

VIRGINIA ACTS OF ASSEMBLY -- 2013 SESSION

CHAPTER 228

An Act to amend the Code of Virginia by adding in Chapter 15 of Title 22.1 an article numbered 6, consisting of sections numbered 22.1-318.1 and 22.1-318.2, relating to teacher performance; Strategic Compensation Grant Initiative.

[H 2083]

Approved March 12, 2013

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 15 of Title 22.1 an article numbered 6, consisting of sections numbered 22.1-318.1 and 22.1-318.2, as follows:

Article 6.

Strategic Compensation Grant Initiative.

§ 22.1-318.1. Strategic Compensation Grant Fund established.

There is hereby created in the state treasury a special nonreverting fund to be known as the Strategic Compensation Grant Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All funds as may be appropriated for this purpose and any gifts, donations, grants, bequests, and other funds as may be received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of awarding grants, pursuant to § 22.1-318.2, on a competitive basis to any local school division. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent of Public Instruction.

§ 22.1-318.2. Strategic Compensation Grant Initiative.

A. As used in this section:

"Fund" means the Strategic Compensation Grant Fund established pursuant to § 22.1-318.1.

"Grant" means a grant issued pursuant to the Strategic Compensation Grant Initiative.

B. The Department shall develop guidelines, consistent with this section, setting forth the general requirements of qualifying for a grant.

C. Local school divisions may submit proposals to the Department to apply for a grant. Grants shall be awarded, on a competitive basis, for the purposes of awarding incentive payments to teachers. All proposals shall designate groups or types of teachers targeted for the incentives. Proposals may include plans to (i) reward teachers who help students make significant academic progress; (ii) incentivize team performance in schools achieving goals set by the school division; (iii) reward teachers assuming additional responsibilities, such as serving as a mentor to other teachers; (iv) pay incentives to effective teachers who have essential expertise and who are willing to transfer to positions at hard-to-staff or low-performing schools; (v) reward effective teachers who are assigned to teach critical shortage areas; or (vi) pay incentives to attract talented teachers with specified expertise in hard-to-staff positions. Any proposal that is designed to offer incentives for improved performance to an entire school team may include school leaders other than teachers.

D. Each proposal shall outline a strategic compensation model used to disburse awarded funds. Stakeholder involvement is required in the development and implementation of the model. No individual shall receive more than \$5,000 per year. The compensation model shall include measureable and appropriate achievement goals for student academic progress and plans for the professional development of the designated teachers. The compensation model may include tiers or a range of incentives.

E. Any teacher awarded according to the terms of the proposal by the school division in its proposal shall (i) be licensed by the Board; (ii) be employed by the local school board under a contract; (iii) hold an endorsement in his subject area and grade level; (iv) be "highly qualified," as that term is defined by the federal Elementary and Secondary Education Act, P.L. 89-10, as amended; (v) be evaluated using an effective system, consistent with the evaluations and criteria of the Board, including a weight of 40 percent on student academic progress for the summative rating; and (vi) be rated as "proficient" or better.