

LD4701482

## HOUSE BILL NO. 1183

Offered January 25, 1994

A BILL to amend and reenact §§ 22.1-278, 22.1-279.2, as currently effective and as may become effective on January 1, 1995, and 22.1-297 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-199.1, 22.1-212.1:1, 22.1-277.1:1, and 22.1-291.1, relating to the Virginia Education Reform Act.

Patron—Wagner

Referred to Committee on Education

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

1. That §§ 22.1-278, 22.1-279.2 as currently effective and as may become effective on January 1, 1995, and 22.1-297 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 22.1-199.1, 22.1-212.1:1, 22.1-277.1:1, and 22.1-291.1 as follows:

§ 22.1-199.1. Early childhood developmental education curriculum.

A. The Board of Education may develop a curriculum designed to accommodate the maturational levels and developmental stages of preschool age children which may be used by licensed public and accredited private schools in their preschool programs. The curriculum shall emphasize the unique needs of preschool age children and shall be designed to prepare such children to take maximum advantage of instruction provided in the regular school program. The curriculum shall be designed to provide flexibility in the delivery of information through age appropriate learning opportunities which fosters readiness skills in communicative arts, elementary computations, appreciation for nature and natural phenomena, enrichment activities to familiarize students with the community and social systems, healthful living practices, and appropriate social skills.

B. The Board shall provide as an addendum to the curriculum, a classification system for licensed public and accredited private school preschool programs, grouping such schools and programs according to the range of options offered through the curriculum. The Board shall publish a written description of the classification system which shall be distributed to health care facilities and professional health care provider organizations throughout the Commonwealth for dissemination to parents, and such information shall be available to the public free of charge upon request.

§ 22.1-212.1:1. Single-gender education. In so far as constitutionally valid, a school board may establish single-gender classes in the public schools of the school division. The school board shall require compliance with the program of instruction approved for use in the school division, and shall require an annual evaluation of the academic progress of each student participating in the program.

§ 22.1-277.1:1. Student conduct; classroom decorum; failure to perform class assignments. A. School boards shall require students enrolled in the public schools of the school division to adhere to established school board policies governing the conduct of students on school property and at school-sponsored activities. School boards shall ensure that such policies prohibit swearing, profanity, lewd and lascivious remarks, and other acts of disrespect of the authority of licensed and support school personnel, and that such policies provide for strict enforcement and appropriate disciplinary action for any violations of such policies, including notification of appropriate local law-enforcement agencies upon any violation of school board policies which also constitutes criminal conduct.

§ 22.1-278. Guidelines for school board policies; school board regulations.

By July 1, 1994, the Board of Education shall establish guidelines and develop model student conduct policies to aid local school boards in the implementation of such policies. The guidelines shall include, but not be limited to, (i) criteria for the use of suspension and expulsion as disciplinary measures, the grounds for suspension and expulsion, and the procedure to be followed in such cases; (ii) standards, consistent with state, federal and case laws, for school board policies on alcohol and drugs, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others and dissemination of such policies to students, their parents, and school personnel; and (iii) standards for in-service training of school personnel in and examples of the appropriate management of student conduct and student offenses in violation of school board policies; and (iv) standards and procedures for the appropriate management of the failure of students to perform coursework assigned to be performed during class time or after school hours. Such measures may include, but not be limited to, the notification of the student's parent or guardian concerning failure to complete class assignments, denial of permission to participate in extracurricular activities, and remaining after school hours for tutorial assistance in completing such assignments. In the case of suspension and expulsion, the

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60 procedures set forth in § 22.1-277 shall be the minimum procedures that the school board may prescribe.  
61 By October 31, 1994, school boards shall adopt regulations governing student conduct which are  
62 consistent with, but may be more stringent than, the guidelines of the Board.

63 § 22.1-279.2. (For effective date - See note) Programs for Persons At-Risk (PPAR).

64 With such funds as are appropriated for this purpose, the Board of Education shall establish a  
65 program for the delivery of coordinated and integrated services for children at-risk. The Board, in  
66 cooperation with the State Boards of Health, Social Services, Mental Health, Mental Retardation and  
67 Substance Abuse Services, Youth and Family Services, Correctional Education, the Departments of  
68 Rehabilitative Services, Medical Assistance Services, the Governor's Employment and Training  
69 Department, and juvenile and domestic relations district courts, shall promulgate such regulations to  
70 implement the program.

71 The Board, with the assistance of the relevant agencies enumerated above, shall *design a mechanism*  
72 *to facilitate the early identification of at-risk students*, and develop a plan to provide age appropriate  
73 educational, social, health, and related support services for any student who has been identified as at-risk  
74 of poor academic performance, school failure, health, mental health, and family problems, substance  
75 abuse, poverty, and repeated grade retention, or who has been suspended, expelled, or who is a chronic  
76 truant or habitually absent from school, or who is a pregnant or parenting teenager, or a school dropout.  
77 Such plan shall emphasize the necessity of individualizing the programs to match the characteristics and  
78 needs of each child.

79 § 22.1-279.2. (Delayed effective date - See notes) Programs for Persons At-Risk (PPAR).

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81 program for the delivery of coordinated and integrated services for children at-risk. The Board, in  
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91 truant or habitually absent from school, or who is a pregnant or parenting teenager, or a school dropout.  
92 Such plan shall emphasize the necessity of individualizing the programs to match the characteristics and  
93 needs of each child.

94 § 22.1-291.1. *Engagement of public assistance recipients in public schools. The Board of Education*  
95 *shall establish, in collaboration with the Board of Social Services, a program for the engagement of*  
96 *recipients of public assistance as teacher aides or as classroom volunteers. Such program may include*  
97 *options such as assigning such persons to schools in which their children are enrolled, or granting*  
98 *permission to attend such alternative education programs as may be available in the school division to*  
99 *any such persons who desire to complete the requirements for the high school diploma, the General*  
100 *Education Diploma (G. E. D.), or any program of study approved by the school board, pursuant to*  
101 *§ 22.1-253.13:4.*

102 § 22.1-297. Assignment of teachers, principals and assistant principals by superintendent.

103 A division superintendent shall have authority to assign to their respective positions in the school  
104 wherein they have been placed by the school board all teachers, principals and assistant principals. If the  
105 school board adopts a resolution authorizing the division superintendent to reassign such teachers,  
106 principals and assistant principals, the division superintendent may reassign any such teacher, principal  
107 or assistant principal for that school year to any school within such division, provided no change or  
108 reassignment during a school year shall affect the salary of such teacher, principal or assistant principal  
109 for that school year.

110 *Further, a division superintendent shall have the authority to assign a teacher to the same class for*  
111 *kindergarten through third grade to promote continuity in course instruction and academic progress*  
112 *among children enrolled in such grades.*