

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-199.1 of the Code of Virginia, relating to public elementary and*
3 *secondary education; at-risk add-on funds; Reading Recovery.*

4 [H 418]
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**
7 **1. That § 22.1-199.1 of the Code of Virginia is amended and reenacted as follows:**
8 **§ 22.1-199.1. Programs designed to promote educational opportunities.**

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

15 With such funds as are provided in the appropriation act for this purpose, there is hereby established
16 the statewide voluntary pupil/teacher ratio and class size reduction program for the purpose of reaching
17 the long-term goal of statewide voluntary pupil/teacher ratio and class size reductions for grades K
18 through three in schools with high or moderate concentrations of at-risk students, consistent with the
19 provisions provided in the appropriation act.

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

29 In developing each proposed biennium budget for public education, the Board of Education shall
30 include funding for these ratios and class sizes. These ratios and class sizes shall be included in the
31 annual budget for public education.

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

38 With such funds as are appropriated for this purpose, the Board of Education shall award to the
39 several school divisions grants for expanded access to educational technology. Funding for educational
40 technology training for instructional personnel shall be provided as set forth in the appropriation act.

41 Funds for improving the quality and capacity of educational technology shall also be provided as set
42 forth in the appropriation act, including, but not limited to, (i) funds for providing a technology resource
43 assistant to serve every elementary school in this Commonwealth beginning on July 1, 1998, and (ii)
44 funds to maintain the currency of career and technical education programs. Any local school board
45 accepting funds to hire technology resource assistants or maintain currency of career and technical
46 education programs shall commit to providing the required matching funds, based on the composite
47 index of local ability to pay.

48 Each qualifying school board shall establish an individualized technology plan, which shall be
49 approved by the Superintendent of Public Instruction, for integrating technology into the classroom and
50 into schoolwide instructional programs, including career and technical education programs. The grants
51 shall be prioritized as follows:

52 1. In the 1994 biennium, the first priority for these funds shall be to automate the library media
53 centers and provide network capabilities in Virginia's elementary, middle and high schools, or
54 combination thereof, in order to ensure access to the statewide library and other information networks. If
55 any elementary, middle or high school has already met this priority, the 1994 biennium grant shall be
56 used to provide other educational technologies identified in the relevant division's approved technology

57 plan, such as multimedia and telecomputing packages, integrated learning systems, laptop computer loan
58 programs, career and technical education laboratories or other electronic techniques designed to enhance
59 public education and to facilitate teacher training in and implementation of effective instructional
60 technology. The Board shall also distribute, as provided in the appropriation act, funds to support the
61 purchase of electronic reference materials for use in the statewide automated reference system.

62 2. In the 1996 biennium and thereafter, the first priority for funding shall be consistent with those
63 components of the Board of Education's revised six-year technology plan which focus on (i) retrofitting
64 and upgrading existing school buildings to efficiently use educational technology; (ii) providing (a) one
65 network-ready multimedia microcomputer for each classroom, (b) a five-to-one ratio of pupils to
66 network-ready microcomputers, (c) graphing calculators and relevant scientific probes/sensors as required
67 by the Standards of Learning, and (d) training and professional development on available technologies
68 and software to all levels and positions, including professional development for personnel delivering
69 career and technical education at all levels and positions; and (iii) assisting school divisions in
70 developing integrated voice-, video-, and data-connectivity to local, national and international resources.

71 This funding may be used to implement a local school division's long-range technology plan, at the
72 discretion of the relevant school board, if the local plan meets or exceeds the goals and standards of the
73 Board's revised six-year technology plan and has been approved by the Superintendent of Public
74 Instruction.

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

78 4. Beginning on July 1, 1998, a technology replacement program shall be, with such funds as may be
79 appropriated for this purpose, implemented to replace obsolete educational hardware and software. As
80 provided in subsection D of § 22.1-129, school boards may donate obsolete educational technology
81 hardware and software which are being replaced. Any such donations shall be offered to other school
82 divisions and to preschool programs in the Commonwealth, or to public school students as provided in
83 guidelines to be promulgated by the Board of Education. Such guidelines shall include criteria for
84 determining student eligibility and need; a reporting system for the compilation of information
85 concerning the number and socioeconomic characteristics of recipient students; and notification of
86 parents of the availability of such donations of obsolete educational hardware and software.

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

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

100 C. The General Assembly finds that local autonomy in making decisions on local educational needs
101 and priorities results in effective grass-roots efforts to improve education in the Commonwealth's public
102 schools only when coupled with sufficient state funding; to this end, the following block grant program
103 is hereby established. With such funds as are provided in the appropriation act, the Department of
104 Education shall distribute block grants to localities to enable compliance with the Commonwealth's
105 requirements for school divisions in effect on January 1, 1995. Therefore, for the purpose of such
106 compliance, the block grant herein established shall consist of a sum equal to the amount appropriated
107 in the appropriation act for the covered programs, including the at-risk add-on program; dropout
108 prevention, specifically Project YES; Project Discovery; English as a second language programs,
109 including programs for overage, nonschooled students; Advancement Via Individual Determination
110 (AVID); the Homework Assistance Program; programs initiated under the Virginia Guaranteed
111 Assistance Program, except that such funds shall not be used to pay any expenses of participating
112 students at institutions of higher education; ~~Reading Recovery~~; and school/community health centers.
113 Each school board may use any funds received through the block grant to implement the covered
114 programs and other programs designed to save the Commonwealth's children from educational failure.

115 D. In order to reduce pupil/teacher ratios and class sizes in elementary schools, from such funds as
116 may be appropriated for this purpose, each school board may employ additional classroom teachers,
117 remedial teachers, and reading specialists for each of its elementary schools over the requirements of the

118 Standards of Quality. State and local funding for such additional classroom teachers, remedial teachers,
119 and reading specialists shall be apportioned as provided in the appropriation act.

120 E. Pursuant to a turnaround specialist program administered by the Department of Education, local
121 school boards may enter into agreements with individuals to be employed as turnaround specialists to
122 address those conditions at the school that may impede educational progress and effectiveness and
123 academic success. Local school boards may offer such turnaround specialists or other administrative
124 personnel incentives such as increased compensation, improved retirement benefits in accordance with
125 Chapter 6.2 (§ 51.1-617 et seq.) of Title 51.1, increased deferred compensation in accordance with
126 § 51.1-603, relocation expenses, bonuses, and other incentives as may be determined by the board.

127 F. The General Assembly finds that certain schools have particular difficulty hiring teachers for
128 certain subject areas and that the need for such teachers in these schools is particularly strong.
129 Accordingly in an effort to attract and retain high quality teachers, local school boards may offer
130 instructional personnel serving in such schools as a member of a middle school teacher corps
131 administered by the Department of Education incentives such as increased compensation, improved
132 retirement benefits in accordance with Chapter 6.2 (§ 51.1-617 et seq.) of Title 51.1, increased deferred
133 compensation in accordance with § 51.1-603, relocation expenses, bonuses, and other incentives as may
134 be determined by the board.

135 For purposes of this subsection, "middle school teacher corps" means licensed instructional personnel
136 who are assigned to a local school division to teach in a subject matter in grades six, seven, or eight
137 where there is a critical need, as determined by the Department of Education. The contract between such
138 persons and the relevant local school board shall specify that the contract is for service in the middle
139 school teacher corps.