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# VIRGINIA STATE BUDGET

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2022 Special Session I

## Budget Bill - HB29 (Reenrolled)

Bill Order » Office of Education » Item 137

Department of Education, Central Office Operations

### Item 137

First Year - FY2021    Second Year - FY2022

|  | First Year - FY2021 | Second Year - FY2022 |
|--|---------------------|----------------------|
| <b>Instructional Services (18100)</b>                                    | <b>\$32,179,146</b> | <b>\$262,761,801</b> |
| Public Education Instructional Services (18101)                          | \$12,605,662        | \$12,813,662         |
| Program Administration and Assistance for Instructional Services (18102) | \$17,985,714        | \$248,360,369        |
| Adult Education and Literacy (18104)                                     | \$1,587,770         | \$1,587,770          |
| Fund Sources:  |                     |                      |
| General  | \$10,474,990        | \$10,582,990         |
| Special  | \$300,000           | \$300,000            |
| Commonwealth Transportation  | \$279,612           | \$279,612            |
| Trust and Agency   | \$5,000             | \$5,000              |
| Federal Trust  | \$21,119,544        | \$251,594,199        |

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Authority: Public Education Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L.108-447, P.L. 102-305, Federal Code.

Program Administration and Assistance for Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, P.L. 102-305, Federal Code.

Compliance and Monitoring of Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, Federal Code.

Adult Education and Literacy: §§ [2.2-2472](#), [22.1-223-226](#), [22.1-253.13:1](#), [22.1-254.2](#), Code of Virginia; P.L. 105-220, Federal Code.

A. The Superintendent of Public Instruction is encouraged to implement school/community team training.

B. The Superintendent of Public Instruction shall provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices.

C. The Superintendent of Public Instruction, in cooperation with the Commissioner of Social Services, shall encourage local departments of social services and local school divisions to work together to develop cooperative arrangements for the use of school resources, especially computer labs, for the purpose of training Temporary Assistance for Needy Families (TANF) recipients for the workforce.

D. Notwithstanding § 4-1.04 a 3 of this act, the Superintendent of Public Instruction may apply for grant funding to be used by local school divisions consistent with the provisions of Chapter 447, 1999 Acts of Assembly. The

nongeneral fund appropriation for this agency shall be adjusted by the amount of the proceeds of any such grant awards.

E. 1. Out of the appropriations in this item, \$1,300,000 the first year and \$1,300,000 the second year from the general fund is provided to support students and teachers pursuing information technology industry certifications. The funding shall be used to provide outreach, training, instructional resources, industry recognized certification opportunities for teachers and students enrolled in Virginia public high schools and regional career and technical education programs, and information technology curriculum resources for use by students' parents.

2. The funds provided in this initiative shall be used to support the following priority objectives: a) increase the percentage of students enrolled in career and technical education courses who receive instruction in information technology leading to an increased number of students achieving industry recognized certifications in information technology; b) increase the number of high schools and regional career and technical education programs that receive the training and technical support to be ready to implement information technology curricula leading to increased statewide implementation and use; c) increase the number of teachers teaching targeted career and technical education courses and other high school teachers who receive training in information technology and in industry recognized certifications leading to an increased number of teachers achieving industry recognized certifications in information technology; and, d) support implementation of information technology curricula in school divisions in Southside and Southwest Virginia so that implementation in those regions is at least comparable to implementation in other regions of Virginia.

F. Out of the appropriation in this Item, \$413,000 the first year and \$413,000 the second year from the general fund is provided for the Department of Education to continue a professional development program intended to increase the capacity of principals as school leaders in under-performing schools.

G. Out of the appropriation in this Item, \$366,000 the first year and \$366,000 the second year from the general fund is provided to the Department of Education to assist local school divisions, as needed, to establish criteria for the professional development of teachers and principals on the subject of issues related to high-needs students.

H. Out of this appropriation, \$1,450,000 the first year and \$1,750,000 the second year from the general fund is provided for the Virginia Kindergarten Readiness Program.

a. Of this amount, \$1,350,000 the first year and \$1,350,000 the second year from the general fund is provided through the Department of Education to the University of Virginia to continue statewide implementation of the Virginia Kindergarten Readiness Program conducted in the fall, and to develop and implement a post-assessment upon the conclusion of the kindergarten year.

b. The Department of Education shall coordinate with the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that all school divisions shall be required to have their kindergarten students assessed annually during the school year using the multi-dimensional kindergarten readiness assessment model. All school divisions shall be required to have their kindergarten students assessed with such model.

