



# Legislative Recap

## 2022 Virginia General Assembly

Stacy L. Haney, VSBA Chief Lobbyist  
J.T. Kessler, VSBA Government Relations  
Specialist



[www.vsba.org](http://www.vsba.org)

1



# Passed Legislation

[www.vsba.org](http://www.vsba.org)

2



## Governor's Schools

### **HB 127 (Davis); Va. Code § 22.1-26.2**

- Prohibits any academic year Governor's School or governing board member, director, administrator, or employee thereof from discriminating against any individual or group on the basis of race, sex, color, ethnicity, or national origin in the process of admitting students to such school. The bill requires each local school board that jointly manages and controls a regional academic year Governor's school to collaborate to ensure that each public middle school that is eligible to send students to attend such Governor's school offers coursework, curriculum, and instruction that is comparable in content and in rigor in order to provide each student in each such middle school with the opportunity to gain admission to and excel academically at such Governor's school.

[www.vsba.org](http://www.vsba.org)

3



## School Safety

### **SB 36 (Normen)/HB 4 (Wyatt); Va. Code § 8.01-47, § 22.1-279.3:1, and § 22.1-279.3:3**

- Requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense. The bill provides, as an exception to the requirement to report any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity, that a principal is not required but may report to the local law-enforcement agency any such incident committed by a student who has an individualized education plan.

[www.vsba.org](http://www.vsba.org)

4



## School Safety

### **SB 600 (Pillion)/HB 1129 (Taylor); Va. Code § 22.1-279.8**

- Requires each local school board to require its schools to collaborate with the chief law-enforcement officer of the locality or his designee when conducting required school safety audits. Under current law, the division superintendent is required to make the results of such audits available to the chief law-enforcement officer upon request. The bill also requires that the completed walk-through checklist using the standardized checklist provided by the Virginia Center for School and Campus Safety be made available to the chief law-enforcement officer of the locality or his designee. Current law requires that the completed walk-through checklist be made available to the chief law-enforcement officer or his designee upon request.

[www.vsba.org](http://www.vsba.org)

5



## School Safety

### **HB 741 (Bell); Va. Code § 22.1-279.8**

- Requires each local school board, as part of each annual school safety audit, to create a detailed and accurate floor plan for each public school building in the local school division or certify that the existing floor plan for each such school is sufficiently detailed and accurate but provides that such floor plan may be withheld from public disclosure.

[www.vsba.org](http://www.vsba.org)

6



## School Safety

### **HB 873 (Greenhalgh); Va. Code § 9.1-184, § 22.1-79.4, and § 22.1-280.2:3**

- Requires, in the case of any public elementary or secondary school in which a school resource officer is employed, the threat assessment team for such school to include at least one such school resource officer. The bill requires the chief local law-enforcement officer for any local school division in which a public elementary or secondary school does not employ a school resource officer to designate a law-enforcement officer to receive, either in-person or online, the school safety training for public school personnel conducted by the Virginia Center for School and Campus Safety in accordance with relevant law and requires such officer to serve as the law-enforcement liaison for the school administrator in such a school who has also received such training as prescribed by relevant law.

[www.vsba.org](http://www.vsba.org)

7



## Parental Notification

### **SB 656 (Dunnivant); Va. Code § 22.1-16.8**

- Requires the Department of Education to develop no later than July 31, 2022, model policies and each local school board to adopt no later than January 1, 2023, policies for ensuring parental notification of any instructional material that includes sexually explicit content and include information, guidance, procedures, and standards relating to (i) ensuring parental notification; (ii) directly identifying the specific instructional material and sexually explicit subjects; and (iii) permitting the parent of any student to review instructional material that includes sexually explicit content and provide, as an alternative, nonexplicit instructional material and related academic activities to any student whose parent so requests. The bill provides that the local school board policies shall be consistent with but may be more comprehensive than the model policies developed by the Department. The bill states that the provisions of the bill shall not be construed as requiring or providing for the censoring of books in public elementary and secondary schools.

