



SREB

Legislative Report

Final legislative and budget actions

Alabama (<http://www.legislature.state.al.us/>)

After indefinitely suspending the regular 2020 legislative session in late March, legislators returned in early May with an agreement to consider only budget bills for 2020-21 and local bills during the remaining, shortened session. Within a week of returning, legislators had approved an Education Trust Fund budget, which supports educational and other programs in the state, as well as a State General Fund budget, which supports non-education government functions. The nearly \$2.4 billion for the latter budget is a 7% increase over the 2019-20 amount.

The Education Trust Fund budget for 2020-21 totals \$7.2 billion, up 1.3%. However, this is a much smaller increase than had been anticipated prior to the onset of the COVID-19 crisis, precluding both large funding increases for programs and a previously proposed teacher salary increase. K-12 funding rises 1.5% to \$4.9 billion, including \$4.4 billion to local boards of education, up 0.4%.

While funding for the state department of education is up 19.8% to \$301.6 million, \$18.6 million of the increase is new funding to implement the Alabama Literacy Act approved by the Legislature in 2019, and \$9.7 million in new funding implements the high needs special education grant program. A further \$5.6 million in new funding is provided for the statewide school safety, security and climate program. The English language learners program receives \$14.2 million, up 92.4%, the Alabama teacher mentor program receives \$4 million, up 33.3%, and funding for the Computer Science For Alabama program doubles to \$2 million.

State colleges and universities receive \$1.2 billion, a 3.1% increase, while the community college system receives \$428.1 million, up 2.7%. Student financial aid programs through the Alabama Commission on Higher Education receive \$19.6 million, a 9.8% increase.

Legislators also approved supplemental appropriations for the 2019-20 fiscal year (unlike most other states, Alabama’s fiscal year begins on October 1). House Bill 190 appropriates \$65.6 million to institutions of higher education, including \$23.3 million for the community college system, as well as \$177 million for K-12 education, including \$2 million for teacher professional development. House Bill 189 appropriates \$14.1 million to the state department of education, which includes \$9.8 million in reading training for educators to support implementation of the Alabama Literacy Act, \$2.7 million for regional math coaches to improve early mathematics instruction, and \$1 million for a marketing campaign for teachers.

On the final day of the regular legislative session, legislators approved Senate Bill 161 to allocate funding under the federal CARES Act to provide COVID-19 relief funding. Included in the allocations is up to \$300 million for technology and infrastructure costs for remote learning.

Arkansas (<https://www.arkleg.state.ar.us/>)

Legislators met in April — under extraordinary social-distancing precautions — for the fiscal session that takes place in even-numbered years. This followed a three-day special session in March held specifically in response to the COVID pandemic. The outcome of the special session was creation of a COVID-19 Rainy Day Fund to offset revenue reductions and meet unanticipated needs due to the crisis.

While the maximum total allocation of state funds for 2020-21 under the Revenue Stabilization Act, as approved by legislators, would total \$5.9 billion, up 2.6% from the prior year, that amount was \$212.2 million above revenue projections. The full allocation may only be released at the discretion of the governor if revenue receipts improve over those projections. The amounts in this summary reflect the maximum possible allocations.

The maximum amount of K-12 funding to school districts is just under \$2.2 billion, up 0.4%, while career education would remain level-funded at just under \$32 million. The Division of Elementary and Secondary Education would receive \$16.3 million, up 0.3%, while funding for the Academic Facilities Partnership Program would remain level at \$41.8 million. Funding for the state’s two technical institutes would total \$5.5 million, up 0.3%.

Public four-year universities would receive \$604.7 million, up 0.9%, while two-year colleges would receive \$117.7 million, up 0.4%. The maximum allocation of \$32.7 million for technical colleges would be a 1.5% decline.

Delaware (<https://legis.delaware.gov/>)

With the passage of a 2020-21 budget, the Delaware General Assembly on June 30 ended a unique session during which, due to the COVID-19 pandemic, legislators only met in person for nine of 43 scheduled days. After three months of no meetings, lawmakers met virtually and approved a \$4.5 billion general fund budget, up 1.6% from the prior year but approximately \$100 million less than the governor’s January proposal. Despite pandemic-related revenue reductions, the governor expressed satisfaction with the budget’s ability to meet his major funding priorities without layoffs or tax increases.

General funds for K-12 education rise 4.6% to \$1.6 billion; of those funds, more than \$1.5 billion is for district and charter school operations, up 4.8%. This includes nearly \$1.6 billion for Wilmington school initiatives, up 2%, \$6.8 million for professional accountability and instructional advancement grants, up 12.7%, and \$46.1 million for the academic excellence grants, up 7.6%.

The opportunity fund, which provides additional state funding for low-income and English language learner students, remains level at \$12.5 million. Funding for early childhood initiatives (\$36.2 million) and for adult education and workforce training (\$8.5 million) also are unchanged from the previous year. While the budget does not include the 2% pay raise for educators and state employees proposed by the governor, it provides \$21.8 million to cover annual salary step increases for state employees, including teachers.

Funding for higher education institutions rises 2.3% to \$252.8 million. The University of Delaware receives \$127.3 million, up 1.6%, and Delaware State University receives \$38.4 million, up 5.1%. Funding for Delaware Technical and Community College rises 2.1% to \$86.7 million. The merit-based SEED scholarship for students at the University of Delaware and Delaware Technical and Community College remains level-funded at \$7 million; the merit-based Inspire program for Delaware State University students receives nearly \$2.5 million, up 11%.

House Bill 250 enacts the recommendations of the Delaware Supreme Court's Jurisdiction Improvement Committee and specifies that the Justice of the Peace Court and Family Court have concurrent jurisdiction over truancy matters. In addition, a school principal is required to attempt to confer with a truant child's parents or guardians regarding the child's lack of attendance prior to filing a truancy court complaint.

Florida (<http://www.leg.state.fl.us/>)

The Florida Legislature completed its regular session in March, meeting the last few days under health safeguards as a result of the coronavirus pandemic, with the passage of a \$34.5 billion general fund budget for 2020-21, up 1.5% from the original prior-year budget. Appropriations for state universities are \$2.8 billion, up 2.5%, and for state colleges are \$1.1 billion, a 1.5% increase.

General funds for early learning total \$569.1 million, a 1.8% increase, which includes \$412.2 million for the statewide voluntary prekindergarten program, up 2.5%. General funds to Florida Education Finance Program formula funding to schools rise 4.4% to \$9.1 billion. This includes a \$500 million teacher salary increase allocation to enact a minimum statewide teacher salary — a priority of the governor — enacted with the passage of House Bill 641 (see below). FEFP funds also include \$100 million for the mental health assistance allocation to school districts, a 33.3% increase. Class size reduction general funding rises 1.2% to nearly \$3 billion. The Gardiner Scholarship Program — for students with disabilities to purchase products or services, including private school tuition, to create an individualized education program — will operate with \$189.9 million, a 28.4% increase.

General funds for the Benacquisto Scholarship Program for National Merit Scholars rise 24.4% to \$26.6 million. While general funding for merit-based Florida Student Assistance Grant awards to students at public institutions is down 3.3% (to \$163 million), lottery funding rises 12% to \$72.3 million. Lottery funding for merit-based Bright Futures scholarships is up 9.5% to \$651.8 million.

Other lottery funding allocations include: \$387.8 million for FEFP (up 9.8%), \$168.2 million to state colleges (up 12%) and \$391.2 million directed to state universities (up 14.2%).

With the passage of House Bill 641, legislators repealed the Best and Brightest bonus programs for teachers and principals. The bill enacts a teacher increase salary allocation within FEFP to assist school districts and charter schools in recruiting and retaining teachers and other instructional personnel, and it requires all districts and charter schools to use the funding to increase the base salary for full-time teachers to at least \$47,500 annually. The bill also removes the limitation of

30 credit hours that may be awarded to a student through the International Baccalaureate, Advanced International Certificate of Education or International General Certificate of Secondary Education programs, and provides increased state funding to school districts for each student who receives a College Board Advanced Placement Capstone Diploma.

The Family Empowerment Scholarship program was established to provide the children of low- and middle-income families with scholarships to attend participating private schools. House Bill 7067 establishes that in awarding scholarships, the priority order is: renewal scholarships for prior-year recipients; students whose family income is no greater than 300% of the federal poverty level and were not able to renew a tax credit scholarship because of the scholarship-funding organization's lack of funds; new applicant students whose family income does not exceed 185% of the federal poverty level, who qualify for certain public assistance programs, or who are or were recently in foster home or out-of-home care; other low-income students who are eligible to enroll in kindergarten; and finally students whose family income does not exceed 300% of the federal poverty level. The legislation specifies that priority for awards under the Tax Credit Scholarship program must be given to students whose family income does not exceed 185% of the federal poverty level or who are in foster care or out-of-home care. The bill additionally provides extra funding allocations to school districts under FEFP for each dual enrollment student who completes a general education core course with a grade of A or better.

Similar to actions in several other states, legislators approved House Bill 115 — the Keep Our Graduates Working Act — to prohibit any state authority from suspending or revoking a professional license, certificate, registration or permit solely due to an individual's delinquency or default on a student loan.

