



SREB

# Legislative Report

## Final legislative and budget actions

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

The Alabama Legislature adjourned its regular session in early May after debating several topics, including a statewide lottery, Medicaid and prison reform. In April, legislators passed a \$6.3 billion Education Trust Fund budget for 2016-17 (up 5.6 percent over 2015-16), which provides state funds to all levels of education and other programs. The State General Fund budget, which funds all other state activities, increases 5.2 percent to \$1.8 billion.

Elementary and secondary education receive \$4.4 billion (up 4.8 percent), with \$4 billion devoted to the K-12 Foundation Program (up 5 percent). State funds to the state Department of Education increase 4.3 percent to \$205.1 million. Funding to the department includes \$16.4 million for statewide student assessment, up 32.3 percent, \$2.8 million for the English language learners program, up 37.4 percent, and \$1.3 million for arts education, up 62.5 percent. Funding to Advanced Placement under the department increases 19 percent to \$6.3 million.

Support for higher education totals \$1.6 billion, a 4.5 percent increase from 2015-16. Four-year institutions receive \$1.1 billion, up 3 percent. Funds to the two-year college system increase 5.6 percent to \$362.2 million. For in-state undergraduate students at most state universities, tuition and required fees in 2016-17 are up from 1.6 percent to 7.8 percent; two Alabama universities had no increase.

To help shore up state revenues, the governor announced in July a special legislative session, beginning August 15, to consider a statewide lottery. The creation of a lottery requires a constitutional amendment, which first must be approved by at least three-fifths of the members of both the House and Senate, and then by a majority of voters in a subsequent election. According to the governor, a statewide lottery would generate approximately \$225 million annually.

In 2012, the Legislature passed the Alabama Ahead Act to support the installation of wireless internet connections in local school systems and facilitate the transition to electronic instructional materials. Legislators in 2016 approved

House Bill 41, which delays the date of implementation to the 2016-17 school year and removes the requirement for school districts that participate in Alabama Ahead to provide electronic textbooks to students in grades nine through 12. If funding is available, districts may provide: wireless internet for students; upgrades to wireless internet infrastructure; and electronic devices, digital content and other electronic services and support.

House Bill 41 also creates the Alabama Ahead Oversight Committee. The committee evaluates applications submitted to the department by school districts for participation in Alabama Ahead and oversees and administers implementation of the act.

Senate Bill 11 establishes the Jason Flatt Act to combat student suicide. School districts will adopt a policy on student suicide prevention and provide annual training to all certified school employees on suicide awareness and prevention. The state Department of Education will create an advisory committee with stakeholders in mental health and suicide prevention to assist in developing rules regarding school employee training and a list of approved materials. The committee and the department will develop a model policy on suicide prevention for school districts.

## **Other legislation**

HB 121 provides a 4 percent salary increase to teachers, community college employees and other education employees who make less than \$75,000 annually, beginning in 2016-17. Employees who make \$75,000 or more receive a 2 percent pay raise.

HB 168 allows a child who turns six on or before December 31 (previously September 1) to enroll in first grade at a public school.

HB 218 requires schools to teach cursive writing to students by the end of third grade.

SB 90 enacts the Apprenticeship Tax Credit Act of 2016. The act allows an eligible employer from 2017 to 2021 to claim a nonrefundable income tax credit of \$1,000 for each apprentice who is employed for at least seven months. An employer may not exceed five claims a year. The bill caps the credit at \$3 million per year.

SB 215 establishes the Alabama School Bus Safety Act to allow school districts to operate automated school bus violation enforcement programs with assistance from law enforcement agencies.

## ***Arkansas*** (<http://www.arkleg.state.ar.us/>)

Arkansas adjourned its fiscal session in early May following the passage of the Revenue Stabilization Act, which sets financial priorities based on expected revenue. The \$5.3 billion 2016-17 budget, up 2.8 percent over the original 2015-16 budget, provides flat funding to most agencies with small increases to elementary and secondary education, human services and economic development. The rainy day fund receives \$13.8 million, nearly triple the 2015-16 amount.

General funds to the Public School Fund increase 1.1 percent to \$2.2 billion; the increase in funding goes to elementary and secondary schools. Funds to the State Library and the Department of Career Education, administered through the Public School Fund, remain at the 2015-16 levels.

The budget funds postsecondary educational institutions at the 2015-16 level. Four-year institutions receive \$588.1 million in general funds, two-year institutions receive \$111.9 million and technical colleges receive \$33.5 million. The budget also devotes \$40 million, the same amount as in 2015-16, toward higher education grants that provide financial aid to students.

## *Delaware* (<http://legis.delaware.gov/>)

The Legislature concluded its 2016 session with the approval of an overall 2016-17 general fund budget totaling nearly \$4.1 billion, up 4.5 percent over 2015-16. Higher education funding is up 1.9 percent to \$234.4 million, which includes \$120.6 million (up 1.7 percent) for the University of Delaware, \$35.1 million (up 1.6 percent) for Delaware State University and \$78.7 million (up 2.8 percent) for Delaware Technical and Community College.

For 2016-17, tuition for in-state undergraduates at the University of Delaware is up 2.5 percent, while Delaware Technical Community College students saw a 2.9 percent increase. Students at Delaware State University saw no increase.

Funding for elementary and secondary education through the state Department of Education totals nearly \$1.4 billion, a 5.7 percent increase. This includes over \$1.1 billion for school district operations, also up 5.7 percent. Block grants and other pass-through programs receive \$103.9 million, up 9.6 percent, while funding for student transportation is up 3.3 percent to \$91.4 million. The merit-based SEED Scholarship program for students at the University of Delaware and Delaware Technical and Community College (administered through the Department of Education) receives nearly \$5.7 million, a 23.1 percent increase. The merit-based Inspire program for Delaware State University students remains funded at \$1.6 million.

Senate Bill 199 creates a four-tier state teacher licensure system by adding a provisional teacher license tier to the existing three tiers. The one-year provisional license is for teachers in their first year of teaching who have not yet received a passing score on the required performance assessment. A provisional license holder must complete required professional development and mentoring prior to applying for an initial license. The bill requires the state Department of Education to provide, by early 2022, a report to the General Assembly on the impact of the teacher performance assessment on student performance and educator retention over the 2016-17 to 2020-21 school years.

Legislators passed House Bill 234 to require all public secondary schools, including vocational-technical schools but excluding charter schools, to have health clinics that meet state requirements for school-based health centers. The bill requires the state to fund start-up costs for the centers at schools that do not have them.

Following heightened nationwide attention to sexual assaults on college campuses, the Legislature passed House Bill 1, which establishes a statewide sexual assault policy for institutions of higher education. The bill requires any college or university employee who has regular interaction with students in a teaching, mentoring, advising or supervisory capacity to offer assistance in reporting to law enforcement an alleged sexual assault perpetrated against or by a student of that institution within 24 hours of being informed by the victim of the assault. The employee also is required to inform the victim of his or her rights under the law and of available and confidential medical, counseling and advocacy services. The legislation holds institutions accountable for the compliance of their employees with these requirements. It also requires institutions to train employees about the prevalence and nature of sexual assaults on college campuses and the reporting requirements under this bill and federal law.

### **Other legislation**

HB 61 requires the boards of all public school districts, vocational-technical school districts and charter schools to digitally record their public meetings and make the recordings available on the districts' and schools' websites within seven business days.

HB 292 requires schools to post the child abuse and neglect telephone reporting hotline number where it can be viewed by students.

HB 307 waives the \$100 fee for an educator to obtain his or her first educator's license if the applicant graduated from a high school or from a teacher preparation program in Delaware.

SB 180 requires the state Department of Education to assure that an individual with disabilities who has reached 18 years of age has an identified decision-maker to exercise the individual's educational rights under state law. Depending on the individual's capacity, he or she may act as his or her own decision-maker, may appoint an agent, or the individual's individualized education plan team may appoint a representative.

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

The Legislature concluded its session in March and passed a budget for 2016-17 as well as several measures to reduce taxes. Included in the tax measures were a permanent extension of the sales tax exemption on manufacturing equipment, a three-day sales tax holiday in August for school supplies and a reduction in the required millage rate for local property taxes that support education. The Legislature approved \$30.3 billion in general fund appropriations for 2016-17, up 4.3 percent from the 2015-16 budget.

