
FAIRFAX COUNTY SCHOOL BOARD

2019 State and Federal Legislative Program



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

Adopted 11/19/2018

FAIRFAX COUNTY SCHOOL BOARD

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School Board Beliefs, Mission & Vision

Students come first in Fairfax County Public Schools.

Beliefs

Each student is entitled to an excellent education that meets his or her individual needs.

Dynamic and supportive partnerships among students, parents, educators, and the community are critical to meet student needs and provide enriching experiences.

Effective educators are essential to student success.

Families play a fundamental role in their children's education.

High expectations inspire high performance.

Everyone thrives in a vibrant, healthy, safe, enriching, and respectful environment.

Our diversity is a strength that creates resilient, open, and innovative global citizens.

Quality early childhood education is crucial to school readiness and future success.

Literacy is an essential life skill, and reading proficiency by third grade is critical for the academic success of all students.

A well-rounded education enables students to lead productive, fulfilling, creative, and culturally rich lives.

An educated citizenry enhances everyone's quality of life, improves our economy, and sustains our system of self-governance.

A successful education system develops students who are effective communicators; collaborators; creative critical thinkers; global and ethical citizens; and goal-directed, resilient learners.

Mission

Fairfax County Public Schools inspires and empowers students to meet high academic standards; lead healthy, ethical lives; and be responsible and innovative global citizens.

Vision

Looking to the Future

FCPS prepares all students for the world of the future by giving them a broad spectrum of opportunities to prepare for education and employment beyond high school. All graduates are productive and responsible members of society, capable of competing in the global economy and motivated to pursue learning throughout their lifetimes.

Commitment to Opportunity

FCPS values its diversity, and acknowledges that all people contribute to the well-being of the community. FCPS provides opportunities for all its students and employees to grow educationally, personally, and professionally.

Community Support

Fairfax County embraces its schools. Businesses and community members generously volunteer their time and resources to help students. Schools are integrated into the fabric of the community, and residents take pride in their schools. The success of FCPS draws businesses to Fairfax County. Citizens support the financial and capital needs of the school system.

Achievement

Fairfax County students achieve at high levels in all core areas and across a broad spectrum of pursuits. FCPS values a well-rounded education that goes beyond basics, and encompasses the arts, technology, communication, and critical thinking skills in preparation for the work of the world. FCPS provides a breadth and depth of opportunities to allow all students to stretch their capabilities and pursue their passions.

Accountability

FCPS is accountable for the academic achievement of all students. FCPS measures academic progress to ensure that all students, regardless of race, poverty, language or disability, will graduate with the knowledge and skills necessary for college or employment. FCPS spends money wisely. FCPS directs funds to the classroom, and finds ways to improve performance across the spectrum of academic programs and business processes.

Strategic Plan

Ignite, our Strategic Plan, and four goals (Student Success, Caring Culture, Premiere Workforce, and Resource Stewardship) define the role of all FCPS staff members in living the commitment to our staff, students, and community.

<https://www.fcps.edu/about-fcps/strategic-plan>

**Fairfax County School Board
2019 State and Federal Legislative Program**

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Fairfax County School Board 2019 State Priority Positions

The Fairfax County School Board (FCSB) believes that the provision of public education is best facilitated through a strong partnership between the Commonwealth and its local school divisions; with the state being a supportive partner in the provision of locally-based public education.

State funding for public pre-K, elementary, and secondary education should adequately and appropriately support high quality instructional and support programs for all students in the Commonwealth; with the state fairly sharing responsibility with each locality for the true costs of implementing those programs. While the state has a role in the determination of what constitutes high quality programs and in the measurement of those programs' performance, the supervision of schools and the associated flexibility to determine the most appropriate policy or school governance approaches to implementing such instructional and operational programs should remain with local school boards as delineated in the Virginia Constitution.

