

The City of Fairfax School Board



2013

Draft Legislative Program

*Positions on State and Federal Legislation,
Policies and Regulations*

CITY OF FAIRFAX SCHOOL BOARD
2013 LEGISLATIVE PROGRAM

Positions on State and Federal
Legislation, Policies, and Regulations

The 2013 Legislative Program is available at www.cityoffairfaxschools.org

Adopted December 3, 2012

CITY OF FAIRFAX SCHOOL BOARD

Janice Miller, Chairman

Carolyn Pitches, Vice-Chairman

Jon Buttram

Toby Sorensen

Mitch Sutterfield

Rachel Tran, Student Representative

CITY OF FAIRFAX SCHOOL BOARD OFFICE
10455 Armstrong Street
Fairfax, Virginia 22030
703-385-7911

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CITY OF FAIRFAX SCHOOL BOARD 2013 LEGISLATIVE PROGRAM

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City of Fairfax City Council & Mayor and City of Fairfax School Board Joint Legislative Positions 2013 General Assembly Session

K-12 Funding

It is essential that the state fully meet its Constitutional responsibilities to fund K-12 education, including full funding for the biennial re-benchmark of Virginia's Standards of Quality (SOQ). Critical gaps continue to widen between the SOQ, the funding for those Standards, and the actual local costs of providing a high quality education. The City of Fairfax and other Northern Virginia localities more than meet their responsibilities for K-12 education through large contributions to the State General Fund, strong local effort, and the effect of high local composite indices, which diverts State funding away from this region. Conversely, state funding for K-12 has declined significantly in recent years – in FY 2009, K-12 funding comprised over 35 percent of the state General Fund, but by FY 2012, K-12 will comprise less than 30 percent.

The City of Fairfax School Board and the Fairfax City Council and Mayor oppose state budget cuts that disproportionately target or affect Northern Virginia, and support realistic and fully-funded Standards of Quality. The Board, Council and Mayor also strongly oppose formula changes which further weaken the partnership between the state and localities, including but not limited to, any reduction in the current 55 percent State share of SOQ costs, capping state funding for support costs and the elimination or reduction of cost of competing funding to Northern Virginia localities. To this end, the School Board, Council and Mayor strongly support restoration of full funding for cost of competing in FY2013 and FY2014 (the budget adopted by the 2013 General Assembly cut this funding.)

Unfortunately, recent budgets adopted by the General Assembly exacerbate the stresses on the state-local K-12 partnership by making permanent, structural cuts that localities expressly sought to avoid. By relying on one-time, temporary actions to at least partially offset these cuts (e.g. reduced VRS rates, federal stimulus funds), these budgets have understated the overall impact of these structural changes, while artificially lowering the state baseline for funding K-12 going forward.

Advanced Placement and International Baccalaureate Examination Funding

The City of Fairfax School Board supports state and federal funding of the student costs for Advanced Placement and International Baccalaureate end-of-course examinations, and other related fees in order to encourage Virginia's public secondary school students to pursue and benefit from a rigorous program of advanced study and external examination.

After-School Programs, At-Risk Youth, and Gang Prevention

The City of Fairfax School Board supports comprehensive and flexible after-school programs and other preventive interventions addressing expanded learning opportunities and academic success, adolescent substance abuse, behavioral issues, and gang participation; the availability of local, state and federal resources focusing on after-school programs, summertime programs, and initiatives with a proven record of effectiveness that enhance social, physical, and emotional development; and the coordination of resources and activities across local, state and federal agencies, and with local nonprofit and community organizations, aimed at prevention of gang violence and in support of academic enrichment programs.

Alternative Education Programs

The City of Fairfax School Board supports local school board authority and discretion for offering alternative education programs to students, including those who have been suspended, expelled, excluded or otherwise disciplined; as well as adequate state funding for alternative education with the necessary flexibility for local school boards to operate their own diverse programs.

Attendance and Truancy

The City of Fairfax School Board supports attendance and truancy laws and policies that are clear and that place a greater emphasis on encouraging attendance through engagement, prevention and early intervention. Current code language regarding attendance is confusing and focuses almost exclusively on sanctions and punishments after a student has already been habitually absent.

Charter Schools

The City of Fairfax School Board believes that charter schools can play an important role in the education of Virginia's children and can be an important tool to address student learning needs. Charter schools can be appropriate if they serve as a means to increasing student achievement or addressing the unique needs of particular student populations more effectively than other programs or schools in a division. Furthermore, the City of Fairfax School Board believes that local school boards should have sole and complete discretion over the decision whether or not to

approve or revoke the formation of a charter school; that the implementation of charter school legislation must not disadvantage local school divisions, their schools or students; and that charter school funding and service agreements should provide neither a financial incentive nor disincentive to the establishment of public charter schools. The City of Fairfax School Board supports automatically giving the opportunity to school divisions to extend waivers from state regulations to regular public schools if they have been granted to charter schools within a school division.