Senate Bill 72 makes several changes to postsecondary education. It makes a Florida Medallion Scholar enrolled in an associate degree program at a Florida College System institution eligible for an award to cover 100% of tuition and fees. It renames the State University System Programs of Excellence as State Universities of Distinction, and for the university system performance-based incentive program it adds two new metrics beginning in 2021-22: two-year graduation rate for transfer students with associate degrees, and the six-year graduation rate for students awarded a Pell Grant in their first year. The legislation also establishes the Florida Institute of Politics at Florida State University and the Adam Smith Center for the Study of Economic Freedom at Florida International University.

Other legislation

HB 171 requires the Board of Governors of the State University System of Florida and the state board of education to create a process for military service members and veterans to earn uniform postsecondary credit at all Florida public colleges and universities for college-level training and education acquired during their military service.

HB 901 requires the state Division of Vocational Rehabilitation to provide preemployment transition services to individuals with disabilities between the ages of 14 and 21 who are eligible for vocational rehabilitation services in a secondary or postsecondary education program and who either have an Individualized Education Plan or meet the federal definition of an individual with a disability.

SB 70, Alyssa's Law, requires each public school starting in 2021-22 to implement a mobile panic alert system capable of connecting and ensuring coordination between multiple first responder agencies.

SB 646 permits an intercollegiate athlete at any public or private college or university in the state to earn compensation for the use of their name, image or likeness and prohibits institutions from unduly restricting an athlete from earning such compensation.

Georgia (<http://www.legis.ga.gov/>)

With the onset of the coronavirus pandemic, the Georgia General Assembly suspended its session in mid-March and reconvened three months later in mid-June to finish out the 40 days of regular session by the end of the month.

The amended 2019-20 budget, House Bill 792, reduced statewide general funds by \$387.9 million (to \$23.3 billion, down 1.6% from the original appropriation) and allocated \$255.7 million from shortfall reserve funds in place of general funds for K-12 Quality Basic Education formula funding to districts and charter schools. Legislators also allocated an additional \$104.2 million in general funds for a midterm adjustment to QBE to reflect an enrollment increase.

In May, reacting to a projected state revenue shortfall due to the pandemic-related economic slowdown, legislators directed all state agencies to prepare budgets that were 14% below 2019-20 appropriations. In June, the governor issued revised instructions directing agencies to prepare budgets that incorporated 11% reductions.

Legislators in late June approved a 2020-21 budget that provides \$22.1 billion in general funds statewide, 5.1% less than the amended prior year amount and down 6.7% from the original 2019-20 amount. General funds for K-12 education are down 8.4% from the amended total and 9.5% from the original amount to \$9.6 billion, of which nearly \$8.5 billion is state QBE formula funding — down 11.8% from the amended amount and 10.6% from the original.

General funds for both the state university system and the technical college system declined 10.2% from the amended budget and 10.8% from the original, to \$2.3 billion and \$333.7 million respectively. General funds to the Student Finance Commission declined 7.5% from the amended budget and 9.3% from the original, to just under \$126 million. Of that amount, \$89.8 million is for dual enrollment; while this is 10.9% less than the prior year, the decrease is largely due to the reduced demand as a result of House Bill 444, the Dual Enrollment Act (see below).

Lottery funds to the Commission are up 8.1% over the amended and 6.1% over the original to \$922.7 million. Of this, \$752.4 million is for HOPE Scholarships at public colleges and universities, up 8.6% and 7%, respectively.

Legislators also allocated federal relief funds provided through the CARES Act — \$411.5 million from the Elementary and Secondary School Emergency Relief Fund to K-12 schools; \$157.6 million to state universities and colleges; \$37.3 million to technical colleges; and \$144.5 million and \$43.2 million to the Department of Early Care and Learning from the CARES Act Child Care and Development Block Grant funds and nutrition funds, respectively.

Legislators in March completed action on House Bill 444, the Dual Enrollment Act (which was continued over from the 2019 legislative session), and the governor signed it in April. It establishes the purposes of dual enrollment in the state (including increasing high school graduation rates and decreasing students' time and cost to degrees or credentials) and restricts courses that are eligible for dual enrollment funding to secondary core courses or career, technical and agricultural education courses that are aligned to the state department of education's career clusters and pathways program. The legislation establishes a 30-semester-hour cap per student for program funding.

In addition, students in grade 10 are restricted to CTAE dual enrollment courses unless they obtain an ACT or SAT score that would meet the requirements to receive a Zell Miller Scholarship; students in grade nine are no longer eligible to receive dual enrollment funding.

To reduce the number of assessments that K-12 students are required to take annually, legislators approved Senate Bill 367. In addition to specifying that a writing performance assessment must be administered to students once in grades nine through 12 (previously, grade 11), it removes the ability for the state board of education to designate additional grade levels beyond those in the statute for such assessments. To maximize classroom instruction time, the legislation requires school systems to administer state-required end-of-grade assessments for grades three through eight within 25 days of the end of the school year. Additionally, the state department of education is permitted to analyze locally implemented assessments and assist districts in eliminating redundant assessments and developing local assessments that are effective and help improve student achievement.

House Bill 86 requires each local education agency to establish, for teachers who have accepted at least their fourth school year contract, a process to allow appeals of performance ratings of Unsatisfactory or Ineffective.

Senate Bill 68 incorporates the same required appeals process as well as measures intended to strengthen the financial management and stability of school systems. It adds reviewing the financial status of the local school system to local board of education duties. The state auditing agency is required to designate as high-risk a local school system that reports financial irregularities or budget deficits for at least three consecutive years; such reporting for one or two (consecutive) years requires the designation of moderate-risk. The system board must approve a corrective plan within 120 days of such a finding while the state department of education is required to provide support and guidance to risk-designated systems.

The legislation requires school district flexibility contracts to include terms for maintaining or, in the case of a risk finding, achieving financial stability. Responsibility for monitoring school systems' progress toward meeting the performance goals in flexibility contracts is shifted from the Governor's Office of Student Achievement to the state department of education, while authority for appointing the Chief Turnaround Officer moves from the state board of education to the governor.

The required annual report on schools that have received unacceptable ratings and the interventions applied to them is now the responsibility of the state's Chief Turnaround Officer (previously, the department); also, GOSA is no longer responsible for grantmaking to schools subject to state interventions or turnaround efforts.

Other legislation

HB 755 requires each school district to annually provide each local charter school with a preliminary calculation of state, local and federal allocations from the district to the charter school in the forthcoming fiscal year.

HB 855 requires the state department of education to provide guidance for school districts to immediately assess whether a newly enrolled foster care student's exposure to trauma has adversely impacted their academic performance or classroom behavior.

SB 430 permits a school system to enroll home and private school students who live in that system's attendance zone in courses at the district's college and career academy if space is available.

SB 431 defines on-time graduation rate, for purposes of teacher performance evaluation, as the graduation rate of a four-year cohort of students that attend school continuously from October 1 for four years and graduate on or before the regular date of graduation.

Kentucky (<https://legislature.ky.gov/>)

The Kentucky General Assembly wrapped up its legislative session in mid-April by passing a single-year budget for 2020-21 — instead of the usual biennial budget — due to the COVID-19 emergency. The legislators plan to approve a budget for the second year of the biennium during the next regular legislative session once more information is available regarding the impact of the pandemic on state revenues.

Legislators approved House Bill 352 to provide statewide general funds of \$11.3 billion for 2020-21, a 2.8% decrease from the revised 2019-20 total. This includes \$781.6 million for the Kentucky Teachers' Retirement System, up 8.6%, and \$125.2 million for the school facilities construction commission, down 3%.

General funds for K-12 education fall 0.4% to \$4.1 billion. SEEK formula funding, however, rises 0.4% to just below \$3 billion, including \$425.6 million (up 1.9%) for teacher benefit expenses. The budget maintains the base SEEK per-pupil guarantee amount at \$4,000 and does not include the pay raises for teachers and state employees that lawmakers had hoped, earlier in the legislative session, to provide.

State-funded postsecondary institutions receive \$853.7 million (down 0.8%) which includes \$171.3 million for the Kentucky Community and Technical College System and \$682.4 million for state universities (down 1.9% and 0.6%, respectively). General funds directed to the Kentucky Higher Education Assistance Authority total \$279.3 million (up 9.9%). Of this amount, Dual Credit Scholarships receive \$13.2 million (up 43.9%); merit-based Kentucky Educational Excellence Scholarships receive \$113.8 million (down 5.5%); Kentucky Tuition Grant program receives \$44.1 million (down 10.35%); the College Access program receives \$87.6 million (down 21.4%); and the Work Ready Kentucky Scholarship program receives \$7.3 million (down 35.6%).

Senate Bill 177, which originally was concerned with beauty services licensure, was amended and enacted as a COVID-19 relief measure for schools, teachers and students affected by school year interruptions due to the outbreak. For the 2019-20 school year, the bill allows school districts to request the use of nontraditional instruction days during the pandemic to meet the required number of instructional days. While the legislation provided options for schools to complete the required 1,062 instructional hours during the school year, it also specified that required hours may be waived through existing provisions that allow waivers in the case of state and local emergencies. School districts are permitted to provide additional emergency leave days for staff due to the COVID-19 health emergency, and principals may award additional educational enhancement opportunity days for students to meet postsecondary enrollment requirements. The Kentucky Department of Education is permitted to waive statewide assessment and accountability system requirements in accordance with federal COVID-19 emergency waivers and is directed to seek waivers regarding the National School Lunch Program and the Individuals with Disabilities Education Act.

