



SREB

# Legislative Report

## Final legislative and budget actions

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

The Legislature concluded its regular session at the end of March, having approved a general fund budget, which provides funding for state activities other than education, of just over \$2 billion in 2018-19, up 8.9 percent from the approved 2017-18 budget. The Education Trust Fund budget, which provides funding for all levels of education and other programs, is up 3.4 percent to \$6.6 billion. This includes funding to support House Bill 174, which provides a 2.5 percent salary increase for teachers, school support personnel, school bus drivers, and faculty and staff at two-year colleges.

Nearly \$4.2 billion is directed to K-12 Foundation Program formula funding to schools, a 2.8 percent increase. Over \$3.7 billion of that amount is base program funding (up 2.7 percent), while nearly \$348 million (up 2.6 percent) is provided for student transportation, \$32 million (up 2.5 percent) funds school nurses, and \$7.8 million (up 32.9 percent) is for school district technology coordinators.

The state Department of Education receives \$217.5 million, up 4.6 percent. This includes \$44.8 million for the statewide reading initiative, a 9.8 percent increase; \$10.4 million for salary stipends to National Board Certified teachers, up 10.6 percent; and \$5.7 million for the department's Career Tech Initiative, a 32.7 percent increase. In addition, the budget provides new funding for a principal mentoring program (\$438,907), computer science teacher professional development (\$300,000) and Technology In Motion professional development for teachers (\$857,192).

Funding for the community college system is up 5 percent to \$382.1 million. Community college funding includes a 6 percent increase to nearly \$5.2 million for the Alabama Technology Network (which provides assistance and resources to business and industry, including training) and a 3.5 percent increase to \$12.8 million for adult education. Funding for state universities is up 3.9 percent

to \$1.1 billion. The need-based Alabama Student Assistance Program receives \$4.1 million, up 43.1 percent, while the Alabama Student Grant Program for students at independent colleges and universities receives \$5 million, up 12.3 percent.

To provide educational opportunities in the rapidly growing field of cybernetic technology and engineering, legislators approved Senate Bill 212 to establish the Alabama School of Cyber Technology and Engineering, a residential secondary school for academically motivated and gifted students. The school will award certificates and issue diplomas — in addition to regular high school diplomas — to students who complete a program of study. The legislation permits the school to begin operation in fall 2020; legislators appropriated \$1.5 million to establish the school.

Recognizing the threat of cyber-bullying, the Legislature approved House Bill 366 to expand the legal definition of bullying to include bullying behavior that occurs between students away from school property and bullying through electronic means. The bill requires every school to hold a bullying and school violence program for teachers and students at the beginning of each school year.

### **Other legislation**

HB 71 requires the Secretary of Early Childhood Education, who is appointed by the governor, to have obtained a master's degree or completed a similar amount of master's coursework, and to have extensive experience in early childhood education supervision and management.

HB 261 establishes the Alabama Math and Science Teacher Education Program to provide loan repayment of up to \$2,500 per semester to a secondary math or science teacher who obtained their teaching degree from a university in the state. The Legislature appropriated \$750,000 for the program in 2018-19.

SB 159 requires a school district to provide all professional educators' associations with the same level of access to district employees.

SB 323 permits the governor to withdraw funds from the Education Trust Fund Budget Stabilization Fund, established to prevent mid-year budget cuts to schools, for emergency funding for repairs due to natural disasters.

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

The Arkansas Legislature, meeting in its biennial budget session, approved a \$5.6 billion state-funded budget for 2018-19, up 3.2 percent over the prior fiscal year. This includes a \$15.9 million allocation to the Rainy Day Fund in 2018-19, same as the prior year.

Statewide K-12 education funding to school districts is nearly level at \$2.2 billion, up less than 0.1 percent. However, funding to districts with declining enrollment is down 2.8 percent to just under \$14 million, and funding to cover increases in student enrollment declines 15.7 percent to \$37.7 million; funding for salary supplements to teachers with National Board for Professional Teaching Standards certification is up 14.6 percent to \$18.7 million and funding for teacher and school administrator professional development rises 22 percent to \$25.1 million. In addition, basic foundation formula funding to districts rises 2.3 percent to over \$2.1 billion.

Career education funding is level at just under \$32 million. The general education fund for statewide education programs is up 2.9 percent to \$103.7 million, including an 8.5 percent increase to \$41.8 million for the educational facilities partnership program and a 3 percent decrease, to \$15.7 million, in funding to the state Department of Education.

State universities receive \$595.1 million, a 1.2 percent increase, while two-year colleges receive \$116.9 million, up 4.5 percent. State funding to technical colleges rises slightly (0.1 percent) to \$33.6 million.

Legislators convened in a three-day special session shortly after the end of the fiscal session. While most of the agenda concerned non-education matters, legislators approved House Bill 1008 and Senate Bill 6, which modify state law to conform with federal law and allow an individual to use tuition savings account funds for tuition at a private K-12 school. Legislators also approved House Bill 1009 and Senate Bill 3 to ensure that an entire group of siblings is able to transfer between school districts under the Public School Choice Act of 2015, regardless of whether the transfer causes the receiving district to exceed the limitation on the number of transfer students enrolled.

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

Legislators adjourned their regular session on the first day of July, having approved a budget for 2018-19 that provides nearly \$4.3 billion in statewide general funds, up 4 percent from 2017-18. Institutions of higher education receive \$237.4 million, a 0.2 percent increase. This includes \$120.6 million for the University of Delaware, down 0.1 percent; \$35.1 million for Delaware State University, unchanged from the prior year; and \$81.2 million for Delaware Technical and Community College, up 0.6 percent.

Funding for the state Department of Education totals nearly \$1.5 billion for 2018-19, up 4 percent, of which nearly \$1.4 billion is for school district and charter school operations, up 18.9 percent. The latter amount reflects changes in the appropriations structure of the department, including student transportation funding of \$103.5 million (up 12.1 percent) now being included as a component of school district and charter school operations.

Legislators considered several measures related to school safety. House Bill 49, the Representative Joseph E. Miro School Safety Act, requires that all newly constructed and renovated schools include a secure entrance and other safety features in visitor screening areas as well as classroom doors that can be locked on the outside. House Bill 335 establishes the Delaware School Safety and Security Fund to help public schools make safety upgrades; legislators provided \$5 million in general funds in House Bill 475, the Bond and Capital Improvements Act.

To expand the state's autism education program from six school districts to all districts statewide, legislators approved House Bill 292, the Alex Eldreth Autism Education Law. The bill implements several recommendations from the Autism Education Task Force, established in 2014.

Several measures address students with disabilities. House Bill 287 establishes a Diploma of Alternate Achievement Standards, which replaces the previous Certificate of Performance and allows a student with an Individualized Education Program to earn a high school diploma by meeting different standards. House Bill 326 establishes the Delaware Advance Scholarship for college students with intellectual disabilities. House Bill 286 permits an individual in an alternative educator licensure program for teaching students with disabilities to begin teaching under a Certificate of Eligibility.

In response to the potentially disproportionate effect of school disciplinary actions on student subgroups, Senate Bill 85 requires the state Department of Education to report annually on student discipline in all schools. A school with a large out-of-school suspension gap between racial subgroups or with a high rate of out of school suspensions will be required to submit a plan to the state Education Department for reducing the gap or rate.

