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**HOUSE BILL NO. 1338****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education

on February 2, 2015)

(Patron Prior to Substitute—Delegate Farrell)

*A BILL to amend and reenact § 22.1-90.1 of the Code of Virginia, relating to allocation of instructional costs on the School Performance Report Card; electronic textbook hardware.*

**Be it enacted by the General Assembly of Virginia:****1. That § 22.1-90.1 of the Code of Virginia is amended and reenacted as follows:****§ 22.1-90.1. Inclusion of instructional spending in the School Performance Report Card.**

The Department shall include in the annual School Performance Report Card for school divisions the percentage of each division's annual operating budget allocated to instructional costs. For this purpose, the Department shall (i) establish a methodology for allocating each school division's expenditures to instructional and noninstructional costs in a manner that, *except in the case of the hardware necessary to support electronic textbooks*, is consistent with the funding of the Standards of Quality as approved by the General Assembly and (ii) *allocate to instructional costs each school division's expenditures on the hardware necessary to support electronic textbooks*. Further, at the discretion of the Superintendent, the Department may also report on other methods of measuring instructional spending such as those used by the U.S. Census Bureau and the U.S. Department of Education.