



SREB

2016 Legislative Briefing

Summary

Fifteen of the 16 SREB states met in regular sessions in 2016 — and several met in special sessions to conclude unresolved legislative issues before the opening of the 2016-17 fiscal year. Texas was the only state that did not hold a session this year. As fall begins, states already are preparing for 2017 sessions and governors' legislative and budget proposals will begin coming out before year's end.

Most legislatures were able to adopt budgets that provide K-12 and higher education funding increases, including in some cases, pay raises or bonuses to teachers, faculty and other education employees. Several earmarked funds for higher education performance incentives.

States continue to implement and refine educator effectiveness and evaluation systems. A few states, including Georgia, Louisiana and Oklahoma, reduced the percentage of teacher and administrator evaluations based on student achievement results. Several states passed laws to help teachers obtain certification, including those seeking licensure in high-demand fields, and to support new teachers.

To provide educational opportunities for students as they prepare to graduate from high school, Alabama, Georgia, Virginia and West Virginia were among the states to focus on creating career pathways, apprenticeships or work-based career opportunities. Maryland is supporting Pathways in Technology Early College High Schools — with six-year programs that integrate high school and the first two years of college. New distance learning opportunities will help students in Mississippi and Tennessee.

Mississippi and North Carolina focused on low-performing schools by passing bills to create achievement school districts. A 2015 bill in Georgia to create the Opportunity School District will go before voters in November of this year. Louisiana will soon return all schools in its state-controlled Recovery School District to local district control. Actions in Oklahoma and South Carolina are designed to help low-performing schools and districts.

Actions to amend state-adopted educational standards will result in a requirement that students in Alabama and Louisiana learn cursive writing. Social studies standards in South Carolina will add to the study of the United States Constitution and those in Tennessee will not promote religion. Virginia will add computer science to its Standards of Learning. Several states amended student testing requirements.

A summary of each state's legislative and budget actions is included in the *2016 Final Legislative Report*, available at www.sreb.org.

State and education budgets

Some states continue to struggle with disconnects between revenue projections and actual collections, resulting in budget reductions, reserve funds use and revenue-raising measures to shore-up budgets. Alabama considered but did not pass legislation that would have placed before voters a proposed constitutional amendment to create a lottery; it was estimated to raise \$225 million in new revenue annually for the general fund that supports non-education expenditures.

Louisiana faced the largest budget shortfall in its history. Agencies took two budget cuts during 2015-16. Then in two special sessions, the Legislature raised new revenues — the largest parts of which were a temporary increase in the state sales tax, suspended sales tax exemptions, and increased cigarette and alcohol taxes. Mississippi made reductions and used reserve funds to balance the 2015-16 budget. Oklahoma, too, faced lower than expected revenue collections that resulted in budget reductions in 2015-16 and in the budget adopted for 2016-17; the Legislature also raised fees and reduced tax credits. Projected shortfalls in West Virginia resulted in a 65 cents per pack increase in cigarette taxes.

Florida and Mississippi addressed tax reductions. Included in Florida's measures were a permanent extension of the sales tax exemption on manufacturing equipment, a three-day sales tax holiday for school supplies, and a reduction in the required millage rate for local education property taxes. Mississippi approved 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.

Relative to budgets for 2016-17, state-funded budgets increased less than 3 percent in Arkansas, Kentucky, Mississippi and North Carolina and 3 percent to 6 percent in Alabama, Delaware, Florida, Georgia, Louisiana, Maryland and Tennessee. Legislatures approved budget increases of more than 6 percent in South Carolina, Virginia and for the biennial budget in Texas. State budgets decreased in Oklahoma and West Virginia.

State funding for elementary and secondary schools increased by up to 3 percent in Arkansas, Florida, Kentucky, Louisiana, Maryland, North Carolina and West Virginia. Legislatures approved increases of 3 percent to 6 percent in Alabama, Delaware, Tennessee and Virginia. States seeing increases of more than 6 percent include Georgia, South Carolina and for the biennium in Texas. Decreases to K-12 funding were seen in Mississippi and Oklahoma.

Higher education budgets in Kentucky, Louisiana, Mississippi, Oklahoma and West Virginia saw decreases for 2016-17. Arkansas's higher education budget is the same as that of last year. Legislatures approved increases of up to 3 percent in Delaware and for the Georgia Technical College System. Budgets rose 3 percent to 6 percent in Alabama, Florida and North Carolina, as well as for the University System of Georgia. Budgets saw larger increases in Maryland, South Carolina, Tennessee and Virginia and for the biennium in Texas.

