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SENATE BILL NO. 552

Offered January 8, 2020

Prefiled January 7, 2020

A BILL to amend and reenact § 22.1-209.1:2 of the Code of Virginia, relating to regional alternative education programs; funding.

 Patron—Ruff

 Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That § 22.1-209.1:2 of the Code of Virginia is amended and reenacted as follows:****§ 22.1-209.1:2. Regional alternative education programs for certain students.**

A. With such funds as may be appropriated for this purpose, the Board of Education shall establish a program consisting of regional alternative education options for elementary, middle, and high school students in compliance with subdivision D 7 of § 22.1-253.13:1 who (i) have committed an offense in violation of school board policies relating to weapons, alcohol or drugs, or intentional injury to another person, or against whom a petition or warrant has been filed alleging such acts or school board charges alleging such policy violations are pending; (ii) have been expelled from school attendance or have received one suspension for an entire semester, or have received two or more long-term suspensions within one school year; or (iii) have been released from a juvenile correctional center and have been identified by the Superintendent of the Department of Juvenile Justice's Division of Education and the relevant division superintendent as requiring a regional alternative education program. Based on available space, a student may also be administratively assigned to a regional alternative education program either at the request of the parent and with the consent of the division superintendent or by the division superintendent after written notice to the student and his parent. Such notice of the opportunity for the student and/or his parent to participate in a hearing conducted by the division superintendent or his designee regarding such placement shall be issued and the assignment shall be final unless altered by the school board, upon timely written petition, in accordance with regulations of the school board, by the student or his parent, for a review of the record by the school board. However, no child shall be assigned to any regional alternative education program described in this section for more than one school year without an annual assessment of the placement to determine the appropriateness of transitioning the child into the school division's regular program.

B. Applications for grants shall include the following components:

1. An agreement executed by two or more school divisions and approval of their respective governing bodies to offer a regional alternative education option as provided in subsection A, and a plan for the apportionment of responsibilities for the administration, management, and support of the program, including, but not limited to, the facilities and location for the program, daily operation and oversight, staffing, instructional materials and resources, transportation, funding and in-kind services, and the program of instruction.

2. A procedure for obtaining the participation in or support for the program, as may be determined, of the parents, guardian or other person having charge or control of a child placed in the program.

3. An interagency agreement for cooperation executed by the local departments of health and social services or welfare; the juvenile and domestic relations district court; law-enforcement agencies; institutions of higher education and other postsecondary training programs; professional and community organizations; the business and religious communities; dropout prevention and substance abuse prevention programs; community services boards located in the applicants' respective jurisdictions; and the Department of Juvenile Justice.

4. A curriculum developed for intensive, accelerated instruction designed to establish high standards and academic achievement for participating students.

5. An emphasis on building self-esteem and the promotion of personal and social responsibility.

6. A low pupil/teacher ratio to promote a high level of interaction between the students and the teacher.

7. An extended day program, where appropriate, to facilitate remediation; tutoring; counseling; organized, age-appropriate, developmental education for elementary and middle school children; and opportunities that enhance acculturation and permit students to improve their social and interpersonal relationship skills.

8. Community outreach to build strong school, business, and community partnerships, and to promote parental involvement in the educational process of participating children.

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59 9. Specific, measurable goals and objectives and an evaluation component to determine the program's
60 effectiveness in reducing acts of crime and violence by students, the dropout rate, the number of youth
61 committed to juvenile correctional centers, and recidivism; and in increasing the academic achievement
62 levels and rehabilitative success of participating students, admission to institutions of higher education
63 and other postsecondary education and training programs, and improving staff retention rates.

64 10. The number of children who may be assigned to the regional alternative education program
65 during the school year.

66 11. A plan for transitioning the enrolled students into the relevant school division's regular program.

67 12. A current program of staff development and training.

68 C. ~~Beginning with the first year of program implementation, the~~ *The* Department of Education shall
69 ~~be entitled to~~ *may* deduct annually from the locality's share for the education of its students a sum equal
70 to the actual local expenditure per pupil for the support of those students placed by the relevant school
71 division in any such program. The amount of the actual transfers shall be based on ~~data accumulated~~
72 ~~during the prior school year~~ *an analysis of each relevant school division's need for the current school*
73 *year.*

74 D. A school board shall require written notification to the pupil's parent, guardian, or other person
75 having charge or control, when a pupil commits an offense in violation of school board policies, which
76 school officials determine was committed without the willful intent to violate such policies, or when the
77 offense did not endanger the health and safety of the individual or other persons, of the nature of the
78 offense no later than two school days following its occurrence. A school board shall require the
79 principal of the school where the child is in attendance or other appropriate school personnel to develop
80 appropriate measures, in conjunction with the pupil's parent or guardian, for correcting such behavior.

81 E. For the purposes of this section, "regional alternative education program" means a program
82 supported and implemented by two or more school divisions which are either geographically contiguous
83 or have a community of interest.

84 F. For the purposes of this section, "one school year" means no more than 180 teaching days.