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HOUSE BILL NO. 1651

Offered January 9, 2013

Prefiled January 7, 2013

A *BILL to amend and reenact § 23-299.9 of the Code of Virginia, to amend the Code of Virginia by adding in Article 1 of Chapter 13 of Title 22.1 a section numbered 22.1-212.2:4 and by adding a section numbered 22.1-212.5:2, and to repeal §§ 22.1-212.5:1 and 23-299.1 of the Code of Virginia, relating to creation of the Unified Innovation Fund.*

Patron—Krupicka

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 23-299.9 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 13 of Title 22.1 a section numbered 22.1-212.2:4 and by adding a section numbered 22.1-212.5:2 as follows:

§ 22.1-212.2:4. Unified Innovation Fund established.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Unified Innovation Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All funds as may be appropriated for this purpose and any gifts, donations, grants, bequests, and other funds as may be received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent of Public Instruction.

B. Moneys in the Fund shall be disbursed solely for the purposes of awarding grants on a competitive basis to any local school division, institution of higher education, or other individual or entity to fund education innovation projects, including (i) charter schools pursuant to Article 1.2 (§ 22.1-212.5 et seq.) of Chapter 13, (ii) virtual school programs pursuant to Article 1.4 (§ 22.1-212.23 et seq.) of Chapter 13, (iii) college partnership laboratory schools pursuant to Chapter 26 (§ 23-299 et seq.) of Title 23, (iv) plans to lengthen the school day or the school year, (v) new or enhanced information systems to support individualized instruction, (vi) new or enhanced pre-kindergarten programs, (vii) new or enhanced programs in science, technology, engineering, and mathematics (STEM), (viii) new or enhanced Academic Year Governor's Schools, and (ix) any other innovative education projects that are focused on improving student achievement.

C. The Board of Education shall establish criteria for making distributions from the Fund and may issue guidelines governing the Fund as it deems necessary and appropriate. The criteria and guidelines shall include a requirement that any entity or individual applying for funds pursuant to this section shall include, in its proposal, (i) a commitment to raising the achievement of all students and (ii) a commitment to establishing an accountability system designed to monitor and report to the Board on such increases in student achievement.

§ 22.1-212.5:2. Funding of public charter schools.

Each public charter school shall be eligible to apply for and receive available funds from the Unified Innovation Fund pursuant to § 22.1-212.2:4.

§ 23-299.9. Funding of college partnership laboratory schools.

A. Each college partnership laboratory school shall receive such funds as may be appropriated by the General Assembly in accordance with the appropriation act.

B. The governing board of a college partnership laboratory school is authorized to accept gifts, donations, or grants of any kind and to spend such funds in accordance with the conditions prescribed by the donor. However, no gift, donation, or grant shall be accepted by the governing board of a college partnership laboratory school if the conditions for such funds are contrary to law or the terms of the agreement between the Board of Education and the college partnership laboratory school.

C. Notwithstanding any other provision of law, the proportionate share of state and federal resources allocated for students with disabilities and school personnel assigned to special education programs shall be directed to college partnership laboratory schools enrolling such students. The proportionate share of moneys allocated under other federal or state categorical aid programs shall be directed to college partnership laboratory schools serving students eligible for such aid.

D. College partnership laboratory schools shall be eligible to apply for and receive any federal or

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59 state funds otherwise allocated for college partnership laboratory schools in the Commonwealth.

60 ~~E. D.~~ Any tuition, room and board, and any other educational and related fees collected from
61 students enrolled at a college partnership laboratory school shall comply with Board of Education
62 regulations and shall be credited to the account of such school.

63 ~~F. E.~~ Each college partnership laboratory school shall be eligible to apply for and receive available
64 funds from the ~~College Partnership Laboratory School~~ *Unified Innovation Fund pursuant to*
65 *§ 22.1-212.2:4* and the establishing institution of higher education.

66 **2. That §§ 22.1-212.5:1 and 23-299.1 of the Code of Virginia are repealed.**

67 **3. That the State Treasurer shall transfer all moneys remaining in the Public Charter School**
68 **Fund and the College Partnership Laboratory School Fund as of June 30, 2013, to the Unified**
69 **Innovation Fund pursuant to § 22.1-212.2:4 created by this act.**