

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-199.1 of the Code of Virginia, relating to programs for at-risk students;*
 3 *permissible uses of funding.*

4 [H 195]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

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

8 **§ 22.1-199.1. Programs designed to promote educational opportunities.**

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

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

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

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

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

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

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

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

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

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

63 A technology replacement program shall be, with such funds as may be appropriated for this purpose,
 64 implemented to replace obsolete educational hardware and software. As provided in subsection D of
 65 § 22.1-129, school boards may donate obsolete educational technology hardware and software that are being
 66 replaced. Any such donations shall be offered to other school divisions and to preschool programs in the
 67 Commonwealth or to public school students as provided in guidelines to be promulgated by the Board. Such
 68 guidelines shall include criteria for determining student eligibility and need, a reporting system for the
 69 compilation of information concerning the number and socioeconomic characteristics of recipient students,
 70 and notification of parents of the availability of such donations of obsolete educational hardware and
 71 software.

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

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

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

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

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