

2010 General Assembly Wrap-Up of Priority Education Bills

One of the most difficult budget sessions in recent memory ended late on Sunday, March 14. Nerves were frayed, but compromise was finally reached on a budget that had to take into account an unprecedented deficit that exceeded \$4 billion dollars. One major reason for the one-day delay in adjournment was that millions of dollars were on the line and targeted to be cut from K-12 public education. The end result, while creating losses that have already led to reductions in force and reduced services all around, could have been even more devastating if initial proposals for cuts to K-12 had been accepted. Although the funding cap on support personnel initiated in the 2009 budget was continued, permanent changes to the methodology for funding K-12 were avoided. VASSP has made it clear that we oppose such changes, as well as arbitrary caps on personnel, and maintains those positions. It is a testament to educators around the state, including VASSP members and those who represent VASSP at the General Assembly, that delegates and senators were “educated” on the effects of the contemplated cuts and agreed to lessen the blow as much as possible. As bleak as the numbers are, they could have been much worse.

The following **Highlights of K-12 Funding for 2011-2012** represent the basics of the compromise budget.

- Reduces K-12 education funding by \$253M over the biennium above the \$1B recommended in the Kaine budget (which included the cap on support personnel).
- Maintains current funding for middle and high school planning periods.
- Provides a 100% hold-harmless on the Composite Index in the first year and 50% in the second year for those divisions that were due to lose funds in the re-calculation of the local composite index (LCI).
- Does not adopt the House proposal to block grant Lottery-funded programs for at-risk students.
- Increases reimbursement for school breakfasts from 20 cents to 22 cents per meal.
- Restores VPSA technology grants of over \$57M in each year.
- Allows for temporary increases to maximum class sizes by one; waives staffing requirements for ESL, elementary resource teachers, gifted, career and technical, instructional and support technology, librarians, and guidance counselors.
- Modifies federal revenue deduct to reflect funded support costs; reduces textbook funding by about 1/3 each year; extends the formula for school bus replacement from 12 to 15 years.

Although the budget deficit overshadowed every issue that emerged during the 2010 General Assembly Session, legislators managed to propose over 2,900 bills and resolutions, close to one-half of which failed to be reported. Many pieces of legislation were defeated because of funding attached to their passage; many more failed because those of us who travel the halls of the General Assembly on a daily basis were able to convince members that these bills would not benefit the parties or institutions they referenced. The job of lobbyist requires initiation and renewal of alliances with leaders in the House and Senate, in both the majority and the minority parties. Of major importance is our relationship with members and committee and subcommittee chairpersons on the House and Senate education and funding committees. Most bills are amended, defeated or passed on at the subcommittee level, which is where VASSP spends a great deal of time. If a bill can be favorably amended or defeated in subcommittee, then the chances are that the vote will stand. VASSP has a long-standing position against legislation aimed at diminishing administrative authority to maintain discipline or manage personnel and works hard to amend or defeat bills that attempt to lessen that authority. It takes a recognized and predictable presence at General Assembly sessions to be effective and to follow bills in all their iterations, attend all meetings and meet with legislators on a daily basis. VASSP is one of a small number of education associations whose lobbyist/Director of Government Relations maintains a 24/7 presence while the legislature is in session. That is what it takes to track and influence hundreds of bills that have the potential to affect how schools operate and how and what students are expected to learn. Of major help to the work we do is feedback from the field that is shared with delegates and senators prior to a vote.

That brings us to “**Notable Failures**” – priority bills opposed by VASSP and the majority of education associations around the state that failed to be reported during the 2010 General Assembly Session:

- 65% solution (HB 76) to mandate that the state define how and how much should be spent “in the classroom”.
- Philosophical exemption for immunizations (HB189) to expand exemptions to this policy.
- Statewide uniform grading policy (HB397) to mandate a state policy in all school divisions.
- Concealed handguns on school property (HB475) for those with permit.
- Physical restraint notification to parents (H528). *Strongly and successfully opposed by VASSP noting that administrative discretion should be considered in all cases before parents are notified of any case involving even minor instances of restraint such as holding back, etc.

- Additional training for professionals and paraprofessionals working with students in autism spectrum (80+ hrs for paraprofessionals) (HB 581).
- Bullying, harassment, intimidation on school property punishable under assault and battery statutes (HB744). *VASSP opposed on grounds that administrative discretion is of major importance before attaching assault and battery charges to a minor incident.
- Open enrollment allowing parent to request transfer to any school or adjoining school with population under 50,000 (HB780).
- Nonpublic school student participation in sports (H926). *Virginia High School League took the lead in having this bill carried over; however, proponents vowed to bring the bill back if some concessions were not made over the next year.
- Prayer at public events not to be regulated as to content (HB1289).
- Authority to discipline student vs. student crime (SB 211) *VASSP strongly opposed this Code change that would have removed language supported by VASSP in 2009 allowing a principal to short-term suspend a student while awaiting school board action and requiring of principal that immediate placement be sought in another school or alternative setting. This bill was narrowly defeated on a 7-8 vote.
- Recycling policy to require each school to track (including amount) and report all recycling efforts (SB 682). *VASSP, while noting that many schools participate in recycling efforts, testified that such an excessive mandate was onerous and would be unproductive.

