

SENATE BILL NO. 1173

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health
on February 2, 2023)

(Patron Prior to Substitute--Senator Dunnavant)

A BILL to amend the Code of Virginia by adding a section numbered 22.1-18.2, relating to Board of Education; advanced academic opportunity programs; guidelines and policies; availability.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-18.2 as follows:

§ 22.1-18.2. Advanced academic opportunity programs; guidelines and policies; availability.

A. As used in this section:

"Advanced academic opportunity programs" means any academic program that provides a specialty curriculum that has the goal of promoting accelerated learning and advanced academic standing. Such programs include magnet school programs, language immersion programs, visual or performing arts programs, and leadership and enrichment programs. "Advanced academic opportunity programs" does not include any Academic-Year Governor's Schools or regional Career and Technical Education (CTE) Governor's Science, Technology, Engineering, and Mathematics (STEM) Academies.

"Eligible student" includes any student who has demonstrated an ability to participate and succeed in advanced academic opportunities, as determined by (i) such student's performance on a merit-based application, (ii) such student's aptitude based on grades or exam results, or (iii) the recommendation of a teacher.

"Secondary school" includes middle and high school grades.

B. The Board shall develop guidelines for the administration and availability of advanced academic opportunity programs offered at the secondary school level. Such guidelines shall (i) require any advanced academic opportunity program offered at any public secondary school in the

26 Commonwealth to accept any eligible student and (ii) prohibit the imposition of class sizes or any other
27 limitation that would impede the access of any otherwise eligible student to such program.

28 C. Each local school board shall develop and adopt policies in accordance with the guidelines
29 developed by the Board pursuant to subsection B for the administration and availability of advanced
30 academic opportunity programs offered at any public secondary school in such school division. Each local
31 school board's policies shall be at least as rigorous as but may be more comprehensive than the guidelines
32 developed by the Board pursuant to subsection B.

33 **2. That the Department of Education shall convene a work group of relevant stakeholders, including**
34 **representatives from the Virginia Education Association, the Virginia Association of School**
35 **Superintendents, and the local school boards, for the purpose of making recommendations on**
36 **policies for advanced academic opportunity programs as required by this act. The work group shall**
37 **submit its recommendations to the Chairmen of the House Committee on Education and the Senate**
38 **Committee on Education and Health by July 1, 2024.**

39 **3. That the Board of Education shall make available to each local school board the guidelines for**
40 **advanced academic opportunity programs as required by this act by February 1, 2025, and each**
41 **local school board shall implement policies consistent with such guidelines no later than the**
42 **beginning of the 2025–2026 school year.**

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