## Other legislation

HB 346 establishes the High Needs Educator Student Loan Payment Program, under which a teacher in a high needs field may obtain up to five student loan repayment awards of \$1,000 to \$2,000.

HB 433 expands the alternative routes for teacher licensure and certification program to attract a more diverse group of candidates.

SB 90 extends the length of time a student may claim an Inspire Scholarship, a merit-based scholarship program for students at Delaware State University, from six to eight continuous semesters.

SB 172 requires the state Department of Education to create a standardized statewide approach to collecting and reporting school-level per-pupil expenditures and to report the information annually.

SB 242 permits the creation of pay-for-success programs in which a private entity contracts with a state agency to invest the up-front costs for a service or program (including education programs); the agency will repay the private entity if the service or program meets performance goals and outcomes in the contract.

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

This year's regular legislative session began in January and ended in early March; due to the Stoneman Douglas High School shooting in February, the latter half of the session was largely dominated by concerns over school safety and firearm ownership and use. Legislators extended the session by two days to complete work on a budget for 2018-19 that provides \$32.1 billion in general funds statewide, up 4 percent.

General funds for Florida Education Finance Program formula funding to schools is up 6.9 percent to \$8.5 billion while class size reduction funding rises 7 percent to \$3.1 billion. The Best and Brightest Teacher Scholarship and Principal Scholarship programs are level funded at \$233.9 million, as is the Schools of Hope program, at \$140 million.

School readiness services funding is up 2.8 percent to \$144.6 million, while the voluntary prekindergarten program receives \$398.4 million, up 0.4 percent. Legislators approved a 75 percent increase in general funds, to \$128.4 million, for the Gardiner Scholarship Program, which allows disabled students to obtain educational services or products.

State universities receive \$2.3 billion for education and general activities, up 3.5 percent. The state college system receives \$956.3 million, a 2 percent decline. The merit-based Benacquisto Scholarship Program for students who achieve recognition as National Merit Scholars is funded at \$15.8 million, up 10.7 percent. The need-based Florida Student Assistance Grant program for full- and part-time students at state colleges and universities receives \$161.6 million, up 8.8 percent.

With lottery funds projected to rise 7.3 percent to over \$2.1 billion, legislators approved a 28.3 percent increase in lottery funds for FEFP formula funding, to \$519.2 million; class size reduction lottery funding is level at \$103.8 million. The merit-based Bright Futures scholarship program receives level funding, at \$397.3 million, while the FSAG program receives \$69.8 million in lottery funds, a 17.4 percent increase.

Legislators approved Senate Bill 7026, the Marjory Stoneman Douglas High School Public Safety Act, to address gun violence on school campuses. The legislation creates the Office of Safe Schools within the state Department of Education. The office is charged with creating a school security risk assessment tool for school district use, coordinating school safety technical assistance, and establishing a School Safety Awareness

Program that will allow students and the community to anonymously report information about potentially harmful, violent or criminal activities. The department also was required to establish, by the 2018-19 school year, an evidence-based youth mental health awareness and assistance training program for school personnel.

Under Senate Bill 7026, school districts are required to assign at least one resource officer to each school campus; the legislation provides \$97.5 million to help districts meet this requirement. Districts also are required to designate a school safety specialist as the primary point of public contact for school safety concerns, while the Office of Safe Schools will develop a school safety specialist training program. Both Senate Bill 7026 and House Bill 165 make it a felony offense for an individual to threaten a mass shooting or act of terrorism in writing or through electronic communications.

House Bill 7055 contains several education-related measures concerning school choice scholarship programs, school district flexibility, charter schools, and assessment and curriculum requirements. It establishes the Hope Scholarship Program to help students subjected to incidents of bullying, harassment or physical violence at school to transfer to another public school or to a private school; scholarships will be funded by contributions made at the time of vehicle purchases or registrations, and the state will provide each contributor a tax credit equal to the contribution. The legislation provides \$2 million to enact the program. The bill also provides \$9.7 million for \$500-per-student Reading Scholarship Accounts; awards will be used by English Language Learner students in grades three through five who score poorly on standardized English language arts assessments to enroll in programs or obtain services that meet their English language learning needs. Legislators expanded eligible uses for Gardiner Scholarship funds to home school expenses and for expenses related to enrollment in a research-based training program for a child with a neurological disorder or brain damage.

House Bill 7055 establishes innovation zones under the Principal Autonomy Pilot Program Initiative (itself established in 2016), under which a highly effective principal may manage multiple schools. The bill specifies that the initial term of a charter school's contract is five years (previously, four or five years), and permits a charter school to defer opening for up to three years after its charter is approved (previously, up to two years). Under the legislation, school districts must use supplemental instruction funding provided as a part of FEFP to provide an extra hour of reading instruction per day at any elementary school that is among the 300 lowest performing on the statewide English language arts assessment. For home school students who participate in a dual enrollment programs at state colleges, the bill specifies that colleges may not subject those students to course or program limitations beyond those imposed on other students.

House Bill 495 requires all middle grades and high schools, and the Florida Virtual School, to offer computer science courses, and provides bonuses for computer science teachers. The bonuses, for teachers rated effective or highly effective, are \$1,000 per year for certified educators, and \$500 for those who hold industry certifications. A teacher may receive the bonus for up to three years. The bill also prohibits misconduct by school teachers and administrators against students and disqualifies individuals who commit such misconduct from certification or school district employment.

Senate Bill 4, the Florida Excellence in Higher Education Act of 2018, makes several higher education related changes, including increasing award amounts under the Bright Futures program and expanding the Benacquisto program to students who are not residents of Florida but who relocate to or near the campus of a regionally accredited college or university within the state. The bill revises some of the metrics used for the state university system's performance-based incentive program and the Preeminent State Research Universities Program, and requires each state university to provide the Board of Governors with a plan to

improve undergraduate four-year graduation rates. In addition, Senate Bill 4 establishes the Campus Free Expression Act, which prohibits a public college or university from establishing or restricting expressive activities to free-speech zones, and allows a person whose personal expression is violated by an action prohibited under the act to obtain injunctive relief in court including reasonable court costs and attorney fees.

## Other legislation

HB 565 requires a state university to refund up to 12 hours of excess credit hour surcharges to any first-time-in-college undergraduate student who completes a degree program within four years.

HB 577 permits a student to use credit earned for completing an apprenticeship program to satisfy high school graduation credit requirements in fine arts, performing arts, speech and debate, practical arts or electives.

HB 731 modifies several home schooling requirements, specifying that home school programs are required to register with local school district superintendents only to comply with attendance requirements and prohibiting a school district from requiring additional information from home school students.

HB 1091 requires the state Department of Education's Office of Early Learning to identify observation-based child assessments for use by school readiness program providers at least three times per year, and to assess school readiness programs on the quality of their teacher-child interactions.

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

The revised 2017-18 budget provided a 0.9 percent increase in statewide general funds, to \$21.6 billion. General funds to support the dual enrollment program, administered by the Student Finance Commission, rose 11.5 percent from the original appropriation to \$87.9 million. Lottery funds provided to the commission to support HOPE scholarships at state universities rose 1.4 percent to \$579.7 million. While there were increases to certain categories of funding within the Quality Basic Education formula funding provided to schools, overall general funds declined 1.5 percent to \$8.4 billion largely due to legislators redirecting \$232.7 million to the Revenue Shortfall Reserve.