To these ends, the Fairfax County School Board's priorities for 2019 include:

Flexibility

- **School Calendar** -- Returning control over school calendars to local school boards, including the flexibility for local school boards to choose to start school either before or after Labor Day based on local priorities and needs
- **Assessment Reforms** -- Continued reductions in the number and impact of mandated, standardized assessments on students, teachers, and schools; shifting toward a more balanced assessment system, including performance based assessments, which informs instruction and which allows for multiple pathways to earn a diploma
- **Environmental Sustainability** -- Supporting efforts for incentives, opportunities, and targeted goals for the expansion of renewable energy and energy efficiency

Funding

- **Support Cap** -- Eliminating the state's arbitrary cap on funding for support positions, which would help more directly link state funding with actual local staffing needs and costs. In the absence of full elimination, positions related to direct student services and to student mental health and safety -- such as school social workers and school psychologists -- should be shifted out from under the cap (*Fairfax lost approx. \$26M in each year of the biennium when the cap was first implemented in FY 2010*)
- **Salaries** -- Funding support to increase instructional and support position salaries which better reflects the true costs to localities of such increases (*the average salaries used in state funding formulas to determine state reimbursements are substantially lower than actual Fairfax average salaries*)
- **Special Needs Populations Funding** -- Funding support targeted to individual schools with high concentrations of and school divisions with significant overall numbers of students in poverty, English learners, and students receiving special education services (*Fairfax's special needs populations would each by themselves rank among the top 12 Virginia school divisions' total student populations*)
- **Cost of Competing** -- Completing the restoration of the state's Cost of Competing adjustment for support positions, which helps to adjust state funding to account for the higher costs in the Northern Virginia wage market (*most recent estimates show that Fairfax could receive approximately \$13.5M in additional state funding with full restoration*)
- **Pre-K Funding** -- Increasing state per-pupil funding for pre-K programming and for related capital facilities.

Fairfax County Board of Supervisors and Fairfax County School Board 2019 Joint Legislative Priority Position

Public education funding in the Commonwealth is enshrined in the Virginia Constitution as a joint responsibility of both state and local governments, so it is essential that the state fully meet its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow critical gaps to persist between state funding and the actual costs of providing a high-quality education, placing more of the fiscal burden on localities while substantially limiting local revenue sources, creating a discrepancy that has become increasingly untenable.

Though there have been some recent helpful infusions of state funding, the current funding formulas do not adequately address the challenges facing high cost of living localities like Fairfax County. Those challenges are exacerbated by structural features in the formulas that leave statewide funding far behind inflation-adjusted FY 2009 levels. As the Joint Legislative Audit and Review Commission (JLARC) noted in its recent review of K-12 spending, localities provided a majority of total funding for school divisions in FY 2014, contributing an additional \$3.6 billion beyond the minimum funding required. JLARC also noted that in FY 2013, Virginia ranked 23rd nationwide in total per-student spending, but 11th in the local share of this spending, reflecting Virginia's reliance on local effort and a growing imbalance in this partnership.

Virginia businesses emphatically assert that strong public schools and an educated workforce are essential elements in their decision to locate and remain in Virginia. Investments in early childhood and K-12 education provide a foundation for learning and achievement, often reducing or eliminating the need for more costly interventions and spurring economic development. Failure to adequately meet the needs of the youngest Virginians can create repercussions for individual families, the larger community, and the Commonwealth. Moving Virginia's economy forward requires substantially increasing state investments in K-12 education.

