

2012 Legislative Priorities VIRGINIA BEACH CITY PUBLIC SCHOOLS



I. 2011-2012 BUDGET ISSUES

a. **Rebenchmarking**

In the summer of each odd-numbered year, the Virginia Department of Education (VDOE) provides the Governor and the General Assembly with an estimate of the “rebenchmarked” cost of continuing the existing Direct Aid to Public Education programs for the next biennium. This rebenchmarking is part of the biennial budget development process and includes updates in the input data to determine the current cost of the programs. The cost projections do not reflect any changes in policy or technical methodology. The Standards of Quality (SOQ) provide 88 percent of the state funds for public schools in Virginia. VDOE’s preliminary estimate for the 2012-2014 biennium is approximately \$319 million, which represents an annual increase of about 5.7 percent.

Since rebenchmarking is a process to update the state funding formulas to reflect the current costs facing Local Education Agencies (e.g., increases in fuel costs, health care costs, teacher salaries, etc.), failure to fully fund rebenchmarking would signify a decrease in the state’s commitment to funding K-12 education. VBCPS supports full funding of the biennial rebenchmark of the SOQ funding formulas. Furthermore, VBCPS opposes any measure that would shift SOQ and other recurring cost programs into the Lottery Fund.

b. **Virginia Retirement System (VRS)**

VBCPS understands that Virginia must take the appropriate steps to ensure that VRS is both sustainable and viable in the future. VBCPS requests that any proposals to increase the actuarial rates for local governments be phased in over a period of several years in order to minimize the potential impact on Local Education Agencies’ budgets.

II. ISSUES SUPPORTED BY VBCPS

a. **School Calendar**

VBCPS strongly supports legislation to permit local school boards to set the opening day of school. The current law, which grants certain school divisions waivers to open before Labor Day, has resulted in the development of two tiers where more than 60 percent of the Commonwealth’s school divisions are allowed pre-Labor Day openings and the others are denied this flexibility. VBCPS is among those not permitted to begin the school year prior to Labor Day. This restriction results in instructional inequities in which the school divisions with an earlier start date are able to maximize the number of instructional days before Standards of Learning (SOL) tests, Advanced Placement (AP) tests, and International Baccalaureate (IB) tests are administered. By providing school boards the flexibility to determine the opening day of school in their localities, school divisions will be better positioned to ensure higher levels of quality instruction and student engagement prior to the implementation of state and nationally mandated testing.

b. **Postsecondary Feedback Systems/P-16 Collaboration**

VBCPS supports the development of a postsecondary feedback system that would encourage colleges/universities to report back to the Local Education Agencies the percentages of their high school graduates who have been required to take remedial and/or developmental courses as college freshmen. In the twenty-three states that currently have post-secondary feedback systems, a higher education governing body prepares a report which details the performance of college freshmen who graduated from the state’s high schools. The most common performance indicator reported back to school divisions is the rate at which the students are enrolling in remedial and/or developmental courses. Nineteen of those states mandate the feedback report through legislation; the other four states produce the report on the initiative of the higher education board.

c. **Flexibility in Current Accountability Models**

In support of the VBCPS Strategic Plan *Compass to 2015* and the school division’s work of creating a balanced assessment system, VBCPS requests greater flexibility with regard to required state testing mandates, including targeted waivers for those LEAs using performance-based assessments that measure both content and essential 21st century skills. As an alternative, VBCPS recommends that the state develop assessments that assess both Standards of Learning objectives as well as 21st century skills. This will ensure that all students in Virginia work toward the development of essential skills that they will need to succeed in college, work, and life.

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II. ISSUES SUPPORTED BY VBCPS (continued)

d. Growth Model for Student Progress

In VBCPS supports a growth model for accountability measures, as opposed to the current model used in Virginia to meet the requirements outlined in the No Child Left Behind Act. Instead of measuring how students perform on a single measure at one point in time (e.g., the percentage of fourth graders scoring at proficient or above in 2010), a growth model would measure the academic progress each student makes between two points in time (e.g., a student shows a fifty-point growth by improving his math score from three hundred in the fourth grade to three hundred fifty on this year's fifth grade assessment). A growth model would shift accountability from students meeting a set standard on a singular measure to measuring student improvement and academic progress from year to year.

e. Expansion of Gang-Free Zones

VBCPS seeks legislation that would expand gang-free zones to include any school bus stop or publicly owned or operated community center, park, library, or hospital. This legislation would give school districts another tool when addressing and preventing gang-related activity. This legislation also would make gang-free zones consistent with drug-free zones in the Code of Virginia.

III. ISSUES OPPOSED BY VBCPS

a. Nonpublic School Students' Participation in Interscholastic Programs

VBCPS has grave concerns regarding a mandated requirement to permit nonpublic school students to participate in interscholastic programs in public schools. Under previously proposed legislation, homeschooled students would only have to abide by one portion of the Transfer Rule (living in the proper school district) and "demonstrate of evidence progress" academically. Homeschooled students would be eligible to participate in Virginia High School League (VHSL) activities without having to abide by the following VHSL regulations to which public school students are held accountable for eligibility: Age Rule, Bona Fide Student Rule, Scholarship Rule, Transfer Rule, Semester Rule, Amateur Rule, Awards Rule, All-star Rule, Independent Team Rule, Contest Limitation Rule, Grade Rule, Enrollment Rule, Physical Examination Rule. Equating academic requirements and enforcing behavioral expectations are among the many challenges facing school divisions with this legislation. Further, the state does not provide funding to school divisions to provide interscholastic athletics and activities; therefore, legislation to permit nonpublic school students' participation in interscholastic programs would be another unfunded state mandate with which school divisions must comply.

b. 65% Spending Requirement

The 65% spending rule would require each local school board to allocate 65 percent of its operating budget to "instructional spending" and to verify this allocation annually to the Board of Education. This legislation would be extremely restrictive, and currently, there is no consensus as to what constitutes "instructional spending". The federal definition of "instructional spending" omits a number of spending categories that school systems are mandated to fund by state/federal law (e.g., school counselors, assistant principals, services for special education students.) VBCPS believes that this mandate is an unscientific, one-size-fits-all formula that will reduce critical support services in schools.

IV. ISSUE OF CONCERN TO VBCPS

a. Informal Kinship Care

In prior studies, the Commission on Youth (COY) has found that "informal kinship care providers" face difficulties when attempting to enroll a child they are caring for into their local public schools. "Informal kinship care" is a living arrangement in which a relative of a child provides care for a child due to a serious family hardship. Typically, kinship care providers do not have legal custody of the children for which they are caring; therefore, in many instances they have not been allowed to enroll the children into schools until they obtain a court order granting them legal custody.

Obtaining legal custody through the court system can be burdensome due to court docketing issues and the standards that the court system imposes on persons seeking legal custody of minor children. However, VBCPS, as well as most school divisions, maintains that this is a court system issue and not an issue to be resolved through the LEAs.