

2443 TITLE 22.1. EDUCATION.

2444 CHAPTER ~~26~~ 19.1.

2445 ~~ESTABLISHMENT OF~~ COLLEGE PARTNERSHIP LABORATORY SCHOOLS.

2446 Drafting note: Existing Chapter 26 (§ 23-299 et seq.), relating to programs for  
2447 students in preschool through grade 12, is logically reorganized as proposed Chapter 19.1  
2448 of Title 22.1 (Education). Technical changes are made, including changing "Board of  
2449 Education" to "Board" to reflect the title-wide definition of Board in Title 22.1.

2450 § ~~23-299~~ 22.1-349.1. ~~Objectives; definitions~~ Definitions; objectives.

2451 A. ~~In order to (i) stimulate the development of innovative programs for preschool~~  
2452 ~~through grade 12 students; (ii) provide opportunities for innovative instruction and assessment;~~  
2453 ~~(iii) provide teachers with a vehicle for establishing schools with alternative innovative~~  
2454 ~~instruction and school scheduling, management, and structure; (iv) encourage the use of~~  
2455 ~~performance based educational programs; (v) establish high standards for both teachers and~~  
2456 ~~administrators; (vi) encourage greater collaboration between education providers from preschool~~  
2457 ~~to the postsecondary level; and (vii) develop models for replication in other public schools;~~  
2458 ~~college partnership laboratory schools may be established in Virginia as provided in this~~  
2459 ~~chapter.~~

2460 ~~B.~~ As used in this chapter, unless the context requires otherwise:

2461 "At-risk pupil" means a student having a physical, emotional, intellectual,  
2462 socioeconomic, or cultural risk factor, as defined in Board ~~of Education~~ criteria, ~~which that~~  
2463 research indicates may negatively influence educational success.

2464 "College partnership laboratory school" means a public, nonsectarian, nonreligious  
2465 school established by a public or private institution of higher education that operates a teacher  
2466 education program approved by the Board ~~of Education~~.

2467 "Governing board" means the board of a college partnership laboratory school that is  
2468 ~~party to the contract with the Board of Education, with the responsibility of~~ responsible for  
2469 creating, managing, and operating the college partnership laboratory school; and whose  
2470 members have been selected by the institution of higher education ~~establishing that establishes~~  
2471 the college partnership laboratory school. The governing board shall be under the control of the  
2472 institution of higher education ~~establishing that establishes~~ the college partnership laboratory  
2473 school.

2474 B. College partnership laboratory schools may be established in the Commonwealth as  
2475 provided in this chapter to (i) stimulate the development of innovative programs for preschool  
2476 through grade 12 students; (ii) provide opportunities for innovative instruction and assessment;  
2477 (iii) provide teachers with a vehicle for establishing schools with alternative innovative  
2478 instruction and school scheduling, management, and structure; (iv) encourage the use of  
2479 performance-based educational programs; (v) establish high standards for both teachers and  
2480 administrators; (vi) encourage greater collaboration between education providers from preschool  
2481 to the postsecondary level; and (vii) develop models for replication in other public schools.

2482 **Drafting note: Technical changes are made, including moving chapter definitions to**  
2483 **the beginning of the section pursuant to Code style preference.**

2484 § ~~23-299.1~~ 22.1-349.2. College Partnership Laboratory School Fund ~~established~~.

2485 There is hereby created in the state treasury a special nonreverting fund to be known as  
2486 the College Partnership Laboratory School Fund, ~~hereafter~~ referred to in this section as "the  
2487 Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated in  
2488 accordance with the appropriation act and any gifts, grants, bequests, or donations from public  
2489 or private sources shall be paid into the state treasury and credited to the Fund. Interest earned  
2490 on moneys in the Fund shall remain in the Fund and be credited to the Fund. Any moneys  
2491 remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert  
2492 to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the

2493 purposes of establishing or supporting college partnership laboratory schools in the  
2494 Commonwealth that stimulate the development of alternative education programs for preschool  
2495 through grade 12 students by providing opportunities for innovative instruction and greater  
2496 cooperation and coordination between institutions of higher education and preschool through  
2497 grade 12 education systems. Expenditures and disbursements from the Fund shall be made by  
2498 the State Treasurer on warrants issued by the Comptroller upon written request signed by the  
2499 Superintendent of Public Instruction. The Board of Education shall establish criteria for making  
2500 distributions from the Fund to a college partnership laboratory school requesting moneys from  
2501 the Fund and may issue guidelines governing the Fund as it deems necessary and appropriate.