The General Assembly passed Senate Bill 193, which requires the state board of education to establish long-term and annual statewide goals for increasing participation in computer science courses

in middle grades and high school by underrepresented groups, including females, minorities, students with disabilities, English language learners, and students whose families are eligible for free or reduced-price lunches. The bill requires the KDE to annually report on the number and percentage of public school students participating in computer science courses and other computer science educational opportunities, the number and nature of courses or programs offered in each school, and the number of computer science instructors at each school.

Relative to school safety, Senate Bill 8 permits local school district superintendents to specify any individual (previously, a district-level school administrator) to serve as the district's school safety coordinator. The measure requires school resource officers to be armed with a firearm and requires each public school district to have at least one school counselor or school-based mental health services provider for every 250 students.

House Bill 312 requires KDE to develop processes to promote the more expeditious enrollment of students in foster care who are transferring to a new school or district, and the sharing of information among schools, school districts, the Cabinet for Health and Family Services, and a child's caseworker. Licensed child-care facilities and child placing agencies are required to collaborate with local school districts to promote educational stability for children under their care.

Other legislation

SB 63 allows a local school district board to establish a virtual high school completion program for district residents age 21 and older who are high school dropouts to complete high school graduation requirements through virtual instruction; a district may charge tuition and fees for such a program.

SB 101 requires the council on postsecondary education to facilitate the implementation of a standardized articulation agreement for each approved high school career pathway under which a student will be awarded postsecondary credit for prior learning at any public college or university.

SB 134 establishes the Optometry Scholarship Program to provide eligible Kentucky students the opportunity to attend an accredited school of optometry to become certified practitioners rendering medical service.

Louisiana (<https://legis.la.gov/>)

The Louisiana Legislature concluded its first extraordinary session at the end of June with the passage of the state's budget for the 2020-21 fiscal year, preserving funding for critical services including health care, education, and workforce development. Despite revenue losses due to the pandemic, the governor and lawmakers protected agencies from deep cuts by using federal CARES Act and state reserve funds. The governor announced \$57 million in pay raises for classified state employees for the 2020-21 fiscal year after he vetoed a legislative effort to direct the funds to state reserves. To cut costs he ordered cabinet agencies to prepare for possible mid-year budget cuts by sequestering at least 10% of their budgets (also recommended to judicial and legislative branches) and issued an executive order to freeze agency hiring.

The Legislature subsequently reconvened in a second extraordinary session called by legislators in late September, adjourning close to a month later in late October, to address the fiscal effects of both the pandemic and Hurricane Laura, which struck in August. This included passage of House Bill 39, which amended the appropriations act approved during the first extraordinary session and provided supplemental appropriations for 2020-21.

House Bill 1 of the first extraordinary session, as modified by House Bill 39, provides statewide general funds of \$9.2 billion for the 2020-21 fiscal year, down 5.8% from the 2019-20 existing operating budget. The Louisiana State Department of Education receives \$3.7 billion in general funds, a 0.1% increase, while statutory dedications are up 6.9% to \$336 million. Minimum Foundation Program state funds are up 1.1% to nearly \$3.9 billion. The K-12 funding includes nearly \$42 million for Student Scholarships for Educational Excellence, \$27.7 million for the LA-4 Pre-K program, and \$11.2 million for the Child Care Assistance Program. State funding for special schools and commissions increases 0.4% to \$47.7 million.

State general funds for higher education decline 9.3% to \$963.5 million, including flat-funding of \$262.4 million for merit-based TOPS scholarships and \$29.4 million for need-based GO Grants (up 3.4%).

Legislators approved House Bill 59 during the first extraordinary session to limit the liability of educational institutions during the COVID-19 public health emergency. Under the bill, public and private schools, school systems, school governing authorities, and postsecondary institutions, systems and governing boards may not be held liable for civil damages due to death or injury as the result of an individual's exposure to or contracting COVID-19. The legislation also requires the State Board of Elementary and Secondary Education (BESE) and state postsecondary institutions' governing boards to adopt emergency rules, informed by Centers for Disease Control and Prevention guidelines, for minimum standards, policies, medical exceptions, and regulations to govern the reopening of schools and institutions for the 2020-21 school year to ensure that students, faculty, staff, and others on school property are protected from COVID-19.

Senate Bill 481 was enacted to provide flexibility from various statutory education requirements as a response to the COVID-19 public health emergency. The legislation waived for the 2019-20 school year required student assessments and the corresponding accountability measures for schools, provisions on minimum required instructional time and teacher work days, and student attendance provisions. Postsecondary system boards were required to adopt policies to minimize negative impacts to students, faculty and employees as a result of the emergency, including online learning, remote work, and refunds of tuition and fees as appropriate. For 2020, the deadline for achieving a qualifying score on the ACT or SAT to earn a TOPS Scholarship was delayed to September 30. Also, for the 2019-20 academic year, the legislation suspended the satisfactory progress and GPA requirements for maintaining TOPS eligibility.

Several pieces of legislation approved during the second extraordinary session were in response to the effects of the continuing pandemic emergency and Hurricane Laura on education. House Bill 80 requires BESE to make allowances in calculating school and district scores under the state accountability system for the 2020-21 school year. BESE also is required to petition the federal department of education for a waiver from federal requirements to issue school and district letter performance grades for 2020-21. Senate Bill 53 prohibits BESE from using student assessment results in 2020-21 to evaluate teacher performance or to make placement decisions for students in grades four or eight.

Legislators approved House Bill 40 during the second extraordinary session in response to the impact of Hurricane Laura. For students entering postsecondary education in 2020 who were enrolled in a school impacted by the hurricane, the deadline for achieving a qualifying score on the ACT or SAT to earn a TOPS Scholarship was delayed to December 31. In addition, for postsecondary students who were enrolled in an institution in an affected parish or whose home was in an affected parish, satisfactory progress and GPA requirements for maintaining TOPS eligibility are waived for 2020-21.

The Legislature also during the second extraordinary session approved Senate Bill 32, which extends the flexibilities under the Louisiana Granting Resources and Autonomy for Diplomas (LA GRAD) Act of 2010 to all public postsecondary institutions with clean financial audit findings (previously, institutions were required to meet agreed-to performance goals). The legislation also removes the act's expiration date and adds an additional flexibility, permitting institutions to roll over unexpended and unobligated funds from one fiscal year to the next.

To promote uniform and equitable access to dual enrollment for all students and in response to the interim recommendations of the Dual Enrollment Framework Task Force (established in 2019), the Legislature approved House Bill 734 which establishes the Dual Enrollment Innovation and Equity Grant. The purpose of the grant is to assist and encourage high schools and public postsecondary education institutions to implement new or conduct existing dual enrollment programs that provide equitable access to all students.

Other legislation

HB 8 permits schools to rehire retired teachers participating in the Teachers' Retirement System of Louisiana as substitute classroom teachers; earnings in such employment must not exceed 25% of the retiree's final average compensation during any fiscal year.

HB 251 reestablishes the Early Childhood Care and Education Commission (which terminated on March 31, 2020) to recommend a vision for the future of early childhood care and education in Louisiana. The commission is required to report its findings and recommendations prior to the 2021 regular legislative session and to report on the status of implementation of its recommendations prior to the 2022 regular legislative session.

HB 676 allows public postsecondary institution boards to prohibit the institutions under their supervision from withholding student transcripts, grades, diplomas and course registration services due to a student's outstanding debt or loan default.

HB 740 prohibits public postsecondary employees or officials from releasing any student's contact or personally identifiable information without written consent; the prohibition does not apply to information required for an employee or official to perform their official duties, or information that is disclosed by court order.

HB 870 delayed the 2020 deadline for achieving a qualifying score on the ACT or SAT to earn a TOPS Scholarship to September 30 and suspended, for the 2019-20 academic year, satisfactory progress and GPA requirements for maintaining TOPS eligibility.

HB 871 establishes a new, uniform definition of dyslexia in state law that applies to previously established requirements for screening of students in grades K-3, as well as requirements for testing students for dyslexia and providing dyslexic students with remediation.

SB 15 of the second extraordinary session requires public schools to provide health insurance to employees on their first day of employment if the school is located in a declared disaster or emergency area and the declaration specifies that there are risks to the health of individuals engaged in activities the employee will perform as part of their job.

SB 78 authorizes the disbursement of funds from Louisiana Student Tuition Assistance and Revenue Trust Program to pay tuition costs at an elementary and secondary school; the total amount disbursed for a beneficiary may not exceed \$10,000 in any tax year.

SB 318 provides eligibility for the TOPS-Tech Award to an individual who is honorably discharged from the United States Armed Forces from a military installation in the state after at least three years of service if that individual obtains a qualifying ACT or SAT score and enrolls at a TOPS-Tech eligible college or university within one year of discharge.

SB 365 requires schools to provide students, when they are developing and reviewing their individual graduation plans, with information from the Louisiana Workforce Commission on high-demand, high-wage jobs.

