

LD6101356

HOUSE BILL NO. 2445

Offered January 23, 1995

A *BILL to amend and reenact § 22.1-269.1 of the Code of Virginia, relating to regulations for alternative attendance at public schools.*

Patron—Miller (By Request)

Referred to Committee on Education

Whereas, providing quality public education is a constitutional priority of the Commonwealth; and

Whereas, increased flexibility in the educational options and opportunities available to our public school students will not only promote the parental and student involvement so critical to a successful educational experience, but also will increase the likelihood that more students will reach their academic potential and acquire the knowledge and skills necessary to become successful, productive citizens; and

Whereas, creating options among the public schools a student might attend will enhance the responsiveness and effectiveness of our schools in meeting the educational needs of our children; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-269.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-269.1. Alternative attendance programs.

A. The Board of Education shall promulgate regulations for the voluntary participation of school divisions in programs to allow each school-age child to receive educational services at another public school, either in the division in which the child resides or in another division, as selected by the child's parent or guardian. Each public school in a school division participating in an alternative attendance program shall be eligible to participate in an alternative attendance program unless exceptional circumstances, as defined by the Board of Education, render the participation of the school contrary to public interest.

B. The Board's regulations shall be promulgated under the provisions of the Administrative Process Act (§ 9-6.14:1 et seq.) and shall include, but shall not be limited to, provisions which address the following: the required acknowledgement by a local school of its decision to participate in an alternative attendance program, including school board resolutions for intradistrict programs and agreements between divisions participating in interdistrict programs; the equitable allocation of places to accommodate students when there are insufficient places to serve such students; transportation and school bus scheduling needs within the local school divisions; school enrollment capacity, class size, pupil-teacher ratios, and staffing levels for related instructional, administrative, and supervisory personnel as required by the Standards of Quality and the Standards for Accrediting Public Schools; *the establishment of single-sex schools and programs*; the adequacy of school resources to accommodate an increase in student enrollment, grade level designations, and course offerings; the enrollment of students whose education is subject to an individualized education plan (I.E.P.) as required under P.L. 94-142 as amended; *the creation of admissions standards*; the preservation of the uniqueness of schools established for particular educational purposes; the fiscal impact of accommodating parental preference on local school divisions; in the case of interdistrict attendance programs, the establishment of tuition charges authorized by § 22.1-5; and the need to maintain racial balance in the public schools. The regulations shall also establish the value of educational services, based on consideration of per pupil expenditures and state aid in the affected school. Any local school board which has been ordered by a state or federal court to achieve racial balance in its public schools shall maintain such racial balance when accommodating preference in the assignment of children to a school.

C. From such funds as may be appropriated, the Board shall provide for the independent evaluation of this alternative attendance program and shall submit the evaluation to the Governor, the Senate, and the House of Delegates by January 1 of each year.

INTRODUCED

HB2445