2014 Special Session I

Budget Bill - HB5001 (Chapter 1)

Bill Order » Office of Education » Item 134

Department of Education, Central Office Operations

Item 134 (Not set out)	First Year - FY2013	Second Year - FY2014
School and Division Assistance (18500)	**$2,855,169**	**$3,005,392**
School Improvement (18501)	$999,136	$1,149,359
School Nutrition (18502)	$1,532,843	$1,532,843
Pupil Transportation (18503)	$323,190	$323,190
Fund Sources:		
General	$1,414,503	$1,564,726
Special	$31,000	$31,000
Federal Trust	$1,409,666	$1,409,666

Authority: School Improvement: § 22.1-253.13:1 et seq., Code of Virginia; P. L. 107-110, Federal Code.

School Nutrition: §§ 22.1-24, 22.1-89.1, and 22.1-207.3, Code of Virginia; P.L. 79-396, P.L. 89-642, P.L. 108-265, Federal Code.

Pupil Transportation: Title 22.1, Chapter 12, and Title 46.2, Code of Virginia; P. L. 103-272 and P.L. 109-20, Federal Code.

A. This appropriation includes $790,280 the first year and $790,503 the second year from the general fund for contractual services related to assisting schools that do not meet the Standards of Accreditation as prescribed by the Board of Education.

B. Notwithstanding the provisions of § 2.2-1502.1, Code of Virginia, the Board of Education, in cooperation with the Department of Planning and Budget, is authorized to invite a school division to participate in the school efficiency review program described in § 2.2-1502.1, Code of Virginia, as a component of a division level academic review pursuant to § 22.1-253.13:3, Code of Virginia. Commencing in FY 2006, when a school division elects to undergo a school efficiency review pursuant to this provision, the school division shall not be charged the 50 percent for the costs of such review commencing with FY 2012. However, a school division shall pay a separate 25 percent of the total costs of such review if the school division's superintendent or superintendent's designee has not certified that at least half of the recommendations have been initiated within 24 months after the completion of the review.

C.1. Out of this appropriation, $150,000 the second year from the general fund is provided to the Department of Education to support implementation of the Opportunity Educational Institution. The Institution shall be established to provide an appropriate education for children attending any public elementary or secondary school that has been transferred to the Institution pursuant to § 22.1-27.2, Code of Virginia. The Institution shall be administered and supervised by the Opportunity Educational Institution Board, as established in § 22.1-27.1, Code

of Virginia. The Board, in administering and supervising the Institution, shall be vested with all of the powers and duties of a local school board that are set forth in the Constitution of Virginia and Code of Virginia. The accounts of the Opportunity Educational Institution shall be audited annually by the Auditor of Public Accounts, or his legally authorized representative.

2. Any school that has been denied accreditation for the previous two school years shall be transferred to the Opportunity Educational Institution.

3. The Board shall supervise and operate schools in the Opportunity Educational Institution in whatever manner that it determines to be most likely to achieve full accreditation for each school in the Institution, including the utilization of charter schools and college partnership laboratory schools.

4. Each school transferred to the Opportunity Educational Institution shall be eligible to return to the local school division upon achieving full accreditation.

5. At the end of each school year, the Board shall make a report to the Governor and the General Assembly and the resident local school division setting forth the status of each school in the Institution, the nature of its faculty and administration, the size of its student body, its organizational and management structure, and the levels of improvement in student academic performance.

6. No later than six months prior to the expiration of a school's fifth year in the Institution, the Board shall decide whether to retain the school in the Institution for a specified number of additional school years or transfer the school back to its previous local school division.

7. Each student enrolled in a school under the supervision of the Institution shall have his proportionate state, local, and federal shares of per pupil funding transferred from the local school division of residence to the Institution. The proportional share of such per pupil funding transferred shall consist of (i) any accounts paid on the basis of student enrollment, including fall membership, March 31 average daily membership, and school-aged population; (ii) the proportionate share of applicable federal aid programs allocated for students and teachers in the Institution, including Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400 et seq.), Title I of the No Child Left Behind Act of 2001 (20 U.S.C. § 6301 et seq.), and the Teacher Training Grant Program pursuant to part A of Title II of the No Child Left Behind Act of 2001 (20 U.S.C. § 6301 et seq.); (iii) the proportionate share of state monies that are allocated under other applicable Direct Aid to Public Education programs and that are not included in subpart (i) of this subsection; (iv) the per pupil required local effort for the Standards of Quality programs; (v) the per pupil required local match for any optional direct aid programs in which the school division participates that are applicable to the enrollment of the Institution; and (vi) any other proportionate share of local funding not included in subparts (iv) and (v) of this subsection that would otherwise be provided for such students enrolled in the school if the school had remained under the supervision of the local school board.

8. The Institution and the local school division of residence shall take all actions necessary to facilitate transfer of funding as prescribed in subsection A on a schedule that is sufficient for the operation of the Institution. For any school under the supervision of the Institution, the Institution shall certify to the applicable local school division of residence the enrollment of any such school on a schedule that is sufficient for the timely transfer of such payments. The Institution shall also be responsible for submitting to the resident school division any data necessary to meet any local, state, and federal reporting requirements.

9. Students enrolled in a school under the supervision of the Institution shall be included in all applicable enrollment counts of the local school division of residence. Such students shall be counted in the required local effort of Standards of Quality programs and any required local match for optional programs applicable to the local school division of residence.