c. Of this amount, \$300,000 the second year shall be allocated to the University of Virginia to support implementation of a pre-kindergarten version of the Virginia Kindergarten Readiness Program for four-year-old children enrolled in publicly-funded pre-kindergarten programs.

d. Of this amount, \$100,000 the first year and \$100,000 the second year from the general fund shall be allocated to University of Virginia's Center for Advanced Study of Teaching and Learning to provide training to school divisions annually on how to effectively use Virginia Kindergarten Readiness Program data to improve instructional practices and student learning. Such teacher focused professional development and training shall be prioritized for the school divisions that would most benefit from state assistance in order to provide more time for classroom instruction and student learning.

e. The Department and the University of Virginia's Center for Advanced Study of Teaching and Learning shall use the results of the multi-dimensional Virginia Kindergarten Readiness Program assessments to determine how well the Virginia Preschool Initiative promotes readiness in all key developmental domains assessed. The Department shall submit such findings using data from the prior year's fall assessment to the Chairmen of House Appropriations and Senate Finance Committees no later than October 1 each year.

I. Out of this appropriation, \$700,000 the first year and \$700,000 the second year from the general fund is provided through the Department of Education to the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that teachers in select Virginia Preschool Initiative classrooms and publicly-funded early childhood programs receive appropriate individualized professional development training from professional development specialists to support quality teacher-child interactions and effective research-based curriculum implementation. Funding and professional development assistance shall be prioritized for teachers with Classroom Assessment Scoring System (CLASS) observation scores that did not meet the statewide minimum acceptable threshold standard established by the University of Virginia's Center for Advanced Study of Teaching and Learning and the Department of Education. The University of Virginia's Center for Advanced Study of Teaching and Learning, assisted on an as needed basis, by the Department of Education, Virginia Early Childhood Foundation, and Elevate Early Education to hire and train specialists to provide such individualized professional development. The University of Virginia's Center for Advanced Study of Teaching and Learning and the Training and Technical Assistance Centers funded by the Individuals with Disabilities Act (IDEA) through the Department of Education shall coordinate to ensure alignment of professional development and supports for teachers of children with special needs. In the event the University of Virginia does not require all funds from this appropriation to provide professional development, unused funds may be reallocated to cover the cost of conducting CLASS observations in publicly-funded classrooms.

J. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund is provided through the Department of Education to the University of Virginia to ensure that select Virginia Preschool Initiative and publicly-funded early childhood programs have the quality of their teacher-child interactions assessed through a rigorous and research-based classroom observational instrument at least once every two years using the CLASS observational instrument for such assessment. The University of Virginia, with input from the Department of Education and the use of its detailed plan for such assessments, has established a statewide minimum acceptable threshold for the quality of teacher-child interactions for Virginia Preschool Initiative classroom programs, and classrooms that are assessed below the threshold receive additional technical assistance from the Department of Education and the University of Virginia. The threshold shall be reviewed and re-affirmed no later than the beginning of the 2021-2022 school year. The University of Virginia's Center for Advanced Study of Teaching and Learning shall submit a progress report on such classroom observations to the Chairmen of House Appropriations and Senate Finance Committees no later than June 30 each year. In the event that the University of Virginia does not require all funds from this appropriation to conduct classroom observations, unused funds may be reallocated to cover the cost of providing professional development to classrooms.

K. The Superintendent of Public Instruction shall convene a work group to develop and establish a plan to transfer the Child Care Development Fund grant from the Virginia Department of Social Services to the Virginia Department of Education no later than July 1, 2021. The work group shall include representatives of (i) the Secretariats of Education and Health and Human Resources; (ii) relevant state agencies, including the Department of Planning and Budget, the Office of the Attorney General, the Department of Education, and the Department of Social Services; (iii) relevant regulatory boards, including the Board of Education; and (iv) the House Committee on Appropriations and the Senate Committee on Finance and Appropriations. The goal of this transfer is to house responsibility of child care and education programs under one agency. The plan shall be submitted to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than August 15, 2020. Such plan shall confirm the funding amounts and positions that need to be transferred between the impacted agencies, and shall identify any savings or additional costs associated with the transfer of these programs. The review shall also assess any potential administrative impacts on the Department of Social Services

and the Department of Education.

L. 1. Out of this appropriation, \$3,055,524 the second year from nongeneral funds shall be transferred to the Department of Social Services to address costs associated with administration of the Child Care and Development Fund.