The approved 2018-19 general fund budget rises 4.3 percent over the approved prior-year budget to \$22.6 billion. K-12 education funding rises 6.7 percent to \$9.9 billion, including nearly \$8.9 billion in QBE funding, a 5.6 percent increase. Funding to the University System of Georgia totals \$2.4 billion, up 4.8 percent; of that amount, nearly \$2.2 billion is for teaching and educational activities at state universities, up 5.1 percent. General funds to the Technical College System of Georgia are down 1.9 percent to \$368.6 million, including \$325.7 million for technical education (down 2.5 percent).

GSFC receives general funds totaling \$142.3 million, up 16.1 percent; most of the rise supports increased dual enrollment, at \$105 million, up 19.5 percent. REACH Georgia, a need-based program providing mentoring and academic coaching to middle grades and high school students and scholarships to program graduates to attend Georgia colleges and universities, receives \$4.6 million — a 66.8 percent increase which will provide 226 additional scholarships and allow the program to expand into 44 additional school systems. Lottery funds to GSFC rise 7.7 percent \$834.2 million; of this, \$637.2 million is directed to HOPE scholarships at state universities, up 9.9 percent.

Previously, the total amount of tax credits that the state could grant per year to individuals and corporations who donate to organizations that provide scholarships for K-12 students to attend private schools was \$58 million. House Bill 217 expands the total amount of tax credits that may be granted in one year to \$100 million for the 2019 through 2028 tax years.

Responding to increased concerns about school climate — the quality and character of school life — legislators approved House Bill 763, which expands the charge of county student attendance committees to include recommending school climate policies intended to increase student achievement, improve student and teacher morale, and decrease student suspensions, expulsions and dropouts. Under the bill, each school is required to include in its public safety plan strategies for training school staff on violence prevention, school security and threat assessment, and mental health awareness, and to include strategies to evaluate, refine and update the plan.

To examine one or more alternate assessment and accountability systems aligned to the state's academic content standards, Senate Bill 362 requires the state Board of Education to establish an innovative assessment pilot program. The program will run three to five years and have up to ten participants — the participants may either be individual school systems or consortia of school systems implementing the same alternate assessment. The state Board is required to obtain any federal Department of Education waivers needed to implement the program and may contract with a third party to assist in developing and implementing the alternate assessment and accountability systems.

House Bill 787 permits the state Board of Education to establish a grant program to replicate high-performing charter schools and requires the state Department of Audits and Accounts to produce an annual report on state charter schools offering virtual instruction, which must include information on the academic performance of students enrolled in those programs. The bill also allows regional educational service agencies to provide services to charter schools. In addition, GSFC is permitted to establish, subject to appropriations, a needs-based financial aid program for economically disadvantaged students.

Legislators approved Senate Bill 3, the Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act, to require the state Board of Education to collaborate with TCSG to facilitate and encourage industry credentialing for career, technical and agricultural education students. The legislation also authorizes school systems to align their competency-based career education programs with industry credentialing in critical and emerging occupations and establishes a competitive grant program for the renovation and purchase of equipment for industry-certified public school occupational education programs.

## **Other legislation**

HB 740 prohibits a school from suspending a student in prekindergarten through grade three for more than five days in a school year or from expelling such a student without first providing that student with a tiered system of data-based academic and behavioral interventions, unless the student possessed a weapon or illegal drugs, or the student's behavior endangered the safety of other students or school personnel.

HB 844 creates a multiagency task force within the Georgia Commission for the Deaf or Hard of Hearing which will, by September 1, 2019, provide recommendations to improve the state's system to support language and literacy proficiency for hearing-impaired children from birth to third grade.

HR 898 creates the Joint Study Committee on the Establishment of a State Accreditation Process, which will make recommendations on the possible establishment of a state-run accreditation process for public schools and school systems.

SB 330 requires the agricultural education program in grades six through 12 to be based on the nationally recognized three-component model of daily classroom and lab instruction, hands-on experiential learning, and leadership and learning opportunities. It also establishes a pilot program beginning in the 2019-20 school year to provide agricultural education in elementary schools.

SB 401 requires school counselors to provide career-oriented aptitude and career interest guidance to students in grades six through 12. It also requires sex education for students in kindergarten through grade nine to include sexual abuse and assault awareness and prevention education and permits the Professional Standards Commission to require in-service training on sexual abuse and assault awareness and prevention as a requirement for educator certification renewal.

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

Legislators approved a biennial budget that provides nearly \$11.1 billion in general funds in 2018-19. While down 2.3 percent from the revised 2017-18 total, it is up 2 percent from the original 2017-18 appropriation. In 2019-20, the statewide general fund budget rises 2.1 percent to \$11.3 billion. The budget is supported with additional revenues raised by House Bill 366 and House Bill 487, which extend the statewide 6 percent sales tax to certain services and increase cigarette taxes from \$0.60 to \$1.10 per pack, but also provide some corporate and personal income tax reductions. The legislation is expected to generate nearly \$400 million in additional general funds over the biennium.

In 2018-19, general funding for K-12 education rises 0.4 percent over the revised prior year total to over \$4.1 billion, and in 2019-20 declines 0.1 percent. This includes \$710.2 million and \$724.4 million in the first and second year, respectively, to fund health insurance for school district employees, a 2 percent increase both years.

The total statewide general funding for K-12 education also includes SEEK formula funding to school districts totaling under \$3.1 billion in each year of the biennium, up 1.4 percent in the first year and down 0.6 percent in the second. Funding to provide Teachers' Retirement System contributions for employees included in the SEEK formula funding rises 2.8 percent, to \$408.5 million, and rises a further 2.2 percent in the second year, to \$417.6 million.

State universities receive \$663.5 million in 2018-19, down 5 percent, and \$658.2 million in 2019-20, down 0.8 percent. The Kentucky Community and Technical College System receives \$167.7 million in the first year and \$166 million in second, respective declines of 6.7 percent and 1 percent. While Kentucky Higher Education Assistance Authority funding is down 11.7 percent in the first year to \$232.1 million, need-based College Access Program Grants receive \$71.9 million (up 16.2 percent), while the need-based Kentucky Tuition Grant Program receives \$38.6 million (up 14.5 percent).

In the second year, KHEAA funding rises 3 percent to \$239.1 million. College Access Program Grants receive \$76.1 million (up 5.8 percent) and the Kentucky Tuition Grant Program receives \$40.4 million (up 4.6 percent). Merit based Kentucky Educational Excellence Scholarships receive \$106.7 million in the first biennium year and \$107.7 million in the second, increases of 0.5 percent and 1 percent.

In addition to the funding increases for K-12 education, Senate Bill 152 permits a school district to provide additional pay to all teachers at a low-performing school.

Reflecting broad awareness of the need to assist students with dyslexia, House Bill 187 requires the state Department of Education to provide, by January 1, 2019, guidance, technical assistance and training to local



school districts so they may implement evidence-based instructional practices for students with dyslexia. Teacher preparation programs in the state are required to incorporate dyslexia-related instruction by 2019-20, and the department is required to collaborate with the Education Professional Standards Board, Council on Postsecondary Education, and others to update teacher professional development opportunities specifically related to dyslexia.