State general funds for K-12 school operations total nearly \$10.6 billion (up 2.3 percent), including \$7.7 billion for the Florida Education Finance Program (FEFP) funding formula (up 2.8 percent) and nearly \$2.9 billion (up 1.2 percent) for class size reduction. The Florida Best and Brightest Teacher Scholarship Program — established in 2015 to provide up to \$10,000 to each teacher who earns a rating of highly effective and whose SAT or ACT score is in the 80th percentile or higher — receives \$49 million, up 11.3 percent. Voluntary prekindergarten receives \$395.2 million in general funds, up 1.5 percent.

General funds for Florida College System (FCS) institutions are up 3.1 percent to \$966.2 million, which includes \$60 million (up 50 percent) for performance funding based on the model approved by the state Board of Education and \$10 million (double the 2015-16 amount) for performance-based incentives to colleges with students who earn industry certifications in certain fields. State universities receive nearly \$2.5 billion, up 4.9 percent, including \$500 million (up 25 percent) for performance-based incentives. General funds for student financial aid decline 11.3 percent to \$81.5 million, but for the National Merit Scholars Incentive Program are up 54.3 percent to \$12.9 million. Tuition and fees for students at state universities did not increase for 2016-17, and the budget did not include a tuition increase at FCS institutions.

While lottery funds are projected to increase 7 percent to nearly \$1.8 billion, allocations to several programs in 2016-17 remain the same as provided in 2015-16, and Bright Futures merit-based scholarships receive \$217.3 million, a 9.4 percent decrease. Total lottery funding amounts for 2016-17 that are greater than the 2015-16 amount include: \$64.9 million for need-based Florida Student Assistance Grants to undergraduate students, up 23.1 percent; \$276.8 million for the FEFP school finance formula, up 26.2 percent; \$88.5 million for school district workforce education, up 11.8 percent; \$273.8 million for FCS, up 11.8 percent; and \$276.1 million for the state university system, up 12.6 percent.

The Legislature made changes to a wide range of education issues, including charter school approval and governance, school choice, alternative methods of awarding course credit to students and performance incentives for state colleges, through House Bill 7029. Under the bill, charter school applications must disclose information regarding all applicants, board members and service providers, including information regarding other charter schools that they operate or that have closed. The bill requires automatic termination

of a charter school's contract after two consecutive grades of F under the statewide school accountability system, permits an approved charter school to defer opening for up to two years to allow facility planning, and requires school districts to provide funding to charter schools monthly or twice-monthly. The legislation also establishes a controlled open enrollment policy that permits parents to enroll their child in any school or charter school in any school district, subject to both school capacity and maximum class size restrictions. The bill also requires each district to create a process to transfer a student from one teacher to another at the request of the parent.

House Bill 7029 requires — even if a student has not completed or enrolled in the particular course — a school district to award course credit to a student who obtains a passing score on the corresponding end-of-course assessment, Advanced Placement examination or College Level Examination Program examination; it also permits districts and charter schools to award course credit for passage of an online content assessment. The bill establishes: the Florida Seal of Biliteracy Program for high school graduates who attain a high level of competency in one or more foreign languages; the Distinguished Florida College System Program to recognize and provide additional funding to the highest-performing FCS institution; and the Florida College System Performance-Based Incentive, which will provide funding to FCS institutions that meet performance metrics adopted by the state Board of Education.

Legislators approved Senate Bill 672 to modify several programs that provide educational options to students. The bill codifies the Students Attired for Education (SAFE) Act, established through the 2015 appropriations act and which provides \$10 per kindergarten through grade eight student to each school district that implements a districtwide standard student attire policy. General funding for the SAFE Act in 2016-17 is up 40 percent to \$14 million. The bill renames the Florida Personal Learning Scholarship Accounts Program (provided for students with disabilities to pay for instructional materials, curriculum, specialized services or assessments) as the Gardiner Scholarship Program and makes numerous changes, including permitting the use of scholarship funds for online instruction or for instruction at independent colleges and universities. The bill allocates general funds totaling \$71.2 million (up 29.5 percent) for the program in 2016-17.

Senate Bill 672 establishes the Florida Postsecondary Comprehensive Transition Program Act, which permits public and private colleges and universities in the state to offer transition programs for college students with intellectual disabilities ages 18 to 26 and establishes a scholarship for students attending those programs; the bill provides \$3 million for program start-up grants in 2016-17 and \$3.5 million for scholarships. The bill also establishes the Florida Center for Students with Unique Abilities at the University of Central Florida, which will coordinate the provision of information on programs and services for students with disabilities to those students and their parents; \$1.5 million is provided for the center's operations in 2016-17.

Also relating to educational choice and students with disabilities, House Bill 837 permits private schools to offer transition-to-work programs for recipients of the McKay scholarship (which allows students with disabilities to use state-provided K-12 education funding to attend private schools) who are 17 to 22 years of age and have not received a high school diploma. Private schools may enter dual enrollment agreements with colleges and universities, and school districts may provide exceptional student services to home schooled students who enroll in public schools solely for the purpose of receiving those services.

Two bills address school leadership. The Legislature established, by passing House Bill 287, the Principal Autonomy Pilot Program Initiative within the state Department of Education to provide principals at participating schools with increased autonomy to operate their schools in ways that significantly improve student achievement and school management. Districts seeking to participate in the initiative must identify three low-rated schools and three principals who have earned performance evaluation ratings of highly effective in



the prior academic year who the district will assign to those schools. Participating principals receive salary supplements of \$10,000 per year. House Bill 719 requires the state Department of Education to establish a process for the approval of competency-based school leader preparation programs offered by school districts and postsecondary institutions that are aligned with state standards for school principal leadership and that allow a school leader to obtain a certificate in educational leadership.

## **Other legislation**

HB 189 permits a teacher who holds a temporary educator certificate to obtain a professional educator certificate without completing a teacher preparation program. The teacher must hold a master's or higher degree in a STEM (science, technology, engineering, math) field, teach a high school course on the subject of that degree, receive a highly effective teacher performance evaluation and achieve a passing score on the Florida Teacher Certificate Examination.

HB 229 requires each school district to review its policies prohibiting bullying and harassment at least every three years and to integrate those policies with a bullying prevention and intervention program.

HB 585 requires each school district to submit to the state Department of Education, at least once every three years, proposed procedures for the provision of special instruction and services for exceptional students. The state Board of Education will establish rules for the provision of instruction to homebound or hospitalized students, including eligibility criteria and procedures for determining a student's eligibility.

HB 793 establishes the Florida Gold Seal CAPE Scholars award for students who are seeking an applied technology postsecondary diploma, a postsecondary technical degree or a career certificate; a recipient who completes a technical degree program may also receive an award to obtain a related bachelor of science or a bachelor of applied science degree.

HB 1365 establishes the five-year Competency-Based Education Pilot Program within the state Department of Education, under which participating schools allow students to progress to higher grade levels based on demonstrated mastery of course content. The program begins in 2016-17.

HB 7019 requires the Board of Governors of the State University System of Florida and the state Board of Education to annually identify strategies to promote college affordability for all Floridians; the bill also allows the Board of Governors and each state college to use innovative pricing techniques and payment options for textbooks and instructional materials.

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

The Georgia Legislature adjourned its legislative session after passing a \$23.7 billion 2016-17 statewide budget, up 2.9 percent over the amended 2015-16 budget, including \$20.4 billion in general funds, up 3.9 percent. Amendments to the 2015-16 budget provided \$1.2 billion in additional state funds. Elementary and secondary education received an additional \$109.9 million for the Quality Basic Education (QBE) funding formula. K-12 schools also received a supplemental \$1.7 million to support information technology services. Funding to the state Move on When Ready dual enrollment program increased by \$20.2 million, while the merit-based HOPE and Zell Miller Scholarships (for top-performing students) received an additional \$30.3 million in lottery funds.

In 2016-17, elementary and secondary education receives \$8.9 billion in general funds, up 6 percent over the amended 2015-16 budget. General funding for the QBE formula increases 6.5 percent to \$8.1 billion. The increase includes \$300 million to offset part of the austerity reductions made during the economic downturn and allow local education authorities the flexibility to end teacher furlough days, increase the number of instructional days and increase teacher salaries. Technology and career education programs receive \$17.5 million, up 2.4 percent.