Primarily through budget actions, states earmarked support for higher education performance incentives. In Florida, colleges may receive added funds for students who earn industry certifications in certain fields. Universities will have access to \$500 million in performance-based incentives. Florida also created, through HB 7029, the Distinguished Florida College System (FCS) Program to recognize and provide additional funding to the highest-performing FCS institution. The state established 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. Beginning in 2017-18, Kentucky is providing nearly \$43 million to institutions based on their achievement of legislatively approved performance goals and metrics.

The topical sections that follow contain individual bill summaries organized by state. More detail is available in the *2016 Final Legislative Report*.

Compensation and benefits

Alabama 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.

Florida HB 287 creates the Principal Autonomy Pilot Program to provide principals with autonomy to operate their schools in ways that significantly improve student achievement and school management. Participating principals receive salary supplements of \$10,000 per year.

Georgia HB 751 (the budget bill) included lottery funding for the prekindergarten program to implement a new compensation model, retain lead teachers and increase assistant teacher salaries.

Mississippi HB 207 provides, subject to the availability of funds, a \$4,000 annual salary supplement to teachers who obtain National Board Certification and teach in certain counties, in addition to a standard \$6,000 annual supplement.

North Carolina HB 1030 (the budget bill) included several provisions related to teacher and faculty salary increases and bonuses. Funds will support teacher salary increases, averaging 4.7 percent, and increases of 1.5 percent to administrator and school district employees. In addition, bonuses will be available to some administrators and district employees. The budget also included funding for raises and bonuses for university faculty and community college employees. A new two-year pilot program will provide a \$50 bonus to Advanced Placement or International Baccalaureate teachers for each of their students who pass the respective exams, up to \$2,000 per teacher per school year.

Virginia HB 30 included budget funds for faculty salary increases.

Educator effectiveness, preparation and licensure

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

Delaware SB 199 adds a provisional teacher license tier to the existing three tiers in its licensure system. The provisional license is for first-year teachers who have not yet passed the required performance assessment. A provisional license holder must complete required professional development and mentoring prior

to applying for an initial license. The state Department of Education will report, by early 2022, on the impact of the teacher performance assessment on student performance and educator retention.

Florida HB 189 permits a teacher who holds a temporary educator certificate to obtain a professional educator certificate without completing a teacher preparation program if the teacher holds a master's or higher degree from a STEM (science, technology, engineering, math) program, teaches a high school course on the subject of that degree, receives a highly effective teacher performance evaluation, and passes the Florida Teacher Certificate Examination.

Florida HB 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.

Georgia SB 364 amends the statewide school personnel evaluation system to reduce the percentage of student growth on teacher evaluations from 50 percent to 30 percent 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) counts for 10 percent; a combination of other performance data count for 20 percent, and the results of evaluations, observations and standards of practice count for the remaining 30 percent.

Louisiana HB 217 allows the Board of Elementary and Secondary Education to certify each educational leader who is eligible for employment as a supervisor, director or coordinator of special education in a public school system.

Louisiana SB 477 amends the 2010 law, which the state implemented in 2012-13, that established the framework for a new educator and administrator evaluation system. The bill reduces the weight of the value-added portion of the evaluations from 50 to 35 percent, with the remaining 15 percent based on other measures of growth in student achievement.

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

North Carolina HB 1030 (the budget bill) establishes a two-year pilot program to reward the top 25 percent of reading teachers in grade three based on teachers' student growth index scores on the Education Value-Added Assessment System and a three-year pilot program that allows teachers to assume advanced teaching roles and earn salary increases based on teacher performance and professional growth. It also creates 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.

Oklahoma HB 2946 allows the state Board of Education to certify an individual who holds an out-of-country teaching certificate and who meets other requirements set by the state Board of Education or who successfully completes a competency exam.

Oklahoma HB 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 their own expense. 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.

Oklahoma 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.

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

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

Oklahoma HB 3114 creates the Empowering Teachers to Lead Act that establishes a framework with teacher career pathways and leadership roles, each with its own requirements, through which teachers progress, and also sets compensation requirements for each role. Districts may apply to the state Department of Education to implement the framework or a comparable system.