House Bill 367 establishes a dyslexia trust fund to finance grants to school districts for the support of dyslexic students.

House Bill 281 reenacts the sections of state law concerning for-profit institutions of higher education and specifies that institutions must renew their licenses with the Council on Postsecondary Education annually. In addition, the Council must require that a for-profit institution, at a minimum, either obtains accreditation (if it grants degrees) or issues a statement of quality assurance (if it does not grant degrees).

### **Other legislation**

HB 3 requires each school district to implement an essential workplace ethics program, beginning in 2019-20, for all K-12 students; the program must include a focus on drug abuse prevention.

HB 30 requires all public high school and middle grades teachers, school principals and guidance counselors to receive at least one hour of suicide prevention training every two years, beginning with the 2018-19 academic year.

HB 132 requires a student, beginning with the class that enters grade nine in 2020-21, to complete at least one financial literacy course to receive a high school diploma.

HB 147, the Lyndsey Crunk Act, requires the parents of a student diagnosed with a seizure disorder to work with personnel at the student's school to implement a seizure action plan.

HB 434 modifies state law to conform with federal law and allows an individual to use tuition savings account funds for tuition at a private K-12 school.

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

Prior to the 2018 regular legislative session, the governor convened a special session to address a projected revenue shortfall of nearly \$1 billion in 2018-19 due to the expiration of a one-cent temporary sales tax. Legislators couldn't come to an agreement during that special session and are constitutionally barred from considering revenue measures during regular sessions. While the Legislature approved and the governor signed an appropriations measure during the regular session, it would have resulted in reductions across state government.

By the adjournment of the regular session, the projected shortfall had narrowed to approximately \$650 million due to changes in expected revenue that resulted from federal tax measures passed in late 2017. Legislators convened a second special session in late May and approved a new budget but did not come to an agreement on the expiring sales tax measure. A third special session, in June, resulted in the extension of the temporary sales tax through June 2025 at the rate of 0.45 percent; this is projected to provide nearly \$500 million in state revenues for 2018-19.

General funds for 2018-19 total \$9.6 billion, up 1.7 percent from the mid-year 2017-18 budget. Total state funds are up 1.5 percent to \$19.9 billion. While general funds for K-12 education decline 0.6 percent to under \$3.6 billion, statutory dedications rise 4.8 percent to \$287 million. General funds for higher education total just over \$1 billion, a 1 percent increase; however, statutory dedications decline 2.2 percent to \$148.3 million.

House Bill 898 establishes the Louisiana School and Student Safety Act, which requires any teacher or school employee who learns of a credible and imminent threat of violence or terrorism against a school, student or school employee to immediately report it to local law enforcement. If the teacher or school employee does not have a reasonable belief that the threat is credible or imminent, he or she is required to report the threat to school administrators for further investigation. If a threat reported to local law enforcement is made by a student, that student is prohibited from returning to school without undergoing a formal mental health evaluation.

Senate Bill 895 requires each school and each public college or university to provide all students at the beginning of the school year with information regarding online safety, including how to recognize and report threats to school safety that are posted online, such as on social media platforms. In addition, each school, public college or public university is required to provide students with a method to anonymously report potential threats to school safety.

Each public school currently is required to prepare a crisis management and response plan. House Bill 498 specifies that the plan must provide for notification of parents in the event of a shooting, violent incident or other emergency at the school. While students are prohibited from wearing body armor on school property or at school-sponsored functions, Senate Bill 178 permits students to wear bulletproof backpacks.

Legislators approved Senate Bill 364 to protect free expression on college campuses by students, administrators, faculty members, staff members, and invited guests. The legislation specifies that any person may engage in non-commercial forms of speech, including peaceful assembly, protest, and literature distribution, on the campus of a public college or university so long as the speech is neither unlawful nor substantially disruptive. A public college or university may only enforce restrictions on the time, place or manner of free expression if the restrictions are published and neutral with respect to content. The legislation requires each public college and university to develop policies and regulations regarding free expression and association on their campuses.

Previously, teachers in grades two and three were required to identify students in their classes who could not read at grade level within 30 days of the beginning of the school year. With the passage of House Bill 656, students in those grades will instead be administered a literacy screening assessment within the first 30 days of the school year; students who score above grade level will be evaluated for gifted education while students scoring below grade level will be considered for the provision of additional reading resources.

## **Other legislation**

HB 676 establishes the Early Childhood Care and Education Commission to create a vision for the future of early childhood care and education in Louisiana.

HB 766 permits a student to receive behavioral health services at school during school hours from an outside behavioral health provider when requested by the student's parents or guardian.

HB 793 required the state Board of Regents to implement a uniform policy on hazing prevention by August 1, 2018.

SB 46 requires the state Board of Regents to review and revise the master plan for postsecondary education at least every four years and to submit a revised master plan to the governor and Legislature by September 1, 2019.

SB 254 requires the state Board of Elementary and Secondary Education to develop criteria for dyslexia practitioner ancillary certificates and dyslexia therapist ancillary certificates for teachers.

SB 349 establishes the Technology Strategy Task Force to review the statewide educational technology plan for elementary and secondary education and to determine schools' projected educational technology needs.

SB 378 permits a school district to share student data with the state Board of Regents so that the board may provide districts with reports on the remediation needs and college retention and graduation rates of those districts' high school graduates, and to help the board develop policies to improve student achievement.

SB 562 specifies that a school that delivers all or a majority of its instruction through electronic means but requires students to attend daily at a specific location is not considered a virtual school.

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

Legislators during the General Assembly's regular session considered issues such as addressing school safety concerns in the wake of events in Florida, increasing regional transit funding, holding down health insurance costs, increasing penalties for repeat violent offenders, and permitting judges to temporarily confiscate firearms from individuals deemed a danger to themselves or others. The statewide general fund budget for 2018-19 totals nearly \$17.9 billion, up 3.9 percent from the originally approved 2017-18 budget.

State general fund aid to K-12 education totals nearly \$6.1 billion, a 1.7 percent increase; of that amount, \$2.8 billion is Foundation Program formula funding, up 5.4 percent. Funding for Limited English Proficient students rises 15.8 percent to \$288 million, and for students with disabilities rises 1.9 percent to \$449.1 million. Funding to expand full-day prekindergarten in school districts totals \$27.4 million in 2018-19 (an increase from just under \$8 million the prior year). Aid to school districts with larger numbers of economically disadvantaged students declines 0.1 percent to \$1.3 billion, while school district employee benefit funding is down 7.3 percent to \$732.9 million. Funding to the state Department of Education falls 4.3 percent to \$104.1 million.

State colleges and universities receive \$1.5 billion, effectively unchanged from the prior year. Formula funding to community colleges is up 1.9 percent to \$261 million, while funds for community college employee benefits fall 3.3 percent to \$61.4 million. Aid to nonpublic colleges rises 10.3 percent to \$56.3 million, and funding for the need-based Educational Excellence Awards program is up 0.1 percent to \$82.9 million.

