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HOUSE BILL NO. 1124

Offered January 8, 2020

Prefiled January 7, 2020

A *BILL to amend the Code of Virginia by adding a section numbered 22.1-199.7, relating to yellow schools; authorization.*

 Patron—Davis

 Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-199.7 as follows:

§ 22.1-199.7. Yellow schools.

A. *As used in this section:*

"Operating entity" means any not-for-profit entity that enters into an operating contract with a school board pursuant to subsection B.

"Qualified school" means a public elementary or secondary school in which at least 50 percent of enrolled students are eligible for free or reduced price lunch.

"Qualified services" means nutritional support, after school academic and mentorship services, health care support by licensed nurse practitioners or doctors, and dental care by dental hygienists or dentists made available to each student enrolled in a yellow school.

"Yellow school" means any qualified school that is under the supervision of an operating entity pursuant to an operating contract.

B. Any school board may enter into an operating contract with an operating entity to designate a qualified school in the local school division as a yellow school.

C. Each operating contract entered into pursuant to subsection B shall:

1. Require the school board to transfer its constitutional authority to supervise the yellow school to the operating entity, including its authority relating to personnel and curriculum, for an initial period of at least two years, provided, however, that the yellow school shall be subject to all federal and state accountability requirements prescribed by law or regulation;

2. Require the operating entity to provide qualified services;

3. Permit the operating entity to seek reimbursement under Medicaid for all qualified services provided to eligible students;

4. Require the operating entity to establish performance metrics for the yellow school and biannually report to the school board on its compliance with such metrics; and

5. Require the supervision of the yellow school to be transferred back to the school board if the operating entity breaches the operating contract or fails to meet the performance metrics established in the operating contract.

D. Any operating contract entered into pursuant to subsection B may contain provisions for the use of local school division services for a yellow school, including transportation, food services, and extracurricular activities.

E. Each operating entity is entitled, in an addition to any other state or local funds that it receives from the school board in support of the yellow school, to matching state funds pursuant to the general appropriation act in an amount equal to 25 percent of all funds that the operating entity invests to provide qualified services in the yellow school.

F. Notwithstanding any other provision of law to the contrary, no operating entity that receives state funds in accordance with subsection E is eligible to receive a Neighborhood Assistance Act Tax Credit pursuant to Article 13.2 (§ 58.1-439.18 et seq.) of Chapter 3 of Title 58.1.

INTRODUCED

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