The budget devotes \$413.4 million in state funds to the Department of Early Care and Learning, up 9.7 percent. The state's prekindergarten program, funded by the state lottery with \$357.8 million (an 11.4 percent increase), receives \$26.2 million to implement a new compensation model, retain lead teachers and increase assistant teacher salaries.

General funds to the University System of Georgia increase 5.9 percent for 2016-17 to \$2.1 billion, while funds to the Technical College System of Georgia increase 3 percent to \$350 million. The Georgia Student Finance Commission, the state agency that administers student financial aid, operates with \$807 million in state funds, up 5 percent. The lottery-funded, merit-based HOPE Scholarship for students who attend public postsecondary institutions receives \$522.5 million, a 5.8 percent increase. The budget funds the HOPE Scholarship for students who attend independent colleges and universities, the HOPE Grant for students who seek a postsecondary diploma or certificate, and the HOPE GED at the 2015-16 levels. General funding to Move on When Ready, the state dual enrollment program, increases 18.7 percent to \$58.3 million. The Board of Regents of the University System of Georgia announced in February that tuition will not increase in 2016-17. Ten of 29 institutions raised some fees that resulted in an average systemwide increase of 0.5 percent.

Senate Bill 364 alters provisions relating to the statewide school personnel evaluation system. The bill reduces the portion of evaluations based on student growth from 50 percent to 30 percent for educators and from 70 percent to 40 percent for principals and assistant principals. Only the scores of students who attended at least 90 percent of course instructional days count in evaluations. Professional growth counts for 20 percent of educator evaluations, and observations count for 50 percent.

In principal and assistant principal evaluations, school climate (the quality and character of school life) must count for 10 percent; other performance data count for 20 percent; and the results of evaluations, observations and standards of practice count for the remaining 30 percent.

Changes to student assessment include decreasing the number of tests elementary and secondary students take and adding a school-readiness assessment for first- and second-grade students that does not factor into teacher evaluations. The bill requires that testing occur as close to the end of the school year or semester as possible by 2017-18.

## **Other legislation**

HB 100 prohibits local schools where enrollment includes at least 5 percent out-of-district students from providing virtual instruction to such students should its College and Career Ready Performance Index fall below the state average. Ninety percent of funds received for out-of-district students must be spent on their virtual instruction.

HB 402 encourages employers to provide work-based learning opportunities to students age 16 and up by offering a reduction in workers' compensation premiums up to 5 percent to employers certified by the state Board of Education as a work-based learning employer.

HB 739 makes optional the state process for reviewing and approving instructional materials. It requires school districts to set up a review and recommendation process for locally approved instructional materials.

HB 801 adds courses in computer science to the list of eligible advanced science courses a high school student may take to gain eligibility for a HOPE Scholarship. For postsecondary students, the Board of Regents will identify a list of STEM (science, technology, engineering, math) college courses leading to employment in high demand fields for which weighted grades will be used to determine HOPE continuing eligibility.

HB 879 establishes a Georgia Seal of Biliteracy, which recognizes high school graduates who attain a high level of proficiency in one or more languages in addition to achieving high proficiency in English language arts courses.

HB 895 establishes financial training requirements for charter school leaders and personnel and prohibits a charter school principal from serving simultaneously as the school's chief financial officer.

### *Kentucky* (<http://www.lrc.ky.gov/>)

The Legislature adjourned on the last possible legislative day after approving House Bill 303, the 2016-18 biennial budget. General funds total \$10.6 billion in 2016-17, up 2.7 percent over the original 2015-16 budget, and rise 2.3 percent in 2017-18 to nearly \$10.9 billion. However, as a result of large general fund increases for state-supported retirement systems, most programs receive reduced or level funding. The Kentucky Retirement Systems, which did not receive general funding in the 2014-16 biennium, receives general funds totaling \$98.2 million in 2016-17 and \$87.6 million in 2017-18. General funds for the Kentucky Teachers' Retirement System increase 160.3 percent to \$779.2 million in 2016-17 and decline 4.4 percent to \$744.8 million in 2017-18.

Statewide general funds for K-12 education rise 0.9 percent to \$4.1 billion in 2016-17, including \$3 billion for SEEK formula funding to schools, also up 0.9 percent. Funding to each decline in 2017-18 by 0.2 percent and 0.4 percent, respectively.

General funds to state-supported postsecondary institutions decline 4 percent to \$879.4 million in 2016-17. While general funds provided directly to those institutions decline another 4 percent to \$844 million in 2017-18, the budget provides \$42.9 million to establish the Postsecondary Education Performance Fund, which will distribute the funds to institutions based on their achievement of legislatively approved performance goals and metrics.

The Kentucky Higher Education Assistance Authority, which administers statewide student financial aid programs, receives \$240.2 million in 2016-17, up 17 percent, and \$245.2 million in 2017-18, up 2.1 percent. This includes \$15.9 million in 2017-18 for the Work Ready Kentucky Scholarship that will provide last-dollar financial aid to permit students to attend Kentucky Community and Technical College System institutions at no cost.

To promote proper postsecondary institutional board stewardship statewide, the Legislature passed House Bill 15, which requires new appointees to the Kentucky Council on Postsecondary Education to complete an orientation and education program. The bill further requires the council, in cooperation with each public university and the Kentucky Community and Technical College System, to develop continuing education programs for the council and for public college and university governing board members.

State law requires schools to provide students with 1,062 hours of instruction during a minimum of 170 school days per school year. For the 2015-16 academic year, House Bill 111 (approved before the year ended)



allowed school districts to add time to instructional days to reach the hourly requirement. Instructional days could not exceed seven hours unless the district received approval from the commissioner of education for an innovative alternative calendar. The bill allowed the commissioner to waive the remaining instructional hours required if, after the commissioner provided scheduling assistance to the school district, he determined the district had maximized instructional time but would be unable to complete the required hours.

## Other legislation

HB 158 provides to students with intellectual disabilities, who enroll in courses as a part of a comprehensive transition and postsecondary program in 2016-17 and beyond, \$500 in financial aid for enrollment in six or more credit hours in an academic term (previously, \$250) and \$250 in financial aid for enrollment in less than six hours in an academic term (previously, \$125).

SB 33 requires each high school to provide CPR training as a part of the health or physical education course required for graduation.

SB 140 authorizes Kentucky's participation in the State Authorization Reciprocity Agreement (SARA), which establishes national standards for interstate online education course and program offerings.

SB 228 defines bullying as it relates to the education process and requires each local board of education, in its code of acceptable behavior and discipline, to prohibit bullying.

SB 296 establishes as a statewide program the Governor's School for Entrepreneurs, a learning program for high school students to develop innovative products and services. Legislators appropriated \$200,200 in each year of the budget for the program.

## *Louisiana* (<http://www.legis.la.gov/>)

Facing the largest budget shortfall in Louisiana history, the governor called two special sessions, one before the regular session and one after, to close estimated budget gaps through revenue measures and spending reductions — the estimated gaps were \$940 million for the fiscal year that ended June 30 and \$2.2 billion for 2016-17. In the first special session and into the regular session, legislators addressed the 2015-16 shortfall and the majority of the 2016-17 budget gap. The remaining shortfall for 2016-17 was addressed during the second special session.

To help balance the 2015-16 budget, two sets of reductions were taken — one in November of 2015 (\$23 million) and one in March of 2016 (\$90 million). During the first special session, the Legislature raised an estimated \$1.2 billion in new revenues, the largest parts of which were a temporary increase in the state sales tax, the suspension of a number of sales tax exemptions, and increases in cigarette and alcohol taxes. In the second special session, legislators passed several additional measures, which then allowed them to make some supplemental budget allocations following the adoption of the 2016-17 budget in the regular session.

The state-funded operating budget (general funds and statutory dedications) in the general appropriations bill totals \$11.7 billion, an increase percent of 5.3 percent over the 2015-16 budget as of December, which included the November reductions but not those taken in March. K-12 education receives nearly 3.9 billion in state funds for 2016-17, down 0.5 percent from the 2015-16 budget as of December. Funding for the Minimum Foundation Program formula, from general and statutory dedicated funds, totals \$3.6 billion, a decrease of 0.8 percent. The budget supports the Student Scholarships for Educational Excellence

Program with \$40.1 million, down 4.5 percent. These scholarships provide financial assistance to allow low-income students in low-performing public schools to attend a school of their choice by covering either the amount of tuition charged by the private school or 90 percent of the total state and local funding per student in his or her home district, whichever is less.