The Maryland Safe to Learn Act (Senate Bill 1265) requires all public schools to have a trained school resource officer or coverage by local law enforcement beginning with the 2019-20 school year. Each school system is required to appoint a mental health services coordinator and a school security coordinator and is required to conduct a safety evaluation of all its public school facilities by June 15, 2019. The legislation requires the Maryland Center for School Safety to develop a specialized training curriculum for school resource officers and school security employees; beginning September 1, 2019, an individual must have completed a training based on this curriculum to serve as a school resource officer or school security employee.

House Bill 1783 is primarily concerned with modifying the 21st Century School Facilities Act that provides school construction funding grants, including moving final approval for grants from the Board of Public Works to a commission within MSDE. The legislation also establishes a \$10 million School Safety Grant Program. Also related to school safety, Senate Bill 725 permits a school principal to report a student to a law enforcement agency if, after an investigation, the principal has reason to believe the student committed a criminal offense.

House Bill 1072 requires each local board of education and any nonpublic school receiving state funding to provide its employees with annual training on preventing, identifying and reporting child sexual abuse. Each local board also must implement policies that support the prevention of child sexual abuse and address appropriate contact between staff and students.

Legislators approved House Bill 1415 to extend the deadline for the Commission on Innovation and Excellence in Education to complete its work to May 31, 2019. The bill also establishes several programs: an outreach program to encourage the top 25 percent of high school students to consider entering the teaching profession; the Maryland Early Literacy Initiative, to provide up to 50 Title I schools with grants (up to \$50,000 per grant, per year) to establish evidence-based literacy programs for students in kindergarten through grade eight; and the Learning in Extended Academic Programs Grant Program, which will distribute \$4.5 million as grants to establish before- and after-school, weekend, or summer academic programs for at-risk students.

## **Other legislation**

HB 281 requires each public high school to offer at least one high-quality computer science course beginning in 2021-22 and establishes the Maryland Center for Computing Education within the University System of Maryland to increase the number of computer science teachers.

HB 403 and SB 595 establish the Community College Facilities Renewal Grant program to provide grants for improvements, repairs, and deferred maintenance projects at community colleges.

HB 568 requires MSDE to develop and update its best practices for local school board governance over the security and privacy of student data and personally identifiable information.

HB 1234 allows a local school board to award credit toward a high school diploma, postsecondary credential, or both to a student who receives work-based training and instruction in a registered apprenticeship program.

HB 1254 requires MSDE to disaggregate reported student discipline data by race, ethnicity, gender, disability status, socioeconomic status and English language proficiency.

SB 611 establishes the Healthy School Facility Fund and requires the governor to appropriate at least \$30 million to the fund each year in 2019-20 and 2020-21.

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

While legislators were unable to reach consensus on issues such as reworking the state education funding formula, allowing teachers to carry firearms in schools or establishing tuition-free community college, they did approve a state-supported 2018-19 budget of nearly \$6.1 billion, a 1 percent increase over the originally approved 2017-18 budget. General funds total \$5.5 billion, a 0.1 percent decrease.

State supported K-12 education funding rises 0.3 percent to under \$2.5 billion, including \$2.2 billion for Mississippi Adequate Education Program formula funding to schools, up 0.1 percent. Vocational and technical education funding remains essentially level at \$81.1 million. State support for general educational activities at state universities declines 0.7 percent to \$355.2 million, though financial aid support for university students rises 5.3 percent to \$37.7 million. Funding for the community and junior college system totals \$237.5 million, up 0.1 percent.

Senate Bill 2763 modifies the Mississippi Virtual Public School Program to specify that the state Department of Education selects private companies to administer, manage or operate virtual school programs in the state through its Mississippi Online Course Application Process (previous law mandated a competitive request-for-proposal process). In addition, the bill clarifies that the parents or guardian of a student may be responsible for the cost of online courses if the student enrolls after the funds budgeted for the Mississippi Virtual Public School Program have been expended.

### **Other legislation**

SB 2193 permits the Mississippi Postsecondary Education Financial Assistance Board to administer the Mississippi Nissan Scholarship program.

SB 2218 extends the permitted maximum term of a loan that the board of trustees of a junior or community college may enter into from 15 years to 25 years.

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

Meeting in their short session, legislators approved revisions to the second year of the 2017-19 biennial budget, providing \$23.8 billion in statewide general funds for 2018-19, up 0.9 percent over the original appropriation and up 3.8 percent from 2017-18. The nearly \$9.5 billion provided to the Department of Public Instruction for K-12 education is a 0.6 percent increase from the original appropriation and up 4.8 percent over the prior year. This includes funding to provide a 6.5 percent average teacher salary increase in 2018-19 as well as salary increases for principals, district office personnel and DPI staff. It also includes \$22.9 million to make permanent bonus programs for reading teachers in grades four and five, and math teachers in grades four through eight, whose students place in the top 25 percent of growth scores in those subjects; the maximum award a teacher may receive is \$2,000.

The University of North Carolina system receives a 2 percent increase over the original appropriation for 2018-19, to \$3 billion, which is 4.6 percent more than the prior year. Community colleges receive nearly \$1.2 billion — up 3.8 percent from the original appropriation and up 5.7 percent from the prior year.

Language in the appropriations bill, Senate Bill 99, requires DPI to contract with Schools That Lead to provide professional development to teachers and principals in up to 60 schools statewide. DPI is required to give priority to schools trying to improve their on-time graduation rates, middle grades schools working to reduce retention of their students in grade nine, and elementary schools seeking to lower the number of students with early warning indicators such as course failures, excessive absences and disciplinary issues. The legislation extends the pilot program that in 2015 authorized two virtual charter schools; the program, which was originally set to end after the 2018-19 school year, will continue through 2022-23.

Senate Bill 99 also establishes a school safety grants program, which provides grants in five separate categories in 2018-19: \$12 million for grants to hire public resource officers in elementary and middle grades schools (recipients must match grant funds on a \$2-for-\$1 basis); \$2 million for grants to provide crisis services for students such as therapy or mentoring that is likely to increase school safety; \$3 million for grants to provide training that helps students develop healthy responses to trauma and stress; \$3 million for grants so schools may purchase safety equipment; and \$10 million to allow schools to employ additional mental health support personnel.

House Bill 670 makes it a felony to threaten to commit an act of mass violence on any property owned or used by a school or school district or at an extracurricular activity sponsored by a school.

House Bill 986 makes several education-related changes to state law. The bill requires DPI to report annually on the implementation of required cursive writing and multiplication table instruction in public schools, requires the state Superintendent of Public Instruction to recommend ways to reduce the number of student assessments not required by state or federal law, and requires DPI, in conjunction with the state Department of Health and Human Services, to develop content standards for a mental health training program for teachers and school personnel.

### **Other legislation**

HB 1031 repeals the ability of a local school board to file a lawsuit against local county commissioners challenging the amount of local funds provided for education, and instead institutes a funding formula if the board and commissioners cannot reach agreement in mediation.

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

After the 2017 legislative session, the Oklahoma Supreme Court struck down as unconstitutional a \$1.50-per-pack cigarette fee, revenue from which was intended for a Health Care Enhancement Fund supporting health and social programs. The first special session to address the revenue issues caused by the court's ruling convened in September 2017 and adjourned in November of that year; the governor vetoed most of the revised budget measures approved by legislators during that session.