[www.vsba.org](http://www.vsba.org)

8



## Licensure & Evaluation

### **SB 68(Favola)/ HB 979 (Tran) Va. Code § 22.1.298.1**

- Permits the Board of Education to provide for the issuance of a provisional license, valid for a period not to exceed three years, to any individual who has held within the last five years a valid and officially issued and recognized license or certification to teach issued by an entity outside of the United States but does not meet the requirements for a renewable license if the individual's license or certification to teach has been evaluated and verified by an entity approved by the Department of Education.

[www.vsba.org](http://www.vsba.org)

9



## Licensure & Evaluation

### **HB 829 (Wilt) Va. Code § 22.1.253.13.2**

- Permits school boards to fulfill the staffing ratio requirements for school counselors by (i) employing, under a provisional license issued by the Department of Education for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, any professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling professional with appropriate experience and training, provided that any such individual makes progress toward completing the requirements for full licensure as a school counselor during such period of employment or (ii) in the event that the school board does not receive any application from a licensed school counselor, professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training to fill a school counselor vacancy in the school division, entering into an annual contract with another entity for the provision of school counseling services by a licensed professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training.

[www.vsba.org](http://www.vsba.org)

10



## Licensure & Evaluation

### **SB154 (Locke)/ HB230 (Coyner); Va. Code § 22.1.298.1**

- Requires the Board of Education's licensure regulations to provide for licensure by reciprocity for any spouse of an active duty or reserve member of the Armed Forces of the United States or a member of the Virginia National Guard who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department of Education. Current law requires such regulations to provide for licensure by reciprocity for any spouse of an active duty member of the Armed Forces of the United States or the Commonwealth. The bill requires such an individual to submit an official copy of the military permanent assignment orders of the individual's spouse as part of the complete application packet. The bill requires the Department to determine and communicate such individual's eligibility for licensure by reciprocity within 15 business days of receipt of the complete application packet.

[www.vsba.org](http://www.vsba.org)

11



## FOIA

### **HB 150 (March); Va. Code § 2.2-3707.2**

- Requires, with certain exceptions outlined in the bill, any local public body subject to the provisions of the Virginia Freedom of Information Act to post meeting minutes on its official public government website, if any, within seven working days of final approval of the minutes. The bill provides that if a local public body does not own or maintain an official public government website, it shall make copies of all meeting minutes available no later than seven working days after the conclusion of a meeting at a prominent public location in which meeting notices are regularly posted, at the office of the clerk of the public body, or, in the case of a public body that has no clerk, at the office of the chief administrator.

[www.vsba.org](http://www.vsba.org)

12



## FOIA

### **HB 307 (Freitas); Va. Code § 2.2-3704 & § 2.2-3704.1**

- Except regarding scholastic records requested pursuant to subdivision A 1 of § 2.2-3705.4, provides that a public body subject to the Virginia Freedom of Information Act shall make all reasonable efforts to supply records requested by a citizen at the lowest possible cost. The bill also requires a public body, prior to conducting a search for records, to notify the requester in writing of the public body's right to make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquire of the requester whether he would like to request a cost estimate in advance of the supplying of the requested records.

[www.vsba.org](http://www.vsba.org)

13



## School Meals

### **HB583 (Roem); Va. Code § 22.1-79.7**

- Requires each school board to adopt policies that prohibit the school board or any school board employee from denying a student the opportunity to participate in any extracurricular school activity because the student cannot pay for a meal at school or owes a school meal debt.

[www.vsba.org](http://www.vsba.org)

14



## School Meals

### **HB587 (Roem); Va. Code § 22.1-207.2:2**

- Requires each public elementary or secondary school to process each web-based or paper-based application for student participation in the School Breakfast Program or the National School Lunch Program administered by the U.S. Department of Agriculture within six working days after the date of receipt of the completed application. The foregoing provision of the bill has a delayed effective date of August 1, 2023. The bill requires school divisions that cannot currently comply with such requirement to develop a plan for ensuring compliance by August 1, 2023.

[www.vsba.org](http://www.vsba.org)

15



## SOL Assessments

### **HB 197 (Webert); Va. Code § 22.1-253.13:3**

- Requires the Board of Education, in implementing the through-year growth assessment system for the administration of reading and mathematics assessments in grades three through eight, to seek input and suggestions from each interested local school division in the Commonwealth regarding ways in which the administration of such assessments and the reporting of assessment results can be improved, and shall, to the extent possible, incorporate such input and suggestions into the through-year growth assessment system.

