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## SENATE BILL NO. 1393

Offered January 19, 2001

*A BILL to amend and reenact §§ 22.1-212.9, 22.1-212.13, and 22.1-295 of the Code of Virginia, relating to charter schools.*

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Patron—Newman

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Referred to Committee on Education and Health

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

**1. That §§ 22.1-212.9, 22.1-212.13, and 22.1-295 of the Code of Virginia are amended and reenacted as follows:**

§ 22.1-212.9. Review of public charter school applications.

A. Public charter school applications shall only be received and reviewed by a local school board or, in the case of a regional public charter school, by all of the participating school boards, after public notice, a public hearing, and adoption by the local school board or boards of a resolution stating the intent to receive applications for the establishment of such other public charter schools in the relevant school divisions. The public notice shall appear once a week for two successive weeks in a newspaper having a general circulation in the jurisdiction of the relevant school divisions. The second publication shall not be sooner than one calendar week after the first publication.

Each local school board that adopts a resolution announcing its intent to accept applications for public charter schools and publishes such notice of its intent shall establish procedures for receiving, reviewing, and ruling upon applications and shall make a copy of any such procedures available to all interested parties upon request. If any such board finds the public charter school application is incomplete, the board shall request the necessary information from the charter applicant.

B. To provide appropriate opportunity for input from parents, teachers, and other interested parties and to obtain information to assist local school boards in their decisions to grant a public charter school application, local school boards may establish a procedure for public notice, comment, or hearings on public charter school applications.

C. Each local school board shall provide public notice by December 31, 2000, of its intent to accept or not to accept applications for public charter schools *and may alter such decision to accept or not to accept such applications at a later date.*

§ 22.1-212.13. Employment of professional, licensed personnel and other instructional personnel.

A. Public charter school personnel shall be employees of the local school board or boards granting the charter.

B. Professional, licensed education personnel may volunteer for assignment to a public charter school. Assignment in a public charter school shall be for one contract year. Upon request of the employee and the recommendation of the management committee of the public charter school, reassignment to the public charter school shall occur on an annual basis.

C. At the completion of each contract year, professional, licensed education personnel who request assignment to a public noncharter school in the relevant school division or who are not recommended for reassignment in the public charter school, other than for the grounds cited in § 22.1-307, shall be guaranteed an involuntary transfer to a public noncharter school in the school division according to the employment policies of the school division.

D. Professional, licensed personnel of a public charter school shall be granted the same employment benefits given to professional, licensed personnel in public noncharter schools in accordance with the policies of the relevant school board or boards.

E. Nothing in this section shall be construed to restrict the authority of the local school board to assign professional, licensed personnel to a public charter school or any other public school as provided in §§ 22.1-293 and 22.1-295.

F. School boards may employ such health, mental health, social services, and other related personnel to serve in residential charter schools for at-risk pupils as set forth in the charter agreement between such school board and the charter school; however, nothing herein shall require a school board to fund the residential or other services provided by a residential charter school.

*G. School boards may employ nonlicensed personnel demonstrating expertise in a particular subject area to fill instructional positions in such subject area, consistent with guidelines to be adopted by the Board of Education. Such personnel shall be deemed probationary teachers and shall not be eligible for continuing contract status while so employed.*

§ 22.1-295. Employment of teachers.

INTRODUCED

SB1393

59 A. The teachers in the public schools of a school division shall be employed and placed in  
60 appropriate schools by the school board upon recommendation of the division superintendent. In placing  
61 teachers, school boards shall fill positions with licensed instructional personnel qualified in the relevant  
62 subject areas; *however, in filling instructional positions in charter schools, a school board may hire*  
63 *nonlicensed personnel demonstrating expertise in the relevant subject area, pursuant to guidelines*  
64 *adopted by the Board of Education as provided in subsection G of § 22.1-212.13.*

65 B. School boards shall adopt employment policies and practices designed to promote the employment  
66 and retention of the highest quality instructional personnel and to effectively serve the educational needs  
67 of students. Such policies shall include, but need not be limited to, incentives for excellence in teaching,  
68 including financial support for teachers attending professional development seminars or those seeking  
69 and obtaining national certification. School boards shall develop a procedure for use by division  
70 superintendents and principals in evaluating instructional personnel that is appropriate to the tasks  
71 performed and addresses, among other things, student academic progress and the skills and knowledge  
72 of instructional personnel, including, but not limited to, instructional methodology, classroom  
73 management, and subject matter knowledge.