2502 **Drafting note: Technical changes.**

2503 | § ~~23-299.2~~ 22.1-349.3. Establishment and operation of college partnership laboratory  
2504 schools; requirements.

2505 A. A college partnership laboratory school shall be subject to all federal and state laws  
2506 and regulations and constitutional provisions prohibiting discrimination on the basis of  
2507 disability, race, creed, color, gender, national origin, religion, ancestry, or need for special  
2508 education services.

2509 | B. Enrollment in college partnership laboratory schools shall be open through a lottery  
2510 process on a space-available basis to any ~~child student~~ who is deemed to reside within the  
2511 Commonwealth ~~through a lottery process on a space-available basis~~. A waiting list shall be  
2512 established if adequate space is not available to accommodate all students whose parents have  
2513 requested to be entered in the lottery process. Such waiting list shall also be prioritized through  
2514 a lottery process, and parents shall be informed of their student's position on the list. For college  
2515 partnership laboratory schools that form a collaborative partnership, ~~in accordance with~~  
2516 ~~subsection F~~, with one or more public school divisions in accordance with subsection G,

2517 enrollment in the college partnership laboratory school shall be administered by one of the  
2518 partnering divisions.

2519 ~~B. C.~~ A college partnership laboratory school shall be administered and managed by a  
2520 governing board. Pursuant to a contract and as specified in § ~~23-299.3~~ 22.1-349.4, a college  
2521 partnership laboratory school shall be subject to the requirements of the Standards of Quality,  
2522 including the Standards of Learning and the Standards of Accreditation, and such regulations as  
2523 are determined by the Board ~~of Education~~.

2524 ~~C. D.~~ Pursuant to a college partnership laboratory school agreement, a college  
2525 partnership laboratory school shall be responsible for its own operations, including ~~but not~~  
2526 ~~limited to~~, such budget preparation, contracts for services, and personnel matters as are specified  
2527 in the agreement. A college partnership laboratory school may also negotiate and contract with a  
2528 school board, the governing body of an institution of higher education, or any third party for the  
2529 use of a school building ~~and or~~ grounds, the operation and maintenance ~~thereof of such building~~  
2530 or grounds, and the provision of any service, activity, or undertaking that the college partnership  
2531 laboratory school is required to perform in order to carry out the educational program described  
2532 in its contract. Any services for which a college partnership laboratory school contracts with a  
2533 school board or institution of higher education shall not exceed the ~~school division's or~~  
2534 ~~institution's costs~~ cost to the school division or institution to provide such services.

2535 ~~D. A-E.~~ No college partnership laboratory school shall ~~not~~ charge tuition for courses  
2536 required for high school graduation. However, (i) tuition may be charged for courses for which  
2537 the student receives college credit and ~~for~~ enrichment courses that are not required to earn a  
2538 ~~Board of Education approved~~ Board-approved high school diploma; and (ii) for college  
2539 partnership laboratory schools that form a collaborative partnership, ~~in accordance with~~  
2540 ~~subsection F,~~ with one or more public school divisions in accordance with subsection G, the  
2541 school board of the partnering school division that administers student enrollment in accordance

2542 with subsection A may charge tuition in accordance with § 22.1-5 for students who do not reside  
2543 within the partnering school division.

2544 E.F. An approved college partnership laboratory school shall be designated as a local  
2545 education agency, but shall not constitute a school division.

2546 F.G. College partnership laboratory schools are encouraged to develop collaborative  
2547 partnerships with public school divisions for the purpose of building seamless education  
2548 opportunities for all Virginia preschool through postsecondary students, ~~from preschool to~~  
2549 postsecondary education in the Commonwealth. An educational program provided to students  
2550 enrolled in a public school division pursuant to a collaborative partnership between the college  
2551 partnership laboratory school and the public school division shall be considered to be the  
2552 educational program of the public school division for purposes of the Standards of  
2553 Accreditation.