South Carolina 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.

South Carolina HB 4939 requires the state Department of Education to monitor and recommend changes and improvements to the professional development of teachers, staff and administrators in underperforming districts.

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

Virginia 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.

West Virginia HB 4301 establishes a framework to initiate transformation of school leadership 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 state Board of Education will report its recommendations for implementing the framework by early 2018.

West Virginia HB 4566 extends several deadlines by which county school boards must notify and take actions on personnel transfers, releases and reductions.

Postsecondary tuition and required fees

Louisiana HB 989 removes the requirement that all state colleges and universities charge tuition and fees to nonresident students at least equal to the average charged to nonresidents in other member SREB states.

Louisiana SB 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.

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

Estimated Changes to Tuition and Required Fees In-State Undergraduates at Public Institutions, SREB States, 2016-17

	Two-year colleges	Four-year colleges
Alabama	0.8% to 7.5%	0% to 7.8%
Arkansas	0% to 13.6%	1.9% to 11.8%
Delaware	2.9%*	0% to 2.5%
Florida	0% to 1.9%**	0%
Georgia	0%	0% to 3.1%
Kentucky	5.8%	4.5% to 5.9%
Louisiana	6.1%	8.4% average
Maryland	3.1% average	1.4% to 3.2%
Mississippi	0% to 16.1%	2.5% to 5%
North Carolina	0%*	1.7% to 6.8%
Oklahoma	5% to 12.9%	3.7% to 11.9%
South Carolina	NA	NA
Tennessee		
University of Tennessee		Up to 3%
Board of Regents Colleges	2.6%	2.3% to 2.8%
Texas	3.7% average	-5.5% to 12.7%
Virginia	2.6% ***	7.1% average
West Virginia	1.3% to 9%	4.4% to 13%

* Tuition only

** Only two out of 28 institutions raised fees; 17 two-year institutions offer four-year degrees

*** Community college system only, does not include the 9.9 percent increase at Richard Bland College

NA indicates information not available

Postsecondary student financial assistance

Florida HB 793 establishes the Gold Seal CAPE Scholars award for postsecondary students who are seeking an applied technology diploma, a technical degree or a career certificate. An award 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.

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

Louisiana SB 174 freezes all TOPS award amounts at the 2016-17 level, unless the Legislature specifically approves an increase.

Louisiana SB 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 who will graduate in the 2020-21 year or after.

Louisiana SB 470 requires the Louisiana Office of Student Financial Assistance to equally prorate TOPS award amounts to qualifying recipients in the event of insufficient student aid funds.

Maryland HB 1014 and SB 676 establish 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 has incurred at least \$20,000 in undergraduate student loan debt and has at least \$5,000 in debt outstanding. To encourage on-time degree completion, state institutions of higher education will prorate, in students' third and fourth academic years, 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.

Maryland HB 1403 renames the College Readiness Outreach 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 who enter postsecondary education directly from high school.

Oklahoma SB 1038 creates the Teaching Certification Scholarship Program 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.

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

Virginia 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.

Charter schools

Florida HB 7029 requires charter school applicants to disclose information regarding all applicants, board members and service providers, including information regarding other charter schools that they operate or that have closed. It 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.

Georgia 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.

Louisiana HB 562 permits school districts, 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.

Louisiana SB 260 removes the authority of local 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.

Mississippi SB 2161 permits any student who resides in a school district that has received a C, D or F rating under the state educational accountability system to enroll in a charter school in another school district. Every 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.

North Carolina 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.

School choice and other educational opportunities

Alabama SB 90, the Apprenticeship Tax Credit Act of 2016, encourages employers to offer apprenticeship opportunities to workers 16 years of age and up and allows an eligible employer from 2017 to 2021 to claim a nonrefundable income tax credit of \$1,000, up to five tax credits per year, for each apprentice who is employed for at least seven months.

Florida SB 7029 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. Each district will create a process to transfer a student from one teacher to another at the request of the parent. The bill requires — even if a student has not completed or enrolled in a 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.

Georgia 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 those certified by the state Board of Education as a work-based learning employer.

Maryland SB 190 (the budget bill) provides grant funding in 2016-17 to operate Education Pathways in Technology Early College High (P-TECH) Schools, which offer a six-year program that integrates high school and two-year postsecondary education with workplace skills in STEM (science, technology, engineering, math) fields. SB 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.