The Boards strongly support:

- Restoration of full funding for a Cost of Competing Adjustment (COCA) for support personnel, a factor used in the state K-12 funding formula recognizing the competitive salaries required in high cost of living regions to attract and retain high-quality personnel;
- Increased state funding support for school divisions with high numbers or concentrations of English learners (costs are approximately 30 percent more than general education), students living in economically disadvantaged households (costs are approximately 10 percent more than general education), and students receiving special education and mental health services (costs are approximately 100 percent more than general education);
- Elimination of the support positions ratio cap, which has artificially lowered the state's funding contributions for critical educational support positions by hundreds of millions of dollars since its adoption in 2009;
- Realistic and appropriately funded Standards of Quality consistent with actual local staffing costs, with flexibility to allow for variations in local staffing needs and capacity;
- Use of true weighted averages (which account for actual numbers of students/personnel) when calculating average teacher salaries and other education costs, instead of linear weighted estimators which significantly understate the true local costs of teacher salaries and other costs throughout the Commonwealth;

- Recognition of cost of living variations throughout the Commonwealth in state funding formulas, in order to more accurately determine a locality's true ability to pay; and,
- Increased state resources for early childhood education programs which help young children enter kindergarten prepared to succeed.

The Boards strongly oppose:

- State budget cuts that disproportionately target or affect Northern Virginia;
- State policies which divert K-12 education funding away from local public schools and toward non-public options; and,
- Structural cuts or formula/policy changes which impose unfunded mandates on localities, further weakening the partnership between the state and localities.

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

- 1) The Fairfax County School Board (FCSB) supports comprehensive and flexible after-school programs and other preventive interventions addressing expanded learning opportunities and academic success, positive peer and adult relationships, adolescent substance abuse, behavioral issues, and gang participation.
- 2) The FCSB supports 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.
- 3) The FCSB supports 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.
- 4) The FCSB supports development of and growth of statewide policies fostering collaborative partnerships to sustain new and existing high quality after-school and summer expanded learning programs.

B. Alternative Education Programs

- 1) The Fairfax County School Board (FCSB) supports continued local school board authority and discretion for offering alternative education programs to students, including those who have been suspended, expelled, excluded, or otherwise disciplined.

C. Attendance and Truancy

- 1) The Fairfax County School Board (FCSB) supports attendance and truancy laws and policies that are clear; that emphasize encouraging attendance through engagement, prevention and early intervention; and that provide appropriate timelines for addressing attendance issues.
- 2) The FCSB respects a parent's right to request an exemption from compulsory school attendance for their student under Virginia Code Section 22.1-254 by reason of "bona fide religious training or belief," but believes that requirements to report on the academic progress of students receiving such an exemption should be aligned with reporting

requirements already required of all other students receiving home instruction under §22.1-254.1.

D. Charter Schools

- 1) The Fairfax County School Board (FCSB) supports reserving ultimate and final authority over decisions whether or not to approve or revoke the formation of a charter school for local school boards. 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; but local school boards, and not alternative chartering authorities outside the local community, are in the best position to determine whether or not a charter proposal fits within the context of a school division's own unique needs and student population.

E. College Readiness and Post-Secondary Education

- 1) The Fairfax County School Board (FCSB) supports increased coordination of college and work readiness standards between K-12 and higher education, including robust collaborative dual enrollment partnerships and course offerings. Such partnerships should include better coordinated credentialing of faculty between local school divisions and institutions of higher learning, allowing for mixed classrooms, as well as continued local flexibility to determine the most appropriate financial arrangements between individual school divisions and higher education institutions to deliver such programming.
- 2) The FCSB supports additional work-based learning opportunities for students while enrolled in high school to increase exposure to and exploration of career pathways.
- 3) The FCSB 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.
- 4) The FCSB supports maintaining suitable ratios of in-state and out-of-state students in each of the Commonwealth's institutions of higher education.
- 5) The FCSB supports eligibility for in-state tuition for students who are lawfully present in the United States under the Deferred Action for Childhood Arrivals (DACA) program, provided they meet Virginia's domicile requirements.

F. Early Childhood Education

- 1) The Fairfax County School Board (FCSB) supports state provision of high quality early childhood programs, provided that the state furnishes full funding for implementation and ongoing operation and increases the per pupil funding of such programs.
- 2) The FCSB supports, in the absence of state provision of full funding, paying particular attention to increasing the per pupil funding, minimizing start-up costs, reducing or eliminating any required local match, and funding assistance for capital facilities.
- 3) The FCSB supports flexibility to account for local at-risk criteria, including regional variations in cost of living, when setting eligibility standards for early childhood programs; particularly for the Virginia Preschool Initiative (VPI).