The second special session convened in December 2017; it continued to, and ran concurrently with, the 2018 regular legislative session, which convened in February. During the second special session, legislators approved a revised 2017-18 budget with House Bill 1020 which increased total state fund appropriations 1.7 percent over the original amount to nearly \$7 billion and increased K-12 education funding to over \$2.5 billion, a 3.1 percent increase. However, it also reduced appropriations in most other areas — including a 0.6 percent cut, to \$768.9 million, to the State System of Higher Education.

In response to calls for increased and more stable state revenues and for increased education funding, legislators in the second special session approved House Bill 1010, which increases taxes on cigarettes, motor fuels, and certain oil and gas production, and imposes a new \$5 per night hotel occupancy tax. The legislation is expected to raise nearly \$500 million in revenues for 2018-19, and is intended to support three pay increase measures approved during the second special session: House Bill 1023, which provides certified educator salary increases ranging from 15.8 percent to 18.3 percent; House Bill 1024, which provides annual salary increases of \$750 to \$2,000 per year for state employees; and House Bill 1026, which provides annual salary increases of \$1,250 per year for school support employees.

House Bill 1019, also passed during the second special session, requires retailers who sell \$10,000 or more of merchandise to state residents through online third-party sites to either collect and remit state sales taxes or to notify customers of the taxes they must remit to the state; revenues raised through this measure will be directed to the Education Reform Revolving Fund at the state Department of Education. House Bill 1198 reauthorizes state law that allows taxpayers to contribute a portion of their state income tax refund to the Education Reform Revolving Fund.

The 2018-19 state-funded budget is up 8.6 percent over the amended 2017-18 budget to \$7.6 billion. Funding for K-12 education is up 15.4 percent to \$2.9 billion; this includes school formula funding of nearly \$2.3 billion, up 22.8 percent. The Department of Career and Technology Education receives \$124.3 million, up 11.2 percent, while state funds to the Office of Educational Quality and Accountability rise 0.8 percent to \$1.6 million. The State System of Higher Education receives \$776.7 million, a 1 percent increase.

To recognize highly rated teachers with several years' experience, the Legislature approved Senate Bill 980, which creates lead and master teacher certification levels. Teachers with lead certificates will have reduced teaching loads to allow them to mentor other teachers, while those who achieve master certification will have further reduced teaching loads so they may spend time co-teaching, co-planning and performing peer reviews as well as mentoring and other leadership duties. Both lead and master certified teachers will receive salary supplements and will contract for additional days to strengthen their leadership abilities. The state Department of Education is required to implement the program on a pilot basis starting with the 2019-20 school year, and to seek funding from private-public partnerships, philanthropic organizations and federal grants. House Bill 3309 changes the name of the state Department of Education's teacher residency program to the teacher induction program and requires the program to include guidance and training to school districts on successful induction programs and on the selection, function and duties of mentors.

Legislators approved two related school and student safety measures. Senate Bill 1150 requires school employees to notify law enforcement of verbal threats or threatening behavior that may result in harm to students, school personnel or school property and requires school employees who have reason to believe a student is a victim of abuse or neglect to report it to the state Department of Human Services. House Bill 2259 similarly requires teachers who believe a student is a victim of abuse or neglect to report it to the state Department of Human Services or, if the student is 18 years of age or older, to law enforcement.

To encourage concurrent enrollment in postsecondary courses by eligible high school students, Senate Bill 1196 increases the number of credit hours for which a high school senior may receive a tuition waiver during that year from six to 18 hours. It also permits a high school junior to receive a tuition waiver for up to nine credit hours.

Legislation approved in 2017 required the creation of an individual career and academic plan for each high school student beginning with students entering grade nine in 2019-20; those plans will allow students to explore postsecondary career and educational opportunities. House Bill 2911 specifies that the opportunities available for exploration by students under the plans must include military careers, apprenticeship programs, and career and technology programs that lead to certification or licensure.

## **Other legislation**

HB 2009 requires the state Department of Education to report on its website all salary and benefit increases provided to school employees.

HB 2860 requires school district websites to have a link on their home pages to the state Department of Education's Oklahoma Cost Accounting System and School District Financial Information website by the 2019-20 school year.

HB 3311 requires the state subject matter standards for history, social studies and United States Government to include the content of the United States Immigration and Naturalization Services' naturalization test and an emphasis on civics.

HB 3320 requires the State Board of Education and the State Board of Career and Technology Education to establish rules for competency-based teacher certification in technology center school districts.

SB 929 adds autism and traumatic brain injury to the weighted categories used in the school funding formula.

SB 1197 changes the student performance level labels for the two lowest performance levels on assessments under the Oklahoma School Testing Program Act from unsatisfactory and limited knowledge to below basic and basic.

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

While legislators adjourned the regular session in May, they reconvened for a two-day session in June to complete an \$8.2 billion general fund budget for 2018-19, up 3.4 percent from 2017-18. General funds to the state Department of Education are up 3.9 percent to \$3 billion, including under \$2.9 billion in aid to school districts, a 3.3 percent increase. The latter amount includes \$2 million for a school safety program for school districts to hire law enforcement officers to serve as school resource officers in districts that otherwise lack adequate resources to hire school resource officers.

Education Improvement Act funding, from an earmarked 1 percent sales tax, is projected to rise 5 percent in 2018-19 to nearly \$837 million. Legislators approved large EIA funding increases for aid to school districts (\$24.4 million, up 69.6 percent), technical assistance (\$23.8 million, up 85.9 percent), and for the statewide Public Charter School District (\$113.7 million, up 13.1 percent).

General funds to state universities are up 6.2 percent to \$438.9 million while the Technical College System receives \$154.4 million, a 3.6 percent increase. Lottery funding is projected to rise to \$480.3 million. Merit-based, lottery-funded scholarships will operate with increased funding: LIFE Scholarships receive \$230.1 million, up 5.7 percent; HOPE Scholarships receive \$15.6 million, up 52.8 percent; and Palmetto Fellows Scholarship receive \$55.4 million, up 6.6 percent. Lottery-funded need-based grants for students at public institutions receive \$20 million, up 14 percent, while tuition grants for students at independent colleges receive \$10 million, a 20 percent increase.

Currently, the state Superintendent of Education is an elected position. Senate Bill 27 provides for the appointment of the state Superintendent of Education by the governor, subject to approval by the state Senate, and establishes minimum requirements for the position. For the transition of the state Superintendent position from an elected to appointed position to occur, voters must approve the constitutional amendment proposed by House Joint Resolution 3146; if voters approve the amendment, the transition would occur either in January 2023 or as soon as the position is vacant following ratification of the amendment.

Senate Bill 131, a school and college safety measure, revises current law prohibiting individuals from disturbing students and faculty at schools and colleges by specifying that it is unlawful for a non-student to



enter or loiter on school or college grounds without permission, initiate a physical assault or act in a loud or boisterous manner, or threaten physical harm or deadly force to anyone on those grounds. The bill also establishes that it is unlawful for a school or college student to threaten another student with physical harm or deadly force using any form of communication.

