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HOUSE BILL NO. 1289**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education
on February 13, 1998)

(Patron Prior to Substitute—Delegate Christian)

A BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-18.1, relating to reporting of use of certain education funds.

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-18.1 as follows:

§ 22.1-18.1. Reporting of use of certain education funds.

A. The Board of Education shall require that each local school board submit the annual report, "Programs for Gifted Education," as required by Board regulations, to the Department of Education. Effective July 1, 1998, state funding for local gifted education programs shall be conditioned upon the submission of the annual report by local school boards to the Department of Education.

The advisory committee on gifted education to the local school board shall review and affirm the annual report prior to its submission to the Department of Education. The report of the local advisory committee on gifted education shall be submitted by the school board together with its annual report to the Department of Education. Upon receipt of the reports, the Department shall order the release of state funds appropriated to the local school division for its local gifted education program.

A school board shall require compliance with Board regulations governing gifted education relative to the use of multiple criteria for the identification of gifted students.

With such funds as may be appropriated for this purpose, the Department of Education shall conduct an annual review of all local gifted education programs, on such date as it may determine, to ensure full implementation and compliance with federal and state laws and regulations governing gifted education. The Department may conduct the review as an on-site observation or require certification of compliance from the division superintendent.

B. The Board of Education shall require each local school board to report annually to the Department of Education regarding the use of state funding for at-risk programs. Effective July 1, 1998, state funding for at-risk programs shall be conditioned upon the submission of such annual report to the Department.