

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 22.1-199.1 of the Code of Virginia, relating to programs to promote educational opportunities.

[H 2480]

Approved

Be it enacted by the General Assembly of Virginia:**1. That § 22.1-199.1 of the Code of Virginia is amended and reenacted as follows:**

§ 22.1-199.1. Programs designed to promote educational opportunities.

A. The General Assembly finds that Virginia educational research supports the conclusion that poor children are more at risk of educational failure than children from more affluent homes and that reduced pupil/teacher ratios and class sizes result in improved academic performance among young children; to this end, the General Assembly establishes a long-term goal of reducing pupil/teacher ratios and class sizes for grades K through 3 in those schools in the Commonwealth with high or moderate concentrations of at-risk students.

Effective July 1, 1996, and with such funds as are provided in the appropriation act for this purpose, there is hereby established the statewide voluntary pupil/teacher ratio and class size reduction program for the purpose of reaching the long-term goal of statewide voluntary pupil/teacher ratio and class size reductions for grades K through 3 in schools with high or moderate concentrations of at-risk students, consistent with the provisions first provided during the 1994-1995 school year.

In order to facilitate these primary grade ratio and class size reductions, the Department of Education shall calculate the state funding of these voluntary ratio and class size reductions based on the incremental cost of providing the lower class sizes according to the greater of the division average per-pupil cost of all divisions or the actual division per-pupil cost. Localities shall provide matching funds for these voluntary ratio and class size reductions based on the composite index of local ability to pay. School divisions shall notify the Department of Education of their intention to implement the reduced ratios and class sizes in one or more of their qualifying schools by August 1 of each year. By March 31 of each year, school divisions shall forward data substantiating that each participating school has a complying pupil/teacher ratio.

In developing the proposed 1996-1998 biennium budget for public education, the Board of Education shall include funding for these ratios and class sizes. Effective July 1, 1996, the ratios and class sizes shall be included in the annual budget for public education.

B. The General Assembly finds that educational technology is one of the most important components, along with highly skilled teachers, in ensuring the delivery of quality public school education throughout the Commonwealth. Therefore, the Board of Education shall strive to incorporate technological studies within the teaching of all disciplines. Further, the General Assembly notes that education technology can only be successful if teachers and administrators are provided adequate training and assistance. To this end, the following program is established.

With such funds as are appropriated for this purpose, the Board of Education shall award to the several school divisions grants for expanded access to educational technology. Funding for educational technology training for instructional personnel shall be provided as set forth in the appropriation act, including funds for providing a technology resource assistant to serve every elementary school in this Commonwealth beginning on July 1, 1998. Any local school board accepting these funds to hire such technology resource assistants shall commit to providing the required matching funds, based on the composite index of local ability to pay. Each qualifying school board shall establish an individualized technology plan, which shall be approved by the Superintendent of Public Instruction, for integrating technology into the classroom and into schoolwide instructional programs.

The grants shall be prioritized as follows:

1. In the 1994 biennium, the first priority for these funds shall be to automate the library media centers and provide network capabilities in Virginia's elementary, middle and high schools, or combination thereof, in order to ensure access to the statewide library and other information networks. If any elementary, middle or high school has already met this priority, the 1994 biennium grant shall be used to provide other educational technologies identified in the relevant division's approved technology plan, such as multimedia and telecomputing packages, integrated learning systems, laptop computer loan programs, vocational technology laboratories or other electronic techniques designed to enhance public education and to facilitate teacher training in and implementation of effective instructional technology. The Board shall also distribute, as provided in the appropriation act, funds to support the purchase of

57 electronic reference materials for use in the statewide automated reference system.

58 2. In the 1996 biennium, the first priority for funding shall be consistent with those components of
 59 the Board of Education's revised six-year technology plan which focus on (i) retrofitting and upgrading
 60 existing school buildings to efficiently use educational technology; (ii) providing (a) one network-ready
 61 multimedia microcomputer for each classroom, (b) a five-to-one ratio of pupils to network-ready
 62 microcomputers, (c) graphing calculators and relevant scientific probes/sensors as required by the
 63 Standards of Learning, and (d) training and professional development on available technologies and
 64 software to all levels and positions; and (iii) assisting school divisions in developing integrated
 65 voice-connectivity, video-connectivity, and data-connectivity to local, national and international
 66 resources. This funding may be used to implement a local school division's long-range technology plan,
 67 at the discretion of the relevant school board, if the local plan meets or exceeds the goals and standards
 68 of the Board's revised six-year technology plan and has been approved by the Superintendent of Public
 69 Instruction.

70 3. The Departments of Education, Information Technology, and General Services shall coordinate
 71 master contracts for the purchase by local school boards of the aforementioned educational technologies
 72 and reference materials.

73 4. Beginning on July 1, 1998, a technology replacement program shall be, with such funds as may be
 74 appropriated for this purpose, implemented to replace obsolete educational hardware and software. As
 75 provided in § 22.1-129 D, school boards may donate obsolete educational technology hardware and
 76 software which is are being replaced. Any such donations shall be offered to other school divisions and
 77 to preschool programs in the Commonwealth.