College Admissions

The City of Fairfax School Board supports increased state funding for the additional faculty and buildings needed to accommodate the growing number of qualified Virginia high school graduates seeking admission to the Commonwealth's community colleges and four-year colleges and universities; as well as the establishment of a suitable ratio of in-state and out-of-state students in each of the Commonwealth's institutions of higher education.

The City of Fairfax School Board also supports permitting each state to make its own decision regarding eligibility for in-state tuition and other higher education benefits. In Virginia, undocumented alien students should be deemed eligible for in-state tuition rates if that individual has lived in Virginia for five or more years; received a high school diploma or GED from a public or private high school in Virginia; registered as an entering student in a Virginia institution of higher learning; presented an affidavit stating the intention to file an application to become a permanent resident within 90 days of the date the individual becomes eligible to do so; and, if that individual or his or her parents paid Virginia income taxes for three years.

College Readiness and Post Secondary Education

The City of Fairfax School Board supports increased coordination of college and work readiness standards between K-12 and higher education. The City of Fairfax School Board also supports collaborative dual-enrollment partnerships and better coordinated credentialing of faculty between local school divisions and institutions of higher learning. Such partnerships should allow high school students, with minimal student financial impact, to earn college credit or facilitate their pursuit of technical training for industry certifications while still attending high school.

Cooperative Procurement

The City of Fairfax School Board supports a school board's authority to voluntarily enter into cooperative purchasing agreements at the local, state and national level, when those agreements are financially beneficial, help to increase efficiency and/or reduce administrative costs.

The City of Fairfax School Board opposes limits on local purchasing discretion by either mandating cooperative procurement in certain circumstances or by placing arbitrary restrictions on the use of this potentially beneficial and cost saving practice.

Cost of Competing

The City of Fairfax School Board supports continued use of an appropriate and up-to-date cost of competing factor in the Standards of Quality reimbursement formulas in recognition of the higher salaries paid by school boards in identified localities in order to attract and retain highly qualified teachers and other personnel within its high cost of living and competitive local regional wage market.

Early Childhood Education

The City of Fairfax School Board supports state provision of high quality early childhood programs, provided that the state furnishes full funding for the implementation and on-going operation of such programs. Responsibility for early childhood programs and capital facilities funding should not be shifted to localities or subject to state equalization formulas. If the state does not provide full funding, particular attention should be paid to minimizing both start-up costs and any required local match for localities.

Education Funding - Federal

The City of Fairfax School Board supports adequate and increased federal funding support of education with minimal regulatory burdens; as well as federal and state policies, laws, regulations, and procedures that promote and facilitate local access to and flexibility in the use of federal education-related funds.

The City of Fairfax School Board supports mandatory funding for special education to meet the federal commitment to fund 40 percent of the “excess costs” of special education as promised since the 1975 adoption of federal special education laws (currently known as IDEA); and allowing local school divisions to use additional special education funds to supplant local funds that since 1975 have been expended to make up the deficit in promised federal support.

The City of Fairfax School Board supports continuation and full funding of the Title I grant that serves schools with the highest percentage of children from low-income families; continued reliance on Title I formula grants to provide critical and consistent funding to all eligible school divisions and not solely on competitive grant programs; giving schools greater flexibility for using Title I funds to address persistent performance gaps, including allowing school divisions to supplant local funding where appropriate as well as reducing the number and amount of mandated fund set-asides; and continued reliance on Title I formulas that allocate funding based on both a school division’s overall poverty rate as well as on the division’s absolute numbers of students in poverty.

The City of Fairfax School Board additionally supports continued and adequate funding for teacher quality (Title II); educational services for students with limited English proficiency (Title III); to offset the local impact of federally-connected students and impacts associated with

federal Base Realignment and Closure Commission's (BRAC) relocation decisions (Impact Aid); for vocational and technical education (the Carl D. Perkins Vocational and Technical Education Act); for educational technology and internet connectivity (E-Rate); for at-risk youth; and for quality after school and summer programs (21st Century Community Learning Centers Initiative).

The City of Fairfax School Board opposes the imposition on local school divisions of federal mandates that are not adequately funded, that impose undue administrative burdens, or that result in arbitrary across-the-board cuts to education spending.

