

2012 SREB Legislative Briefing

SREB

Summary

SREB states finished their 2012 regular sessions by midsummer, and several states (including Maryland, South Carolina, Virginia and West Virginia) needed extended time to complete budget deliberations for the 2012-2013 fiscal year. Texas' biennial regular sessions are in odd-numbered years, so its Legislature did not meet this spring, and Arkansas held its biennial fiscal-only session.

While many state economists have reported slowly rising revenues, state leaders continue to deal with tight budgets in the current year. They also are looking ahead to continued growth in the need for services as well as the impact of long-term unemployment and Medicaid reform on 2013-2014 state budgets. Louisiana's governor instituted a limited hiring freeze when the fiscal year opened in July, and Georgia's governor is calling for reduction plans for this year and the next — roughly 3 percent in each year, though he exempted elementary and secondary school funding. In June, the Texas Legislative Budget Board directed all agencies and higher education institutions to submit plans for 5 percent and 10 percent reductions for the 2014-2015 biennium. West Virginia's governor called for 7.5 percent reduction plans for 2013-2014.

A summary of each state's legislative and budget actions can be found in the *2012 Final Legislative Report*, available at www.sreb.org.

State and education budgets

State-funded budgets in three-quarters of SREB states grew in 2012-2013; education budgets in many states grew as well. Legislatures approved increases of up to 3 percent for elementary and secondary schools in Arkansas, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, Tennessee and West Virginia. Schools are seeing larger increases in Delaware (5.3 percent), South Carolina (8.5 percent), Texas (9 percent for the biennium) and Virginia (7.1 percent). Florida's increase of nearly 10 percent in state funds appears to be the largest in the region, but it is not sufficient to offset the cut made in 2011-2012. Decreases were approved in Alabama and Kentucky.

Higher education budgets in some states did not fare as well as those for K-12 schools. Decreases were seen in Alabama, Florida, Kentucky, Louisiana and Texas (for the biennium). Increases of up to 2 percent were approved in Arkansas, Delaware, Georgia (for technical colleges), Maryland, Mississippi (for community colleges), North Carolina, Oklahoma, South Carolina (for universities), Tennessee and West Virginia (for universities). The Legislatures approved larger increases in Georgia (5.2 percent), Mississippi (for universities, 4.5 percent), South Carolina (for technical colleges, 11.6 percent) and Virginia (5.5 percent).

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More on state higher education operating appropriations is available in the *SREB Fact Book on Higher Education, 2011*. The biennial *Fact Book* is updated continually on the Web at <http://www.sreb.org/data>.

Other finance actions

Georgia's governor in 2011 appointed a commission to review the school finance program — bills passed this session addressed some of the commission's recommendations. Maryland and Oklahoma will exempt districts from some penalties and fines. Maryland also addressed the stability of local school funds, which are dependent upon local governments. Mississippi expanded the conditions under which the state Board of Education may loan funds to districts lacking sufficient financial resources. Tennessee districts now may use school finance funding to hire a building manager.

Alabama and Florida legislation dealt with bonding authority. Alabama authorized up to \$208 million in bonds for school bus fleet renewal or for the construction or renovation of school facilities in certain areas of the state. Florida now allows school districts to issue bonds for a period of 30 years (previously, 20 years). In addition, a task force will recommend to the Legislature how to more equitably fund facilities (including facilities for charter schools).

Amendments to tax laws also passed. Personal income taxes for higher-income wage earners in Maryland will increase. Maryland also increased taxes on certain tobacco products and certain real estate transactions, plus it repealed a corporate income tax credit on telecommunications properties. In Tennessee, the sales tax on groceries will decline to 5.25 percent (from 5.5 percent). Delaware and Maryland expanded gaming.

Thirteen SREB states (Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia) scheduled sales tax holidays in 2012, primarily for back-to-school shopping, hurricane supplies or energy-efficiency products (such as appliances, heating and cooling units, and electronics).