Not all bills opposed by VASSP failed, but we work closely with other education liaisons on issues that our associations and school divisions have in common to amend those bills that cannot be defeated due to political ideology or public perception. Networking is key to how work is done in Richmond, and VASSP has a strong and reciprocal relationship with education associations and liaisons that advocate for K-12 public education. A number of bills emerged from this session, but few passed in their original form – compromise through amendment is the name of the game if you don't have the votes to defeat a bill.

The following **Priority Education Bills Passed** during the 2010 Session:

To view complete VASSP summaries of these bills and to read the full text, visit the VASSP Web site at www.vapincipal.org.

HB 107 Adult students; notifying schools when charged under jurisdiction of Juvenile and Domestic Relations Court.

HB 111 Schools; delayed implementation of statutes and regulations, until July 2011, upon which full accreditation is based, with exception of new graduation and completion indices for accreditation.

HB 196 Graduation requirements; delayed implementation, including economics and financial literacy requirements.

HB 208 School divisions; policy on Internet shall be posted on the respective Web sites and certified without required annual report.

HB 211 Freedom of Information Act; definition of scholastic record to mean information directly related to student or applicant for admission to educational institution.

HB 227 Sex offender; prohibiting entry onto school property of those that are violent, exceptions; local school boards maintain authority over those who may enter.

HB 257 Homebound instruction services; Board of Education shall review its regulations regarding those who shall assign student for homebound instruction.

HB 304 VA Grade Level Alternative; annual justification required for each student taking VGLA.

HB 394 Standards of Quality; language amended to “shall support”, rather than “ensure”, that sequential elective requirements be identified in student plans.

HB 491 Consumable materials; clarifies that no charge shall be made for materials that are not directly used by students.

HB 566 Standards of Quality; annual report to include the number of workplace readiness skills assessments and national occupational competency assessments passed.

HB 623 Substitute teachers; may be employed longer than 90 teaching days in a school year.

HB 682 Gang-free zones; expanded to include public buildings and grounds, penalty.

HB 737 E-Verify Program; requires state agencies and those newly hired to perform work to be checked through e-verify beginning in 2012.

HB 863 Driver's license; eliminates authority of court to issue restricted student license for travel to and from school.

HB 907 Reports to school authorities; local law enforcement authorities to report terms of release from detention for student charged with offense that would be adult misdemeanor.

HB 1172 Virginia Index of Performance incentive program; to recognize and reward fully accredited schools.

HB 1189 Retirement System; modifies for new employees all defined benefit retirement plans, including requirements for unreduced early retirement benefits from 50 years old and 30 years service to one whereby sum of age plus years of service equals 90.

HB 1199 Waiver of certain graduation requirements; Board of Education to waive for good cause to address unforeseen issues such as health of student, etc.

HB 1217 Firearm safety education program; school boards may offer in

elementary grades.

HB 1353 DUI; alcohol possession or consumption prohibited while operating a school bus, penalty.

HB 1388 Virtual school programs; established.

HB 1389 College Partnership Laboratory Schools; established.

HB 1390 Charter schools, public; review and consideration of application by Board of Education and school board.

SB 46 Special education; recovery of attorney fees for parties under certain circumstances.

SB 196 School nonattendance; clarifies that principal or designee, including attendance officer, to notify parent.

SB 197 Public schools; clarifies that school division, rather than individual schools, shall maintain records of pesticide application on school grounds.

SB 209 International Baccalaureate and Advanced Placement courses; institutions of higher education must make policy available on Web site regarding course credit.

SB 269 Driver education programs; fuel-efficient driving practices to be included in curriculum.

SB 299 Interstate Compact on Educational Opportunity for Military Children, Council; DOE liaison.

SB 354 NCLB; allows localities to administer locally developed or selected LEP assessment, if approved by Board of Education.

SB 361 Religious holidays; student's absence because of observance thereof must be recorded as excused.

SB 408 Concealed weapons; creates new exemption to allow person to carry a handgun in motor vehicle or vessel if secured in compartment.

SB 413 Triennial census; eliminates three-year requirement for locality.

SB 414 Nutritional guidelines; Board and VDH to develop for all competitive foods in public schools.

SB 580 Airsoft guns; prohibited on school property.

SB 652 Concussions; Board of Education to develop guidelines dealing with student athletes.

SB 715 Civics education; new requirements to be developed for education preparation programs for teachers in history and social sciences, K-6 and 6-8, to include local government and civics specific to State.

Government relations is a big part of the VASSP package to advocate for the interests of our members, and we will continue to not only represent you each year in Richmond when the General Assembly is in session, but also at State Board of Education meetings, education coalition and liaison meetings and at legislative committees and hearings throughout the year. Stay in tune and in touch with your local legislators and with VASSP updates throughout the year on our Web site.