- 4) The FCSB opposes shifting mandated responsibility for early childhood programs and capital facilities funding to localities or subjecting such funding to state equalization formulas.

G. Educational Technology

- 1) The Fairfax County School Board (FCSB) supports increased state and federal contributions for local educational technology infrastructure and staffing needs 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.
- 2) The FCSB supports sufficient state funding to implement at least a five-year replacement cycle based on a minimum one-to-one student-to-computer ratio as well as a regular replacement cycle for administrative computers.
- 3) The FCSB supports allowing school divisions the flexibility to use state technology funds to either purchase or lease technology equipment and software.
- 4) The FCSB supports 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.
- 5) The FCSB supports the creation of a state clearing house to facilitate the movement of student records for students who transfer between school divisions in Virginia.
- 6) The FCSB supports policies and specific state funding to enhance the accessibility of technology and broadband connectivity to all schools and students, including one-to-one computing, Bring Your Own Device initiatives, and access outside of regular school hours.

H. Employer/Employee Relations

- 1) The Fairfax County School Board (FCSB) supports the right of every school board to adopt its own method of communicating with employees as long as the constitutional authority of the board to make public policy is not compromised.
- 2) The FCSB supports prohibiting discrimination in employment and education based on age, race, color, sex, sexual orientation, gender identity, religion, national origin, marital status, or disability.
- 3) The FCSB supports amending §22.1-315 of the Code of Virginia to clarify that school employees charged with an enumerated offense are entitled the return of escrowed salary only if (1) they are found innocent of the enumerated charge and (2) they have not plead to a lesser offense or received a deferred or suspended imposition of sentence.
- 4) The FCSB opposes changes in Code or the Constitution that would limit the supervisory authority of local school boards, particularly as it relates to binding arbitration or collective bargaining.
- 5) The FCSB opposes changes to the teacher grievance procedure, the *Regulations Governing the Employment of Professional Personnel*, or other state laws, regulations, procedures, or guidelines that would diminish the authority of school boards or that would impose unreasonable and unnecessary administrative and financial burdens.
- 6) The FCSB opposes mandated benefits for local employees, which would interfere with the right of local school boards to contract benefits directly with their employees.

I. English Learners

- 1) The Fairfax County School Board (FCSB) supports increased federal and state support to ensure the provision of appropriate academic and English language instructional programs for English learners.
- 2) The FCSB supports assessment programs (including alternate assessments and accommodations) for English learners that are linguistically appropriate, that accurately and meaningfully assess 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.
- 3) The FCSB supports funding for local school division's or communities' provision of family literacy programs for English learners and their families as well as adult English classes for their parents and guardians.
- 4) The FCSB supports developing a "Total English Learner" reporting group that would include both current and successfully exited English learners to better reflect overall language proficiency achievement.

J. Environmental Sustainability/Renewable Energy

- 1) The Fairfax County School Board (FCSB) supports efforts to reduce the County's greenhouse gas emissions and operational demand for energy through efficiency, conservation, renewable energy, and education; as well as state incentives, opportunities, and targeted goals for the expansion of renewable energy and energy efficiency.

K. Equal Rights

- 2) The Fairfax County School Board (FCSB) supports passage by the United States Congress and ratification by the Virginia General Assembly of a federal constitutional amendment guaranteeing equal rights to women.

L. Freedom of Information Act

- 1) The Fairfax County School Board (FCSB) 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 ready access to public records.
- 2) The FCSB supports addressing and potentially adjusting FOIA requirements 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".
- 3) The FCSB supports the creation of a "third party disclosure" FOIA exemption that would allow for the redaction of private information from emails that would not otherwise be subject to FOIA except for the fact they had been forwarded to an email address subject to FOIA.