Georgia's Legislature revised how automobiles, retirement income and Internet sales are taxed. The bill also revised certain tax credit programs, expanded the state's marriage exemption, and phases out sales tax on certain local projects and energy used in manufacturing.

Florida expanded a variety of tax credits, exemptions and incentives for businesses. South Carolina approved a reduction in an income tax that applies to certain businesses, reducing the tax rate from 5 percent to 3 percent over three years.

Three states focused on tax credit scholarship programs, which give tax credits to individuals or businesses for contributions to organizations that provide private school scholarships to low-income children. Florida raised its cap on the total amount of tax credits donors can claim in one year and expanded access to the scholarship program through fifth grade. (Previously, it was available only to students entering kindergarten or first grade.)

Thirteen SREB states schedule sales tax holidays

Virginia created a program that will allow low-income and disabled students to attend nonpublic schools. Individuals, businesses and nonprofit organizations may donate funds for scholarships and receive a tax credit equal to 65 percent of their donations.

Louisiana is providing a rebate equal to the amount donated by an individual or corporation for nonpublic school scholarships. Another law expanded eligibility for its scholarship program statewide. (Previously, only low-income students in school systems in academic crisis could enroll in nonpublic schools.).

States give tax credits for scholarship donations

Salaries and benefits

After several years in which many teachers, faculty and state employees did not receive pay increases, a few states earmarked some funds for raises. For the second consecutive year, Delaware and Tennessee will provide pay raises. Delaware teachers will receive raises of 1 percent, while raises for classroom aides and non-instructional school staff will fall between 4 percent and 12 percent; the Legislature allocated funds for an average 1 percent raise for higher education faculty. Tennessee provided funds for 2.5 percent raises for state employees, teachers and faculty.

Last year, West Virginia teachers received raises — this year, the Legislature placed into statute the salary supplements that teachers and school staff receive based on their education and years of experience. Local districts determine salary increases for Maryland teachers, but higher education faculty and state employees will receive 2 percent raises. South Carolina teachers will see raises of 2 percent, and state employees will receive 3 percent increases; the budget includes no funds specifically for faculty raises. Due to a surplus in Virginia, state employees and higher education faculty will receive 3 percent bonuses; local districts determine any pay increases for teachers.

Legislation in North Carolina permits local school boards to develop performance pay plans to reward teachers based on, for example, growth in student achievement or assignment in a hard-to-staff school or subject area.

Last year, several states changed state and teacher retirement systems due to concerns over the strain aging baby boomers will put on the systems and declines in investment income. Several more states made adjustments to state pension programs in 2012. Many of the changes again this year will mean that employees will work longer, be older or both before retiring.

Alabama, South Carolina and Virginia revised vesting requirements, benefit calculations or retirement eligibility. To be eligible in Alabama, new employees must work until they are 62 (previously, 60). South Carolina's new employees will vest in eight years (previously, five). In addition, the "Rule of 90" will apply — employees may retire when their combined age and years of service equal at least 90. Previously, employees could retire with 28 years of service.

Virginia now will base a retiree's "Final Average Salary" on 60 months of service (previously, 36 months) and will decrease to 1.65 percent (from 1.7 percent)

*Employees continue
to see changes
in pension programs*

the multiplier used to calculate the benefit for any member who does not have 60 months of service by January 1, 2013, or for those who retire due to disability.

Louisiana, Maryland, Virginia and West Virginia addressed financial support of pension plans. Louisiana provides for separate contribution rates for the different plans within the Teachers Retirement System. Maryland will shift, over four years, the responsibility for a portion of teacher retirement costs from the state to local school boards. Virginia now will require local government and school board employees to pay a 5 percent contribution rate to the retirement system (previously paid by the localities) — local employers, however, must provide the employees with raises to offset the payments. (Similar legislation affecting state and higher education employees passed a year ago.) West Virginia legislation ensures adequate funding to address the rising costs of health care and other benefits for retirees, and it shifts, from local school boards to the state, the responsibility for post-retirement benefit payments to retired teachers.