General funds and statutory dedications for postsecondary education decrease 7.5 percent to \$1.1 billion. House Bill 842 consolidates, under the Louisiana Board of Regents, the boards of the Louisiana Office of Student Financial Assistance and the Louisiana Universities Marine Consortium for Research and Education. Funds budgeted to those institutions transfer to the Board of Regents budget.

While the budget provides merit-based TOPS scholarships with \$209.4 million in state funds, the anticipated need to fully cover scholarships in 2016-17 was \$297 million. This amount compares to the \$265.2 million in state funds available in 2015-16; in addition, postsecondary institutions covered about \$28 million of the cost to fully fund the awards.

The Legislature passed several bills making changes to the state TOPS program. Senate Bill 174 freezes all TOPS award amounts at the 2016-17 level, unless the Legislature specifically approves an increase. Senate Bill 329 increases the GPA requirement from 3.0 to 3.25 for TOPS Performance Awards and from 3.0 to 3.5 for Honors Awards for students graduating in the 2020-21 year or after. Senate Bill 470 requires the Louisiana Office of Student Financial Assistance to equally prorate award amounts to qualifying recipients in the event of insufficient funds.

Senate Bill 432 requires that the state-controlled Recovery School District return every school under its control to its local school system by July 1, 2018. Schools may, under certain circumstances, postpone their return until July 1, 2019 at the latest. Local school superintendents and the superintendent of the Recovery School District will form an advisory committee to develop a plan for the transfer of schools from the Recovery School District schools to local school districts.

After the transfer, each charter school will continue to operate as its own local education agency and will retain control over personnel, curriculum and other decisions. The term of a charter school's contract, following its transfer to local school board oversight, will be equal to the time remaining on its contract with the Recovery School District.

Each local school board is required to establish a district-level funding process to provide Minimum Foundation Program formula funds to charter schools and a common enrollment system in which all schools will participate. House Bill 562 permits certain school districts (those where more than 50 percent of public schools are charter schools and where the district uses a single application and enrollment process) to assign students to particular charter schools based on the mission of the school, parental preference and other factors.

Also related to charter schools, Senate Bill 260 removes the authority of local charter authorizers — groups certified by the state Board of Elementary and Secondary Education (BESE) to enter into charters — so that only local school boards and BESE have the authority to authorize charter schools.

Senate Bill 80 proposes a constitutional amendment that would give the management boards of the four state public postsecondary education systems the authority to establish tuition and mandatory fee amounts charged to students without legislative approval. The proposed amendment will appear on the ballot in 2016. House Bill 989 removes specific language for all institutions relative to how tuition and fees for out-of-state students are set. Previously, all state colleges and universities (except for historically black colleges and

universities) had to charge tuition and fees to nonresident students at least equal to the average charged to nonresidents in other member SREB states.

In 2010, the Legislature passed Act 54 to establish the framework for a new educator and administrator evaluation system, which the state implemented in 2012-13. Senate Bill 477 reduces the weight of the value added portion of the evaluations from 50 to 35 percent, with the remaining 15 percent of evaluations based on other measures of growth in student achievement.

### **Other legislation**

HB 217 allows BESE to certify each educational leader who is eligible for employment as a supervisor, director or coordinator of special education in a public school system.

HB 361 permits the state Department of Education to fine in an amount of no more than \$1,000 per day (previously at least \$1,000 per day) an early learning center for knowingly operating without a valid license.

HB 887 establishes a pilot residential public school with an independent board of directors to serve at-risk students in grades six through 12.

HB 899 lowers the maximum amount of local revenues the Orleans Parish School Board may withhold from transfer to the Recovery School District from \$6 million to \$3 million.

HB 940 requires the state university system management boards to ensure that student identification cards comply with voter identification requirements and that the cards have an expiration date of four years after issuance or the student's anticipated graduation date, whichever comes first.

SB 262 requires BESE to collect statewide assessment data in 2016-17. However, BESE will not require use of assessment results in educator evaluations or in student grade placement decisions for fourth- and eighth-grade students. The bill also continues the freeze on changes to school and district letter grades, which remain at the 2012-13 level except for schools or districts that improve their performance.

SB 275 requires each public school to introduce cursive instruction by the third grade and to incorporate cursive writing into the curriculum in grades four through 12.

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

The General Assembly completed its work on the state budget two weeks prior to the end of the session, permitting work on other legislative priorities, including criminal justice reform, police accountability, a system to prioritize funding for certain transportation projects, additional provisions to prohibit wage discrimination and assistance to impoverished areas. Legislators approved a \$17.2 billion statewide general fund budget for 2016-17, up 4.9 percent over the originally approved budget for 2015-16.

State-supported colleges and universities receive nearly \$1.4 billion in general funds, up 7 percent. State aid to community colleges is up 4.9 percent to \$251 million, while state funding for community college employee benefits totals \$63.3 million, up 7.6 percent. State aid to nonpublic colleges is up 18.7 percent to \$50.8 million. General funds for the need-based Educational Excellence Awards program are up 2.4 percent to \$80 million. Tuition and required fees are up from 1.4 percent to 8.3 percent for in-state undergraduates at University System of Maryland institutions in 2016-17.

General funded state aid for primary and secondary education is up 0.6 percent to just less than \$6 billion, which includes \$2.7 billion in Foundation Program formula funds, a 1.1 percent increase. Also included in aid to education is \$434.9 million (up 2.2 percent) to educate students with disabilities, \$227.2 million (up 4.6 percent) for Limited English Proficient students and \$270.9 million (up 1.7 percent) for student transportation.

The 1.3 percent increase in state education aid for innovative programs, to \$8.1 million, provides \$104,000 in grants for operation of the two Education Pathways in Technology (P-TECH) schools in 2016-17. P-TECH schools offer a six-year program that integrates high school and two-year postsecondary education with workplace skills in STEM (science, technology, engineering, math) fields. Senate Bill 376 establishes P-TECH schools in the state; legislators included \$600,000 in the amended 2015-16 budget to provide planning grants for six P-TECH schools.

A tax increment financing (TIF) district encourages development in a defined geographic area by reinvesting the increased property tax revenues that result from development toward further development in that area. In 2015-16, state education aid provided to certain low-wealth areas of the state declined due to TIF development districts located in those areas. In response, the General Assembly approved House Bill 285, which in 2017-18 and 2018-19, provides grants of additional state education aid to low-income school districts that approve TIF development districts after May 1, 2016, in order to offset the reduced aid amount. Grants are provided to counties that receive disparity grant funding from the state, which is provided to counties with per-capita income tax revenues that are less than 75 percent of the state average.

To help high school students from low-income families pre-qualify for Guaranteed Access Grants and receive mentoring and guidance services, the General Assembly previously established the College Readiness Outreach Program. However, the program has neither received any funding nor provided any services. House Bill 1403 renames the program as the Next Generation Scholars of Maryland Program and requires the governor, beginning in 2017-18, to include \$5 million in the state budget annually for Next Generation Scholars of Maryland grants to nonprofit organizations. Services provided to each student under the program by nonprofit organizations must include plans for graduating from high school and college, internship opportunities, financial aid assistance, mentorship and counseling, and a summer bridge program for students entering postsecondary education directly from high school.

House Bill 1402 requires the Maryland State Department of Education (MSDE) to develop a comprehensive plan for extended day or summer enhancement programs by December 1, 2016, in consultation with the state Department of Natural Resources. School systems and nonprofit organizations may apply for grants from MSDE to create or expand extended day and summer enhancement programs or for schools to establish new educational or recreational partnerships with nonprofit organizations. Beginning in 2017-18, the governor must include \$7.5 million in the state budget annually for the program.

Reflecting broad concerns over the increasing cost of attaining a college education, the General Assembly passed House Bill 1014 and Senate Bill 676, establishing the College Affordability Act of 2016. Under the act, a taxpayer may accept a \$250 state contribution to a student's qualified tuition plan account in lieu of an income tax deduction and may apply for a tax credit of up to \$5,000 if he or she incurred at least \$20,000 in undergraduate student loan debt and has at least \$5,000 in debt outstanding. To encourage students receiving state aid to complete their studies on-time, the act requires state institutions of higher education to prorate, in students' third and fourth academic years, the award amounts of Educational Excellence Awards and Guaranteed Access Grants provided to students who completed 24 or more academic credits in the prior year but did not complete 30 credits.