- 4) The FCSB supports the clarification of current FOIA exemptions for human resources investigations.
- 5) The FCSB supports reimbursement for state and federally mandated redactions from requested documents.
- 6) The FCSB supports granting local school boards and other local public bodies expanded authority to conduct electronic communication meetings.
- 7) The FCSB supports flexibility in how to fulfill mandates for required legal notices for certain public hearings and meetings.

M. Governance and Mandates

- 1) The Fairfax County School Board (FCSB) believes that the ultimate decisions regarding appropriate policy or school governance interventions to address instructional and operational issues should remain with local school boards, as made in collaboration with their parents and local community.
- 2) The FCSB opposes state and federal mandates requiring school division actions or services that do not specifically provide for adequate resources (including both funding and the availability of instructional/administrative time) required for the mandate's implementation. Because funding for education is a shared local, state, and federal responsibility, implementation of mandates from any level includes a local funding component which places additional pressures on local budgets. This is particularly true in jurisdictions that have a high Local Composite Index and receive a proportionately smaller share of state funding for implementation.

N. Poverty and Student Achievement

- 1) The Fairfax County School Board (FCSB) supports additional state-level K-12 resources targeted to assist schools with high concentrations of or numbers of students in poverty. Poverty is well documented as one of the most influential factors affecting student achievement. FCPS and other state and national research findings show that schools that have large concentrations of students from families in poverty are significantly less likely to reach achievement benchmarks, independent of other factors. However, the Board recognizes that while they would definitely be helpful, even new resources for K-12 can only go so far in overcoming the cumulative negative effect that overall community poverty has on student achievement. Consistent with these research findings, the FCSB also supports coordinated local, state and federal policies and resources to help address the root causes of poverty within the larger community and not just within the schools' walls, including efforts to reduce concentrations of poverty through strategic community planning in collaboration with the Fairfax County Board of Supervisors.

O. Retirement/Virginia Retirement System

- 1) The Fairfax County School Board (FCSB) supports state funding for the Virginia Retirement System (VRS) as to sustain long term fiscal solvency and to meet its legal obligations to vested school system employees.

- 2) The FCSB supports increased state funding contributions for VRS, allowing for lower required local contribution rates.
- 3) The FCSB supports VRS consideration of the impacts that teacher retirement contribution rates can have on local school divisions during their rate setting process.
- 4) The FCSB 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.

- 5) The FCSB opposes caps upon or the establishment of rates below what localities would be required to bear of the state share of VRS contribution rates for teachers.
- 6) The FCSB opposes mandating the inclusion of salary supplements for temporary voluntary activities, such as club sponsorship or coaching, in the definition of creditable compensation.

P. Revenue Alternatives

- 1) The Fairfax County School Board (FCSB) supports local revenue flexibility to accommodate various economic and demographic conditions and assist local governments in creating systems of taxation that are sensible, fair, stable, and reflect local priorities. This would include 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, as well as referendum authority to raise local sales taxes with revenues dedicated to school facilities.
- 2) The FCSB supports addressing the issue of collecting state sales tax on internet purchases, with potential revenues from such collection dedicated to public K-12 education.
- 3) The FCSB supports local school board flexibility to charge appropriate fees for programs and activities that are not directly related to core educational programs.
- 4) The FCSB supports fiscal autonomy for locally elected local school boards.

Q. School Calendar

- 1) The Fairfax County School Board (FCSB) supports local school board control over school calendars and the school day, including allowing local school boards to set the opening day of school.
- 2) In the absence of outright repeal of the prohibition on opening school prior to Labor Day, the FCSB supports current waiver procedures and criteria as well as additions to existing Code provisions defining good causes for opening school prior to Labor Day to include: the provision of additional instructional time, particularly prior to nationally administered assessments of student academic achievement; the provision of appropriate summer intervention and/or enrichment programs for students; and increased professional development opportunities for staff.