Legislatures approved new pension systems in Alabama, Louisiana and Virginia. Alabama's will remain a defined benefit plan, but retirement eligibility requirements will change. In Louisiana, new employees (and current ones who opt in) will participate in a "cash balance plan." Each employee will have an investment account, share in investment gains (but not losses) and receive a monthly annuity upon retirement based on the value of the individual's investment account. Virginia's pension system will move from a defined benefit plan to a hybrid plan that involves both a defined benefit and a defined contribution component for new employees and current ones who opt in.

Information on teacher salary averages is available at http://www.sreb.org/page/1353/data_library_teachers.html. For information on faculty salaries, see the *SREB-State Data Exchange 2010-2011 Indicators Report* at www.sreb.org; the 2011-2012 edition will be available in December 2012. SREB's extensive higher education database, which supports the biennial *SREB Fact Book on Higher Education*, is updated continually online. Find more information at <http://www.sreb.org/data>.

Tuition and required fees

Tuition and required fees have become a much greater part of overall higher education support as state funding has declined, but states have tried to moderate the increases this year. Increases in 2012-2013 are lower in many cases than a year ago.

Relative to military personnel, South Carolina legislation permits state colleges and universities to charge tuition rates for distance education courses taken by active duty military personnel at a rate lower than in-state undergraduate tuition rates. Louisiana allows certain military veterans who maintain residence in the state for the duration of enrollment in a public postsecondary institution to qualify as state residents for tuition purposes.

SREB's extensive higher education database, which includes information on tuition and required fees, is available at <http://www.sreb.org/data>.

Estimated Changes to Tuition and Required Fees In-State Undergraduates at Public Institutions, SREB States, 2012-2013

	Two-year colleges	Four-year colleges
Alabama	0 to 9.5%	-1.9% to 8.9%
Arkansas	1.3% to 13.4%	2.1% to 12.7%
Delaware	5%	4.5%
Florida		
State University System		8.6% to 15%
Florida College System	3.6% average	5.5% average
Georgia	0* to 2%	1.4% to 4.6%
Kentucky	3.7%	4% to 6%
Louisiana**	10% maximum	10% maximum
Maryland**	3%	3% to 6%
Mississippi	3.1% average	6% average
North Carolina	3.8%**	4.1% to 11.8%
Oklahoma	5% average	5.3% average
South Carolina	0 to 4%	0 to 4.9%
Tennessee		
University of Tennessee		5.4% to 8.3%
Board of Regents Colleges	4.2% to 5.7%	3.4% to 7%
Texas	Not available	Not available
Virginia	5% average	4% average
West Virginia	4.5% average	6.2% average

* The Technical College System of Georgia will raise tuition by 13 percent in spring 2013, and students will pay a new \$50 institutional fee. Overall tuition and fees will increase by an estimated 15.4 percent. Beginning in fall 2013, students will pay a \$50 fee for online courses.

** Tuition only

Teachers and administrative personnel

Over the last several years, legislatures in the SREB region have addressed the dates by which districts must offer teachers contracts for the coming year to provide more flexibility in light of economic conditions. Legislation in Virginia shifted the date from April 15 to June 15. Districts in South Carolina have until May 15 (previously, April 15) to offer teachers contracts.

In Delaware, the Legislature adopts the state budget late in June. So that districts have more time to plan for the coming year, the Department of Education will continue to project enrollment in March and guarantee a certain amount of funding so that schools may make employment offers to new teachers in the late spring and early summer. The provisions were set to expire April 1, 2012.

*Actions address
teacher recruitment*

Alabama and Georgia passed measures relating to professional accountability. In Alabama, any employee convicted of a felony related to his or her public position will lose the right to retirement benefits but will receive a refund of the individual's contributions to the system. Georgia teachers or other certificated professionals who earn a salary increase or bonus based on an evaluation that included falsified student assessment results will forfeit that salary increase or bonus and will repay all amounts previously paid.

Actions in several states addressed the recruitment and preparation of teachers. North Carolina is establishing the Teacher Corps to recruit recent college graduates and mid-career professionals to serve as teachers in high-needs high schools; corps members will attend an intensive summer training institute prior to earning lateral-entry teaching licenses. The state also will expand teacher licensure and recruitment programs for low-performing schools as well as professional development.