Education Funding - State

The City of Fairfax School Board strongly supports state funding for elementary and secondary education that adequately and appropriately supports quality programs for all students in the Commonwealth, such that the state shares fairly with each local school board the true costs to localities of implementing Virginia's Standards of Quality (including the Standards of Accreditation and Standards of Learning) as well as state mandated programs not otherwise included in the Standards. In addition, the City of Fairfax School Board strongly supports fair and equitable state funding distribution formulas, including the Local Composite Index (LCI), that accurately reflect local ability to pay, revenue generation capacity, local cost of living, and the resource needs of local school divisions; as well as amendment of Article VII of the Virginia Constitution, to mandate that the General Assembly "ensure" (as opposed to merely "seek" to ensure) that an educational program of high quality is established and continually maintained.

The City of Fairfax School Board supports increased state funding for teacher salaries as well as a realistic means of calculating average teacher salary for state funding purposes. The City of Fairfax School Board also supports funding formulas that distribute state aid for remedial education and early intervention programs by using the local school division's composite index or .5000 – whichever is lower; the recognition of absolute population numbers as well as percentages when distributing state funds for special needs programs; use of formulas based on individual school populations, rather than solely on aggregate system-wide data; continued distribution of some funding on a uniform state/local match, such as technology grants; funding formulas used for infrastructure needs, such as for technology and construction, which recognize variations in school enrollments and student population growth, rather than basing distribution on a per-school basis or on the LCI; and the current mechanism for distributing sales tax revenues on the basis of each locality's number of school-age children rather than through other mechanisms that would further equalize sales tax distributions.

The City of Fairfax School Board opposes artificial limitations on the growth of state expenditures, such as limiting expenditure growth to the rate of inflation and general population increases; the continued practice of shifting Standards of Quality and other recurring cost programs into the state's lottery funded accounts; measures that would reduce the discretionary authority local school boards currently have to set their own budget priorities, such as requiring school divisions to spend certain percentages of their budget on certain activities or budget categories; and the practice of shifting previously unallocated and discretionary revenue streams to "fund" new mandates.

Education Technology

The City of Fairfax School Board supports increased state and federal contributions for local educational technology costs to improve and enhance classroom instruction, to fulfill mandates for virtual instruction and online assessment, and to assist with the mandated collection and reporting of student achievement and teacher quality data. Such funding should be sufficient to implement a 5-year replacement cycle based on a minimum five-to-one student-to-computer ratio as well as a regular replacement cycle for administrative computers; as well as allow school divisions the flexibility to either purchase or lease technology equipment and software.

The City of Fairfax School Board supports the online Standards of Learning (SOL) initiative, contingent on the provision of additional and adequate state funding to address the ongoing technology infrastructure and staffing needs associated with the assessment initiative; the flexibility for school divisions to pursue locally developed technology plans as well as innovative approaches to the development and funding of educational technology, including partnerships with higher education and private industry; creation of a state clearing house to facilitate the movement of student records for students who transfer between school divisions in Virginia; and policies to enhance the accessibility of technology to all students, including access outside of regular school hours.

Elementary and Secondary Education Act Reauthorization

The City of Fairfax School Board strongly supports the ideals embodied by the federal Elementary and Secondary Education Act of 1965, namely that every child is capable of learning and that every school and school division must be held accountable for educating every student to his or her potential. However, the Board remains deeply concerned about the administrative and fiscal burdens placed on local school divisions by the program's current implementation.

The City of Fairfax School Board supports a long overdue common sense reauthorization of federal accountability programs to ensure fair, accurate, and meaningful assessments of student achievement; which facilitate having high quality teachers in every classroom and high quality principals in every school; and which make certain that any federal interventions appropriately address the academic needs of a school's population. The City of Fairfax School Board additionally supports flexible federal accountability programs which encourage and enhance successful local practices which emphasize the achievement of particular goals rather than rigid and inflexible "top down" or "one size fits all" reform models; and which are not in conflict with provisions found in other major federal education laws, such as the Individuals with Disabilities Education Act (IDEA).

A comprehensive reauthorization should include: the incorporation of measures of individual student academic progress, such as a common scale across all grade level assessments, when calculating student achievement; emphasize the broad-based college and workplace readiness skills necessary for success in the 21st Century; allow for determinations of reasonable and meaningful student assessment, including the use of alternative assessments for special education and limited English proficient students where appropriate; address the issue of counting students multiple times across multiple subgroups; and focus interventions on students who fail to meet

achievement benchmarks and on positive supports that fit the circumstances under which schools fail to meet accountability benchmarks to improve student achievement rather than on sanctions to punish underperforming schools. Cost and logistical considerations must be a part of any reauthorization discussion and exemplary school performance should be recognized and shared in the form of proven best practices.

