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SENATE BILL NO. 33

Senate Amendments in [] - February 12, 2026

A BILL to amend and reenact § 22.1-199.1 of the Code of Virginia, relating to programs for at-risk students; permissible uses of funding.

Patrons Prior to Engrossment—Senators Favola and Craig

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-199.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-199.1. Programs designed to promote educational opportunities.

A. The General Assembly finds that Virginia educational research supports the conclusion that poor children from low income homes are more at risk of educational failure than children from more affluent homes and that reduced pupil/teacher ratios and class sizes result in improved academic performance among young children; to this end, the General Assembly establishes a long-term goal of reducing pupil/teacher ratios and class sizes for grades K through three in those schools in the Commonwealth with high or moderate concentrations of at-risk students who are educationally at risk.

With such funds as are provided in the appropriation act for this purpose, there is hereby established the statewide voluntary pupil/teacher ratio and class size reduction program for the purpose of reaching the long-term goal of statewide voluntary pupil/teacher ratio and class size reductions for grades K through three in schools with high or moderate concentrations of at-risk students who are educationally at risk, consistent with the provisions provided in the appropriation act.

In order to facilitate these primary grade ratio and class size reductions, the Department shall calculate the state funding of these voluntary ratio and class size reductions based on the incremental cost of providing the lower class sizes according to the greater of the division average per-pupil cost of all divisions or the actual division per-pupil cost. Localities shall provide matching funds for these voluntary ratio and class size reductions based on the composite index of local ability to pay. School divisions shall notify the Department of their intention to implement the reduced ratios and class sizes in one or more of their qualifying schools by August 1 of each year. By March 31 of each year, school divisions shall forward data substantiating that each participating school has a complying pupil/teacher ratio.

In developing each proposed biennium budget for public education, the Board shall include funding for these ratios and class sizes. These ratios and class sizes shall be included in the annual budget for public education.

B. The General Assembly finds that educational technology is one of the most important components, along with highly skilled teachers, in ensuring the delivery of quality public school education throughout the Commonwealth. Therefore, the Board shall strive to incorporate technological studies within the teaching of all disciplines. Further, the General Assembly notes that educational technology can only be successful if teachers and administrators are provided adequate training and assistance. To this end, the following program is established.

With such funds as are appropriated for this purpose, the Board shall award to the several school divisions grants for expanded access to educational technology. Funding for educational technology training for instructional personnel shall be provided as set forth in the appropriation act.

Funds for improving the quality and capacity of educational technology shall also be provided as set forth in the appropriation act, including (i) funds for providing a technology resource assistant to serve every elementary school in this Commonwealth and (ii) funds to maintain the currency of career and technical education programs. Any local school board accepting funds to hire technology resource assistants or maintain currency of career and technical education programs shall commit to providing the required matching funds, based on the composite index of local ability to pay.

Each qualifying school board shall establish an individualized technology plan, which shall be approved by the Superintendent, for integrating technology into the classroom and into schoolwide instructional programs, including career and technical education programs. The first priority for funding shall be consistent with those components of the Board's revised six-year technology plan that focus on (i) (a) retrofitting and upgrading existing school buildings to efficiently use educational technology; (ii) (b) providing (a) (1) one network-ready multimedia microcomputer for each classroom, (b) (2) a five-to-one ratio of pupils to network-ready microcomputers, (c) (3) graphing calculators and relevant scientific probes/sensors as required by the Standards of Learning, and (d) (4) training and professional development on available technologies and software to all levels and positions, including professional development for personnel delivering career and technical education at all levels and positions; and (iii) (c) assisting school divisions in developing

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integrated voice-, video-, and data-connectivity to local, national, and international resources.

This funding may be used to implement a local school division's long-range technology plan, at the discretion of the relevant school board, if the local plan meets or exceeds the goals and standards of the Board's revised six-year technology plan and has been approved by the Superintendent.

The Department of Education, the Department of General Services, and the Virginia Information Technologies Agency shall coordinate master contracts for the purchase by local school boards of the aforementioned educational technologies and reference materials.

A technology replacement program shall be, with such funds as may be appropriated for this purpose, implemented to replace obsolete educational hardware and software. As provided in subsection D of § 22.1-129, school boards may donate obsolete educational technology hardware and software that are being replaced. Any such donations shall be offered to other school divisions and to preschool programs in the Commonwealth or to public school students as provided in guidelines to be promulgated by the Board. Such guidelines shall include criteria for determining student eligibility and need, a reporting system for the compilation of information concerning the number and socioeconomic characteristics of recipient students, and notification of parents of the availability of such donations of obsolete educational hardware and software.

C. The General Assembly finds that local autonomy in making decisions on local educational needs and priorities results in effective grassroots efforts to improve education in the Commonwealth's public schools only when coupled with sufficient state funding; to this end, the ~~following block grant program~~ *At-Risk Program* is hereby established. With such funds as are provided in the appropriation act, the Department shall distribute ~~block At-Risk Program~~ grants to localities to enable compliance with the Commonwealth's requirements for school divisions in effect on January 1, 1995. Therefore, for the purpose of such compliance, the ~~block grant herein established~~ *At-Risk Program* shall consist of a sum equal to the amount appropriated in the appropriation act for the covered programs, including the ~~at-risk add-on program~~; dropout prevention, specifically Project YES; Project Discovery; English as a second language programs, including programs for overage, nonschooled students; Advancement Via Individual Determination (AVID); the Homework Assistance Program; programs initiated under the Virginia Guaranteed Assistance Program, except that such funds shall not be used to pay any expenses of participating students at institutions of higher education; and ~~school/community health centers initiatives to support both the physical and mental health of students in public schools, including the hiring of [licensed practical nurses,] registered nurses [,] and advanced practice registered nurses.~~ Each school board may use any funds received through the ~~block grant~~ *At-Risk Program* to implement the covered programs and other programs designed to save the Commonwealth's children from educational failure.

D. In order to reduce pupil/teacher ratios and class sizes in elementary schools, from such funds as may be appropriated for this purpose, each school board may employ additional classroom teachers, remedial teachers, and reading specialists for each of its elementary schools over the requirements of the Standards of Quality. State and local funding for such additional classroom teachers, remedial teachers, and reading specialists shall be apportioned as provided in the appropriation act.

E. Pursuant to a turnaround specialist program administered by the Department, local school boards may enter into agreements with individuals to be employed as turnaround specialists to address those conditions at the school that may impede educational progress and effectiveness and academic success. Local school boards may offer such turnaround specialists or other administrative personnel incentives such as increased compensation, improved retirement benefits in accordance with Chapter 6.2 (§ 51.1-617 et seq.) of Title 51.1, increased deferred compensation in accordance with § 51.1-603, relocation expenses, bonuses, and other incentives as may be determined by the board.

F. The General Assembly finds that certain schools have particular difficulty hiring teachers for certain subject areas and that the need for such teachers in these schools is particularly strong. Accordingly in an effort to attract and retain high quality teachers, local school boards may offer instructional personnel serving in such schools as a member of a middle school teacher corps administered by the Department incentives such as increased compensation, improved retirement benefits in accordance with Chapter 6.2 (§ 51.1-617 et seq.) of Title 51.1, increased deferred compensation in accordance with § 51.1-603, relocation expenses, bonuses, and other incentives as may be determined by the board.

For purposes of this subsection, "middle school teacher corps" means licensed instructional personnel who are assigned to a local school division to teach in a subject matter in grades six, seven, or eight where there is a critical need, as determined by the Department. The contract between such persons and the relevant local school board shall specify that the contract is for service in the middle school teacher corps.