R. School Construction

- 1) The Fairfax County School Board (FCSB) 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.
- 2) The FCSB supports exempting contractors from the retail sales and use tax on materials purchased while under contract by local school divisions for construction, repair, or other real-estate related services.
- 3) The FCSB supports full restoration of local government authority to accept cash and in-kind proffers, regardless of the location of the new development.

S. Special Education

- 1) The Fairfax County School Board (FCSB) supports special education programs which help every child learn to his or her potential, which necessarily include additional and mandatory federal and state funding to help local school divisions deliver those services.
- 2) The FCSB supports the availability of appropriate and valid alternative assessments of student achievement as deemed appropriate by a student's Individualized Education Program (IEP) team, including expanded alternatives for demonstrating subject matter competency and for earning verified credits.
- 3) The FCSB supports 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).
- 4) The FCSB 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.
- 5) The FCSB supports 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.
- 6) The FCSB supports existing convention which places the burden of proof during due process proceedings on the party bringing the action.
- 7) The FCSB supports authority for local school boards to apply timely 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.

T. Standards of Accreditation and Standards of Learning

- 1) The Fairfax County School Board (FCSB) supports a Standards of Accreditation (SOA) accountability program for schools and students based on a system of balanced state assessments that provide authentic, educationally valuable, and cost-effective measures of student achievement, including the ability to gauge student academic progress over time; and that is nonintrusive on the learning process, reliable, valid, and fair.
- 2) The FCSB supports reforms to the state accreditation system to provide more nuance and in-depth information to parents and the community about each individual school's performance across a variety of measures.

- 3) The FCSB supports closer alignment between state accreditation and federal accountability expectations in terms of required numbers of assessments as well as specific academic targets used to determine whether a school meets content area accreditation benchmarks.
- 4) The FCSB supports school improvement guidelines and expectations that are grounded in evidence of effectiveness, and that allow flexibility for school divisions to adopt evidence-based improvement models that align with their specific goals and improvement focus.
- 5) The FCSB supports state content standards, curriculum guidelines, and assessments that strike an appropriate balance between a broad overview of a subject area, interdisciplinary learning, and the acquisition of the skills required for every graduate to be able to engage in a lifelong pursuit of learning as a communicator, collaborator, ethical and global citizen, creative and critical thinker, and goal-directed and resilient individual.
- 6) The FCSB supports assessment reforms to better evaluate students' acquisition of subject knowledge and skills and to address concerns about the frequency of standardized student testing, including expanded use of locally administered performance-based assessments, expanded use of nationally and internationally benchmarked substitute assessments and earlier test administrations for students who can demonstrate mastery regardless of "clock hour" requirements.
- 7) The FCSB supports continued and expanded availability of alternate assessments and accommodations for students with disabilities for whom participation in the regular Standards of Learning (SOL) testing program is deemed inappropriate by their individualized education program (IEP) teams that meet the same criteria of reliability, validity, and fairness as other assessments.
- 8) The FCSB supports alternate assessments and accommodations for English learners that are linguistically appropriate and yield accurate information on a student's content knowledge; including expanded use of performance-based assessments, expanded use of competency provisions for the industry credential graduation requirement, as well as a pilot allowing for assessment in languages other than English.
- 9) The FCSB supports ensuring students have multiple pathways to earn a diploma and the flexibility to explore career clusters of interest in preparation for postsecondary opportunities including: increasing the number of high school elective courses that can substitute as graduation requirements in other content areas, additional routes to fulfilling graduation requirements in lieu of a year-long course, additional opportunities for Career and Technical Education (CTE) credentials to fulfill verified credit requirements and recognition of relevant coursework in middle school.
- 10) The FCSB supports continued and extended support for high school redesign as well as extending redesign efforts to align changes with middle and elementary schools.
- 11) The FCSB supports allowing for the substitution of skills-based courses focused on college readiness and college level skills, such as the Advancement Via Individual Determination (AVID) elective course, for other required high school graduation standard course credits, such as Career and Technical Education (CTE).
- 12) The FCSB supports reasonable reporting requirements, guidelines, and regulations for both early intervention and remediation programs that do not compromise their objectives of improving student academic achievement.
- 13) The FCSB supports 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.
- 14) The FCSB supports conditioning any statewide changes in instructional program requirements, including high school graduation requirements, on the sufficient input of the