Maryland (<http://mgaleg.maryland.gov/>)

With the COVID pandemic threat looming, legislators hurriedly completed their work and adjourned in mid-March, more than two weeks ahead of the scheduled conclusion of the 2020 regular session. Legislators had originally intended to meet in a special session in late May but later cancelled those plans. The \$19.6 billion statewide general fund budget for 2020-21 represents a 1.3% increase over the originally approved prior-year budget. Many of the budget items relating to education were unchanged from the governor's budget submitted in January.

State aid to education totals \$6.6 billion, up 3.4%. Included in this amount is \$3.2 billion in Foundation Program formula funding (up 5.9%), \$1.4 billion to support students from low-income families (up 2.5%), \$474.3 million to educate students with disabilities (up 3.1%), and \$348.2 million for students with limited English proficiency (up 11.9%). The \$350.8 million in special funds for grants to help implement the Blueprint for Maryland's Future (see below) represents a 39.8% increase over the prior year.

Funding for state-supported colleges and universities is up 7.1% to over \$1.6 billion; formula funding to community colleges rises 13.7% to \$304.8 million while general funds for community college employee benefits declines 0.9% to \$62.4 million. The merit-based Educational Excellence Awards program receives \$88.1 million, up 2%; however, the last-dollar Maryland Community College Promise Scholarship Program receives \$11.5 million, a 23.3% decline.

A major focus for legislators as they completed the truncated regular session was passage of House Bill 1300, the Blueprint for Maryland's Future — which enacts recommendations of the Maryland Commission on Innovation and Excellence in Education (known as the Kirwan Commission) and is intended to transform the state's K-12 education system so that it is on par with the highest-performing education systems in the world. While the governor vetoed the bill in early May, citing the high costs of implementation in the coming years, legislators are expected to attempt to override the veto when they next convene. Additionally, most of the legislation's provisions would not take effect until 2021-22 and beyond, providing legislators with time to act. The Blueprint for Maryland's Future has five major areas of concern: early childhood education and support for families; support for and increasing diversity among the ranks of educators and education leaders; student readiness for college and careers; providing additional resources for at-risk students; and accountability in the implementation of the Blueprint.

The legislation mandates an expansion in full-day prekindergarten programs for children ages three and four. Beginning in 2021-22, the state's kindergarten readiness assessment would be administered to all incoming students. The legislation would require all school districts to increase salaries, adopt a statewide minimum teacher salary of \$60,000 by July 2026, and require districts to adopt a four-tier career ladder for educators by 2023-24.

The legislation mandates increases in per-pupil funding amounts over an 11-year period for foundation formula funding to schools, special education, English language learners and districts with high numbers of disadvantaged students, and would establish the Concentration of Poverty School Grant program for districts with large percentages of students who qualify for free and reduced-price meals. It would establish an Accountability and Implementation Board to develop an implementation plan for the Blueprint by early 2021 and to monitor districts' success with their local implementation plans, providing or withholding funding based on each district's level of success.

Legislators approved House Bill 1, the Built to Learn Act of 2020, but its enactment is contingent upon House Bill 1300 becoming law; thus, the legislation will not take effect unless legislators override the governor's veto of the latter legislation. House Bill 1 establishes specific amounts of supplemental education funding from the Education Trust Fund, which receives gambling revenues, that would be required in the governor's annually submitted budget; beginning in 2022-23, it would require the entire amount in the fund to be committed to supplemental education funding.

House Bill 277 requires the state department of education to develop guidelines for schools to implement trauma-informed approaches, which will help them identify and appropriately respond to students, teachers and staff who have experienced interpersonal trauma or traumatic stress.

House Bill 415 and Senate Bill 307 modify the last-dollar Community College Promise Scholarship program, specifying that the required minimum 2.3 GPA for a student applies to the student's initial eligibility for an award, but to maintain eligibility while enrolled in community college a student must maintain a minimum GPA of 2.5. The legislation removes program requirements that a recipient commence full-time employment and remain within the state for at least one year after receiving an award, and that the award will convert into a student loan if they fail to meet those requirements. Finally, the legislation requires the Maryland Higher Education Commission to contact each public high school counselor in the state with information on the Promise Scholarship program and post information regarding the program on the commission's website, and also requires each community college in the state to publish Promise Scholarship information on its website.

Senate Bill 446 concerns the disorderly closure of an institution of higher education or a career school in the state, or of a program at an institution or school — defined as the cessation of educational instruction in which the institution did not: give students satisfactory time to complete the program; transition students to another program at the institution; or enter into at least one school-to-school teach-out agreement. Under the legislation, institutions must file close-out agreements with MHEC which state that the institution will make all reasonable efforts to ensure that any closure is not disorderly, and that any financial aid debt agreement with a student is, in the event of a disorderly closure, void and may not be recovered, collected or enforced.

In response to concerns over punitive actions that some public schools have taken toward students with unpaid school meal debt, legislators approved Senate Bill 760, which requires a school to communicate with a student's parents when there is a low balance in the student's meal account and before they accrue a meal debt. Further, the school may neither communicate directly with a student about an unpaid meal debt, or in a manner that humiliates, stigmatizes or embarrasses them, and may not in response to that debt require them to wear an identifying mark, complete chores or tasks, or deny a meal to or discard a meal after serving it to that student.

Other legislation

HB 187 and SB 329 require each public college and university in the state with residential housing or a health center to annually submit, beginning in 2021, an outbreak response plan to the state department of public health.

HB 318 and SB 667 require each public university in the state to display in its online course scheduling which courses provide access to all required course materials through free or low-cost digital materials.

HB 998 and SB 501 require the Maryland Department of Health to convene a stakeholder workgroup to recommend a program within or in addition to the Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants to incentivize medical students to practice in health professional shortage areas and medically underserved areas; the bills also require the state to allocate minimum amounts of funding to the loan repayment program in 2022-23 and beyond.

HB 1029 and SB 224 transfer \$750,000 in funding from grants for pre-apprenticeship, youth apprenticeship and registered apprenticeship jobs training programs to a program to recruit veteran and formerly incarcerated individuals to pre-apprenticeship and registered apprenticeship jobs training programs.

HB 1122 specifies that public colleges and universities in the state are not subject to provisions elsewhere in state law mandating the protection of personal information by state agencies, and instead establishes a set of requirements for the protection of personally identifiable information specific to public institutions of higher education.

HB 1141 requires the Maryland Department of Labor to report annually to the General Assembly on the Apprenticeship Career Training Pilot Program for Formerly Incarcerated Individuals.

SB 294 prohibits a private for-profit institution of higher education or career school in the state (including an online education provider that enrolls state residents) from enrolling new students if, in two out of three consecutive fiscal years preceding or in the two consecutive fiscal years immediately preceding fiscal year 2023, less than 10% of its annual revenue came from a source other than federal funds.

SB 504 establishes, in the office of the state attorney general, a special education ombudsman to serve as a resource for information and support to students, parents and educators regarding special education rights and services.

SB 726 permits a licensed physician assistant to perform the required physical examination for any student entering the state's public school system for the first time.

Mississippi (<http://www.legislature.ms.gov/>)

Due to the health exigencies of the pandemic, including a COVID-19 outbreak among legislators and their staff, as well as the uncertain impact of the pandemic on state revenues, legislators extended the 2020 regular session multiple times, not adjourning until October. Legislators ultimately approved appropriations measures that provide under \$6.3 billion in state funds for 2020-21, a 2% decline from the estimated 2019-20 budget. State funds for K-12 education also declined 2% to \$2.5 billion; however, the \$2.3 billion of that amount provided for Mississippi Adequate Education Program formula funding to schools is a 1.8% increase.

State funds to the Institutions of Higher Learning statewide university system decline 5% to \$676.3 million, including \$351.3 million for general support to universities (down 6.2%) and \$42.1 million for student financial aid (down 4.8%). Community colleges receive \$236.9 million, a 6% decrease.

Legislators determined the allocations of most of the state's \$1.25 billion in federal CARES Act funding, while reserving \$100 million for allocation according to executive directions. The education-related allocations approved by legislators included: \$65 million for the Mississippi Electric Cooperatives Broadband COVID-19 Grant Program and \$10 million for the COVID-19 Broadband Provider Grant Program (Senate Bill 3046); \$129.7 million for Equity in Distance Learning Grants to school districts and \$20 million for schools to provide connectivity devices, service, technical support and professional development (Senate Bill 3044); \$50 million for Mississippi Pandemic Response Broadband Availability Act grants to school districts to expand broadband access into unserved areas (House Bill 1877); and, for the Postsecondary Education COVID-19 Mitigation Relief Program to provide reimbursement for COVID-related expenses, \$50 million to state universities and four-year institutions, \$50 million to community and junior colleges, plus \$10 million for private colleges and universities not otherwise eligible for funding (House Bill 1793).

In response to the strains placed on school district personnel by the pandemic, legislators in March approved House Bill 1647 to permit districts to grant administrative leave with pay in the event of a disaster or emergency that results in a gubernatorial emergency declaration.

In response to the wishes of the governor, the Legislature passed House Bill 1806 to fully fund for 2020-21 the School Recognition Program, which provides performance incentives to outstanding teachers and staff (excluding administrators) in highly productive schools.