Mississippi SB 2064, the Distance Learning Collaborative Act, establishes grants (subject to the availability of funds) to improve distance learning services for K-12 students, primarily in rural areas. The state Department of Education 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.

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

Oklahoma HB 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. 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. The district may only revert a conversion school to a traditional public school during summer breaks between school years.

Tennessee HB 1879, the Course Access Program Act, 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 the student's school does not offer the particular curriculum. 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.

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

West Virginia HB 4295 creates the Innovation in Education Act, which permits the state Board of Education 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.

Services for at-risk and special needs students

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; 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 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.

Florida HB 837 permits private schools to offer transition-to-work programs to 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.

Florida SB 672 renames the Florida Personal Learning Scholarship Accounts Program (for students with disabilities to pay for educational expenses) to 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. It also 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 new Florida Center for Students with Unique Abilities will coordinate the provision of information on programs and services for students with disabilities to those students and their parents.

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

Maryland HB 85 requires a school to provide the parents of a child with a disability with written information, in the parents' native language, for contacting early intervention and special education family support services staff members within the local school system.

Maryland 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.

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

South Carolina 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.

Tennessee 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.

Tennessee 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.

Help for low-performing schools

Louisiana SB 262 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.

Mississippi HB 989 creates the statewide Mississippi Achievement School District 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 by the state Board of Education to the achievement district. In determining which schools and districts are eligible for transfer, the board may not consider school ratings from prior to the 2015-16 academic year. The board 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.

Mississippi 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 state Department of Education, and the department may include preschool programs in such intervention programs.

North Carolina HB 1080 creates 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 schools for transfer to the school district, which will supervise, manage and operate the five schools for at least five years. Schools eligible for transfer to ASD are elementary schools that received school performance scores in the bottom 5 percent of 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.

Oklahoma 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. If the school has made insufficient gains after two years of implementing the state support plan, the state Board of Education may take control of the school.

South Carolina HB 4939 requires the state Department of Education to provide technical assistance, including assistance with academics and finances, to school districts with low annual accountability ratings or with low percentages of students who meet state standards. It requires the state superintendent of education to report, beginning in 2017, on the department's progress in improving student academic achievement and high school graduation rates. The state Department of Education must monitor and recommend changes to improve the operational efficiency and effectiveness of the boards of those districts.

South Carolina HB 4940 directs the state Department of Education to provide technical assistance to underperforming schools and districts through its Office of Transformation.

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

Student health and safety

Alabama SB 11 establishes the Jason Flatt Act that requires school districts to adopt a policy on student suicide prevention and to provide annual training to all certified school employees on suicide awareness and prevention. The state Department of Education will create an advisory committee 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.

Alabama 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.

Delaware HB 1 establishes a statewide sexual assault policy for institutions of higher education. Any college or university employee who has regular interaction with students in a teaching, mentoring, advising or supervisory capacity must offer assistance in reporting to law enforcement an alleged sexual assault 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 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.

Delaware HB 234 requires public secondary schools, including vocational and technical schools but excluding charter schools, to have health clinics that meet state requirements for school-based health centers. It also requires the state to fund start-up costs for the centers at schools that do not have them.

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

Florida 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.

Kentucky 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.

Maryland 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.

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

Mississippi HB 928 requires the state superintendent of 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.

Oklahoma 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 to harass, intimidate, threaten or bully faculty or students.

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

Standards and assessments

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

Georgia SB 364 decreases the number of tests elementary and secondary students take and adds a school readiness assessment for first- and second-grade students that does not factor into teacher evaluations. Testing must occur as close to the end of the school year or semester as possible by 2017-18.

Louisiana SB 262 requires the Board of Elementary and Secondary Education (BESE) to collect state-wide 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.

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

Oklahoma HB 3218 repeals the state-mandated assessment system and end-of-course instruction tests and directs the state Board of Education to adopt a new system of statewide, standards-aligned student assessments to take effect in 2017-18. 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 state Board of Education will continue to administer assessments by non-electronic means. Should it implement an electronic assessment delivery system, it will provide school districts choice in their method of assessment delivery.

South Carolina 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.

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

Tennessee HB 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.

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

West Virginia HB 4175 addresses regulations governing home schooled students. Under the legislation, parents are required to give notice to the county superintendent that they are providing home school instruction to their child when they commence home schooling, 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.