2554 **Drafting note: Technical changes.**

2555 ~~§ 23-299.3~~ 22.1-349.4. Contracts for college partnership laboratory schools; release from  
2556 certain policies and regulations.

2557 The contract between the college partnership laboratory school and the Board ~~of~~  
2558 Education shall reflect all agreements regarding the release of the college partnership laboratory  
2559 school from state regulations, consistent with the requirements of subsection B.C of § ~~23-299.2~~  
2560 22.1-349.3. If the college partnership laboratory school application proposes a program to  
2561 increase the educational opportunities for at-risk students, the Board ~~of Education~~ may approve  
2562 an Individual School Accreditation Plan for the evaluation of the performance of the school.

2563 Any material revision of the terms of the contract may be made only with the approval  
2564 of the Board ~~of Education~~ and the governing board of the college partnership laboratory school.

2565 **Drafting note: Technical changes.**

2566 ~~§ 23-299.4~~ 22.1-349.5. College partnership laboratory school application.

2567 A. Any public or private institution of higher education operating within the  
2568 Commonwealth and having a teacher education program approved by the Board of Education  
2569 may submit an application for formation of a college partnership laboratory school.

2570 B. Each college partnership laboratory school application shall provide or describe  
2571 thoroughly all of the following essential elements of the proposed school plan:

2572 1. An executive summary;

2573 2. The mission and vision of the proposed college partnership laboratory school,  
2574 including identification of the targeted student population;

2575 3. The proposed location of the school;

2576 4. The grades to be served each year for the full term of the contract;

2577 5. Minimum, planned, and maximum enrollment per grade per year for the term of the  
2578 contract;

2579 6. Background information on the proposed founding governing board members and, if  
2580 identified, the proposed school leadership and management team;

2581 7. The school's proposed calendar and sample daily schedule;

2582 8. A description of the academic program aligned with state standards;

2583 9. A description of the school's educational program, including the type of learning  
2584 environment ~~(, such as classroom-based or independent study);~~ class size and structure;  
2585 curriculum overview; and teaching methods;

2586 10. The school's plan for using internal and external assessments to measure and report  
2587 student progress in accordance with the Standards of Learning;

2588 11. The school's plans for identifying and successfully serving students with disabilities,  
2589 students who are English language learners, students who are academically behind, and gifted  
2590 students, including ~~but not limited to~~ compliance with applicable laws and regulations;

2591 12. A description of co-curricular and extracurricular programs and how they will be  
2592 funded and delivered;

2593 13. Plans and timelines for student recruitment and enrollment, including lottery  
2594 procedures if sufficient space is unavailable;

2595 14. The school's student disciplinary policies, including ~~those~~ disciplinary policies for  
2596 special education students;

2597 15. An organization chart that clearly presents the school's organizational structure,  
2598 including lines of authority and reporting between the governing board, staff, any related bodies  
2599 (such as advisory bodies or parent and teacher councils), the Board of Education, and any  
2600 external organizations that will play a role in managing the school;

2601 16. A clear description of the roles and responsibilities for the governing board, the  
2602 school's leadership and management team, and any other entities shown in the organization  
2603 chart;

2604 17. A staffing chart for the school's first year and a staffing plan for the term of the  
2605 contract;

2606 18. Plans for recruiting and developing school leadership and staff;

2607 19. The school's leadership and teacher employment policies, including performance  
2608 evaluation plans;

2609 20. A plan for the placement of college partnership laboratory school pupils, teachers,  
2610 and employees upon termination or revocation of the contract;

2611 21. Explanation of any partnerships or contractual relationships central to the school's  
2612 operations or mission;

2613 22. The school's plans for providing transportation, food service, and all other significant  
2614 operational or ancillary services;

2615 23. Opportunities and expectations for parent involvement;

2616 24. A detailed school start-up plan, ~~identifying that identifies~~ tasks, timelines, and  
2617 responsible individuals;

