

# 1999 SESSION

INTRODUCED

981154260

## HOUSE BILL NO. 477

Offered January 19, 1998

A *BILL* to amend the Code of Virginia by adding a section numbered 22.1-199.1:1, relating to educational services for certain students.

Patrons—Hall, Christian, Hamilton, Howell, Van Landingham and Van Yahres; Senators: Colgan, Couric, Houck, Lambert, Miller, Y.B. and Ticer

Consent to introduce

Referred to Committee on Education

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

#### 1. That the Code of Virginia is amended by adding a section numbered 22.1-199.1:1 as follows:

§ 22.1-199.1:1. Educational services for certain students and report required.

A. The General Assembly finds that Virginia educational research supports the conclusion that students who are suspended, excluded, or expelled from school attendance are more at risk of educational failure, dropping out of school, and of becoming involved in criminal activity and other antisocial behavior, and that the educational attainment of the citizenry is integrally related to decreased costs for correctional and public assistance programs, the economic viability of the Commonwealth, and the ability to compete successfully in the global marketplace. To further the commonweal, the General Assembly establishes the goal of providing educational alternatives for students who have been suspended for more than ten days, or excluded or expelled from school attendance in the public schools in the Commonwealth.

Effective July 1, 1998, each school board shall provide educational services to any student of compulsory school attendance age who is suspended for more than ten days, or excluded or expelled from regular school attendance for the duration of such suspension, exclusion, or expulsion. Such educational services shall be designed to meet the instructional needs of the student while ensuring the protection and safety of school personnel, and may be provided through a regional, or any local education program which satisfies compulsory school attendance. School boards shall include students receiving such educational services in the calculation for average daily membership. However, a school board shall not be required to provide such educational services for a student who is excused from school attendance pursuant to § 22.1-257, or to continue such educational services for any student who (i) violates the policies of the school board governing student conduct, or commits an offense which could result in suspension or expulsion, or which is required to be reported to the division superintendent or law-enforcement agencies during the period of his suspension, exclusion, or expulsion, or (ii) is determined to be a danger to himself or others. The Board of Education shall establish guidelines for the implementation of this section.

B. Each school board shall report annually to the Department of Education, on such forms and date as may be required, the number of students receiving educational services required in subsection A of this section, the projected need and costs for such educational services, and the total of local funds expended to support these services. The Department of Education shall compile and analyze such data and report the information to the Governor and the General Assembly annually, beginning December 1, 1999.

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