West Virginia 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.

High school graduation

Mississippi 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 course work and obtains a passing score on an assessment comparable to the assessments that would have qualified him or her for graduation at the time he or she completed the course work. The state Department of Education may determine or develop a comparable assessment for this purpose.

Oklahoma SB 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 per term.

Oklahoma SB 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 in categories determined by the board, including STEM (science, technology, engineering, math) and public services.

Oklahoma SB 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.

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

Virginia HB 895 and SB 336 remove references to standard and advanced high school diplomas and verified units of credit. The state Board of Education will collaborate with stakeholders in elementary and secondary education, higher education, and business and industry to create a profile of a Virginia graduate that 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 state Board will 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 internships, externships and credentialing.

Prekindergarten and early childhood

Maryland 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.

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

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

West Virginia SB 146 requires local school boards to offer full-day early childhood education programs with a minimum of 1,500 minutes of instruction per week and at least 48,000 minutes of instruction per academic year. Previously, state law only required county boards of education to offer early childhood education programs five days per week for students age 4.

Public school and higher education governance and authority

Delaware HB 61 requires the boards of all public school districts, vocational and 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.

Kentucky HB 15 requires new appointees to the 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.

Louisiana SB 432 requires that the state-controlled Recovery School District return every school under its control to its local school system by July 1, 2018 based on a plan developed by the local school superintendents and the superintendent of the Recovery School District. Schools may, under certain circumstances, postpone their return until July 1, 2019 at the latest. After the transfer, each charter school will continue to operate as its own local education agency and retain control over personnel, curriculum and other decisions.

Mississippi SB 2438 requires that all district superintendents be appointed by the respective local school board by the beginning of 2019. Currently, some school district superintendents are elected.

North Carolina 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. The bill also requires the Program Evaluation Division to provide findings and recommendations to the Joint Legislative Program Evaluation Oversight Committee.

Oklahoma 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.

Tennessee 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 directs the executive director of Tennessee Higher Education Commission (THEC) to examine the commission's regulatory function, and THEC must adopt policies reflecting the results.

Tennessee HB 2578, the Focus on College and University Success Act, transfers the governance and management of Tennessee Board of Regents governed universities to newly created boards of trustees at each institution. Each board will approve an operating budget and 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.

Virginia HB 1303 prohibits a member of the board of a four-year public postsecondary institution or the State Board for Community Colleges from serving a subsequent term if he or she fails to complete mandatory training during a first term.

Protecting student data and privacy

North Carolina HB 632 prohibits an individual or organization that provides an online educational service or application from using information about students obtained through those means 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.

West Virginia 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.

Other K-12 and higher education issues

Alabama HB 4 delays the implementation of the Alabama Ahead Act (that supports the installation of wireless internet connections in local school systems and facilitates the transition to electronic materials) to the 2016-17 school year and removes the requirement for participating school districts to provide electronic textbooks to students in grades nine through 12. Districts may provide: wireless internet for students; upgrades to wireless internet infrastructure; and electronic devices, digital content and other electronic services and support. The bill also creates an oversight committee that will evaluate applications submitted by school districts for participation in Alabama Ahead and will oversee and administer implementation of the act.

Florida SB 672 codifies the Students Attired for Education (SAFE) Act, established through the 2015 appropriations act, that provides \$10 per kindergarten through grade eight student to each school district that implements a districtwide standard student attire policy.

Florida HB 7019 requires the State University System of Florida Board of Governors 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.

Florida HB 7029 establishes the Florida Seal of Biliteracy Program for high school graduates who attain a high level of competency in one or more foreign languages.

Georgia 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.

Georgia 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.

Georgia 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.

Kentucky 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.

Louisiana HB 940 requires the state's 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.

Maryland HB 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.

Tennessee SB 299 authorizes state participation in SARA.

Tennessee 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 that will appear in each school's state report card.

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

More information on legislation passed during 2016 sessions is available in SREB's *2016 Final Legislative Report*. These summaries of SREB states' final legislative actions are available upon request. All SREB reports are available at www.sreb.org.

This report was compiled, based on the *2016 Legislative Reports*, by Gale F. Gaines, vice president, state services (Gale.Gaines@sreb.org) and Jeffrey Grove, research associate, state services (Jeffrey.Grove@sreb.org). For information, both can be reached at (404) 875-9211.