2004 Special Session I

Budget Bill - HB5001 (Chapter 4)

Direct Aid to Public Education

Item 144	First Year - FY2005	Second Year - FY2006
Financial Assistance for Public Education (Categorical) (17100)	**$459,384,416**	**$466,528,941**
Financial Assistance for Instruction (17101)	$148,284,699	$148,284,699
Financial Assistance for Special Education Instruction (17102)	$205,478,599	$211,016,370
Financial Assistance for Vocational Education Instruction (17103)	$31,798,829	$31,798,829
Financial Assistance for Adult Education Instruction (17104)	$3,299,381	$3,299,381
Financial Assistance for General Education Instruction (17105)	$48,049,538	$48,770,008
Financial Assistance for Cultural Transition (17106)	$8,988,805	$8,988,805
Financial Assistance for Educational Telecommunications (17111)	$2,611,658	$2,611,658
Financial Assistance From Federal Land Use (17113)	$1,200,000	$1,200,000
Financial Assistance for Individual Student Alternative Education Program (17114)	$300,000	$300,000
Financial Assistance for Foster Children Educational Payments (17115)	$9,372,907	$10,259,191
Fund Sources:		
General	$111,788,216	$118,932,741
Trust and Agency	$129,100	$129,100
Federal Trust	$347,467,100	$347,467,100

Authority: Financial Assistance for Individual Student Alternative Education (1710100):

Discretionary Inclusion; P.L. 97-35, P.L. 98-211 and P.L. 100-297, Federal Code.

Financial Assistance for Special Education (1710200): §§ 22.1-213 through 22.1-222, Code of Virginia; P.L. 91-230, P.L. 98-199, P.L. 99-457, P.L. 101-476 and P.L. 102-119, Federal Code.

Financial Assistance for Vocational Education (1710300): § 22.1-227, Code of Virginia; P.L. 98-524, Federal Code.

Financial Assistance for Adult Education (1710400): §§ 22.1-223 through 22.1-226, Code of Virginia; P.L. 95-561 and P.L. 100-297, Federal Code.

Financial Assistance for General Education (1710500): Discretionary Inclusion; and P.L. 99-570, Federal Code.

Financial Assistance for Cultural Transition (1710600): Treaty of 1677 between Virginia and the Indians; P.L. 100-

297, Federal Code.

Financial Assistance for Research and Testing (1710700): Discretionary Inclusion.

Financial Assistance for Educational Telecommunications (1711100): Discretionary Inclusion.

Financial Assistance from Federal Land Use (1711300): § 22.1-108, Code of Virginia; P.L. 94-588, Federal Code.

Financial Assistance for Individual Student Alternative Education (1711400): Discretionary Inclusion.

Financial Assistance for Foster Children Education Payments (1711500): § 22.1-101, Code of Virginia.

A. Instruction Payments

Aid to localities provided by the Federal Block Grant for Education is appropriated in this subprogram.

B. Special Education Instruction Payments

1. The Department of Education shall establish rates for all elements in this subprogram.

2. Out of the amounts for special education payments, the Department of Education shall make available, subject to implementation by the Superintendent of Public Instruction, an amount estimated at $44,701,224 the first year and $48,277,322 the second year from the general fund for the purpose of the state's share of the tuition rates for approved public school regional programs. Notwithstanding any contrary provision of law, the state's share of the tuition rates shall be based on the composite index of local ability-to-pay.

3. Out of the amounts for Financial Assistance for Special Education, $24,698,154 the first year and $26,350,276 the second year from the general fund is appropriated to permit the Department of Education to contract with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The selection and employment of instructional and administrative personnel under such contracts will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board.

C. Vocational Education Instruction Payments

1. It is the intention of the General Assembly that the Department of Education explore initiatives that will encourage greater cooperation between jurisdictions and the Virginia Community College System in meeting the needs of public school systems.

2. This appropriation includes $700,000 the first year and $700,000 the second year from the general fund for secondary vocational-technical equipment. A base allocation of $1,000 the first year and $1,000 the second year shall be available for all divisions, with the remainder of the funding distributed on the basis of student enrollment in secondary vocational-technical courses. State funds received for secondary vocational-technical equipment must be used to supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality.

3. Out of the amounts for Financial Assistance for Vocational Education Instruction, the Department of Education shall provide $200,000 the first year and $200,000 the second year from the general fund for the Jobs for Virginia Graduates initiative.

