

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to authorize the Virginia Public School Authority to issue bonds with the proceeds of the bonds
3 to be used for the payment of grants to public school divisions for the purchase of school security
4 equipment.

5 [H 2343]

6 Approved

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

8 1. § 1. That this act shall be known and may be cited as the "Public School Security Equipment Grant
9 Act of 2013."

10 § 2. For purposes of this act:

11 "Authority" means the Virginia Public School Authority.

12 "Department" means the Department of Education.

13 "Eligible school division" means a (i) local school division or (ii) regional vocational center, special
14 education center, alternative education center, or academic year Governor's School serving public
15 school students in grades K through 12. The term shall also include the Virginia School for the Deaf
16 and the Blind.

17 "Local school division" means a school division with schools subject to state accreditation and
18 whose students are required to be reported in fall membership for grades K through 12.

19 § 3. The Authority shall issue bonds for the purpose of grant payments to eligible school divisions of
20 the Commonwealth to be used exclusively for purchasing security equipment for schools, including any
21 related installation, which is designed to improve and help ensure the safety of students attending public
22 schools in Virginia. Such grants shall not be used to pay for security equipment that is not included or
23 described in a grant application approved by the Department pursuant to § 4. The amount of grants
24 provided to each eligible school division pursuant to this act shall not exceed \$100,000 for each fiscal
25 year of the Commonwealth. Funds for the payment of such grants shall be provided from the issuance of
26 bonds by the Authority, provided that the Authority shall not issue more than an aggregate of \$6 million
27 in bonds, after all costs, for such grants during each fiscal year of the Commonwealth. In addition, the
28 Authority shall ensure that no more than an aggregate principal amount of \$30 million in bonds issued
29 under this act shall be outstanding at any time. Eligible school divisions seeking a grant shall apply to
30 the Department, which shall be responsible for administering the grant program.

31 The Authority shall work with the Department to determine the schedule for the issuance of the
32 bonds, which shall be based in part upon eligible school divisions having sufficient funds to purchase
33 such security equipment. The payment of debt service on such bonds shall be as provided in the general
34 appropriation act.

35 Such grants shall be in addition to all other grants made to local governments, school boards, or
36 school divisions according to law. In addition, such grants shall not replace or be in lieu of loans to
37 local school boards or interest rate subsidy payments to local school boards pursuant to Chapter 11.1
38 (§ 22.1-175.1 et seq.) of Title 22.1 of the Code of Virginia, and the issuance of such bonds and the
39 payment of such grants shall not, except as herein provided, affect or otherwise amend the provisions of
40 such chapter as they relate to the powers and duties of the Authority, local school boards, local
41 governments, or any other entity.

42 § 4. Based on the criteria developed by the Department in collaboration with the Department of
43 Criminal Justice Services, eligible school divisions shall apply for a grant by August 1 of each year. As
44 a condition of receiving a grant, a local match of 25 percent of the grant amount shall be required. The
45 Superintendent of Public Instruction is authorized to reduce the local match for local school divisions
46 with a composite index of local ability-to-pay less than 0.2000, including any such school division
47 participating in a regional vocational center, special education center, alternative education center, or
48 academic year Governor's School. The Virginia School for the Deaf and the Blind shall be exempt from
49 the match requirement.

50 Grants shall be awarded by the Department on a competitive basis. As part of the application for a
51 grant, each eligible school division shall (i) identify with specificity the security equipment for which
52 grants are being sought, as well as the estimated costs to purchase and install the security equipment,
53 and (ii) certify that it is the intent of the eligible school division to purchase the security equipment
54 within six months of approval of any grant by the Department.

55 If the Department determines that a grant shall be paid to an eligible school division under this act,
56 it shall provide a written certification to the chairman of the Authority directing him to make a grant

57 payment in a specific amount to the eligible school division. The Department, however, shall not make
58 such written certification until it has established that the Authority has sufficient funds to make such
59 grant payment. The Authority shall only make grant payments to an eligible school division for the
60 grants provided under this act upon receipt of such written certification. The Authority shall make such
61 grant payments, and in the amounts as directed by the Department, within 30 days of receipt of the
62 certification.

63 § 5. The Department shall develop guidelines concerning the requirements for applying for a grant
64 and the administration of such grants. Such guidelines shall not be subject to the Administrative Process
65 Act (§ 2.2-4000 et seq. of the Code of Virginia).

66 § 6. In the event that two or more local school divisions became one local school division, whether
67 by consolidation of only the local school divisions or by consolidation of the local governments, such
68 resulting local school division shall be eligible for grants on the basis of the same number of local
69 school divisions as existed prior to September 30, 2012.

70 § 7. The Authority shall take all necessary and proper steps as it is authorized to take under law to
71 carry out the provisions of this act.

72 § 8. Beginning in 2014, the Department shall make an annual report to the General Assembly by
73 September 1 of each year reporting (i) the total grants paid during the immediately prior fiscal year to
74 each eligible school division and (ii) a general description of the security equipment purchased by
75 eligible school divisions.

76 **2. That the provisions of this act shall not become effective unless an appropriation effectuating**
77 **the purposes of this act is included in a general appropriation act passed by the 2013 Session of**
78 **the General Assembly, which becomes law.**