## Other legislation

HB 72 requires the state Board of Education to develop and all county boards of education and nonpublic schools to implement an age-appropriate sexual assault and abuse awareness and prevention program.

HB 85 requires a school to provide the parents of a child with a disability with written information for contacting early intervention and special education family support services staff members within the local school system; the bill also requires the information to be provided in the parent's native language.

HB 365 includes social media communications in the definition of bullying and requires the state Board of Education to update the model policy prohibiting bullying, harassment or intimidation in schools by September 1, 2016.

HB 657 and SB 794 require MSDE and school boards to limit the administration of the kindergarten readiness assessment to a representative sample of students within each school system.

HB 668 and SB 584 require the governor to appropriate matching funds to which the state committed when applying for an expansion grant through the federal Preschool Development Grant Program in any fiscal year the state receives grant funds.

HB 999 and SB 905 establish the Commission on Innovation and Excellence in Education, which will provide recommendations, based on the statutorily required study of the adequacy of state education funding, on how to prepare students for postsecondary education and for meeting the needs of the state workforce and the global economy.

SB 493 establishes the Teacher Induction, Retention, and Advancement Pilot Program for first-year teachers.

SB 823 extends the date (to December 30, 2016) by which the Task Force to Study the Implementation of a Dyslexia Education Program must submit its findings and recommendations and adds a requirement that the task force determine the services provided by successful dyslexia education programs in other states and the cost of those programs.

SB 910 establishes the Maryland Education Development Collaborative to study, recommend and promote policies that support learning, socioeconomic and demographic diversity in public schools and reducing achievement gaps in schools.

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

Legislators completed the regular session in April after approving appropriations for 2016-17 and measures to lower taxes in coming years, including a 10-year phase out of the corporate franchise tax and a five-year phase out of state taxes on the first \$5,000 of an individual's income. While state funds are up 1.5 percent to less than \$6.4 billion, including general funds of nearly \$5.8 billion (up 1.4 percent), Senate Bill 2362 moved funding for several state agencies from special funds to the state general fund, which absorbed the increased statewide funding levels.

Legislators appropriated \$2.5 billion in state funds for K-12 education in 2016-17, down 1.2 percent. These funds include general funds totaling nearly \$2.3 billion, a decrease of roughly \$1 million. State funds include more than \$2.2 billion (no increase) for Mississippi Adequate Education Program formula funding; though general funds are up 0.5 percent to just over \$2 billion, other state funds are down. Statewide programs



through the state Department of Education receive \$161.9 million in state funds, down 5.8 percent, including nearly \$112 million in general funds, down 9.5 percent. State funds for vocational and technical education decline 0.1 percent to \$81 million, including \$76.1 million in general funds, down 0.2 percent.

State support to universities totals \$405.7 million, down 3 percent, including general funds totaling \$338.4 million, down 3.9 percent. State funds for financial aid to university students, comprised entirely of general funds, total \$38.8 million, up 2.4 percent. Community colleges receive \$264.7 million in state funds, down 1.7 percent, including a 1.1 percent decrease to general funds, to \$218.6 million. Tuition and fees in 2016-17 for in-state undergraduate students are up from 2.5 to 5 percent at state universities. Community college tuition and fees increase at most institutions, from 1.6 percent to 16.1 percent; two Mississippi colleges did not impose an increase.

In April, the governor announced expenditure reductions and allocated stabilization funds to cover a general fund revenue shortfall for 2015-16. The 0.43 percent budget reduction did not apply to vocational and technical education or to student financial aid. The \$10 million allocated by the governor from the stabilization fund was the second such allocation of the fiscal year; he previously ordered the transfer of \$35.2 million from the stabilization fund to the general fund in January.

With the passage of House Bill 989, the Legislature created the statewide Mississippi Achievement School District, which is intended to transform persistently low-performing public schools and school districts into quality educational institutions. Schools or districts that receive an F rating in two consecutive school years or during two out of three consecutive years may be transferred to the achievement district. The state Board of Education (BOE) will determine which schools and districts are transferred to the district. In determining which schools and districts are eligible for transfer, the BOE may not consider school ratings from prior to the 2015-16 academic year. The BOE may revert a transferred school or district back to local governance once it has attained an accountability rating of C or better for five consecutive years. It also will select an individual to serve as superintendent of the Mississippi Achievement School District.

Teachers who obtain National Board Certification are provided with a \$6,000 annual salary supplement. House Bill 207 provides, subject to the availability of funds, an additional \$4,000 salary supplement to National Board Certified teachers who provide instruction in certain counties.

Legislators passed Senate Bill 2064 to establish the Distance Learning Collaborative Act, which establishes a grant program at the state Department of Education to improve distance learning services, primarily in rural areas. The department will award grants for distance learning collaborative organizations to acquire equipment, instructional programming, technical assistance and instruction or to cover the cost of tuition and fees for participating students. The program begins with the 2016-17 school year, subject to appropriation by the Legislature, which may choose to implement the program in phases.

In 2013, legislators established the Mississippi Charter Schools Act. Previously, only students assigned to the school district where a charter school is established were eligible to attend that school. With the passage of Senate Bill 2161, any student who resides in a school district that has received a C, D or F rating under the state educational accountability system may enroll in a charter school established under the act. The bill also specifies that each charter school that serves grades nine through 12 must ensure that its graduation requirements meet or exceed those set by the state Department of Education for a regular high school diploma.

Currently, some school district superintendents are elected. With the passage of Senate Bill 2438, all district superintendents must be appointed by the respective local school board by the beginning of 2019.

## Other legislation

HB 928 requires the state superintendent of public education to annually prepare a report on the number of students arrested for unlawful activity that occurred on school property or during a school-related activity.

SB 2157 specifies that the intensive instruction and intervention provided to K-3 students who exhibit substantial deficiency in reading must be documented in an individual reading plan. Beginning in 2018-19, the bill prohibits a school from promoting to grade four a student whose reading deficiency is not remedied by the end of grade three.

SB 2160 permits the state Department of Education to award a high school diploma to an individual who withdrew from high school prior to graduation if he or she completed all requisite graduation coursework and obtains a passing score on an assessment reasonably comparable to the assessments that would have qualified him or her for graduation at the time he or she completed the coursework. The state Department of Education is authorized to determine or develop a comparable assessment for this purpose.

SB 2388 specifies that schools and districts that participate in the reading intervention program for low-performing districts and schools must agree to involve the school or district leadership team as directed by the department, and that the department may include preschool programs in such intervention programs. Participating schools are selected by the state Department of Education.

## *North Carolina* (<http://www.ncleg.net/>)

Meeting in their mid-biennium legislative session, the General Assembly amended the second year of the 2015-17 biennial budget, providing an additional \$402 million in general funds for 2016-17. The \$22.3 billion total is up 1.8 percent from the originally approved amount and up 2.8 percent from 2015-16.

General funds for K-12 education to the Department of Public Instruction total \$8.7 billion, up 3.7 from the originally approved amount and up 2.5 percent from 2015-16. The budget provides \$190.9 million for teacher salary increases of 4.7 percent on average, \$29.4 million for administrator and school district employee salary increases of 1.5 percent, and \$25.8 million for one-time bonuses to administrators and district employees.

Legislators established, through proviso language in the budget (House Bill 1030), a \$10 million, two-year pilot program to provide bonuses to the top 25 percent of reading teachers in grade three, as determined by teachers' student growth index scores on the Education Value-Added Assessment System. Proviso language also establishes a three-year pilot program for local school districts to allow teachers to assume advanced teaching roles and earn salary increases based on teacher performance and professional growth; the budget provides \$1.1 million for the first year of the program. The budget provides an additional \$10 million in nonrecurring funds for schools to purchase textbooks and digital materials (bringing funds available to \$71.5 million), and \$4.7 million in new funding to help implement the North Carolina Digital Learning Plan, which helps guide K-12 schools through the transition to digital learning.

Other K-12 education provisions in the budget include: a two-year pilot program that provides a \$50 bonus to Advance Placement or International Baccalaureate teachers for each of their students who pass the respective exams, up to \$2,000 per teacher per school year; an extension of the modified school performance grade scale currently in effect through 2018-19; and a five-year pilot program for up to five local school districts or groups of districts to establish alternative teacher preparation models in which lateral-entry teachers obtain full licensure.