Also regarding school safety, Senate Bill 709 requires all public schools to conduct active shooter and severe weather drills at least once per semester and requires the state Department of Education to work with the South Carolina Law Enforcement Division to develop guidelines for active shooter drills. The state Department of Education also is required to collaborate with the Office of the State Fire Marshall to develop model fire and safety policies for school districts and charter schools, which must adopt such policies prior to the 2020-21 academic year.

Following increasing awareness of dyslexia and other reading difficulties among students and the need to address the academic challenges those students may face, legislators approved House Bill 4434, which requires the state Department of Education to establish and provide training for a statewide system of evidence-based supports for students who are at risk of experiencing academic difficulties. The department is required to identify a process to screen all students in kindergarten through grade two for reading difficulties, including dyslexia, and school districts are required to use that screening process beginning in the 2019-20 school year. Districts will convene school-based teams to analyze the screening results and help implement evidence-based interventions for at-risk students. The bill also creates a Learning Disorders Task Force in the state Department of Education to advise the department on matters related to reading disorders among students.

Legislators in 2017 created a statewide program to identify and take actions at three levels of school district fiscal and budgetary concern — fiscal watch, fiscal caution and fiscal emergency. House Bill 5042 specifies that the state Department of Education is required to declare a district in a state of fiscal watch if independent auditors declare the district's financial records unauditible or if the department identifies deficiencies, weaknesses or legal noncompliance that could significantly affect the district's financial condition. The bill also establishes provisions that permit a school district board of trustees to appeal a declaration of fiscal caution or fiscal emergency to the state Board of Education (previously, a district board could only appeal a fiscal watch declaration).

## **Other legislation**

HB 3513 establishes a retired educator teacher certificate to allow retired teachers to maintain certification for the purpose of serving as substitute teachers.

HB 3591 adds to the information that the Office of South Carolina First Steps to School Readiness is required to include in its reporting certain measures including kindergarten readiness assessment results, information on evidence-based programs provided under the First Steps initiative, the total amount of state, local and federal revenues received and expended by the office and each local partnership under the initiative, and information on professional development and technical assistance provided by the office to service providers and local partnerships.

SB 302 requires the state Board of Education to include instruction on opioid abuse prevention in the state's health education standards.

SB 888 permits a school district or charter school to pay teachers and employees at the end of a fiscal year for remaining unused sick and annual leave.

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

The General Assembly completed its session after passing a \$17.8 billion state-funded budget for 2018-19, down 0.7 percent from the prior year; however, available general revenues are projected to grow 3.4 percent to nearly \$11.9 billion. The budget includes funding for a 2.5 percent salary increase to state and higher education employees.

State funds for K-12 education in 2018-19 are up 2.1 percent from the original 2017-18 appropriation to \$5.1 billion. Of that amount, \$4.8 billion is directed to Basic Education Program formula funding to school districts, a 2.3 percent increase; this includes \$55.1 million to fund increased teacher salaries.

For higher education, state funds total under \$2 billion, up 6.5 percent. This includes nearly \$101 million for awards through the Tennessee Student Assistance Corporation, up 11 percent, as well as \$345.8 million for lottery-funded student assistance, a 4.1 percent increase. The University of Tennessee System receives \$601.5 million (up 4.8 percent) while the Tennessee Board of Regents System receives \$831.7 million (up 8 percent) — the latter includes the community college system, which receives a 7.6 percent increase to \$268.7 million.

In response to issues in the administration of the TNReady assessments in the 2017-18 school year, legislators approved House Bill 1981, which permitted schools to select an amount, from zero to 15 percent, of students' final spring semester grades that would be based on the students' TNReady assessment results. The bill prohibits the state from using assessment results from 2017-18 to assign letter grades to schools or identify low-performing schools and prohibits schools from basing employee compensation or termination decisions on those results. In addition, House Bill 75 prohibits the state, a school district, a school or anyone else from taking any adverse action against any student, teacher, school or school district due to the 2017-18 TNReady assessment results.

House Bill 1855 prohibits the state Department of Education or the state Board of Education from mandating any statewide assessments beyond those that were required during the 2016-17 school year; the prohibition remains in place until the 2020-21 school year. Senate Bill 1805 requires the state Board of Education to adopt a policy establishing a review period of at least 10 business days in which school districts will verify the accuracy of any school and student performance accountability and assessment data.

To address school safety concerns, reduce law enforcement response times to school emergencies, and improve school safety through the presence of armed school security personnel, Tennessee legislators approved House Bill 2129, the School Safety Act of 2018. The act permits local school districts to adopt policies allowing off-duty law enforcement officers to serve as armed school security officers. A school district that wishes to hire officers under the act must execute a memorandum of understanding with the law enforcement agency that employs those officers that stipulates certain policies, including what firearms those officers may carry and in what manner they may be carried.

House Bill 1694 establishes several requirements for teacher preparation programs. The legislation simplifies student teaching requirements, removing language that specified the duration and timing of required student teaching experiences, instead requiring field experiences and clinical practice and requiring each student candidate to be assigned to an effective educator for guidance and instruction. The legislation requires each teacher preparation program in the state to report the number of program graduates who receive a score of below expectations or significantly below expectations in their first year as a teacher and the estimated cost to the institution of providing remediation to those teachers. The state Board of Education is required to place a teacher preparation program on probation if, in one year, 30 percent or more of the

program's graduates fail the state teachers examination; if 30 percent or more of a program's graduates fail in consecutive years, the board is required to revoke the program's state approval.

Based on the results of a pilot program during the 2016-17 school year, legislators approved House Bill 1686, which requires evaluations for kindergarten teachers and prekindergarten teachers in the statewide Voluntary Pre-K program to be based on the growth portfolio model. The bill also required the state Department of Education to study the growth portfolio model prior to the 2018-19 school year and requires school districts to notify affected teachers of available training and professional development on growth portfolio models.

## **Other legislation**

HB 67 requires school districts, beginning with the 2019-20 school year, to use at least one alternative growth model to provide individual growth scores to teachers in non-tested grades and subjects.

HB 1527 prohibits a school district, charter school or virtual school employee from altering a student transcript unless the district or school has a written policy on alterations that requires documentation and reasoning to support any alterations.

HB 1570 requires a charter school to be located within the boundaries of the local school district that authorized it or, if the charter is approved by the state Board of Education, within the boundaries of the district to which the sponsor originally applied for the charter.

HB 1870 includes charter schools in the state's requirement to send to schools reimbursement for the excess costs of educating children with disabilities.

HB 1888 allows the state Comptroller of the Treasury to audit the financial transactions of a charter management organization that serves any charter school in the state.

HB 2272 requires the state Department of Education to establish a student support collaborative to review and define the roles and responsibilities of school social workers, school counselors, school psychologists, and school nurses.

SB 1665 establishes the Tuition Transparency and Accountability Act, which requires a state university board to give notice at least 15 days before holding a meeting to adopt any increases in tuition or mandatory fees.

SB 1804 exempts a teacher or principal who is renewing his or her license from being required to take an assessment if they have an active license in another state with which Tennessee has a reciprocal agreement, if they are employed to teach courses in their subject matter area of endorsement, or if they earned a performance effectiveness score of above expectations or significantly above expectations in the first two years after the initial license was issued.