The City of Fairfax School Board opposes rigid imposition of school reform models that rely on the removal of a principal as the only or ultimate way to turn around an underperforming school; as well as teacher and principal evaluation systems that are solely or overly reliant on student scores on standardized, high-stakes tests.

English Language Learners

The City of Fairfax School Board supports increased federal and state support to ensure the provision of appropriate academic and English language instructional programs for students with limited English proficiency (LEP); as well as assessment programs (including alternate assessments) for LEP students that are linguistically appropriate, that accurately and meaningfully assess both a student's English language proficiency as well as academic achievement, and that are funded in the same manner as the state pays for other assessments required for state or federally mandated accountability programs. The City of Fairfax School Board also supports local school division or community provision of family literacy programs for LEP students and their parents as well as adult English classes for the parents.

Fiscal Autonomy of Elected Local School Boards

The City of Fairfax School Board recommends that the General Assembly initiate a study to examine the complex issues involved in elected school boards making progress toward fiscal autonomy.

Freedom of Information Act

The City of Fairfax School Board supports revision and amendment of the Virginia Freedom of Information Act (FOIA) and companion regulations, such as those issued by the Library of Virginia regarding records retention, in order to achieve the appropriate balance between the considerable investment in time and money required for compliance, protection of personal information, and ensuring the people of the Commonwealth have ready access to public records. Revision and amendment are particularly important in light of the growth of the use of electronic communications to communicate more quickly and efficiently with the public, including but not limited to web pages and "social media."

The City of Fairfax School Board specifically supports the creation of a "third party disclosure" FOIA exemption; clarification of current FOIA exemptions for human resources investigations; reimbursement for state and federally mandated redactions from requested documents;

granting local school boards and other local public bodies the same authority as state public bodies to conduct electronic communication meetings; and flexibility in how to fulfill mandates for required legal notices for certain public hearings and meetings.

Governor's Schools Funding

The City of Fairfax School Board supports funding for all regional academic year Governor's Schools based on actual uncapped enrollment, with annual adjustment of the add-on per pupil amount for academic year Governor's Schools in conjunction with the basic aid per pupil adjustment. The City of Fairfax School Board additionally supports state funding support for capital construction and improvements at regional academic year Governor's Schools; as well as funding sufficient to maintain or expand summer residential Governor's Schools that offer academic programs.

Local Composite Index

The City of Fairfax School Board supports fair, equitable, and up-to-date state funding distribution formulas, including the Local Composite Index (LCI), that accurately reflect local ability to pay, revenue generation capacity, local cost of living, and the resource needs of local school divisions; lowering the current .8000 cap on the LCI to increase the state's minimum share of education funding for every local school division; and hold harmless provisions to mitigate the effects of biennial changes in the LCI. The City of Fairfax School Board also supports comprehensive study of the LCI formula in its entirety prior to the implementation of any changes to the formula itself. Such a study should include the impact of unequal city and county taxing authority on local ability to generate revenue; the impact of tax-exempt federal property on a locality's ability to pay; the impact cost of living has on a locality's ability to pay; and the incorporation of measures of service burden such as student demographics, limited English proficiency population, special education population and other programmatic demands. The study should also update the 2002 Joint Legislative Audit and Review Commission's (JLARC) findings on potential additions and changes to the LCI formula and its calculation methodology that would make the formula better reflect current local economic conditions.

Mandates

The City of Fairfax School Board opposes state and federal mandates requiring school division actions or services that do not specifically provide for the adequate share of any new funding required for the mandate's implementation. The City of Fairfax School Board also opposes shifting previously unallocated revenue streams to "fund" new mandates, instead of providing new revenues to implement the new requirements.

Remedial Education and Early Intervention Programs

The City of Fairfax School Board supports sufficient state funding for remedial education and early intervention programs for all eligible students; as well as reasonable reporting requirements, guidelines, and regulations for both remediation and early intervention programs that do not compromise the program's objectives of improving student academic achievement.

Retirement/Virginia Retirement System

The City of Fairfax School Board believes that the Commonwealth should fund the Virginia Retirement System (VRS) as to sustain long term fiscal solvency and to meet its legal obligations to vested school system employees; and that the VRS should consider the impacts that teacher retirement contribution rates can have on local school divisions during their rate setting process. The City of Fairfax School Board supports post-retirement employment options which do not adversely affect the employer and that encourage educational employees to work after they have accrued the maximum retirement benefits.

The City of Fairfax School Board opposes caps upon, or the establishment of, rates below what localities will be required to bear of the state share of VRS contribution rates for teachers; as well as mandating the inclusion of salary supplements for temporary voluntary activities such as club sponsorship or coaching in the definition of creditable compensation.