2618 25. ~~Description~~ A description of the school's financial plan and policies, including  
2619 financial controls and audit requirements;

2620 26. A description of the insurance coverage that the school will obtain;

2621 27. Start-up and five-year budgets with clearly stated assumptions;

2622 28. Start-up and first-year cash-flow projections with clearly stated assumptions;

2623 29. Evidence of anticipated fundraising contributions, if claimed in the application;

2624 30. A sound facilities plan, including backup or contingency plans if appropriate; and

2625 31. Assurances that the college partnership laboratory school (i) is nonreligious in its  
2626 programs, admission policies, employment practices, and all other operations and (ii) does not  
2627 charge tuition, except as described in subsection ~~D E~~ of § ~~23-299.2~~ 22.1-349.3.

2628 C. The purposes of the college partnership laboratory school application are to present  
2629 the proposed school's academic and operational vision and plans, demonstrate the applicant's  
2630 capacities to execute the proposed vision and plans, and provide the Board ~~of Education~~ with a  
2631 clear basis for assessing the applicant's plans and capacities. An approved college partnership  
2632 laboratory school application shall not serve as the school's contract. Within 90 days of approval  
2633 of a college partnership laboratory school application, the Board ~~of Education~~ and the governing  
2634 board of the approved school shall execute a contract that clearly sets forth the academic and  
2635 operational performance expectations and measures by which the college partnership laboratory  
2636 school will be judged and the administrative relationship between the Board ~~of Education~~ and  
2637 the college partnership laboratory school, including each party's rights and duties. The  
2638 performance expectations and measures set forth in the contract shall include ~~but need not be~~  
2639 limited to applicable federal and state accountability requirements. The performance provisions  
2640 may be refined or amended by mutual agreement after the college partnership laboratory school  
2641 is operating and has collected baseline achievement data for its enrolled students.

2642           **Drafting note: The phrase "but not limited to" after "including" is stricken in**  
2643 **subdivision B 11 and proposed subsection C per § 1-218, which states: "'Includes' means**  
2644 **includes, but not limited to." Technical changes are made.**

2645           § ~~23-299.5~~ 22.1-349.6. Review of college partnership laboratory school applications.

2646           A. The Board ~~of Education~~ shall establish procedures for receiving, reviewing, and  
2647 ruling upon applications and shall make a copy of any such procedures available to all interested  
2648 parties upon request. If the Board finds that the application is incomplete, the Board shall  
2649 request the necessary additional information from the applicant. The ~~Board of Education's~~  
2650 Board's review procedures shall establish a review committee that may include experts with the  
2651 operation of similar schools located in other states.

2652           B. To provide appropriate opportunity for input from parents, teachers, and other  
2653 interested parties and to obtain information to assist the Board ~~of Education~~ in its evaluation of a  
2654 college partnership laboratory school application, the Board ~~of Education~~ may establish a  
2655 procedure for public notice, comment, or hearings on such applications.

2656           **Drafting note: Technical changes.**

2657           § ~~23-299.6~~ 22.1-349.7. Decision of the Board ~~of Education~~ final.

2658           The decision of the Board ~~of Education~~ to grant or deny a college partnership laboratory  
2659 school application or to revoke or fail to renew an agreement shall be final and not subject to  
2660 appeal.

2661           **Drafting note: Technical changes.**

2662           § ~~23-299.7~~ 22.1-349.8. College partnership laboratory school terms; renewals and  
2663 revocations.

2664           A. A college partnership laboratory school may be approved or renewed for a period not  
2665 to exceed five school years. A college partnership laboratory school renewal application  
2666 submitted to the Board ~~of Education~~ shall contain:

2667 1. A report on the progress of the school in achieving the goals, objectives, program and  
2668 performance standards for students, and such other conditions and terms as the Board of  
2669 Education may require upon granting initial approval of the college partnership laboratory  
2670 school application; and

2671 2. A financial statement, on forms prescribed by the Board, that discloses the costs of  
2672 administration, instruction, and other spending categories for the school and that has been  
2673 concisely and clearly written to enable the Board ~~of Education~~ and the public to compare such  
2674 costs with those of other schools or comparable organizations.