West Virginia updated provisions for alternative certification programs for those wishing to teach who have not completed a traditional teacher education program. In addition, aspiring teachers may satisfy the student teaching requirement by filling a vacant position, under expanded supervision, if no certified teachers apply.

Legislation repealed the April 2012 expiration of Delaware's Teach for America program. The state Department of Education will report to the General Assembly on the program's effectiveness in January 2015.

*Work continues on
strengthening
teaching and
leadership*

North Carolina teacher preparation legislation directs elementary school teacher preparation programs to provide adequate course work in the teaching of reading and mathematics and to ensure that students are adequately prepared to teach these subjects prior to receiving certification. Tennessee requires that teachers have subject-specific state endorsements in order to teach a course that has an end-of-course (EOC) exam, unless the teacher demonstrates content knowledge by passing the EOC exam for the subject. South Carolina changed the length of its induction contract for new teachers from one year to up to three years.

Most SREB states have sought to strengthen educator evaluation systems. West Virginia pilot-tested its program before putting it in statute. The goal of the system is to improve educator performance, target professional development, document unsatisfactory performance, and indicate areas of improvement in teacher education programs. For a teacher, 80 percent of the evaluation is based on the teacher's performance on state professional teaching standards, 15 percent is on evidence of student learning, and 5 percent is based on school-wide student academic growth on statewide assessments.

Louisiana teachers now may earn tenure only after receiving a "highly effective" performance rating for five years within a six-year period. Tenured teachers who receive an "ineffective" rating will lose tenure immediately, but they may regain it after re-earning a "highly effective" rating for five years within a six-year period. A superintendent may terminate a tenured teacher for reasons that now include poor performance.

Kentucky and Louisiana took up employment and personnel assignment policies. Kentucky prohibits a superintendent from assigning a teacher to an alternative education program as part of any disciplinary action or corrective plan. Another bill permits a superintendent's spouse who has eight years of service (previously, 20 years) to work for the same school district under certain circumstances. Louisiana transferred the authority to hire, place and fire school personnel from local school boards to superintendents and school principals, and it transferred to superintendents the authority to make "reduction in force" decisions. Superintendents and principals must base all employment-related decisions on performance, effectiveness and qualifications, rather than on tenure and seniority.

Mississippi authorized local boards to perform annual evaluations of their school superintendents. It prohibits local school board members and administrative staff from altering a student's grade and prohibits a local superintendent whose contract was terminated or not renewed from requesting a grievance hearing.

More information on teacher evaluation, tenure, dismissal and incentive pay policies, as well as on alternative certification policies, is available at www.sreb.org/page/1578. SREB reports on school leadership include *Turnaround High School Principals: Recruit, Prepare and Empower Leaders of Change* and *Who's Next? Let's Stop Gambling on School Performance and Plan for Principal Succession*.

Accountability and low-performing schools and districts

To identify performance levels of schools, several states acted on school grading systems. Alabama will establish a grading system for its schools and a financial recognition system for top-performing or improving schools. Mississippi simplified its designations for rating schools and systems. North Carolina's annual school report cards must reflect a numerical performance score and a corresponding letter grade. Tennessee will begin designating schools in three achievement categories; those that fall in the bottom 5 percent of schools statewide — known as priority schools — are subject to intervention.

States passed laws designed to assist or intervene in low-performing schools. Florida will provide support for any school that receives a D or F in the state's school grading system. Tennessee's state superintendent may assign low-performing schools to the Achievement School District (ASD) that oversees priority schools. The legislation also details a five-year transition plan back to the local school district when a school is assigned to the ASD.