[www.vsba.org](http://www.vsba.org)

16



## Stock Albuterol Inhalers

### **HB 2019 (McQuinn); Va. Code § 8.01-225, § 22.1-274, & § 54.1-3408**

- Requires each local school board to adopt and implement policies for the possession and administration of undesignated stock albuterol inhalers and valved holding chambers in every public school in the local school division, to be administered by any school nurse, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers for any student believed in good faith to be in need of such medication. The bill requires the Department of Education, in conjunction with the Department of Health, to develop and implement policies for the administration of stock albuterol in public schools. The bill has a delayed effective date of January 1, 2022.

[www.vsba.org](http://www.vsba.org)

17



## Students

### **SB 596 (Pillion)/ HB 246 (Kilgore); Va. Code § 22.1-207.7**

- Provides that students who miss a partial or full day of school while participating in 4-H educational programs and activities shall not be counted as absent for the purposes of calculating average daily membership and shall receive course credit in the same manner as they would for a school field trip. The bill directs each local school board to develop policies and procedures for students to make up missed work and may determine the maximum number of school days per academic year that a student may spend participating in 4-H educational programs and activities to not be counted absent.

[www.vsba.org](http://www.vsba.org)

18



## Students

### **HB 1022 (Guzman); Va. Code § 22.1-254**

- Provides that, subject to guidelines established by the Department of Education, any student who is a member of a state-recognized or federally recognized tribal nation that is headquartered in the Commonwealth and who is absent from school to attend such tribal nation's pow wow gathering shall be granted one excused absence per academic year, provided that the parent of such student provides to the student's school advance notice of such absence in the manner required by the school.

[www.vsba.org](http://www.vsba.org)

19



## Curriculum

### **SB 616 (Lucas)/ HB 319 (Coyner); Va. Code § 22.1-1, § 22.1-253.13:1, § 22.1-253.13:2, § 22.1-253.13:5, § 22.1-253.13:6, § 22.1-298.1, § 23.1-902.1, & § 22.1-299.7:1**

- Makes several changes relating to early student literacy, including requiring (i) each education preparation program offered by a public institution of higher education or private institution of higher education or alternative certification program that provides training for any individual seeking initial licensure with an endorsement in a certain area, including as a reading specialist, to demonstrate mastery of science-based reading research and evidence-based literacy instruction, as such terms are defined in the bill; (ii) the literacy assessment required of individuals seeking initial teacher licensure with endorsements in certain areas to include a rigorous test of science-based reading research and evidence-based literacy instruction; (iii) each local school board to establish a divisionwide literacy plan; (iv) each local school board to employ one reading specialist for each 550 students in kindergarten through grade three; and... (Continued)

[www.vsba.org](http://www.vsba.org)

20



## Curriculum

### **SB 616 (Lucas)/ HB 319 (Coyner); Va. Code § 22.1-1, § 22.1-253.13:1, § 22.1-253.13:2, § 22.1-253.13:5, § 22.1-253.13:6, § 22.1-298.1, § 23.1-902.1, & § 22.1-299.7:1...continue**

- (v) each local school board to provide a program of literacy instruction whereby, among other things, (a) the program provides reading intervention services to students in kindergarten through grade three who demonstrate deficiencies based on their individual performance on the Standards of Learning reading assessment or an early literacy screener provided or approved by the Department of Education; (b) a reading specialist, in collaboration with the teacher of any student who receives such reading intervention services, develops, oversees implementation of, and monitors student progress on a student reading plan; and (c) each student who receives such reading intervention services is assessed utilizing either the early literacy screener provided or approved by the Department or the grade-level reading Standards of Learning assessment again at the end of that school year. The provisions of the bill become effective beginning with the 2024–2025 school year.

[www.vsba.org](http://www.vsba.org)

21



## Curriculum

### **HB 418 (Delaney); Va. Code § 22.1-199.1**

- Removes Reading Recovery from the list of programs and initiatives for which school boards may use at-risk add-on funds.

[www.vsba.org](http://www.vsba.org)

22



# Questions?

[www.vsba.org](http://www.vsba.org)