General funds to universities in 2016-17 total \$2.9 billion, up 6.3 from the originally approved amount and up 3.8 percent over 2015-16. This includes nearly \$42 million for 1.5 percent salary increases to faculty and staff and another \$13.9 million for a one-time bonus of 0.5 percent of each employee's salary. Language in the budget requires the University of North Carolina (UNC) system to adopt a plan to improve baccalaureate degree completion rates that includes specific target rates for each institution. The plan will take effect in 2017-18. Budget language also directs the Board of Governors to require eight UNC institutions with educator preparation programs to establish laboratory schools. These schools will serve kindergarten through grade eight students in school districts where 25 percent or more of schools have been designated as low-performing.

Community colleges receive just under \$1.1 billion, a 2.8 percent increase from the original amount and up 2.5 percent over 2015-16. Legislators provided \$17 million for salary increases and another \$17 million for a one-time bonus for community college employees.

Reflecting a nationwide concern over the privacy of students' online data, legislators approved House Bill 632. The bill prohibits an individual or organization that provides an online educational service or application from using information about students obtained through the service or application to engage in advertising or to create profiles of those students for non-educational purposes. Providers may not disclose any student information to third parties, except for certain legal and educational purposes. A provider is only permitted to rent or sell student information to national assessment providers who have received written parental consent for the purpose of providing access to financial aid and postsecondary education opportunities. The bill requires all application and service providers to implement security procedures and practices and to protect student information from unauthorized access or use.

With the passage of House Bill 1080, the General Assembly approved the creation of a statewide Achievement School District (ASD) under the administration of the state Board of Education. The Board is permitted to select, on the recommendation of the ASD superintendent, up to five elementary schools for transfer to the school district, which will supervise, manage and operate the five schools. Schools eligible for transfer to ASD are elementary schools that received school performance scores in the bottom 5 percent of all schools in the prior year, have been designated for consideration by their local boards of education and did not meet their student performance growth targets in at least one of the last three years. Schools transferred to the ASD remain under its supervision for at least five years.

## **Other legislation**

HB 242 requires a charter school authorizer to review each charter school's operations once prior to the expiration of the school's charter; previously, state law required this review at least once every five years.

HB 561 requires the Program Evaluation Division of the General Assembly to study the process of resolving education funding disputes between local boards of education and boards of county commissioners, and to provide findings and recommendations to the Joint Legislative Program Evaluation Oversight Committee by May 1, 2017.

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

Prior to the 2016 regular legislative session, the director of the Office of Management and Enterprise Services declared two revenue failures for 2015-16, which occur when collections to the state general revenue fund fall below 95 percent of the revenue projections previously certified by the State Board of Equalization. A revenue failure requires cuts to state-appropriated agencies in equal proportion, resulting in an approximate

7 percent cut to all agencies in 2015-16. Supplemental funding to K-12 education and prisons provided a combined \$78 million from the state rainy day fund to provide some relief against the cuts.

The Legislature adjourned its regular session on the last possible day after passing a \$6.8 billion spending plan for 2016-17, a 5.3 percent decrease from the original 2015-16 budget. Legislators closed a \$1.3 billion budget deficit through a combination of spending cuts to agencies, fee increases, tax credit reductions and one-time revenues, including the issuance of \$200 million in transportation bonds.

Funding to elementary and secondary education decreases 2.4 percent in 2016-17 to \$2.4 billion. The Department of Career and Technology Education receives \$118.2 million (down 11.6 percent), and the Arts Council receives \$2.9 million (down 17.5 percent). The budget funds the Office of Educational Quality and Accountability with \$1.7 million, down 8.9 percent. Postsecondary education funding in 2016-17 decreases 16.9 percent from the original 2015-16 budget to \$810 million.

Tuition and fees for in-state undergraduate students in 2016-17 is up 7 percent at state research universities and up an average of 8.6 percent at regional universities and community colleges.

House Bill 2957 makes changes to the Teacher and Leader Effectiveness Evaluation system, including allowing school districts to discontinue using the quantitative portion of evaluations — though they may continue their use with approval from the state Board of Education and at the expense of the local district. The state Department of Education will work with districts in 2016-17 to develop individualized professional development programs for the evaluation system. Districts will implement the system by 2017-18 and use it for evaluations of teachers and administrators in 2018-19.

House Bill 3218 repeals the state-mandated assessment system and end-of-course instruction tests, directing the state Board of Education to adopt a new system of statewide, standards-aligned student assessments by December 31, 2016, to take effect in 2017-18. At minimum, the new assessments must include: assessments in English language arts and math in grades three through eight and at least once in grades nine through 12; assessments in science at least once in grades three through five, six through nine and 10 through 12; and an assessment in U.S. history at least once during high school.

The bill also authorizes the state Board of Education to develop new graduation requirements, subject to legislative approval. Schools will include the highest-achieved score on each assessment on student transcripts. The bill requires the state Board of Education to continue to administer assessments by non-electronic means, should it implement an electronic assessment delivery system, and to provide school districts choice in their method of assessment delivery.

House Bill 2720 makes several changes and clarifications about how districts may convert an existing school into a conversion school — a previously traditional public school granted any or all of the flexibilities and accountability measures of a charter school. Unlike charter schools, however, funding and student enrollment occur in the same manner as a traditional public school, and conversion schools remain under the management of the school district. District boards of education, the only entities able to approve or disapprove the creation of a conversion school, must prepare a conversion plan complying with relevant statutes and with the Oklahoma Open Records Act. The district may revert a conversion school to a traditional public school but only during summer breaks between school years.

House Bill 3114 creates the Empowering Teachers to Lead Act. The act establishes a framework with teacher career pathways and leadership roles, each with its own requirements, through which teachers progress in the following order: initial teacher, career teacher, model teacher, mentor teacher and leader teacher. The bill also sets compensation requirements for each role. Districts may apply to the state Department of

Education to implement the framework or a comparable system. Districts may also apply for a planning grant to design and implement a framework, subject to the availability of funds.

In addition to provisions in House Bill 3218 mentioned above, the Legislature passed several bills to alter high school graduation requirements and recognize graduates with special achievements. Senate Bill 1380 lowers the number of required arts credits from two credits to one and modifies the description of laboratory sciences. In lieu of the college preparatory work ready curriculum competencies required of high school students, statute permits students who receive written approval from a parent or legal guardian to enroll in the state's alternate core curriculum. Students under the alternate curriculum must take a computer science course. Senate Bill 1105 allows students who failed to meet graduation requirements to re-enroll in the school district to complete the requirements. It exempts such students from hourly instructional requirements and the requirement that students enroll in six periods. Senate Bill 1269 directs the state Board of Education to develop, with stakeholders, college and career endorsements that provide distinction to high school graduates who satisfy curriculum requirements as determined by the state Board of Education and in categories determined by the Board, including STEM (science, technology, engineering, math) and public services.

### **Other legislation**

HB 2404 directs the state Board of Education to develop exceptions to the maximum age that a child may attend early childhood education programs.

HB 2535 allows public (including, magnet, charter and virtual schools) and private schools to enter into agreements with private or public organizations beginning in 2017-18 to create apprenticeship, internship, or mentorship programs for high school juniors and seniors.

HB 2544 permits a school district to enact an extended-day schedule without state Board of Education approval and removes restrictions on which grades may use an extended day schedule.

HB 2614 allows a public school to refuse to provide educational services in a regular school setting to a student removed from another school for using electronic communications with the intent of harassing, intimidating, threatening or bullying faculty or students.

HB 2946 allows the state Board of Education to certify individuals who hold an out-of-country teaching certificate and who meet the other requirements set by the state Board of Education, or those who successfully complete a competency exam.

HB 2967 permits a school district to enter into a contract with a student teacher for the coming fiscal year as long as the student teacher obtains a valid teaching certificate by the first day of school. The district may also provide a stipend or signing bonus to the student teacher, conditional upon the completion of the first year of the contract.

HB 3025 expands eligibility for individuals pursuing a standard teaching certificate through an alternative placement program to include individuals who successfully complete a terminal degree from a postsecondary institution or have a bachelor's degree and qualified work experience.

HB 3102 raises the yearly limit on classroom teaching hours for adjunct teachers from 90 to 270 hours.