In Louisiana, the employment contracts of superintendents in low-performing school districts must include school- and district-level performance targets comprised of student achievement, graduation rates and teacher rating goals. The Board of Elementary and Secondary Education may transfer any public school rated as low-performing for three years to the Recovery School District (a special school district created by the state to reform underperforming schools) if the transfer is requested by a majority of parents at that school. Mississippi's state Board of Education may take

*Bills amend school
grading systems*

*Efforts focus on help
for low-performing
schools*

over, abolish or consolidate persistently low-performing school districts, and parents may petition for a student transfer to another school district when the state Board withdraws accreditation.

In addition to districts in a state of emergency, Mississippi's state Board of Education now may loan funds to districts in financial need that are under state supervision.

For information on the calculation of high school graduation rates, see *Transition to the New High School Graduation Rate* at www.sreb.org.

Virtual education

Virtual learning and the use of technology in education continue to receive attention in state capitols. Several states, including Florida, Georgia and Virginia, passed bills to expand access to virtual learning opportunities. Maryland addressed the review of online courses and services. Tennessee legislation requires virtual schools to follow the same guidelines for class size, instructional time and technology-access requirements as traditional schools.

Alabama will move to the use of electronic textbooks and instructional materials, and it plans to provide funding in the future. North Carolina expanded the funding sources that its Virtual Public School may use for instructional costs.

Florida and Maryland created new groups to assist in virtual learning. Florida's Digital Instructional Materials Work Group will monitor the state-mandated adoption of digital materials in K-12 schools. The Maryland Advisory Council for Virtual Learning will support the education of students in accordance with the national standards of online learning and state law.

The new Florida Virtual Campus will provide postsecondary distance learning courses and degree programs. Maryland will require postsecondary institutions that enroll Maryland students in a fully online distance learning program to register with the Maryland Higher Education Commission and hold accreditation.

More on virtual education can be found in *Increasing Online Learning Options for K-12 Students: The Role of School Districts* at www.sreb.org. Also, look for the upcoming *2011 Report on State Virtual Schools in SREB States*.

Charter schools and other innovative programs

States continue to implement charter schools and other innovative approaches to education. Bills in Georgia, South Carolina and Virginia amend existing charter school laws. Georgia voters will decide in November 2012 whether a state commission will have authority to approve charters without input from the state Board of Education or local school boards.

Legislation in South Carolina also expands authorizers — in addition to local districts and the state's Public Charter School District, authorizers now include

public and independent colleges and universities. Virginia requires a local school board to submit to the state Board of Education its rationale for not supporting a public charter school application, even though the state Board does not have authority to overturn the local board's decision.

Louisiana's state education board will develop a common charter school application, recruit chartering groups able to address regional workforce needs and create a process for approving multiple charter agreements through a single application from a chartering group that has a demonstrated record of success. An operator of high-performing charters may open one or two additional schools without formally applying to its chartering authority. Charter school teachers must now hold a bachelor's degree at a minimum but will no longer have to hold a state teaching certificate.

Actions in South Carolina and Virginia addressed finance and facilities for charter schools. South Carolina's new revolving loan fund will assist charter schools with facility needs, and conversion charters retain the right to use their current equipment and facilities. The law specifies initial funding for conversion charters and specifies that after the first year, the school district will provide funding in the same manner as for regular public schools in the district. Virginia bills stipulate that, as a part of the charter agreement, the school will negotiate an amount of per pupil funding with the local board that corresponds with the district average, unless the cost of operating the charter is lower. The local board also may allow a charter to use unused properties owned by the district.

Kentucky will authorize districts of innovation (aimed at improving student performance) that will have flexibility from various state and local education policies. West Virginia established a pilot school system collaborative innovation zone to implement new approaches to improving student performance — school systems may seek waivers from state laws to provide greater flexibility. Virginia permits the creation of an advisory group to provide advice in carrying out duties relating to charter schools, college partnership laboratory schools and virtual school programs.

More on charter school policies is available in *Charter Schools in SREB States: Critical Questions and Next Steps for States* at www.sreb.org.

At-risk and low-performing students

As states look to improve high school graduation rates *and* ensure that students are college and career ready, actions across the region focused on additional assistance for low-performing and at-risk students, many targeting those in the early grades.