The Mississippi Learn to Earn Act, established by House Bill 1336, permits the state board of education to award elective career and technical education credit based on industry certification and state licensure examinations in lieu of state assessments, and allows students to use credit earned through completion of a registered apprenticeship program to satisfy high school graduation requirements. Local boards of education are permitted to develop credit-bearing extended learning opportunities through apprenticeships, pre-apprenticeships and internships for students in grades nine through 12.

Senate Bill 2594 modifies the Equal Opportunity for Students with Special Needs program, which provides special needs students with an education savings account that may be used to defray the costs of private education as well as other educational supplies, materials or fees. It clarifies that the program does not relieve school districts of their federal requirement to identify and provide services to students with disabilities within the district, but stipulates that if the district provides services to a program-participating student enrolled in a private school, the private school must reimburse the district for those services. For acceptable uses of program funding, the legislation specifies that textbooks purchased with program funds must be related to academic coursework, and that they may only be used for postsecondary tuition and fees if they are levied for dual enrollment. Technology devices and software purchased with program funds must be donated to a public school or library once the student is no longer a program participant. Finally, the required biennial program report produced by the Joint Legislative Committee on Performance Evaluation and Expenditure Review must evaluate the program's efficacy and whether it is sufficiently funded, as well as assessing how well schools are meeting the needs of participating students.

Previous law already specified that to be eligible for teacher licensure, a candidate must have, at the time of entrance to a teacher preparation program, either achieved a score of at least 21 on the ACT or a passing score on the Praxis examination. Senate Bill 2511 permits an SAT score equivalent to an ACT score of 21 to meet the eligibility criteria, but specifies that a GPA of 3.0 or higher on undergraduate coursework prior to program entrance also satisfies the eligibility requirements.

Other legislation

HB 1 was enacted in January to provide additional teacher salary funding for the 2019-20 school year.

HB 667 permits the state board of education to delegate any of its powers or duties, as the board deems appropriate, to administrative staff at the state department of education, Mississippi School for the Deaf or the Mississippi School for the Blind.

HB 1577 permits a school district to offer courses on hunter safety for students in grades seven through 12 either as part of its regular curriculum or as an after-school program.

SB 2283 extends the prohibition on conflicts of interest to school district administrators with authority to negotiate school district contracts.

SB 2564, which establishes the Office of Workforce Development within the state department of budget and finance, requires each state agency, department or institution to report any funds received for workforce training or career and technical education, as well as an itemized accounting of how those funds were spent, to the state workforce investment board.

North Carolina (<https://www.ncleg.gov/>)

The General Assembly convened its mid-biennium “short session” in late April, as previously scheduled, but legislators’ immediate concern upon their return was the passage of COVID-19 relief legislation, and they quickly approved and the governor quickly signed two measures: Senate Bill 704, which provides policy relief; and House Bill 1043, the 2020 COVID-19 Recovery Act, which provides emergency relief appropriations. In early September the General Assembly approved, and the governor signed, House Bill 1105, the Coronavirus Relief Act 3.0, which amended some of the allocations in the COVID-19 Recovery act and provided additional new funding.

House Bill 1043 provided \$75 million to the Department of Public Instruction to distribute to public schools for their continued provision of school nutrition services under the National School Lunch and School Breakfast programs through the end of the 2019-20 school year. DPI received \$30 million for public schools to purchase computers and electronic devices for use by students as districts implement distance learning in response to the COVID crisis, with another \$5 million for the purchase of computers and devices for use by educators and school personnel. To improve student internet connectivity by providing community and home internet access points, DPI received \$11 million. To assist public schools in providing remote instruction, DPI received \$1.5 million as well as \$1 million for the installation of extended-reach Wi-Fi devices in school buses, with another \$3 million to help schools provide nondigital instructional materials to students with no or limited home internet connectivity. To protect school information systems, \$4.5 million is provided to establish a state-wide school cybersecurity infrastructure.

For the provision of student health supports in response to the COVID crisis, including counseling, health, mental health, psychologist and social worker services, legislators provided \$10 million to DPI for distribution to districts and charter schools. A further \$70 million was allocated to public schools to provide supplemental summer reading and math intervention and support programs for students in kindergarten through grade four whose learning was negatively impacted by the public health crisis. Legislators also allocated \$15 million to be awarded as grants to public schools to defray the costs of providing extended school year services to students with disabilities during the pandemic crisis.

The 2020 COVID-19 Recovery Act allocates \$25 million to the community college system and \$44.4 million to the state university system to cover institutions' costs associated with moving to online instruction and increased demands on information services, to cover increased costs of providing assistance to staff and students (including counseling services), and to provide for sanitation of and ongoing costs for the operation of institution campuses.

In addition to the more than \$1.4 billion in nonrecurring funds that the Act allocates for 2019-20, it also allocates approximately \$3.5 billion in federal funding under the CARES Act. Relative to education, this amount includes \$95.6 million from the Governor's Emergency Education Relief Fund, \$396.3 million from the Elementary and Secondary School Emergency Relief Fund and \$179.7 million from the Higher Education Emergency Relief Fund.

Programs that received funding under House Bill 1043 and received larger funding allocations under House Bill 1105 include DPI provision of community and home internet access points (\$21 million), funding for private colleges and universities to cover the cost of moving to online instruction and to provide support to students and families impacted by the COVID-19 crisis (\$25 million), purchases of school personnel personal protective equipment to facilitate in-person instruction (\$27 million), and the Extended Learning and Integrated Student Supports Competitive Grant Program to fund independently validated extended learning and integrated student support service programs for at-risk students whose learning has been negatively affected by the COVID-19 crisis (\$22 million).

New funding under the Coronavirus Relief Act 3.0 includes \$5 million, \$13 million and \$5 million to community colleges, public universities, and private colleges and universities, respectively, for personal protective equipment and for COVID testing; \$6.5 million for alternative education option scholarships for K-12 students with disabilities during the pandemic; \$1.1 million to Communities in Schools for personal protective equipment, assistance to K-12 students with remote instruction, nutrition, family support and mental health; \$1 million to New Teacher Support Program for coaching and mentoring at public schools most impacted by COVID; \$1 million for public school online instruction safety management products; \$5 million for the Extra Credit Grant Program to provide family financial support for virtual schooling and childcare costs; and \$35 million for operational grants to licensed childcare providers.

With public school buildings and postsecondary institution campuses across the state closed for the remainder of the 2019-20 academic year, Senate Bill 704 waived a number of education regulations and requirements, including end-of-grade and end-of-course tests, school report cards for 2019-20 and the required determination of low-performing schools, and instructional time requirements in 2019-20 for any school that provided remote instruction. It also waived required school reporting on teacher effectiveness based on Education Value-Added Assessment System data for 2019-20.

Principals were permitted to make grade promotion decisions for students in grade three (in lieu of determinations based on reading assessments), though students in grade four in 2020-21 were required to take a reading assessment within 10 days of the beginning of the school year. For students

in grades three and above in 2020-21, placement into advanced mathematics courses was at the discretion of each student's mathematics teacher in 2019-20, in lieu of placement based on end-of-grade assessments; however, a student who is not placed into an advanced math course may take the assessment to earn placement.

The legislation permitted remote instruction to satisfy instructional time requirements for the 2019-20 school year and required every school district and charter school to develop a remote instruction plan for the 2020-21 school year, including: how to deliver quality instruction to all students, information on training teachers and supporting students and families, plans for training students on instructional technology use during regular instructional days, and plans for at least five remote instruction days during the 2020-21 academic year. The legislation also waived or modified a number of educator preparation program requirements, including: waiving testing and GPA requirements for incoming program participants in the 2020-21 year; providing flexibility for students to be deemed as having completed their clinical internships; and waiving pedagogy assessments for the 2019-20 academic year. In addition, educators, administrators and school professional personnel were provided one-year extensions for meeting their respective licensure requirements.

Relative to postsecondary education, Senate Bill 704 provided eligibility for community college tuition waivers through the end of 2020 for students who were unable to continue participation in apprenticeship or pre-apprenticeship programs. State universities were prohibited from charging interest on any student debts from March 13 to September 15.

To respond to the education impacts of the pandemic, particularly in low-wealth counties, legislators approved House Bill 1071 to provide supplemental funding for increased enrollment (as measured by average daily membership or ADM) in schools. This includes \$75 million from the Civil Penalty and Forfeiture Fund for DPI to fund an increase in ADM in 2020-21, as well as \$22 million from the Coronavirus Relief Fund for the Office of State Budget and Management to fund increased ADM in low-wealth counties in 2020-21.

House Bill 1096 made several changes to provisions governing the University of North Carolina system. The legislation requires the establishment of at least nine university-operated laboratory schools, but an institution may operate more than one such school (previously, the system board of governors was required to designate nine institutions to each operate one laboratory school) and the bill extends the same legal immunities that are provided to university system personnel to laboratory school personnel. The bill also establishes provisions to govern the operation and maintenance of laboratory schools, including standards developed jointly by the board of governors and state board of education. The North Carolina Teaching Fellows program now allows eight institutions (previously five) to participate, and the loan forgiveness amount for program participants is now \$2,200 (previously \$2,000). Other provisions in the legislation include changing the Future Teachers of North Carolina program from high school-based courses to a symposium-based program and requiring the board of governors to conduct a feasibility study of offering accelerated undergraduate degree programs at system universities.