SB 1038 creates the Teaching Certification Scholarship Program under the Office of Educational Quality and Accountability to provide scholarships toward the costs of competency exams to qualifying teacher candidates. Recipients must teach at an accredited Oklahoma school for a minimum of one year.



SB 1431 allows persistently low-performing schools to implement a locally developed, evidence-based intervention model. If a school continues to need improvement after four years, the local school board must seek assistance from the state Department of Education to create a state support plan. After two years of implementing the state support plan, should the school make insufficient gains, the state Board of Education may take control of the school.

### *South Carolina* (<http://www.scstatehouse.gov/>)

Legislators adjourned the regular session in early June after approving a \$7.6 billion general fund budget, up 9.9 percent from the adopted 2015-16 budget. K-12 education funding is up 10.5 percent to nearly \$2.9 billion, of which nearly \$2.7 billion (up 10.1 percent) is provided as aid to school districts. Included in the aid to school districts is \$1.7 billion in basic Education Finance Act formula funding, up 11.6 percent, with level funding for reading coaches (\$29.5 million) and summer reading camps (\$6 million).

Education Improvement Act (EIA) funding, derived from an earmarked 1 percent sales tax, is projected to rise 10.1 percent to \$751.6 million. The projected increase permitted legislators to direct \$81.1 million, a 16.6 percent increase, to the statewide Public Charter School District and to double EIA funding for reading coaches to \$9.9 million. In 2016-17, the rural teacher recruitment initiative receives \$9.7 million from the EIA, up from \$1.5 million in 2015-16. EIA teacher salary support increases 18.2 percent to \$150.8 million.

General funds to state universities increase 6.3 percent to \$388.7 million, while comprehensive and technical education receives \$140.5 million, up 6 percent. While the budget discontinues general fund support for the statewide merit-based LIFE, Palmetto Fellows and HOPE scholarship programs, available lottery funding in 2016-17 is projected to rise 32.5 percent over the originally estimated 2015-16 amount to \$418.7 million. As such, lottery funds in 2016-17 for LIFE Scholarships rise 1.8 percent over combined general and lottery funds in 2015-16 to \$199.8 million. Lottery funds during the same period for Palmetto Fellows Scholarships rise 4.5 percent over combined funds to \$49.3 million, and HOPE Scholarships lottery funds rise 8.6 percent over combined funds to \$9.6 million.

Other lottery-funded programs include the state Department of Education's K-12 Technology Initiative (up 26.2 percent to \$23.8 million), need-based student financial aid (up 27.3 percent to \$49.3 million) and tuition assistance to students at two-year institutions (up 7.8 percent to \$51.1 million).

To assist school districts with low annual accountability ratings or with low percentages of students meeting state standards, the Legislature approved House Bill 4939, which requires the state Department of Education to develop a system to provide technical assistance to school districts, including assistance with academics and finances. The bill requires the state superintendent of education to report, beginning in 2017, on the system's progress in improving student academic achievement and high school graduation rates. In addition, the state Department of Education must monitor and recommend changes and improvements to the professional development of teachers, staff and administrators in under-performing districts as well as changes to improve the operational efficiency and effectiveness of the boards of those districts. House Bill 4940 directs the state Department of Education to provide technical assistance to under-performing schools and districts through its Office of Transformation.

### **Other legislation**

HB 3265 requires each high school to provide each student with instruction in cardiopulmonary resuscitation at least once during grades nine through 12.

HB 3560 moves from April 15th to the first of May the date by which each school district must notify a teacher concerning his or her continued employment for the following school year. The bill also allows a school district's board of trustees, when a teacher they have dismissed exercises his or her right to an evidentiary hearing, to hire a licensed attorney to conduct the hearing.

HB 3848 requires the state Board of Education and the Education Oversight Committee to include in the required study of the United States Constitution under the South Carolina Social Studies Standards, at a minimum, the Federalist Papers and instruction on the structure of government, federal separation of powers and the freedoms guaranteed under the Bill of Rights.

HJR 4632, passed early in the session, required all public high schools to offer a state-funded college entrance assessment to each student entering the 11th grade for the first time in the 2015-16 school year, in both paper and electronic format.

HJR 5024 requires the state Department of Education to provide to all K-3 literacy coaches and teachers training on dyslexia and related reading disorders, the use of screening tools to detect these disorders, and instructional methods and interventions designed for students with these disorders.

SB 933 removes the December 31, 2015 deadline by which a person who failed to receive a high school diploma — solely for failing to meet the graduation exam requirements — must file his or her petition to a local school board to receive a diploma.

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

The Tennessee General Assembly adjourned in late April, legalizing fantasy sports gambling and allowing grocery stores to sell wine. The Legislature passed a \$14.6 billion general fund budget for 2016-17, up 4.6 percent over 2015-16.

Elementary and secondary education receive \$4.8 billion in 2016-17, a 5.7 percent increase. Funding to the Basic Education Program formula increases 5.7 percent to \$4.8 billion. The amount includes \$104.6 million devoted to increasing teacher salaries and \$15 million for technology, double the amount devoted in 2015-16. Early childhood education receives \$92.2 million, up 1.1 percent. The budget devotes \$6.9 million to the Division of College, Career and Technical Education, a 14.3 percent decrease in funding.

Funding to postsecondary education totals \$1.7 billion, a 6.9 percent increase. The Tennessee Higher Education Commission, which coordinates postsecondary education, receives nearly \$4 million, a 23.3 percent increase. The approved budget increases funding to the University of Tennessee System by 4.9 percent to \$532.2 million. The Tennessee Board of Regents system, encompassing the state's community colleges, technical schools, and six four-year universities, receives \$746.7 million, a 9 percent increase.

Currently, the Tennessee Board of Regents exercises governance and control over the six universities within the state university and community college system. The passage of House Bill 2578, the Focus on College and University Success Act, transfers the governance and management of those universities to newly created boards of trustees at each institution. Each board will approve an operating budget and will set fiscal policy for its respective institution, but the Board of Regents will have final authority over each university's operating budget. The bill sets a transition period from July 1, 2016, to November 30, 2017, and requires the Board of Regents and six new institutional boards to cooperate to ensure a successful and aligned postsecondary system.

House Bill 1879 enacts the Course Access Program Act, which allows a K-12 student to enroll in courses provided by other public schools or entities authorized by the state Department of Education beginning in 2017-18 if their school does not offer the particular curriculum. The act requires the state Department of Education to maintain an online course catalog. Students may enroll in two courses per year at no cost, but must pay for additional courses. Courses available through the program must be rigorous and aligned to the state academic standards and must include an assessment for determining student growth and achievement.

House Bill 1905 directs the state Board of Education to revise the social studies standards adopted in 2013. The revised standards may not promote religion. The use of religion in textbooks or any other student materials or standards must be for educational purposes only. Each local education agency will establish a policy on the use of religion in educational materials. Additionally, teacher training institutions will provide candidates with instruction on what is constitutionally permissible when teaching religious content and how to handle the material in a neutral and objective manner.

### **Other legislation**

HB 1755 allows high school students to satisfy the fine arts graduation requirement by completing a computer science course beginning in 2016-17.

HB 2117 makes changes to the Community College Reconnect Grant program, which provides scholarships to adults returning to community college to complete an associate degree in applied science. Changes include removing the requirement that the degree be in applied science and altering how Tennessee Student Assistance Corporation distributes the grants.

HB 2573 renames the Postsecondary Education Act of 1974 the Tennessee Higher Education Authorization Act of 2016 and makes various changes to the act, including an expedited avenue to institutional authorization. It also directs the executive director of Tennessee Higher Education Commission to examine the commission's regulatory function, after which THEC must adopt policies reflecting the results.

HB 2635 requires the state Department of Education to provide a screening process to identify characteristics of dyslexia and to create a dyslexia advisory council to advise the Department. Students in kindergarten through grade two must be screened annually and a student's parent or guardian, teacher, counselor or school psychologist may request a screening at any time.

SB 299 authorizes state participation in the State Authorization Reciprocity Agreement (SARA), which establishes national standards for interstate online education courses and programs.

SB 300 requires the state Board of Education to develop an A-F school grading system to be implemented by the 2017-18 academic year. The state Department of Education will include each grade on the school's state report card.

SB 1144 requires the state Department of Education to list schools on the state priority lists by county and within each county from most to least successful. The state Department of Education may not place a school in the state achievement school district until it places all schools in the county ranked below it in the district.