## ***Texas*** (<https://capitol.texas.gov/>)

The Texas Legislature, which meets biennially in odd-numbered years, did not hold a regular legislative session in 2018. For the 2018-19 biennium (which began in September 2017), statewide general funds declined 2.5 percent to \$113.1 billion. While higher education funding increased 1.1 percent to \$17.8 billion, public education funding declined 1.5 percent to under \$41 billion for the biennium. Despite the decline in general funds for public education, increased revenue from the property tax relief fund brought overall state funds for Foundation School Program formula funding to \$42.7 billion for the biennium, up 0.7 percent.

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

While the General Assembly concluded its regular session in March, legislators required extra time to reach a budget agreement that included measures to expand the state's Medicaid program under the Affordable Care Act, and approved a biennial appropriations measure in early June. For 2018-19, statewide general funds total just under \$21 billion, up 3.1 percent from the amended 2017-18 total; in 2019-20, this amount rises to \$21.6 billion, also up 3.1 percent.

General funds for K-12 education rise 4.2 percent to \$8.4 billion in 2018-19, and then rise 2.9 percent to nearly \$8.7 billion in 2019-20; this includes direct aid to public education totaling nearly \$6.3 billion in the first year of the biennium, up 4 percent, and under \$6.5 billion in the second, up 2.8 percent. The second year of direct aid to public education funding includes \$51.3 million to support a 2 percent salary increase for all teachers and school personnel that takes effect in December 2019. Language in the budget also requires each school district to assess kindergarten students using the multi-dimensional kindergarten readiness assessment model by the 2019-20 school year.

State-supported colleges and universities receive \$1.3 billion in 2018-19, up 4.8 percent. In 2019-20 the general fund increase is 3.1 percent, to nearly \$1.4 billion. Community colleges receive \$440.7 million in the first year of the biennium, up 4.8 percent, and \$442.9 million in the second year, up 0.5 percent.

Recognizing the importance of addressing the learning needs of students with dyslexia and related learning disorders, legislators approved House Bill 1265 and Senate Bill 368. The bills require all educator preparation programs in the state that offer a degree, concentration or certificate for reading specialists to include coursework in those programs on appropriate interventions, accommodations and teaching techniques for students with dyslexia and related disorders.

Previously, a school could suspend a student for a maximum of 364 days; House Bill 1600 specifies that a school may suspend a student for no more than 45 school days, except for offenses involving drugs, weapons or serious injury. Senate Bill 170 prohibits a school from suspending a student in prekindergarten through grade three for more than three school days or expelling such a student unless the student commits an offense involving injury or a threat of injury.

Relative to free speech on college campuses, House Bill 344 requires each public college or university in the state to implement a policy regarding constitutionally protected speech and a process to report incidents in which such protected speech is disrupted.

Under House Bill 919 and Senate Bill 631, the Community College System is required to develop a 15-credit-hour, one-semester Passport Program and a 30-credit-hour, two-semester Uniform Certificate of General Studies Program; all credits a student earns under either program will be transferrable to all public four-year colleges and universities in the state. Each public college and university is required to develop pathway maps which establish the courses that community college students should complete prior to transferring to that four-year institution.

House Bill 3 requires the State Board for Community Colleges to coordinate with the State Council of Higher Education for Virginia, the state Department of Education, and the Virginia Association of School Superintendents, to implement a plan to maintain, in dual enrollment courses offered by local schools, the same level of standards in courses offered at community colleges, and to determine how credits from dual enrollment courses transfer to public colleges and universities in the state.

## Other legislation

HB 215 establishes a one-year, renewable teachers license for an individual who has earned a graduate degree, performed at least 30 hours of teaching as an instructor at an accredited college or university and obtains qualifying scores on professional teacher's assessments.

HB 454 requires the governing board of each public college and university to implement guidelines for the adoption of open educational resources.

HB 632 requires the state Board of Education to establish content standards and curriculum guidelines for career investigation courses at the elementary, middle grades and high school levels, and to require each middle grades student to complete at least one career investigation course.

HB 1017 and SB 682 specify that a child day care program for children four years of age and above that is offered by a school district as a school or preschool program and staffed by district employees is exempt from state day care licensing requirements.

HB 1085 requires a school district to allow the enrollment of any student who lives at a military installation or in military housing located within the district.

HB 1125 and SB 349 extend the length of a renewable teachers license from five years to 10 years and permit a teacher who is licensed in another state to receive licensure from the state without passing a licensing assessment.

SB 394 establishes the Office of the Qualified Education Loan Ombudsman within SCHEV to help resolve complaints from education loan borrowers about those borrowers' loans or lenders.

SB 512 prohibits any entity that maintains educational records from releasing the address, phone number or email address of a student without the written consent of that student or, if the student is under 18 years of age, the student's parent or guardian.

SB 568 requires each public college and university whose students receive federal education loans to provide each student with information regarding his or her loans at least once per academic year.

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

Reversing multiple years of budget reductions, legislators finished the 2018 session with passage of a nearly \$4.4 billion general fund budget for 2018-19, up 3.7 percent. The budget includes funding for a 5 percent salary increase for state employees as well as funding for the average 5 percent teacher salary increase that the Legislature enacted with Senate Bill 267.

K-12 funding totals just under \$2 billion, up 2.7 percent, including state aid to schools of over \$1.8 billion, up 2.8 percent. Higher education funding totals \$398.2 million, up 4.9 percent. Community and technical colleges receive \$65.6 million, up 6.8 percent; state college and university funding rises 3.9 percent to \$259.8 million. The Higher Education Policy Commission receives nearly \$72.9 million (up 6.6 percent), including \$40.6 million (up 4.1 percent) for the need-based Higher Education Grant Program.

House Bill 3089 transfers the responsibility for adoption of school instructional materials, including textbooks and electronic resources, from the state Board of Education to each county board of education, beginning with the 2019-20 school year. Under the legislation, county boards of education that choose

electronic instructional materials also are required to provide students with computer equipment necessary to utilize the resources and complete homework assignments.

To simplify testing requirements imposed on private and parochial schools, the Legislature passed House Bill 4183. Under the legislation, private schools will administer nationally normed standardized achievement tests in the same subjects and grade levels for which public schools are required to administer statewide summative assessments.

Legislators passed House Bill 4402 to require, beginning with the 2019-20 academic year, that schools provide all K-12 students with age-appropriate safety information. The state Board of Education is required to establish, by the end of 2018, training standards to develop public school employees' skills, knowledge, and capabilities for preventing child sexual abuse and recognizing and responding to suspected abuse and neglect. Public school employees will be required to complete the training once every two years.

In response to concerns over how school safety laws may affect individuals' lawful possession of firearms, legislators approved Senate Bill 244 which specifies that firearms possession is only prohibited at a non-school location hosting a school-sponsored function for the actual period in which the function is occurring.

### **Other legislation**

HB 4006 eliminates the office of the Secretary of Education and the Arts and transfers the programs of the Department of Education and the Arts to other agencies.

HB 4619 creates a new funding allowance in the school funding formula for each county to implement a comprehensive teacher and leader induction and professional growth system.

SB 319 eliminates the requirement that a home-schooled student earn a general equivalency degree to be eligible for the merit-based PROMISE Scholarship.

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