Senate Bill 113 similarly made several changes to K-12 education provisions, including reserving, from funding earmarked for enacting the legislatively mandated statewide digital learning plan, \$1.8 million to obtain software licenses for the competitively selected digital literacy curriculum mandated by the plan. It also specifies that year-round schools may establish a schedule that provides an average of 44 to 46 (previously 45) instructional days followed by an average of 15 to 20 (previously 15) vacation days — however, a year-round school may adopt a calendar that does not meet those requirements if the local board of education determines it is necessary for student health and safety.

While the COVID relief legislation above required districts to schedule five remote instruction days in 2020-21, Senate Bill 113 permits districts to provide additional remote instruction days in accordance with its established plan if needed to ensure the health and safety of students. The legislation also provides private schools with immunity from legal claims arising from COVID-related tuition losses or damages if the school offered remote learning options to complete the academic year.

Senate Bill 681 modified a number of state provisions and programs, including education provisions and programs. It specifies that the North Carolina Career and Technical Education Foundation is the grant administrator for the North Carolina Education and Workforce Innovation Commission's career-tech education initiatives (the Education and Workforce Innovation Program and the Career and Technical Education Grade Expansion Program), requires the state board of education to establish a program of advanced teaching roles and organizational models that links teacher performance and professional growth to salary increases, and requires the state university system to report annually on budgetary policy and regulation adjustments required under the 2019-21 appropriations act. In addition, the state university and community college systems, in collaboration with the Military Credit Advisory Council, are required to create a searchable database of military credit equivalencies.

Other legislation

HB 1050 requires a local administrative unit that has been identified as low-performing to include in its preliminary plan to improve the low-performing schools in its jurisdiction, in addition to the elements already required, strategies and measurable goals for improving early childhood learning.

HB 1079 specifies that the delivery of online instruction or training by a public or private educational institution is an educational service exempt from taxation.

SB 476 requires the state board of education to adopt a school-based mental health policy which requires all public schools to establish a plan to promote student mental health and wellbeing and provides models for a mental health training program and a suicide risk referral protocol.

SB 814 provides \$15 million to fund the NC Promise Tuition Plan, which provides \$500 per semester in-state tuition (\$2,500 out-of-state) at three universities.

SB 816 provides \$41.5 million in nonrecurring funds for enrollment growth at community colleges, and \$1.9 million for supplemental funding to cooperative innovative high schools.

SB 817 provides \$12.7 million in nonrecurring funds for enrollment growth at state universities.

SB 818, in addition to establishing 2020-21 salary schedules for teachers and school principals and allocating \$56.2 million to cover regular salary increases in 2020-21, provided a \$350 one-time bonus to every teacher in October 2020 and encouraged the governor to use funding from the state's federal Governor's Emergency Education Relief Fund allocation to provide one-time \$650 bonuses to all school personnel.

Oklahoma (<http://www.oklegislature.gov/>)

Confronted with a projected shortfall of \$1.4 billion in the then-upcoming fiscal year, legislators in May approved and subsequently overrode gubernatorial vetoes of measures that enact a \$7.7 billion state-funded budget for 2020-21, down 3.5% from 2019-20. The budget includes \$406.2 million in appropriations from reserve funds.

The budget imposes reductions of 4% or more to most agencies and provides just under \$3 billion for K-12 education, a 2.5% decline. Career and technology education receives \$137.5 million, down 3.8%, while the state college and university system receives \$770.4 million, a 3.9% decrease.

The smaller reduction in K-12 education funding was achieved by directing \$180 million from the Rebuilding Oklahoma Access and Driver Safety Fund (House Bill 2743) and \$234.7 million from the Constitutional Reserve Fund (Senate Bill 1921) to the state department of education.

In addition, two measures (House Bills 2741 and 2742) redirected revenues from the teachers' and public safety workers' retirement systems to the department of education from September 1, 2020 through June 30, 2022. Those redirected revenues are projected to total \$112 million in 2020-21.

State law limits the general fund balance that school districts may carry over from one fiscal year into the next (on a sliding scale based on district student enrollment) and imposes penalties on districts that exceed the limit. To provide districts with additional flexibility in the face of pandemic-related economic uncertainties, House Bill 3964 permitted districts, from 2019-20 to 2020-21 only, to carry over general funds in excess of the limits without penalty.

In response to growing concerns over the prevalence of dyslexia and other learning difficulties among students, legislators approved House Bill 2804 to provide dyslexia screening for students in grades K-3 who do not meet grade level reading targets in beginning-of-year assessments. The state board of education is required to adopt policies for such screenings, and districts are required to administer dyslexia screenings to all such students beginning with the 2022-23 school years.

Addressing concerns over the supply of certified teachers, legislators approved Senate Bill 1125 to require the state board of education to grant teaching certificates to teachers who hold valid certificates from out of state; the subject areas and grade levels on a new certificate must match the existing one. Senate Bill 1115 permits the state board to renew for two or more years a teacher's emergency or provisional certificate provided: they complete competency examinations; they submit a portfolio with evidence of progress toward a standard certificate to the state board; and the renewal is requested by the employing school district.

Several measures concerned virtual charter schools. Senate Bill 212 eliminates for statewide virtual charter schools, after the first year of operation, the annual mid-year redetermination of weighted average daily membership and specifies that when that number declines 15% or more from one year to the next, average daily membership is determined based on the first nine weeks of the school year.

House Bill 2905, the Virtual Charter School Reform and Transparency Act of 2020, specifies that a student may only transfer to one virtual charter school per academic year unless they receive permission from their home district and originating virtual charter school for an additional transfer. The state department of education may delay implementation of the act to the 2022-23 school year if it determines that the state does not possess adequate information technology infrastructure to process such student transfers. In addition, the legislation clarifies and increases the number of instructional activities a student must complete each school term to be considered in attendance. While House Bill 3400 requires all public high schools to make a minimum of four Advanced Placement courses available to all students by the 2024-25 school year, it also requires the Statewide Virtual Charter School Board to maintain an online learning platform available to all school districts, with an emphasis on STEM, foreign language and Advanced Placement courses.

Relative to non-virtual charter schools, House Bill 3369 reduces from 5% to 3% the amount of state funds that a charter school sponsor may retain as a fee for services rendered and establishes the Charter School Closure Reimbursement Revolving Fund to reimburse sponsors for costs incurred due to the closure of a charter school.

Other legislation

HB 3398 requires a teacher, school employee or teacher eligible to retire who does not have a state or national criminal history record check to have those checks completed prior to the next renewal of their teaching certificate (for teachers), by July 1, 2022 (for school employees), or whichever comes first (for teachers eligible to retire).

HB 3466 establishes a process for teams of subject matter experts to assist the state textbook committee in reviewing textbooks and instructional materials, and requires the committee to select textbooks that are, to the greatest extent possible, aligned to the subject matter standards adopted by the state board of education.

SB 1198, the Riley Boatwright Act, requires each school district to develop a plan with local emergency medical services providers to provide emergency medical services at athletic events and events held at school facilities.

SB 1436 adds the teacher certification category of comprehensive special education.

SB 1803 creates the Oklahoma Imagination Library Program to encourage preschool-age children to read by providing age-appropriate books at their homes monthly from birth to age five.

South Carolina (<https://www.scstatehouse.gov/>)

With the onset of the coronavirus pandemic emergency in March, legislators adjourned their session, reconvening briefly in April, May and June; legislators completed the session in September. While they had originally intended to complete an appropriations measure for the 2020-21 fiscal year in September, legislators instead opted to maintain state operations under HB 3411, a resolution to continue funding government operations into the 2020-21 fiscal year (which began July 1) at the 2019-20 levels.

In addition to the continuing budgetary authority and the appropriation of \$201.5 million from the 2018-19 Contingency Reserve Fund for COVID-19 response measures, the legislation also authorized the state superintendent of education to exercise emergency powers as a part of the state's COVID response, including waiving testing, assessment and reporting requirements, and granting instructional days to schools based on their provision of distance learning. The superintendent was permitted to encourage districts to use summer reading camps and other tools to keep students on grade level, to carry forward state department of education fund balances, and to transfer any appropriations made to the department to school districts to assist them in adjusting their operations in response to COVID emergency. It also kept the 2019-20 statewide teacher salary schedule in place and suspended annual salary step increases.

Other legislation

HB 3257 requires the state board of education, during its next review of health standards, to revise existing age-appropriate standards and concepts that address mental, emotional and social health.

HCR 3012 expresses the Legislature's belief that schools and districts should use the FCC E-Rate program, which provides discounts on telecommunications services and internet access, to benefit students in schools and districts with higher poverty levels.

Tennessee (<http://www.legislature.state.tn.us/>)

With the onset of the coronavirus outbreak in March, the governor and legislators worked to quickly produce and approve a budget and other legislation, then recessed until June. Upon return, legislators approved a modified version of the 2020-21 budget, which reflects pandemic-related declines in recurring revenues and which used a combination of spending reductions and non-recurring revenues. In addition, legislators approved a measure to collect sales tax from online retailers with annual sales of \$100,000 or more.