Revenue Alternatives

The City of Fairfax School Board supports a tax structure in the Commonwealth that provides localities with sufficient state revenue, as well as the local revenue flexibility necessary to meet the needs of state and federally-mandated education programs. Such flexibility would accommodate various economic and demographic conditions and would assist local governments in creating systems of taxation that are sensible, fair, stable, and reflect local priorities. The City of Fairfax School Board also supports revisions to the tax structure of the Commonwealth that truly result in long-term additional revenue capacity, not revenue-diminishing or revenue-neutral changes among different taxing sources; expanding local taxing authority and the flexibility over the use of generated revenue available to the Commonwealth's 95 counties to match authority already available to its 39 cities, including referendum authority to raise local sales taxes with revenues dedicated to school facilities; addressing the issue of collecting state sales tax on internet purchases; and retention of local school board flexibility to charge appropriate fees for programs and activities that are not directly related to core educational programs.

The City of Fairfax School Board opposes tax restructuring changes that would restrict already limited existing local taxing authority, such as state mandated restrictions on local property taxes; as well as tax restructuring measures that would adversely affect the financial condition of counties, cities, and towns.

School Calendar

The City of Fairfax School Board strongly supports local school board control over school calendars and the school day, including allowing local school boards to set the opening day of school. Decisions regarding school calendars should be based on the consensus of the local community and sound academic practice rather than be dictated by state mandate. In the absence of repeal, the City of Fairfax School Board supports additional definitions of good cause for opening school prior to Labor Day to include: additional instructional time, particularly prior to nationally-administered assessments of student academic achievement; the provision of appropriate summer remediation programs for students; and increased professional development opportunities for staff.

School Construction

The City of Fairfax School Board strongly supports the development and funding of adequate and equitable state and federal programs to assist localities with public school construction, renovation, and major maintenance projects. School construction funding formulas should rely upon absolute numbers of students as well as rates of growth when accounting for student population; recognize the amount of local debt incurred for school construction; and not be overly reliant on the Local Composite Index.

The City of Fairfax School Board also supports exempting contractors from the retail and sales use tax on materials purchased while under contract by local school divisions for construction, repair, or other real-estate related services; as well as Virginia's current rezoning proffer authority for local governments, with the exception of new rules precluding the payment and collection of proffer funding until the issuance of occupancy permits for residential use.

School Health Services and Student Wellness

The City of Fairfax School Board recognizes the role schools play in the provision of school health services, but views the local health department as the primary provider of such services. School divisions should not be required to assume the responsibility or costs of additional non-instructional services, nor should they be mandated to staff school clinics with registered nurses or other licensed medical personnel.

The City of Fairfax School Board supports continued attention to the issue of childhood obesity in Virginia's public schools. Any such consideration should include the collection and dissemination of best practices for nutrition, physical activity, and sleep which may help combat childhood obesity; but which allow local school divisions to retain flexibility in how they address this problem through local wellness policies.

The City of Fairfax School Board also supports local authority and flexibility to establish policies relating to health issues, such as student possession and use of non-prescription drugs; the use of pre-tax dollars for qualified sports and physical fitness expenses, booster participation,

and direct donations; as well as increased state reimbursement for both the school lunch and school breakfast programs.

The City of Fairfax School Board also supports clarifications to the state's mandate to stock and administer emergency epinephrine as necessary, including adequate and on-going state funding to support the cost of the mandate. In particular, the Code should clarify that county-employed school health clinic aides are authorized to participate in the operation of the program in local school divisions.

Special Education

The City of Fairfax School Board supports special education programs which help every child learn to his or her potential, which necessarily includes additional and mandatory federal and state funding to help local school divisions deliver those services; the availability of appropriate and valid alternative assessments of student achievement as deemed appropriate by a student's IEP team; and a uniform set of rules and guidelines allowing school districts to claim administrative and transportation expenses associated with Medicaid eligible services to students served under the federal Individuals with Disabilities Education Improvement Act (IDEA).

The City of Fairfax School Board also supports adherence to language in IDEA asking states to minimize the number of additional rules, regulations, and policies imposed upon local school divisions above and beyond the requirements already imposed by IDEA; leaving the ultimate determination of the provision of appropriate services for each student covered under IDEA to that particular student's IEP team, subject to due process protections; the existing convention which places the burden of proof during due process proceedings on the party bringing the action; and authority for local school boards to apply swift and fair discipline to all students, regardless of disability status, who commit violations involving drugs, weapons, and assaultive behavior endangering others at school or chronically disrupting the education of other students, where the violation is not determined by the student's IEP team to be a manifestation of their disability.