Florida will require students in its 100 lowest-performing elementary schools to receive an extra hour each day of intensive reading instruction beyond the regular school day and target additional academic support to help close achievement gaps for all subgroups of students. Virginia aims to increase reading proficiency through intervention services for third-graders who demonstrate deficiencies, and it will develop policies that focus on intervention for repeated unexcused absences; address barriers

*States support
innovative schools
and programs*

*Young students
will receive more
help in reading*

impeding student attendance; and arrange conferences between students, parents, school personnel and community service providers.

Kentucky school districts will develop response-to-intervention systems for kindergarten through third-grade students who need help with reading, writing, mathematics or behavior. Also, a collaborative of state agencies will recommend models for helping at-risk students. North Carolina requires local school boards to create transition teams and transition plans for students at risk of academic failure to help them move from elementary to middle grades schools and from the middle grades to high school. Mississippi districts will implement dropout prevention plans, and in a school district where the state Board of Education has withdrawn accreditation, parents may petition to another district for a student transfer.

Help for special needs students also received attention during 2012 sessions, and a couple of states addressed issues relating to dyslexia. Mississippi created a scholarship program for eligible students in first through sixth grade that will allow them to attend a public or nonpublic school specializing in the unique learning needs of dyslexic students. A new pilot program in Oklahoma will train higher education dyslexia faculty to instruct teacher candidates on how to teach students with dyslexia. In Mississippi, a new scholarship program targets the recruitment and training of students to become dyslexia therapists. Another program will assist certified teachers of the visually impaired in taking and passing competency or certification exams.

Relative to high school diplomas, Kentucky's state Board of Education will develop an alternative high school diploma for a student whose Individualized Education Program (IEP) indicates the student cannot participate in the statewide assessment and that an appropriate alternate assessment was selected for the student. Tennessee will permit a school to award a special education diploma to a student who satisfactorily completes an IEP and has a satisfactory record of attendance and conduct, but who has not met proficiency testing requirements.

Under federal law, parents whose request for special educational services for their child is denied may appeal that decision, which can be expensive. Delaware legislation entitles parents to reimbursement by the state for these costs if their appeal is successful.

More information on at-risk students is available in *Fact Book Bulletin: Growing Proportion of Children in Poverty Means More Education Challenges and Strengthening Attend 'n' Drive Laws to Reduce Truancy and Dropouts*.

School safety and violence prevention

Attention continues on providing students and school employees with a safe environment in which to learn and work. Laws in Delaware call for the state Department of Education to develop, and each school district and charter school to adopt, a uniform cyberbullying policy. Another bill clarifies that schools must report all claims of bullying. School employees in South Carolina and West Virginia will receive training in suicide prevention.

North Carolina made it illegal for a student to use a computer to intimidate or torment a school employee. Employees must report any assault by a student on a school employee that results in an injury, and the bill prohibits a supervisor from intimidating an employee to prevent the employee from reporting the assault to law enforcement. The law also eliminated any liability for a school employee who takes action to end a fight between students.

Part of Kentucky's law requiring schools to establish response-to-intervention systems for early grades students specifically addresses behavior, in addition to interventions in reading, writing and mathematics.

College- and career-readiness actions

States continue to work on college and career readiness. Kentucky will encourage at-risk students to graduate from high school prepared to enter postsecondary education or the workforce by communicating standards required for entry-level college courses and career readiness. Districts will assist students who fall behind academically, or have high absence rates or disciplinary problems. The state Department of Education will develop more rigorous courses in core subjects for students who are academically behind in certain grades.

In recognizing that students have different learning needs that merit a variety of course choices and providers, Louisiana's Board of Elementary and Secondary Education will create a course catalog for each parish and develop a process for authorizing course providers.

Virginia reduced the types of high school diplomas available so that students will graduate with either a standard diploma or an advanced studies diploma; both require students to complete one virtual course.

Relative to accelerated learning options for high school students, Florida schools now must allow for whole-grade and midyear promotion of students, "subject-matter acceleration," and virtual instruction at higher grade levels. Secondary students may earn high school credit for a certain score on a standardized end-of-course assessment without having to complete the course. Students also may graduate early by earning all credits required in fewer than four years.