State funds for 2020-21 total just under \$19 billion, a 0.5% increase over the originally approved 2019-20 budget. State funding for K-12 education declines 0.2% to \$5.2 billion, though state funds for Basic Education Program formula funding to school districts increases 2.7% to \$5 billion. Revenue declines forced legislators to eliminate a previously planned teacher salary increase. In the revised budget legislators also reduced the amount directed to non-public education choice programs to \$15.4 million, reflecting court orders that have pushed back the implementation of the Tennessee Education Savings Account Pilot Program to at least 2021.

Funding declines for early childhood education (down 0.5% to \$91 million), administrative services at the state department of education (down 24.8% million to \$32.8 million), and career and technical education (down 44.3% to \$9.8 million). The \$2.1 billion in state funds directed to higher education represents a 0.4% decrease; a previously planned salary increase for higher education personnel was also excised from the budget.

Legislators created, with the passage of Senate Bill 1974, the Tennessee commission on education recovery and innovation to explore the immediate and long-term systemic effects of the COVID-19 pandemic and natural disasters of 2020 on the state's systems of education. The commission will recommend strategies to close gaps in education caused by the school closures of 2020 and to modernize the state's education structure (from kindergarten to career) and provide greater flexibility in educational instruction delivery.

House Bill 2818, which originally was concerned with the continued use of schools in the case of losses or natural disasters, was amended and approved as an emergency measure to assist K-12 schools as they respond to the COVID-19 outbreak. It suspended required assessments under the statewide Tennessee Comprehensive Assessment Program for the 2019-20 school year (though districts may choose to administer the tests), and excluded the assessment program measures from being used for teacher evaluations, student final grades, school grades, or identification of priority schools — or assignment of schools to the Achievement School District — under the state's school evaluation and improvement system. The legislation required the state commissioner of education to waive, for the 2019-20 school year, the requirement that school districts provide 180 days of classroom instruction and specified that every district would receive its full share of state funding regardless of whether school operations resumed in 2019-20. The state department of education was required to either seek a waiver from the federal department of education or amend the state's ESSA plan to implement the legislation. The state board of education was required to revise high school graduation requirements for the 2019-20 year so that students were not prevented from earning their diplomas due to school shutdowns in response to the COVID-19 outbreak, and the state board, the Tennessee

Student Assistance Corporation and state colleges and universities were directed to issue emergency rules to protect students from adverse effects due to school closures in the pandemic crisis.

House Bill 2472 was similarly amended to assist in response to the COVID-19 crisis. The legislation permits the Tennessee Student Assistance Corporation to suspend, modify or waive, for a temporary and specified period, any deadlines or nonacademic requirements in law for the financial aid programs that the corporation administers.

Senate Bill 1247 stipulates that low-performing schools that have been placed in the statewide Achievement School District may only return to the school districts from which they were removed according to a transition plan developed by the commissioner of education. The transition plans may not allow a school to return to its originating district earlier than the 2024-25 school year; the plans must be submitted to the education committees of the General Assembly by January 1, 2021.

To aid in the development of new teachers at the local level, legislators approved Senate Bill 1790. The bill allows the state commissioner of education to waive maximum average class size requirements for a school district to assist that district in funding a grow-your-own program, in which the school district (or several districts working together) may partner with an educator preparation program to coordinate the preparation and licensure of teachers, including classroom internships and mentoring within that district for teacher candidates.

State law requires the state board of education to automatically revoke the license of a teacher who is convicted of certain felony crimes, including murder, rape, kidnapping and manufacture or delivery of a controlled substance with the intent to distribute. House Bill 1975 adds to the crimes that require automatic license revocation, including communicating threats regarding school employees, arson, burglary, child abuse, neglect or endangerment, providing handguns to minors, felony offenses against individuals, felony weapons offenses, or placement of the license holder onto the state's sex offender registry.

Previously, the determination of whether a student who has been suspended or expelled from school should be assigned to an alternative school or program was left to the discretion of local boards of education. With the passage of Senate Bill 1755, attendance at an alternative school or program is mandatory for a student in grades seven through 12 who is expelled from school or suspended for more than 10 days. (It is not mandatory for a student who is expelled for committing a zero-tolerance offense; this is subject to the discretion of the local director of schools.) For students in grades one through six, assignment to an alternative school or program is still subject to local discretion or policy. For a student in grades seven through 12 assigned to an alternative school or program, Senate Bill 1755 permits the director to remove the student from the alternative school or program if they determine that the student is not benefitting from it and all interventions have been exhausted unsuccessfully.

Other legislation

HB 736 permits a school district or charter school to provide career-based experiences to high school students, and to establish partnerships with local business and industry to provide those experiences.

HB 1827 requires the state textbook commission to maintain its independence from the department of education and specifies that the department's role in the textbook adoption process is strictly limited to the duties assigned by statute.

HB 2062 allows the governing boards of individual colleges and universities to employ police officers in the same manner that the institutions themselves or system governing boards may.

SB 823 specifies that for purposes of a student receiving the Tennessee HOPE Scholarship, pregnancy is an approved medical or personal leave of absence.

SB 1637 permits a student with an Individualized Education Plan that includes a testing accommodation to use that accommodation for any end-of-course assessments or assessments under the state-wide student assessment program so long as the accommodation does not invalidate the assessment.

SB 1641 prohibits public colleges or universities in the state from requiring a student who has earned an associate degree from a regionally accredited institution to submit a high school transcript or GED certificate.

SB 1962 requires county governments to determine the amount of revenue required to meet the minimum local budget matching requirements of the Basic Education Program formula funding mechanism.

SB 2344 repeals a requirement in law that state colleges of applied tech provide occupational training at a level below the education provided by community colleges and universities.

Virginia (<https://legis.delaware.gov/>)

Legislators approved and sent to the governor a biennial budget for 2020-22 prior to adjourning *sine die* in early March, at the onset of the coronavirus emergency. Due to uncertainties over what effect the pandemic would have on revenues, the governor indicated a need to freeze new expenditures as well as some discretionary spending. In late April, legislators met — under extraordinary health precautions — in the reconvened session, considering and ultimately adopting the governor's recommended budget amendments, which largely withdrew increases in general fund spending until the revenue picture became clear.

The special session convening in August, while also concerned with law enforcement and criminal justice reform efforts as well as continuing the state's pandemic response, permitted the General Assembly to amend the budget in response to much-improved revenue projections. While the amended and enacted 2020-21 statewide general fund budget of \$22.7 billion represents a 0.2% decline over the amended prior year budget, nearly \$9.6 billion of that amount is directed to education — up 10.1%. In the second year of the biennium, statewide general funds are budgeted to rise 2.9% to \$23.4 billion, with education funding rising 2% to \$9.8 billion.

Direct aid to K-12 public education is up 8.3% to \$6.9 billion in 2020-21 and up 4% to \$7.2 billion the following year. In addition, legislators directed \$95.2 million to school districts from the COVID-19 Relief Fund for 2020-21. In both years of the biennium, general funds to state colleges and universities total \$1.6 billion, 13.1% more than in 2019-20. Community colleges received a 17.7% increase in funding, to \$520.3 million, in the first year; in the second it declines 1% to \$515 million.

The State Council of Higher Education for Virginia receives \$115.5 million (up 15.4%) and \$120.3 million (up 4.1%) in each year of the biennium, respectively. Legislators were able to double in both years of the biennium general funds provided to help minimize undergraduate tuition increases, to \$109.5 million and \$50 million. They allocated an additional \$60 million in general funds to public colleges and universities to maintain affordable student access; institutions are directed to use the funds to address the impact of the pandemic, including using them for operations or to provide additional financial aid.

House Bill 1012 and Senate Bill 578 require the state board of education to establish a unified state-wide public-private system for early childhood care and education, administered by the board, the state superintendent and the state department of education, to ensure that children enter kindergarten ready to learn. The system, which will provide coordinated access to families for referral to early childhood education programs, will consist of programs offered through the Virginia Preschool Initiative (a grant program for schools and community-based organizations to provide preschool programs for at-risk children three or four years old), other school-based early childhood education programs, and private providers. The board also is required to establish a uniform quality rating and improvement system for publicly funded early childhood education providers.

Legislators approved several bills relating to student mental health. House Bill 74 and Senate Bill 619 require each local school board to adopt policies requiring all teachers and other relevant school personnel to complete at least one mental health awareness training. House Bill 308 requires the state department of education to distribute to school districts guidelines on providing students with excused absences for mental or behavioral health reasons, while House Bill 753 requires the state board of education to define, and provide to districts guidance standards for, social and emotional learning and development. House Bill 1722 requires the state department of education to publish guidance and resources for the provision of applied behavior analysis to students. House Bill 894 requires educator preparation programs to instruct program participants on positive behavior intervention and supports, crisis intervention and de-escalation, and the use of and alternatives to restraint and seclusion.

Several school safety and student discipline measures were approved by legislators, including House Bill 271 and Senate Bill 170, which require the state Department of Criminal Justice Services to annually collect and report data on incidents involving K-12 students and school resource or security officers. House Bill 1419 and Senate Bill 171 require training for school security officers to include de-escalation techniques, awareness of biases, and how to work with students with disabilities, mental or substance abuse issues, or past trauma. House Bill 1080 prohibits a school board from authorizing any individuals not otherwise expressly authorized in state statute to carry firearms on school property. Previously approved law required schools to enact certain student-to-counselor ratios, based on school level (one full-time per 375 students in elementary grades, per 325 students in middle grades, and per 300 students in high schools), beginning with the 2019-20 school year. House Bill 1508 and Senate Bill 880 move the effective date of that requirement to the 2020-21 school year, but also specify that the required student-to-counselor ratio is one full-time counselor per 325 students in all grades effective with the 2021-22 school year.

