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**HOUSE BILL NO. 2090**

Offered January 13, 2021

Prefiled January 12, 2021

A *BILL to amend the Code of Virginia by adding a section numbered 22.1-98.3, relating to school boards; establishment of the READ Fund and READ programs.*

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 Patron—Cox
 

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 Referred to Committee on Education
 

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

**1. That the Code of Virginia is amended by adding a section numbered 22.1-98.3 as follows:**

**§ 22.1-98.3. READ Fund; READ programs.**

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Reimbursement for Education Access Decisions (READ) Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of reimbursing pursuant to subsection C school boards that establish READ programs pursuant to subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent of Public Instruction.

B. Any school board may establish a READ program to provide, during the state of emergency declared by the Governor in response to the COVID-19 pandemic, funds to any parent or legal guardian who meets the compulsory attendance requirements in subsection A of § 22.1-254 by having his child taught by a tutor or teacher of qualifications prescribed by the Board and approved by the division superintendent in lieu of enrollment in the local school division. Any such school board shall reimburse any such parent requesting qualifying reimbursement pursuant to its READ program for (i) tutoring services; (ii) educational therapies and services for students from a practitioner or provider, including paraprofessionals and educational aides; (iii) tuition and fees for a private online learning program; (iv) fees for a nationally standardized norm-referenced achievement test, an Advanced Placement examination, or any examination taken to gain admission to an institution of higher education; (v) transportation; (vi) computer hardware and software; and (vii) consumable educational supplies and any other education-related goods and services, such as Internet access, that are necessary for the provision of the student's education.

C. Any school board that establishes a READ program may apply to the Department for an award from the Fund to reimburse the school board for half of the cost of making reimbursements to parents pursuant to its READ program. The school board is responsible for covering the remaining half of the cost of its READ program with such federal and local funds as may be available for such purpose.

D. The Department may establish such rules and procedures as it deems necessary for receiving applications for reimbursement and making awards from the Fund pursuant to subsection C.

E. If federal funding is provided pursuant to an Act of Congress with regard to relief from the COVID-19 pandemic and such Act does not preclude such federal funding from being used to make awards from the Fund pursuant to subsection C, the Governor shall reserve a reasonable amount of such federal funding to be credited to the Fund pursuant to subsection A to fully support reimbursement requests from such school boards.

INTRODUCED

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