Mississippi will expand opportunities to allow at-risk students to enroll in dual credit programs leading to high school graduation and a community college credential, certificate or degree. Also, the number of dual enrollment credits will increase from one-half to one credit for completing a three-hour postsecondary course.

For more information, see *An Undeveloped National Resource: The Unrealized Potential of the Nation's Career/Technical Centers* at www.sreb.org. Also, look for an upcoming *Essential Elements* paper on college and career readiness. Previously released reports on college and career readiness are available at http://www.sreb.org/page/1073/college_and_career_readiness.html.

Programs provide new options to help students graduate from high school

College completion

To encourage postsecondary degree and certificate completion, some states passed legislation to help students earn degrees more quickly. Maryland will review and analyze articulation and student support services. Mississippi encourages dual enrollment options for potential or recent high school dropouts. Virginia school boards and community colleges will develop articulation agreements that specify the options for high school students who choose to complete an associate's degree or a one-year certificate of general studies while earning a high school diploma. A West Virginia initiative will help high school students prepare for workplace and higher education success and will provide them with the opportunity to earn postsecondary credit free of charge.

Adult learners will get help in several states. In Oklahoma, a pilot program at technology centers will help increase the number of adults (and high school students) who obtain trade-specific industry certifications. A program in West Virginia will increase the number of residents with college credentials through a partnership between public school career and technical centers and community and technical colleges. Bills in Florida and Virginia address the ability of military veterans to earn college credit for training and experience gained during their service. Local boards in Mississippi may allow a student who is a member of the National Guard and attends basic training camp during the summer before his or her senior year to receive course credit for completing basic training.

Relative to performance funding for colleges and universities, Florida legislation authorizes performance funding for the universities that most successfully produce graduates who are employed in technology fields, and West Virginia will study outcomes-based funding.

SREB's latest reports on college completion include *New Measures, New Perspectives: Graduates' Time- and Credits-to-Degree in SREB States* and *Redesigning Dual Enrollment to Promote College Completion*. Both are available at www.sreb.org. Look for upcoming *Essential Elements* papers on the following topics: outcomes-based funding, prior learning assessment and transfer policies. Previous releases relating to completion are available at http://www.sreb.org/page/1456/degree_completion.html.

Compulsory attendance and school calendar policies

Compulsory attendance policies continued to get attention during legislative sessions. Effective in 2017-2018, children in Kentucky who reach 6 years old by August 1 (previously, October 1) must attend school, and children who reach age 5 by August 1 (previously, October 1) may enter school. Alabama children will have to enter school at age 6 (previously, 7). Maryland will increase the compulsory attendance age from 15 to 17 over several years. Each of these laws permits exemptions.

Several states adjusted school calendar laws. Alabama will permit local school systems to provide either the traditional 180 days of instruction or an equivalent number of hours within specified opening and closing dates. North Carolina districts must provide either 185 days or 1,025 hours of instruction annually. Previously,

districts had to meet both criteria. Mississippi schools will open no earlier than the third Monday in August, beginning in 2014-2015.

Early grades and early learning

Readiness to learn is an important factor in a student's success in school. The Delaware Department of Education will develop and implement a statewide learning readiness evaluation tool for children entering kindergarten. Kentucky's bill addressing compulsory attendance also called for a process to determine a student's readiness for school. Legislation requires the Louisiana Board of Elementary and Secondary Education to implement a comprehensive and coordinated early childhood education system. It will define kindergarten readiness, develop performance targets for children under the age of 3 and academic standards for 3- and 4-year-olds, and create a uniform assessment and accountability system. A new, four-year pilot program in Tennessee will assess kindergarten students in low-performing school systems.