2. The Department of Social Services and the Department of Education shall ensure that the Temporary Assistance for Needy Families (TANF) Virginia Initiative for Employment and Work (VIEW) mandated child care forecast is funded through a combination of general fund, TANF, and Child Care Development Fund (CCDF) grant dollars. The amount of needed CCDF dollars identified in the Memorandum of Agreement between the agencies shall be transferred from the Department of Education to the Department of Social Services within the first thirty days of the fiscal year. The Department of Social Services shall notify the Department of Education of the required amount of the next fiscal year transfer upon the enrollment of the budget. This amount shall reflect the need identified in the official forecast as well as changes resulting from actions in the final budget.

M. The Department of Education, in collaboration with the Department of Social Services, shall prepare an annual Child Care and Development Fund (CCDF) report that reflects all CCDF expenditures from the previous fiscal year, current grant balances, as well as all anticipated spending for the current and two subsequent fiscal years. Identified spending should, at a minimum, be broken down by subsidies (mandated and discretionary), administrative costs, and quality efforts. In addition, this plan should report, by locality, the number of subsidies (mandated and discretionary) provided, number of providers receiving CCDF dollars, the overall number of child care providers, and the waitlist for services. This information should be provided the previous fiscal year, current fiscal year, and two subsequent fiscal years. The plan shall also include an appendix with the most recently completed CCDF annual report as required by the federal Office of Child Care. The department shall submit the report by October 1 of each year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. In addition, the department shall post this report on its website along with any reports from previous fiscal years.

N. The University of Virginia shall provide financial information for the last five fiscal years related to the Phonological Awareness Literacy Screening (PALS) program to the Department of Education. Such information shall include revenues and expenditures by category, and shall differentiate revenues and expenditures related to the PALS program for the benefit of (i) Virginia public school students and (ii) all other students. The Department shall submit such information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1, 2020.

O. Notwithstanding any other provision of law, the Department of Education shall have temporary authority to make any changes to the Child Care and Development Fund (CCDF) State Plan, request waivers from the federal Office of Child Care, change eligibility criteria for benefits and services, and payment levels for the Child Care Subsidy Program in response to the COVID-19 pandemic and new authorities and funding made available by the federal government to effect those policies necessary to ensure that benefits are available to eligible populations in response to COVID-19. Prior to the implementation of any change, the Department of Education must receive written approval from the Governor. Within 15 days of implementing changes in response to COVID-19, the Department of Education shall send a list of such actions to the Director of the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. The provisions of this paragraph, as well as any actions implemented under its authority, shall be in accordance with the Governor's emergency declaration for COVID-19 and be in effect for the period specified therein following the July 1, 2021, transfer of the CCDF grant from the Virginia Department of Social Services to the Virginia Department of Education.

P. The Department of Education shall conduct a review of Family Life Education in the Commonwealth. Each school division shall report to the Department on whether the division offers Family Life Education; how medical accuracy of the curriculum is determined; whether the curriculum includes instruction on a range of contraceptive

options; whether instruction is provided on sexual orientation and gender identity; whether the curriculum is provided by school division staff or external organizations; and how often Family Life Education is provided. The Department shall also use the Youth Risk Behavior Survey to examine and report on any correlation that may exist between student behavior and the type of Family Life Education offered in the division. The Department shall submit a report by November 1, 2021, to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. The report shall also include best practices for teacher training and parent and community involvement.

Q. The Department of Education shall report on its progress in implementing the recommendations identified in the "Feasibility Study of Developing an Early Childhood Mental Health Consultation Program", as directed by House Joint Resolution 51 (2020), and identify any legislative, regulatory, budgetary, and other actions necessary to implement recommendations in such study. Such progress report shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2021.

R. Out of this appropriation, \$52,458,428 the second year from the federal Child Care and Development Fund is provided to temporarily expand the Child Care Subsidy Program, pursuant to the passage of House Bill 2206 of 2021 Special Session I.

S. Out of this appropriation, \$208,000 the second year from the general fund is provided to integrate Virginia's Career and Technical Education curriculum database and information system into the state's learning management system.

T. The Superintendent of Public Instruction shall convene a workgroup to make recommendations on the desired qualifications and training for school personnel providing health services in schools. The workgroup shall include at least: (i) three local school division representatives, including one superintendent; (ii) two members of a local school board; (iii) school personnel providing health services, including contracted personnel from a local health department, personnel with varying levels of nursing credentials, and personnel without nursing credentials; and (iv) two members of the Board of Education. The recommendations shall be submitted to the General Assembly no later than October 1, 2021. Such recommendations shall detail any necessary legislative or budgetary changes to implement the recommendations.

*U. Notwithstanding 8VAC-20-790, the Department of Education shall not set a limit on the duration of time that families may participate in the Child Care Subsidy Program, subject to available funds.*