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HOUSE BILL NO. 1894

Offered January 9, 2013

Prefiled January 8, 2013

A BILL to amend and reenact §§ 22.1-26 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-79.1:1, relating to the opening of the school day.

Patrons—Kory and Hope

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-26 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-79.1:1 as follows:

§ 22.1-26. Joint and regional schools; regional public charter schools.

A. Two or more school boards may, with the consent of the State Board, establish joint or regional schools, including regional public charter schools as defined in § 22.1-212.5, comprehensive schools offering all-day academic programs and career and technical education, and regional residential charter schools for at-risk pupils, for the use of their respective school divisions and may jointly purchase, take, hold, lease, convey, and condemn both real and personal property for such joint, regional, or regional public charter schools. The school boards, acting jointly, shall have the same power of condemnation as other school boards except that land so condemned shall not be in excess of 30 acres for the use of any one joint or regional school. The title to all property acquired for such purposes shall vest jointly in the school boards in such respective proportions as the school boards may determine, and the schools shall be managed and controlled by the school boards jointly, in accordance with such regulations as are promulgated by the State Board. With the approval of the participating school boards and the respective local governing bodies, title to property acquired for a joint school shall be vested in the governing body of such school. The school boards operating a regional public charter school shall determine the school division to which any regional public charter school is assigned for the purposes of any restrictions on the number of public charter schools imposed by § 22.1-212.11.

B. Effective July 1, 2008, joint, regional, or regional charter schools in operation prior to the promulgation of new regulations may request a waiver of the new regulation requirements. This waiver request shall be submitted to the Board of Education on a form and in a manner prescribed by the Board. If the Board of Education grants the waiver request, the approved school shall continue to operate under the previous regulations.

C. Consistent with the provisions of this section, two or more school boards may, with the consent of the State Board, establish joint or regional schools, including regional public charter schools, to serve as high schools offering (i) in addition to a comprehensive high school curriculum, specialized training to students desiring to pursue careers in law enforcement, ~~fire fighting~~ *firefighting*, emergency and rescue services, and other occupations addressing public safety and welfare; or (ii) a specialized curriculum leading to a high school diploma and a postsecondary credential, such as industry certification, career certificate, or degree; or (iii) both.

Such schools described in clause (i) may be designed to incorporate the instructional services of retired or disabled emergency, fire, rescue, and law-enforcement personnel and internships with local agencies and organizations providing such emergency, fire, rescue, and law-enforcement services.

The relevant school boards operating schools described in clause (ii) may, by agreement, establish alternative schedules for the delivery of instruction that may include alternatives to standard school day and year requirements, subject to the issuance of any necessary waivers by the Board of Education pursuant to § 22.1-79.1 and relevant Board regulations. Such school boards may contract with an accredited institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education, as the case may be, pursuant to Chapter 16 (§ 22.1-319 et seq.) of this title or Chapter 21.1 (§ 23-276.1 et seq.) of Title 23, to deliver such instruction, which may include specialized instruction and training for students who are eligible to enroll in public high schools, consistent with §§ 22.1-3, 22.1-5, and 22.1-213.

D. Joint or regional schools, such as academic year Governor's Schools, may set the school calendar so that the first day students are required to attend school shall comport with the calendar of any of the participating school divisions, including those granted a waiver, as prescribed in § 22.1-79.1. Such calendar must be approved by the governing board of the joint or regional school.

§ 22.1-79.1:1. Opening of the school day.

A. Each local school board, or combination of local school boards in the case of joint or regional

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59 schools and regional alternative education programs, shall set the daily school calendar so that
60 programs of instruction in each public elementary and secondary school in the respective division or
61 divisions, including any public charter school, joint or regional school, regional alternative education
62 program, or college partnership laboratory school, shall start no earlier than 8:00 a.m. The provisions
63 of this section shall not apply to programs of instruction delivered in regional detention homes; certain
64 local detention homes; and state agencies and institutions pursuant to § 22.1-209.2, The Virginia School
65 for the Deaf and the Blind pursuant to Chapter 19, and the schools of the juvenile correctional centers
66 pursuant to § 66-13.1.

67 B. For the purposes of this section, programs of instruction shall include:

68 1. Firearm safety education programs provided pursuant to § 22.1-204.1;
69 2. Driver education programs provided pursuant to § 22.1-205;
70 3. Instruction concerning drugs, alcohol, and substance abuse provided pursuant to § 22.1-206;
71 4. Family life education provided pursuant to § 22.1-207.1;
72 5. Elective instruction in American Sign Language provided pursuant to § 22.1-207.5;
73 6. Character education provided pursuant to § 22.1-208.01;
74 7. Employment counseling and placement services provided pursuant to § 22.1-209;
75 8. Advancement Via Individual Determination (AVID) Programs provided pursuant to §
76 22.1-209.1:3;
77 9. The Virtual Virginia Program provided pursuant to § 22.1-212.2;
78 10. Virtual school programs provided pursuant to Article 1.4 (§ 22.1-212.23 et seq.) of Chapter 13;
79 11. Special education programs as set forth in Article 2 (§ 22.1-213 et seq.) of Chapter 13; and
80 12. All instructional programs supporting the Standards of Learning and other educational objectives
81 as set forth in § 22.1-253.13:1.