2675 B. The Board ~~of Education~~ may revoke a contract if the college partnership laboratory  
2676 school does any of the following or otherwise fails to comply with the provisions of this  
2677 chapter:

2678 1. Commits a material and substantial violation of any of the terms, conditions,  
2679 standards, or procedures required under this chapter or the contract;

2680 2. Fails to meet or make sufficient progress toward the performance expectations set  
2681 forth in the contract;

2682 3. Fails to meet generally accepted standards of fiscal management; or

2683 4. Substantially violates any material provision of law from which the college  
2684 partnership laboratory school was not exempted.

2685 C. If the Board ~~of Education~~ revokes or does not renew a college partnership laboratory  
2686 school contract, it shall clearly state, in a resolution, the reasons for the revocation or  
2687 nonrenewal.

2688 **Drafting note: Technical changes.**

2689 § ~~23-299.8~~ 22.1-349.9. Employment of professional, licensed personnel.

2690 A. College partnership laboratory school personnel shall be employees of the institution  
2691 of higher education ~~establishing that establishes~~ the school.

2692 | B. Teachers ~~working who work~~ in a college partnership laboratory school shall hold a  
2693 | license issued by the Board ~~of Education~~ or, in the case of an instructor in the higher education  
2694 | institution's Board-approved teacher education program, be eligible to hold a Virginia teaching  
2695 | license. Teachers working in a college partnership laboratory school shall be subject to the  
2696 | requirements of §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4 applicable to teachers employed by a  
2697 | local school board.

2698 | C. Professional, licensed personnel of a college partnership laboratory school shall be  
2699 | granted the same employment benefits given to professional, licensed personnel in public  
2700 | schools in accordance with the agreement between the college partnership laboratory school and  
2701 | the Board ~~of Education~~.

2702 | **Drafting note: Technical changes.**

2703 | § ~~23-299.9~~ 22.1-349.10. Funding of college partnership laboratory schools.

2704 | A. Each college partnership laboratory school shall receive such funds as may be  
2705 | appropriated by the General Assembly in accordance with the general appropriation act.

2706 | B. The governing board of a college partnership laboratory school is authorized to accept  
2707 | gifts, donations, or grants of any kind and to spend such funds in accordance with the conditions  
2708 | prescribed by the donor. However, no gift, donation, or grant shall be accepted by the governing  
2709 | board of a college partnership laboratory school if the conditions for such funds are contrary to  
2710 | law or the terms of the agreement between the Board ~~of Education~~ and the college partnership  
2711 | laboratory school.

2712 | C. Notwithstanding any other provision of law, the proportionate share of state and  
2713 | federal resources allocated for students with disabilities and school personnel assigned to special  
2714 | education programs shall be directed to college partnership laboratory schools enrolling such  
2715 | students. The proportionate share of moneys allocated under other federal or state categorical

2716 aid programs shall be directed to college partnership laboratory schools serving students eligible  
2717 for such aid.

2718 D. College partnership laboratory schools shall be eligible to apply for and receive any  
2719 federal or state funds otherwise allocated for college partnership laboratory schools in the  
2720 Commonwealth.

2721 E. Any tuition, room and board, and ~~any~~ other educational and related fees collected  
2722 from students enrolled at a college partnership laboratory school shall comply with Board ~~of~~  
2723 [Education](#) regulations and shall be credited to the account of such school.

2724 F. Each college partnership laboratory school shall be eligible to apply for and receive  
2725 available funds from the College Partnership Laboratory School Fund and the ~~establishing~~  
2726 institution of higher education [that establishes the school](#).

2727 **Drafting note: Technical changes.**

2728 § ~~23-299.10~~ [22.1-349.11](#). Immunity.

2729 A college partnership laboratory school ~~shall be~~ [is](#) immune from liability to the same  
2730 extent as [is](#) the public institution of higher education that ~~established~~ [establishes](#) the school, and  
2731 the employees and volunteers in a college partnership laboratory school are immune from  
2732 liability to the same extent as [are](#) the employees of the ~~establishing~~ institution of higher  
2733 education [that establishes the school](#).

2734 **Drafting note: Technical changes.**

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