D. Adult Education Payments

State funds shall be used to reimburse general adult education programs on a fixed cost per pupil or cost per class basis. No state funds shall be used to support vocational noncredit courses.

E. General Education Payments

1.a. Out of the amounts for Financial Assistance for General Education shall be paid $800,000 the first year and $800,000 the second year from the general fund for Project Discovery. These funds are to fund approximately one-half of the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland, Danville/Pittsylvania, Fairfax, Franklin/Patrick, Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery.

b. The Board of Education shall determine the Project Discovery funding distributions to each community action agency. The contract with Project Discovery, Inc. should specify the allocations to each local Project Discovery program. Allocations shall be on a per pupil basis for students enrolled in the program.

2. Out of the amounts for Financial Assistance for General Education, the Board of Education shall provide $200,000 the first year and $200,000 the second year from the general fund for the Southwest Virginia Public Education Consortium at the University of Virginia's College at Wise. The Consortium shall provide $97,750 the first year and $97,750 the second year from the general fund to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and expand the program to the twelve school divisions in Southwest Virginia.

3. The appropriation for Financial Assistance for General Education includes $100,000 the first year and $100,000 the second year from the general fund for the Southside Virginia Regional Technology Consortium to expand the research and development phase of a technology linkage.

4. The appropriation for Financial Assistance for General Education includes $2,774,478 the first year and $2,774,478 the second year from the general fund to support Project Graduation.

5.a. This appropriation includes $4,712,910 the first year and $5,433,379 the second year from the general fund for targeted education initiatives to improve student achievement and teacher quality, including a mentoring program for teachers with no experience working in schools that are at-risk of not meeting adequate yearly progress, a middle school math teacher initiative in at-risk schools, turnaround specialists to enhance the leadership in schools that have consistently failed to show improvement in student progress, virtual Advanced Placement courses, and GED tests as required by the No Child Left Behind Act. In addition, the appropriation includes $500,000 the first year and $500,000 the second year from the general fund for competitive grants of $100,000 each to be awarded to school divisions which demonstrate a partnership agreement with a Virginia institution of higher learning and/or other entity for a defined leadership development training program that addresses the leadership standards established for such training as defined by the Board of Education. The Department of Education shall establish the guidelines for school divisions to apply for these grants. These grants shall be allocated over the biennium.

b. The Department of Education shall continue to work with the school divisions to estimate the cost impacts of the federal No Child Left Behind Act. The Superintendent of Public Instruction shall provide an update on the effort to determine expected local cost impacts, as well as state costs, to the Chairmen of the House Appropriations and Senate Finance Committees by July 31, 2004, and subsequent updates as needed.

I VETO THIS ITEM /s/ MARK R. WARNER (6/25/04) (Vetoed item is enclosed in brackets.)

[6. The appropriation for Financial Assistance for General Education includes $250,000 the first year and $250,000 the second year from the general fund for the Wolf Trap Institute for Early Learning Through the Arts to support reading and other educational skills in pre-school children and to support professional development opportunities for educators. **]**

F. Educational Telecommunications Payments

1. Out of the amounts for Financial Assistance for Educational Telecommunications, the Board of Education shall provide assistance for electronic classrooms.

2. The local share of costs associated with operation of electronic classrooms shall be computed using the local composite index of ability-to-pay.

G. Individual Student Alternative Education Program

Out of this appropriation, $2,247,581 the first year and $2,247,581 in the second year from the general fund shall be provided for the secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly. The Department of Education shall report the status of this program along with any recommendations for determining the cost of this program to the Governor and the Chairmen of the Senate Finance, Senate Education and Health, House Appropriations, and House Education Committees and the Department of Planning and Budget no later than October 15 of each year.

H. Foster Children Education Payments

1. An additional state payment is provided from the general fund for the prior year's local operations costs, as determined by the Department of Education, for each pupil not a resident of the school division providing his education (a) who has been placed in foster care or other custodial care within the geographical boundaries of such school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children; (b) who has been placed in an orphanage or children's home which exercises legal guardianship rights; or (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home.

2. This appropriation also provides $6,301,818 the first year and $6,897,693 the second year from the general fund to support disabled children attending public school who have been placed in foster care or other such custodial care across jurisdictional lines, as provided by subsection B of § 22.1-101.1, Code of Virginia. To the extent these funds are not adequate to cover the full costs specified therein, the Department is authorized to expend unobligated balances in this Item and Item 146 for this support.