Standards of Accreditation and Standards of Learning

The City of Fairfax School Board supports Standards of Accreditation (SOA) that establish an accountability program that appropriately assesses the achievement of all students—through the Standards of Learning (SOL)—and holds students, parents, teachers, and schools accountable for the results. State SOL content standards and curriculum guidelines should strike an appropriate balance between a broad overview of a subject area and in-depth exploration of components within and interrelationships between subject areas. The state's assessment program should be useful, nonintrusive on the learning process, affordable, reliable, valid, and, to the extent possible and appropriate, aligned with federal accountability provisions.

However, it should also be flexible, including opportunities to: utilize early test administrations; retake tests not passed during the same school year; and assess students based on mastery of course content and not solely upon reaching a particular number of instructional clock hours.

Alternate assessments for students with disabilities for whom participation in the regular SOL testing program is deemed inappropriate by their IEP team should meet these same criteria. Alternate assessments for students with limited English proficiency should be linguistically appropriate and yield accurate information on these students' mastery of subjects other than English. Such alternate assessments should continue to be available in paper versions where appropriate for an individual student's needs. And the state should continue to work toward a faster return of student and school test score data, particularly with regard to the return of alternative assessment results.

The City of Fairfax School Board also supports the current authority local school divisions have to implement changes in graduation requirements that go beyond those mandated by the state to meet the educational needs of their particular jurisdictions; and believes that any statewide changes in instructional program requirements, including high school graduation requirements, must be made only with the input of the State Board of Education and major stakeholders, and should include a study of the fiscal and instructional implications of such changes for all students and local school divisions.

Standards of Quality

The City of Fairfax School Board urges the General Assembly to adopt Standards of Quality (SOQ) reflecting the actual operating realities of local school divisions and to fully fund the total state share of the costs of establishing and maintaining an educational program of high quality, as envisioned in the Constitution of Virginia, and as determined by actual best practices already implemented in each school division. The state should meet its full share (55 percent) of the state-wide cost of continuing the existing Standards of Quality programs, including full funding for the Standards of Accreditation and Standards of Learning; provide full and appropriate funding for the biennial re-benchmark of the SOQ funding formulas; as well as fund its full share of the costs of continuing the existing categorical, lottery funded, and incentive programs that are included in direct aid to public education. Should the General Assembly fail to fully fund the biennial re-benchmark of the SOQ funding formulas, the state should grant waiver requests from certain mandated SOQ requirements in proportion to the shortfall.

The City of Fairfax School Board supports SOQ staffing standards for instructional and support positions which reflect local educational needs and conditions and that are adequately funded to fully support the actual costs of classroom instructional priorities and state and federal accountability requirements; specific inclusion in the SOQ of the positions and support necessary to carry out mandates found in other sections of the Code, in other Virginia Board of Education regulations or in federal law; specific recognition within the Standards of the critical role that both school facilities and technology infrastructure play in the successful implementation of the instructional program prescribed by the SOQ; and granting local school divisions greater flexibility within certain of the Standards in such a way as to preserve overall funding levels but allow for additional latitude in how local managers make staffing decisions.

The City of Fairfax School Board specifically supports elimination of the arbitrary state funding cap on support positions; increasing the provision of English as a Second Language (ESOL) teachers within the Standards of Quality from 17 per 1,000 LEP students to 30 per 1,000;

provision of the state share of funding for two pupil personnel positions per 1,000 LEP students; and building SOQ staffing standards around high school schedules that almost universally run longer than the state's currently assumed six period day.

The City of Fairfax School Board additionally supports a comprehensive empirical study of the SOQ, which should include updates to the many recommendations related to the Standards of Quality from the 2002 JLARC Review of Elementary and Secondary School Funding that to date have not been implemented.

The City of Fairfax School Board opposes the state shifting its Constitutional responsibility for funding public education onto the localities and local taxpayers; changes in the state's biennial re-benchmarking process which further erode the connection between what the state is obligated to pay for K-12 education and the actual costs of providing services; deducting local or federal revenues from the Basic Aid funding calculation; and eliminating or scaling back current SOQ requirements, without sound best practice or other research based evidence that the requirements are no longer necessary.

Student Activities

The City of Fairfax School Board opposes mandates to require local school boards to allow students who are not currently enrolled full time in a public school in their locality to participate in student athletics and activities.

Student Discipline

The City of Fairfax School Board supports maintaining the current statutory authority of local school boards to adopt regulations permitting them to choose among alternative discipline procedures specified in the Code of Virginia for handling cases of suspension, expulsion, and exclusion; regulations and procedures that enable prompt, understandable, consistent and fair disciplinary action for all students; and clarification of the multiple (and sometimes conflicting) Code sections governing the reporting of crimes to school divisions.

