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HOUSE BILL NO. 859

Offered January 8, 2014

Prefiled January 8, 2014

A BILL to amend and reenact § 22.1-27.3 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 22.1 a section numbered 22.1-7.2, relating to schools accredited with warning for three consecutive years or denied accreditation; alternative enrollment policy.

Patron—LeMunyon

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-27.3 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 1 of Title 22.1 a section numbered 22.1-7.2 as follows:

§ 22.1-7.2. Alternative enrollment policy; schools accredited with warning for three consecutive years or denied accreditation.

A. Notwithstanding subdivision A 2 of § 22.1-5 and subdivision A 4 of § 22.1-79, the Board shall establish and implement a policy to allow any student assigned to a school accredited with warning for three consecutive years or denied accreditation to enroll in the same grade level at another school in the school division that is fully accredited and does not exceed its enrollment capacity, as determined by school building size, upon the request of a parent or guardian. Such policy shall (i) allow such students to attend a school in an adjacent school division according to the same conditions if there is no school that is fully accredited and below its enrollment capacity, as determined by school building size, in the school division in which the student resides and (ii) require the adjacent school division to accept such students. In developing such policy, the Board shall include the following conditions and limitations:

1. An application process whereby a parent or guardian indicates a school preference for purposes of his child's attending a school outside of the attendance area in which the child resides;

2. A requirement that the school division in which the student resides provide transportation for the student attending a school other than his assigned school;

3. A requirement that a student be disqualified from attending a school other than his assigned school if he has been subject to a disciplinary action specified by the Board;

4. A prohibition on the recruitment of a student from one school to another by a school division employee;

5. A random, unbiased selection process in the event that enrollment requests exceed the capacity of a school, as determined by school building size;

6. A requirement that a student shall be permitted to remain at the receiving school until the student has completed the highest grade level in the school; and

7. A requirement that, in the event that a student attends a school in an adjacent school division according to this section, the school division in which the student resides provide funds to the adjacent school division in an amount not to exceed the cost of educating the student in the adjacent school division. Such student shall not be charged tuition by the adjacent school division.

B. A copy of the Board's policies shall be posted on its website and shall be available to the public upon request.

§ 22.1-27.3. (For applicability, see Editor's note) Student attendance.

Students enrolled in any school under the supervision of the Institution shall continue to attend the school, but nothing in this section shall abridge the ability of a parent or guardian to apply for his child to attend another school in the school division of residence pursuant to § 22.1-7.2 or if that school division has established and implemented policies to provide for the open enrollment to any school of any student residing within the school division pursuant to § 22.1-7.1.

INTRODUCED

HB859