SB 1735 allows certain disabled students who attend a Tennessee school for the first time (previously limited to a Tennessee public school) to be eligible for an individualized education account, which provides state funding to parents so they may select the most appropriate educational services for their children. The bill also amends to at least quarterly (from quarterly) the remittance of funds to the account.

SB 1899 makes changes to the Voluntary Pre-K for Tennessee Act to ensure high-quality programs. Revisions include requiring that applications include a plan to coordinate with elementary education, to involve students' families in their education, and to provide professional development to teachers. Programs must meet the criteria the state Department of Education sets for highly qualified prekindergarten programs.

### *Texas* (<http://www.capitol.state.tx.us/>)

The Texas Legislature meets every other year to approve a biennial budget and did not have a regularly scheduled legislative session in 2016. In 2015, the Legislature approved a statewide biennial general fund budget for 2016-17 that totals \$114.1 billion, up 12.5 percent from the original 2014-15 biennial budget.

General funds for K-12 education (9.9 percent to \$41.2 billion) and higher education (10.4 percent to \$17.4 billion) are up. The budget provides \$35.5 billion for Foundation School Program formula funding, up 12.3 percent; the increase offsets \$3.8 billion in local tax relief, including a \$1.2 billion reduction in school district property taxes and \$2.6 billion in franchise tax reductions.

### *Virginia* (<http://viriniageneralassembly.gov/>)

The General Assembly concluded its legislative session after adopting a general fund budget of \$40.6 billion for the 2016-18 biennium. The budget included a 2 percent pay raise for teachers that was dependent on the state meeting certain revenue targets; because the state did not meet those targets, the raise did not take effect. The Legislature authorized a \$20.3 billion general fund operating budget for 2016-17, up 9.2 percent over 2015-16. Direct aid to public education increases 5 percent to \$5.9 billion.

The general fund operating budget declines slightly in 2017-18, down 0.3 percent. Elementary and secondary education receive another 5 percent increase in the second year of the biennium, with general funds for direct aid to public education totaling \$6.1 billion. Legislators reconvened in late April to consider the governor's actions on legislation and the budget and to make further changes.

Postsecondary educational institutions receive \$1.5 billion in 2016-17, an increase of 9.9 percent over 2015-16. Four-year institutions receive \$1.1 billion (up 8.8 percent), and two-year institutions receive \$388.4 million (up 7.2 percent). In 2017-18, funding to postsecondary education increases another 1.3 percent over 2016-17 levels, with four-year institutions funded with \$1.1 billion (up 1.5 percent) and two-year institutions with \$391.3 million (up 0.8 percent). This funding includes \$16.2 million in 2016-17 and \$27.8 million in 2017-18 for faculty salary increases and \$4 million per year from interest earnings from non-general revenue funds for financial incentives to meet statewide goals.

Tuition and required fees for full-time, in-state undergraduate students at four-year, public colleges and universities are up an average of 4.7 percent for 2016-17. Students at Virginia Community College System institutions saw an average 2.6 percent increase.

The Legislature passed House Bill 895 and Senate Bill 336 to remove references to standard and advanced high school diplomas and verified units of credit. The bills direct the state Board of Education to collaborate with stakeholders in elementary and secondary education, higher education, and business and industry to create a profile of a Virginia graduate. The profile will identify the core skills and competencies students need to achieve in high school, with emphasis in critical thinking, creative thinking, collaboration, communication and citizenship. The bills require the state Board of Education to emphasize the completion of core skills in the first two years of high school; the last two years will be characterized by increased flexibility to achieve

college and career readiness through multiple pathways, each including opportunities for internships, externships and credentialing.

### **Other legislation**

HB 66 and SB 576 establish the New Economy Workforce Credential Grant Fund and Program to provide grants for students to complete noncredit workforce training programs in high demand fields.

HB 279 and SB 573 allow the state Board of Education to issue three-year teaching licenses for individuals who meet education and employment requirements and achieve a qualifying score on the Virginia Communication and Literacy Assessment. Individuals are eligible to teach high school career and technical education courses for 50 percent of the instructional day. The Board of Education may also set other conditions for licensure.

HB 682 allows a district superintendent to apply to the state Department of Education to waive teacher licensure requirements for an individual to teach trade or industrial education if the individual possesses recent employment in a relevant field and is working toward or has an industry credential.

HB 831 requires the state Standards of Learning to include computer science and computational thinking, including computer coding.

HB 961 allows any public postsecondary institution to offer alternative tuition or fee structures that lower attendance costs to first-time, in-state undergraduate freshmen pursuing a degree leading to employment in a high-demand field.

HB 1303 prohibits members of a board of visitors of a four-year public postsecondary institution or the State Board for Community Colleges who fail to complete mandatory training during a first term from serving a subsequent term.

SB 245 directs each community college to enter into agreements with local school districts to facilitate the participation of eligible students in a career pathways program to prepare students for high school equivalency exams and postsecondary credentials, certifications or license programs.

### ***West Virginia*** (<http://www.legis.state.wv.us/>)

In March, prior to the end of the legislative session, the governor announced that revenue estimates for 2016-17 had been lowered by over \$90 million. This was in addition to previously projected revenue shortfalls in both the 2015-16 and 2016-17 fiscal years for which the Legislature had not yet reached an agreement on further budget reductions or measures to raise additional revenue. As a result, legislators halted all budgetary work and began a special budget session in May.

Legislators concluded the special session in June, approving a budget and a 65 cents per pack increase in the cigarette tax, which is expected to generate approximately \$100 million in additional state revenues for 2016-17. Statewide general funds for 2016-17 total less than \$4.2 billion, a 2.7 percent decrease. While state aid to schools is up 0.8 percent to nearly \$1.8 billion, funding for other statewide K-12 education programs is down 3.5 percent to \$154 million. General funds for community and technical colleges decline 2 percent to \$64.2 million while the college and university system receives \$264.2 million, down 3.4 percent.

Tuition and required fees for in-state undergraduate students at state universities in 2016-17 are up between 4.4 percent and 13 percent. Students at public, two-year institutions saw increases from 1.3 percent to 14.9 percent.



Previously, state law required county boards of education that offer early childhood education programs for students age 4 to offer instruction five days per week. With the passage of Senate Bill 146, programs instead are required to offer a full-day program with a minimum of 1,500 minutes of instruction per week and at least 48,000 minutes of instruction per academic year.

To improve overall student outcomes, legislators passed House Bill 4295, the Innovation in Education Act, which permits the state Board of Education (BOE) to approve Innovation in Education schools. Each school approved under the act will focus on: STEM (science, technology, engineering, math) community school partnership; entrepreneurship; career pathways or the arts. Schools will use redesigned school curricula, instructional delivery and instructional strategies, increase student engagement and operate with greater flexibility than standard public schools. The bill terminates funding for School Innovation Zones and Local Solution Dropout Prevention and Recovery Innovation Zones as of July 2016.

In response to the 2012 Education Efficiency Audit of the state's K-12 education system, House Bill 4301 establishes a framework to initiate transformation of school leadership in a way that affects both the public education system and educator preparation programs. The framework will allow teachers, principals and administrative leaders to accomplish systemic change in school leadership. The bill requires the state BOE to report its recommendations for implementing the framework by the 2018 regular legislative session.

The Legislature made several changes to regulations governing home schooled students with the passage of House Bill 4175. Under the legislation, a parent is required to give notice to the county superintendent that he or she is providing home school instruction to his or her child when home schooling commences, rather than the previous annual notice requirement. The bill eliminates the requirement that a home school instructor outline a plan of instruction for each school year and eliminates the requirement to provide academic assessment results annually in favor of assessment results provided at grade levels three, five, eight and 11.

## **Other legislation**

HB 4261 permits the use of confidential information by ACT or the College Board if the state Board of Education adopts the ACT or the SAT as state summative assessments.

HB 4566 moves to later in the year several deadlines by which county school boards must notify and take actions on personnel transfers, releases and reductions.

HB 4730 requires the state Board of Education to submit a plan to the Legislative Oversight Commission on Education Accountability prior to the 2017 legislative session for the implementation of computer science instruction and learning standards, including core learning standards for a complete K-12 computer science curriculum.

SB 369 eliminates several education reporting requirements previously imposed by the Legislature on the state Board of Education, state superintendent of education, Higher Education Policy Commission and the Community and Technical College Council, among others.

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