The City of Fairfax School Board opposes legislative imposition of universally-applicable restrictions on local school board authority to take disciplinary action against students for specific actions or behaviors; legislative requirements that a local school board use any particular disciplinary measure, unless it is required by federal law; and mandates to provide educational services to students (other than those served under the Individuals with Disabilities Education Improvement Act) whom the local school board has suspended, expelled, or excluded.

Student Safety

The City of Fairfax School Board supports the provision of and funding for a safe and secure learning environment for its students and personnel, which includes securing physical facilities as well as educating students regarding the safe use of the internet and other instructional

technologies. The City of Fairfax School Board supports state funding sufficient to support a uniformed school resource officer in each middle school and high school in the Commonwealth; to support the active monitoring by state and local offices of probation and parole of individuals in the State Sex Offender and Crimes Against Minors Registry; as well as incentive funding for local school boards to use in ensuring safe, secure, and respectful school environments through effective programs such as peer mediation, conflict resolution, character education, threat assessment, door access technologies, video surveillance, radio interoperability with public safety agencies, exit door numbering protocols, visitor screening, and other proactive initiatives appropriate at the local school level.

The City Of Fairfax School Board also supports interpretations and provisions of law that allow local school boards to be rigorous in banning the possession of weapons on school property in order to protect the safety of students in the school environment; specific authorization for localities to ban possession of dangerous weapons in recreation centers and prohibition of the sale of look-alike firearms, particularly BB and pellet guns, to minors; and maintaining the confidentiality of school specific and district-wide emergency/crisis plans.

Student Transportation

The City of Fairfax School Board supports measures that foster safe transportation for pupils as well as the efficient operation of school buses and school division transportation systems, including renewed focus on the enforcement of the prohibition on passing stopped school buses; as well as increasing the maximum speed limit for school buses on interstate highways from 45 mph to 55 mph when the posted speed for all other vehicles is 55 mph.

The City of Fairfax School Board encourages the Virginia Department of Motor Vehicles, the Medical Society of Virginia, and the Virginia Department of Education to consider the report of the U.S. Secretary of Transportation regarding the feasibility of allowing insulin-dependent diabetics to operate commercial vehicles. These agencies should make recommendations for school bus drivers based on this report, recent studies, and significant improvements in diabetes treatment and blood-level monitoring, all of which suggest that some insulin-dependent individuals can be safe and reliable school bus drivers and help alleviate the bus driver shortage.

The City of Fairfax School Board encourages the Department of Education to revisit required inspection intervals for school buses. The age, extended use, and types of parts installed should be considered when setting inspection intervals, especially for new buses which include self adjusting or self diagnostic components. Such components allow for longer intervals or different inspection techniques which could reduce inspection costs without compromising bus safety.

The City of Fairfax School Board opposes legislation which would involve local school boards in the provision of transportation for nonpublic school students.

Surplus Property

The City of Fairfax School Board opposes legislation that would remove the ultimate decision on the disposition of a School Board's real property from the sole discretion of the School Board, such as placing a time limit on the length of time real property could remain vacant or unused before automatically reverting to a local appropriating body.

Teachers and Instructional Personnel

The City of Fairfax School Board supports local, state, and federal initiatives that help to attract and retain highly qualified teachers of diverse backgrounds. This includes: support for competitive salaries; alternative licensure and Career Switcher programs (which include an internship or classroom practicum requirement); mentoring; monetary awards for National Board for Professional Teaching Standards certification; clinical faculty programs; professional development schools; the Virginia Teaching Scholarship Loan Program and other tuition reimbursement programs; property and income tax relief; and other support for housing related expenses.

The City of Fairfax School Board also supports rigorous and fair performance evaluation systems including the ability to remove ineffective teachers; clarifications to current law regarding a teacher's initial probationary contract period; as well as high quality professional development programs, such as leadership institutes, which prepare teachers and school administrators to successfully manage such challenges as educational accountability and the integration of technology for the purpose of improving student achievement.

Vouchers, Tuition, Tax Credits, and Tax Deductions

The City of Fairfax School Board opposes diverting public education funds to nonpublic schools and specifically opposes tuition tax credits, tax deductions, or vouchers as means of reimbursing parents for their children's educational expenses, grades K-12. Additional public expenditures of education dollars should be directed to addressing funding shortfalls in the public schools, not diverted to nonpublic schools.

The City of Fairfax School Board also opposes measures requiring the transfer of local taxpayer funds to other jurisdictions or to private providers should a student choose to attend a virtual program outside of their home school division; mandates for choice programs between school divisions or choice programs that include private schools; as well as state or federal mandates for intra district choice programs (within one school division). Current Code language is sufficient to allow school divisions to voluntarily enter into contracts to provide school services for adjacent school divisions if they so choose.