78 5. *In fiscal year 2000, the Board of Education shall, with such funds as are appropriated for this*
 79 *purpose, contract for the development or purchase of interactive educational software and other*
 80 *instructional materials designed as tutorials to improve achievement on the Standards of Learning*
 81 *assessments. Such interactive educational software and other instructional materials may be used in*
 82 *media centers, computer laboratories, libraries, after-school or before-school programs or remedial*
 83 *programs by teachers and other instructional personnel or provided to parents and students to be used*
 84 *in the home. This interactive educational software and other instructional materials shall only be used*
 85 *as supplemental tools for instruction, remediation, and acceleration of the learning required by the K*
 86 *through 12 Standards of Learning objectives.*

87 Consistent with school board ~~policies~~ policies designed to improve school-community communications
 88 and guidelines for providing instructional assistance in the home, each school division shall strive to
 89 establish a voice mail communication system after regular school hours for parents, families, and
 90 teachers by the year 2000.

91 C. The General Assembly finds that effective prevention programs designed to assist children at risk
 92 of school failure and dropout are practical mechanisms for reducing violent and criminal activity and for
 93 ensuring that Virginia's children will reach adulthood with the skills necessary to succeed in the
 94 twenty-first century; to this end, the following program is hereby established. With such funds as are
 95 appropriated for this purpose, the General Assembly hereby establishes a grant program to be disbursed
 96 by the Department of Education to schools and community-based organizations to provide quality
 97 preschool programs for at-risk four-year-olds who are unserved by Head Start programs and for
 98 five-year-olds who are not eligible to attend kindergarten.

99 The grants shall be used to provide at least half-day services for the length of the school year for
 100 at-risk four-year-old children who are unserved by Head Start programs and for five-year-olds who are
 101 not eligible to attend kindergarten. The services shall include quality preschool education, health
 102 services, social services, parental involvement including activities to promote family literacy, and
 103 transportation. The Department of Education, in cooperation with such other state agencies which may
 104 coordinate child day care and early childhood programs, shall establish guidelines for quality preschool
 105 education and criteria for the service components, consistent with the findings of the November 1993
 106 study by the Board of Education, the Department of Education, and the Council on Child Day Care and
 107 Early Childhood Programs. School divisions may apply for and be granted waivers from these guidelines
 108 by the Department of Education.

109 During the 1995-96 fiscal year, the Board of Education shall, with such funds as are appropriated for
 110 this purpose, distribute grants, based on an allocation formula providing the state share of the grant per
 111 child, as specified in the appropriation act, for thirty percent of the unserved at-risk four-year-olds in the
 112 Commonwealth pursuant to the funding provided in the appropriation act. During the 1996-97 fiscal year
 113 and thereafter, grants shall be distributed, with such funds as are appropriated for this purpose, based on
 114 an allocation formula providing the state share of the grant per child, as specified in the appropriation
 115 act, for at least sixty percent of the unserved at-risk four-year-olds and five-year-olds who are not
 116 eligible to attend kindergarten in the Commonwealth, such sixty percent to be calculated by adding
 117 services for thirty percent more of the unserved at-risk children to the thirty percent of unserved at-risk

118 children in each locality provided funding in the appropriation act.

119 Local school boards may elect to serve more than sixty percent of the at-risk four-year-olds and may
120 use federal funds or local funds for this expansion or may seek funding through this grant program for
121 such purposes. Grants may be awarded, if funds are available in excess of the funding for the sixty
122 percent allocation, to expand services to at-risk four-year-olds beyond the sixty percent goal.

123 In order for a locality to qualify for these grants, the local governing body shall commit to providing
124 the required matching funds, based on the composite index of local ability to pay. Localities may use,
125 for the purposes of meeting the local match, local, or other nonstate expenditures for existing qualifying
126 programs and shall also continue to pursue and coordinate other funding sources, including child care
127 subsidies. Funds received through this program shall be used to supplement, not supplant, any local
128 funds currently provided for preschool programs within the locality.

129 D. The General Assembly finds that local autonomy in making decisions on local educational needs
130 and priorities results in effective grass-roots efforts to improve education in the Commonwealth's public
131 schools only when coupled with sufficient state funding; to this end, the following block grant program
132 is hereby established. With such funds as are provided in the appropriation act, the Department of
133 Education shall distribute block grants to localities to enable compliance with the Commonwealth's
134 requirements for school divisions in effect on January 1, 1995. Therefore, for the purpose of such
135 compliance, the block grant herein established shall consist of a sum equal to the amount appropriated
136 in the appropriation act for the covered programs, including the at-risk add-on program; dropout
137 prevention, specifically Project YES; Project Discovery; English as a second language programs,
138 including programs for overage, nonschooled students; Advancement Via Individual Determination
139 (AVID); the Homework Assistance Program; programs initiated under the Virginia Guaranteed
140 Assistance Program, except that such funds shall not be used to pay any college expenses of
141 participating students; Reading Recovery; and school/community health centers. Each school board may
142 use any funds received through the block grant to implement the covered programs and other programs
143 designed to save the Commonwealth's children from educational failure.

144 E. In order to reduce pupil/teacher ratios and class sizes in elementary schools, from such funds as
145 may be appropriated for this purpose, each school board may employ additional classroom teachers,
146 remedial teachers, and reading specialists for each of its elementary schools over the requirements of the
147 Standards of Quality. State and local funding for such additional classroom teachers, remedial teachers,
148 and reading specialists shall be apportioned as provided in the appropriation act.