Other approved legislation regarding teachers and school staff includes: House Bill 365 and Senate Bill 98, which remove the ability of a school board to extend a teacher's probationary term of service to a fourth or fifth year and also remove the prohibition against a school board from continuing the probationary employment of a teacher who receives a non-satisfactory performance rating; House Bill 376, which requires each school district to report annually on all instructional and support staff vacancies, and requires each education preparation program to report annually on the number of individuals who have completed that program; House Bill 1653, which requires the state department of education to collect data on local districts' ability to fill school counselor positions; and House Bill 836, which requires the state department of education to implement standards for public school teachers to earn micro-credentials.

For any student in prekindergarten through grade 12 who receives literacy or Response to Intervention screening or services, or who is assessed as an at-risk learner, House Bill 410 requires the district

to notify that student's parents. Senate Bill 904 requires SCHEV to establish a statewide coalition of public colleges and universities to share evidence-based teacher preparation methods for effectively educating K-12 students in reading, with an emphasis on using multisensory structured language education to improve reading instruction for students with dyslexia.

Other legislation

HB 104 requires each public institution of higher education to adopt a nonacademic student code of conduct.

HB 145 and SB 161 require the state department of education to provide school districts with model policies for the treatment of transgender students in public schools.

HB 270 requires a school to provide parents with at least 24 hours' notice prior to conducting a lockdown drill.

HB 415 requires school boards to ensure that students serving out-of-school suspensions are able to access and complete graded work during and after any suspension.

HB 457 requires a distance learning provider located outside of Virginia providing instruction to students within the state to either be certified by the state or be a participant in a reciprocity agreement to which the state belongs.

HB 516 and SB 112 allow a student, for purposes of high school graduation requirements, to complete a dual enrollment course or a high-quality work-based learning experience in lieu of the requirement that they complete an AP or IB course or obtain a career-tech credential.

HB 817 requires the state department of education to develop peer-review-based safety and best practice guidelines for the use of digital devices by students in public schools.

HB 837 requires any dress or grooming code adopted by a school board to permit the wearing of ethnically specific or significant head coverings or hairstyles and to prohibit enforcement of the code by an employee either by direct contact with a student or requiring the student to undress in front of anyone else.

HB 975 and SB 910 increase the amount of state funding provided to school districts for staff who provide instruction to students with limited English proficiency.

HB 1275 requires SCHEV to establish the Veteran Student Transition Grant Fund to support new programs or research to improve veteran students' transitions from the military to higher education and the civilian workforce.

HB 1355 establishes an interagency task force to develop a program of community schools in which public elementary and secondary schools serve as centers to provide community services to students and their families based on the needs of the local population.

HB 1613 allows an embedded three-year professional development program to substitute for the nine hours of professional studies required to obtain a technical professional teaching license.

HB 5113 from the special session requires a school district eligible for the USDA Community Eligible Provision due to the number of students eligible for free meals to apply to USDA to participate in the program.

SB 238 requires school districts to enact full-day kindergarten beginning with the 2022-23 school year, requiring at least 990 instructional hours delivered in each academic year.

SB 888 establishes the Commission on School Construction and Modernization to provide school construction and modernization guidance to school districts and funding recommendations to the General Assembly and governor.

SB 5083 from the special session requires each local school board to post on its website the plan and strategies adopted by the board (and which they were required to submit to the state department of education prior to reopening schools) to mitigate the spread and public health risk of COVID-19.

West Virginia (<http://www.wvlegislature.gov/>)

Legislators completed the regular session in early March with the completion of a \$4.6 billion state-wide general fund budget for 2020-21, a 1.2% decrease from the original prior-year budget. While state aid to schools declines slightly (0.2%) to \$1.8 billion, funding for the state department of education is up 8.4% to \$95.2 million. This includes \$5.1 million (up 66.3%) for supplemental funding to districts with enrollment increases; \$4.9 million (up from \$400,000) for the Communities in Schools wrap-around services program; and nearly \$2.1 million for \$500 bonuses to teachers who use less than four sick days during the school year.

General funding to public postsecondary institutions remains level from the prior year — \$64.1 million to community and technical colleges and \$282.2 million to state universities.

While funding to the Council for Community and Technical Education is down 16% to \$15.8 million, this is due to a 29.9% decline (to \$7 million) for the last-dollar West Virginia Invents Grant Program.

House Bill 4804 directs the state department of education, utilizing \$100,000 per year from funds allocated to the statewide professional development support system for beginning teachers, to assist local boards of education in implementing teacher leader frameworks to accomplish the teacher induction and professional growth aspects of the development support system. Under the bill, each teacher leader framework will provide additional compensation to teachers who also perform duties under the framework including induction of, and improving professional practice and furthering professional growth among, new teachers.

To permit school systems to recruit and employ prospective teachers and school professional personnel in critical needs areas, legislators approved House Bill 4691. The legislation permits a local school system to hire prospective teachers and personnel in critical needs positions in advance, during the prime recruiting season for prospective graduates, and to provide one-time financial incentives to them. Senate Bill 623 allows the state superintendent of schools to grant a teaching certificate to noncitizens who are permanent residents or who hold an Employment Authorization Document or work permit issued by the federal Citizenship and Immigration Services agency.

House Bill 4378 permits the state superintendent to limit teaching certificates, issue letters of admonishment to certified teachers, and require specific training for a teacher to retain their certificate. It also permits the state superintendent to issue subpoenas to obtain testimony and documents while investigating anyone licensed by the superintendent. Further, the bill requires a teacher to maintain a professional relationship with students at all times, both in and out of the classroom, and requires the revocation of a teacher's license for at least five years if the teacher has committed any act of sexual abuse of, or engaged in inappropriate sexual conduct with, a student or minor.

The Legislature passed House Bill 4790 to help better prepare students to enter the workforce by providing them with training related to workplace skills and competencies. The legislation requires the state board of education to enact an instructional program in workforce and career preparedness for all students and requires local boards of education to provide, beginning in 2022-23, elective career technical education courses for students in middle grades. Relative to teacher preparation programs, Senate Bill 691 specifies that an alternative teacher preparation program adopted or administered solely by the state board of education is separate from and only subject to the training, licensing and certification requirements for alternative teacher preparation programs in state law if specified in the board's rules for that program.

Two bills relate to student behavior and discipline. Senate Bill 723 requires the state department of education to analyze data on school disciplinary actions against students and to use that data to develop a statewide program that addresses the number of actions taken by school boards against students in grades K-12. Senate Bill 842 requires the state superintendent to establish a Behavior Interventionist Pilot Program in at least two and up to 10 school districts for three years; behavior interventionists are trained to address student behavior to free classroom teachers from having to address such issues in lieu of providing classroom instruction.

To safeguard students' freedom of expression, legislators approved House Bill 4069, which establishes the West Virginia Student Religious Liberties Act. It prohibits public schools from discriminating against parents or students based on their religious viewpoint or expression, and provides that students may express their beliefs about religion in their schoolwork without being either penalized or rewarded for it. The legislation specifies that students are permitted to pray or engage in religious activities before, during and after the school day, and may organize religious groups and activities. It also specifies that the Act may not be used by the state or any political subdivision thereof to require anyone to participate in religious activities or to violate anyone's constitutional rights, and does not limit the authority of public schools to maintain order and discipline or to protect the safety of students, employees or visitors.

Other legislation

HB 3127 permits home school students to participate in secondary school extra-curricular activities and interscholastic athletics.

HB 4022 permits the Chancellor of the Higher Education Policy Commission to simultaneously serve as the Chancellor of the Council for Community and Technical College Education and abolishes the WVHEPC position of Vice Chancellor for State Colleges.

HB 4365 permits state colleges and universities to offer course credit for English as a second language courses and count those credits toward student foreign language credit requirements.

HB 4519 establishes a summer youth intern pilot program within the state department of commerce to provide high school students with opportunities to explore and prepare for high-demand careers and gain work experience.

HB 4729 requires the governing board of each state college and university to establish an educational materials affordability committee to encourage actions that make materials less costly to students; the committees are required to prohibit institution employees from profiteering on educational materials required for their classes.

SB 230 requires the state board of education to provide for routine education in suicide prevention for all teachers, school administrators and service personnel who have contact with students, and requires school administrators to disseminate suicide prevention awareness information to middle grades and high school students.

SB 241 requires the state board of education to propose an alternative method for determining student transportation costs to meet the needs of lower-density districts that cover large geographic areas.

SB 303, the Students' Right-To-Know Act, requires the state superintendent to annually distribute to high schools information on the costs and benefits of postsecondary education programs in the state.

SB 614 requires school districts to prioritize the expenditure of Safe School Fund allocations on the required placement of video cameras in self-contained special education classrooms.

SB 750 requires school districts to develop alternative learning opportunities outside of the classroom setting for elective course credit.

SB 760 allows any state college or university to apply to WVHEPC for exemptions from certain administrative or financial regulations.

SB 839 creates the State Advisory Council on Postsecondary Attainment Goals.

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