INDEX OF FEDERAL LEGISLATIVE AND POLICY POSITIONS

Addressed in the City of Fairfax School Board's 2013 Legislative Program

Advanced Placement & International Baccalaureate Examination Funding

The City of Fairfax School Board (CFSB) supports federal funding of the student costs for Advanced Placement and International Baccalaureate end-of-course examinations, and other related fees. (p. 5)

After-School Programs/At-Risk Youth/Gang Prevention

The City of Fairfax School Board supports the availability of federal resources focusing on after-school programs, summertime programs, and initiatives with a proven record of effectiveness that enhance social, physical, and emotional development; as well as the coordination of resources and activities across local, state and federal agencies, and with local nonprofit and community organizations, aimed at prevention of gang violence and in support of academic enrichment programs. (p. 5)

Charter Schools

The City of Fairfax School Board believes that local school boards should have sole and complete discretion over the decision whether or not to approve or revoke the formation of a charter school. (p. 5)

College Admissions

The City of Fairfax School Board supports permitting each state to make its own decision regarding eligibility for in-state tuition and other higher education benefits. (p. 6)

Education Funding - Federal

Please see entire position on p. 7

The City of Fairfax School Board supports adequate and increased federal funding support of education with minimal regulatory burdens; as well as federal and state policies, laws, regulations, and procedures that promote and facilitate local access to and flexibility in the use of federal education-related funds.

Educational Technology

The City of Fairfax School Board supports increased federal contributions for local educational technology costs to improve and enhance classroom instruction, to fulfill mandates for virtual instruction and online assessment, and to assist with the mandated collection and reporting of student achievement and teacher quality data. (p. 9)

Elementary and Secondary Education Act Reauthorization

Please see entire position on p. 9

The City of Fairfax School Board supports a long overdue common sense reauthorization of federal accountability programs to ensure fair, accurate, and meaningful assessments of student achievement.

English Language Learners

The City of Fairfax School Board supports increased federal support to ensure the provision of appropriate academic and English language instructional programs for students with limited English proficiency (LEP). (p. 10)

Mandates

The City of Fairfax School Board opposes federal mandates requiring school division actions or services that do not specifically provide for the adequate share of any new funding required for the mandate's implementation. The CITY OF FAIRFAX SCHOOL BOARD also opposes shifting previously unallocated revenue streams to "fund" new mandates, instead of providing new revenues to implement the new requirements. (p. 11)

Revenue Alternatives

The City of Fairfax School Board supports addressing the issue of collecting state sales tax on internet purchases. (p. 12)

School Construction

The City of Fairfax School Board strongly supports the development and funding of adequate and equitable state and federal programs to assist localities with public school construction, renovation, and major maintenance projects. (p. 13)

School Health Services and Student Wellness

The City of Fairfax School Board supports the use of pre-tax dollars for qualified sports and physical fitness expenses, booster participation, and direct donations. (p. 13)

Special Education

The City of Fairfax School Board supports special education programs which help every child learn to his or her potential, which necessarily includes additional and mandatory federal and state funding to help local school divisions deliver those services; the availability of appropriate and valid alternative assessments of student achievement as deemed appropriate by a student's IEP team; and a uniform set of rules and guidelines allowing school districts to claim administrative and transportation expenses associated with Medicaid eligible services to students served under the federal Individuals with Disabilities Education Improvement Act (IDEA). (p. 14)

Student Safety

The City of Fairfax School Board supports the provision of and funding for a safe and secure learning environment for its students and personnel. (p. 16)

Student Transportation

The City of Fairfax School Board encourages the Department of Education to revisit required inspection intervals for school buses. The age, extended use, and types of parts installed should be considered when setting inspection intervals, especially for new buses which include self adjusting or self diagnostic components. Such components allow for longer intervals or different inspection techniques which could reduce inspection costs without compromising bus safety. (p. 17)

Teachers and Instructional Personnel

The City of Fairfax School Board supports local, state, and federal initiatives that help to attract and retain highly qualified teachers of diverse backgrounds; including property and income tax relief, and other support for housing related expenses. (p. 18)

Vouchers, Tuition Tax Credits, and Tax Deductions

The City of Fairfax School Board opposes the diversion of public education funds to nonpublic schools and specifically opposes the use of tuition tax credits, tax deductions, or vouchers as means of reimbursing parents for their children's educational expenses, grades K-12. The City of Fairfax School Board also opposes mandates for choice programs between school divisions or choice programs that include private schools; as well as state or federal mandates for intra district choice programs (within one school division). (p. 18)