii) two parents who provide home instruction to their children pursuant to § 22.1-254.1 of the Code of Virginia, one of whom shall be selected by the Speaker of the House of Delegates and one of whom shall be selected by the Senate Committee on Rules upon consideration of the recommendations of the Board; (iv) two parents of children who are exempt from compulsory attendance requirements pursuant to subdivision B 1 of § 22.1-254 of the Code of Virginia, one of whom shall be selected by the Speaker of the House of Delegates and one of whom shall be selected by the Senate Committee on Rules upon consideration of the recommendations of the Board; (v) two adults who, as children, were exempt from compulsory school attendance pursuant to subdivision B 1 of § 22.1-254 of the Code of Virginia, one of whom shall be selected by the Speaker of the House of Delegates and one of whom shall be selected by the Senate Committee on Rules upon consideration of the recommendations of the Board; (vi) one representative from the Home Educators Association of Virginia, to be selected by the Speaker of the House of Delegates; and (vii) one representative from the Coalition for Responsible Home Education, to be selected by the Senate Committee on Rules upon consideration of the recommendations of the Board. In conducting its study, the work group shall (a) survey and evaluate the laws and regulations of other states relating to the requirements and criteria for the provision of home instruction and, if applicable, religious exemptions from compulsory attendance requirements; (b) survey and evaluate how school boards across the Commonwealth currently implement the law relating to the religious exemption from compulsory attendance requirements set forth in §§ 22.1-254 and 22.1-254.1 of the Code of Virginia; and (c) make recommendations on how the law relating to compulsory attendance requirements and the religious exemption from such compulsory attendance requirements set forth in §§ 22.1-254 and 22.1-254.1 of the Code of Virginia could be amended, if at all, to better ensure that all children in the Commonwealth receive an adequate education while respecting, to the extent required by Article I, Section 16 of the Constitution of Virginia and the First Amendment to the Constitution of the United States, the rights of all Virginians relating to the free exercise of religion. The work group shall report its findings and recommendations to the chairs of the Senate Committee on Education and Health and the House Committee on Education by November 1, 2025.