Economic difficulties caused Georgia and North Carolina to scale back prekindergarten programs during the 2011 sessions. Georgia had reduced the number of days in the lottery-funded prekindergarten program to 160 days (from 180 days). The Legislature restored 10 of the days for 2012-2013, but the program will support fewer students (84,000, down by 2,000 students). North Carolina established eligibility and co-payment requirements for the state prekindergarten program, but a state court struck down some of those requirements as unconstitutional. Legislation this year returns the criteria to the way they were prior to the 2011 session.

North Carolina and Virginia addressed reading in the early grades. Both states focused on the ability of students to read at or above grade level by the end of third grade. North Carolina's state Board of Education will implement a comprehensive plan to improve reading achievement in public schools statewide. Schools will retain in third grade students who do not demonstrate reading proficiency. Virginia legislation provides a reading intervention service for third-graders who demonstrate deficiencies. Also, students in Florida's lowest-performing elementary schools will receive an extra hour daily of intensive reading instruction outside of the school day.

*States address
school readiness*

Other K-12 issues

Tennessee legislators took on parental involvement. Laws encourage school systems to implement model contracts for parental involvement developed by the state Department of Education. The voluntary contract will commit parents at least to reviewing their child's homework, signing report cards and attending parent-teacher conferences. Other bills establish a four-year parent involvement pilot program for school systems with the most low-performing schools. Schools must provide parents with a list of expectations, and parents will evaluate their involvement in their child's education.

*Parental
involvement
programs pass*

Relative to school athletics and other activities, Alabama requires local school boards to provide athletic coaches with annual training on how to recognize the symptoms of and obtain the proper medical attention for an athlete with a concussion. Florida clarified that any high school is eligible for membership in the Florida High School Athletic Association. South Carolina wants to expand access to interscholastic activities. In addition to addressing charter school students, the legislation expands eligibility for extracurricular activities to home school and Governor's School for the Arts and Humanities students.

In other actions, local school boards in Virginia may permit open school enrollment policies for any student residing within the school division, upon the request of a parent or guardian. Alabama is encouraging school food service officials to purchase local farm products. Mississippi's state Department of Education will no longer have to approve all pre-Advanced Placement courses. West Virginia will study issues related to General Education Development diploma examinations, including how to control costs and recommendations for retaining the paper version of the test (which is phasing out in favor of computerized testing).

Other higher education issues

Actions in Maryland recognized the need to strengthen STEM (science, technology, engineering and math) fields. Lawmakers established a loan repayment program for public school teachers who teach in a STEM subject area (or who are high-performing and teach in a school in a low-income area).

South Carolina now allows four-year colleges and universities to offer doctoral degrees in marine science. Kentucky's six comprehensive universities may offer no more than 18 advanced practice doctoral programs among them, with each university offering at least two such programs.

The college Class of 2012 has a grace period on the repayment of South Carolina Teacher Loans. Individuals who completed an undergraduate or graduate education degree but who were not employed as public school teachers in the state by September 1, 2012, may defer payments for one year.

The State Council of Higher Education for Virginia, the postsecondary coordinating board, will publish the employment rates of graduates at 18 months and five years after graduation, beginning in August 2013.

Virginia legislation allows a private postsecondary institution to manage a college partnership laboratory program (a public school established by a postsecondary institution that operates an approved teacher education program). Previously, only a public postsecondary institution could operate such a program.

Delaware prohibits a public or private college or university from requiring students or applicants to disclose their login information for social networking sites.

*Bills aim
to strengthen
STEM fields*

Kentucky joined other states that require private, for-profit colleges to contribute to a student protection fund. The fund will provide refunds to students when a school closes, discontinues a program, or loses a license or its accreditation.

The Maryland Higher Education Commission may fine or revoke the registration of institutions that enroll students in fully online distance learning programs when they do not meet certain financial and business practice requirements. The commission also may require the institutions to furnish performance bonds or another form of financial guarantee; the state will use these to reimburse tuition and fees to students if an institution does not perform faithfully any agreement with the student or does not comply with state law.

Summaries of SREB states' final legislative actions are available upon request. To order any publication listed in this report, contact the Southern Regional Education Board. The reports and the *2012 Final Legislative Report* also are available at www.sreb.org.

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