- State Board of Education and major stakeholders as well as on studies of the fiscal and instructional implications of such changes for all students and local school divisions.
- 15) The FCSB supports adjusting Graduation and Completion Index (GCI) and dropout rate calculations for English learners, such that English learners who have not yet completed 4 semesters of enrollment in Virginia public schools would be eligible for a one-time adjustment out of the 4-year GCI and dropout rate calculations.
 - 16) The FCSB additionally supports allowing English learners who have a WIDA ELP Level of 3 or 4 who arrive in a Virginia high school for the first time in the second semester of an academic year to delay their addition to a GCI cohort until the following year.
 - 17) The FCSB supports providing local school divisions with greater flexibility in determining the appropriate allocation of instructional time in elementary schools across specific subject areas. Such flexibility would allow school divisions the opportunity to restructure the educational environment based on current research and to provide adequate time for recess.
 - 18) The FCSB supports revisions to the School Quality Profiles and other public reporting of school and division results to embed sufficient explanation of how and why there may be differences in a school's outcomes in terms of how they are reported for state and federal accountability versus how they are reported for assessment, graduation, and absenteeism performance rates.
 - 19) The FCSB opposes oversimplifying school achievement measurements by aggregating the wealth of data already available about school performance into a single score, such as a grade on an A-F scale.
 - 20) The FCSB opposes state "takeovers" of underperforming local schools.
 - 21) The FCSB opposes the use of standardized test scores as the sole basis for decisions regarding a student's appropriate grade level assignment.

U. Standards of Quality

- 1) The Fairfax County School Board (FCSB) supports adoption and maintenance of appropriate and adequately funded Standards of Quality (SOQ) to accurately reflect and fully support actual local instructional and support priorities and operating expenses, best practices, and needs; and which keep pace with evolving accountability requirements.
- 2) The FCSB supports staffing standards that are flexible enough to address varying local service needs and accommodate innovative instructional practices.
- 3) The FCSB supports specific inclusion in the SOQ of the positions and support already in place at local expense necessary to carry out mandates found in other sections of the Code, in other Virginia Board of Education regulations, or in federal law, including for example, funding for high school schedules that exceed the state's currently assumed six period day.
- 4) The FCSB supports funding for the SOQ that fully covers the total state share (55 percent) of the costs of establishing and maintaining an educational program of high quality, as envisioned in the Constitution of Virginia.
- 5) The FCSB supports the elimination of the arbitrary support positions ratio cap, or, in the absence of elimination, shifting specific positions out from under the cap.
- 6) The FCSB supports 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.

- 7) The FCSB supports increased state instructional and support resources to address the needs of English learners, particularly students who enter schools with little or no formal education or language skills.
- 8) The FCSB supports a comprehensive update to the now 16 year old 2002 JLARC *Review of Elementary and Secondary School Funding* to determine the adequacy of existing Standards of Quality.
- 9) The FCSB opposes the state shifting its Constitutional responsibility for funding public education onto the localities and local taxpayers.
- 10) The FCSB opposes 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.
- 11) The FCSB opposes deducting local or federal revenues from the Basic Aid funding calculation.

V. State Education Funding

- 1) The Fairfax County School Board (FCSB) believes that state funding for elementary and secondary education should adequately and appropriately support quality programs for all students in the Commonwealth. The state should fairly share responsibility with each local school board for the true costs to localities of implementing Virginia's Standards of Quality, Standards of Accreditation, Standards of Learning and other state mandated education related programs. This includes 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, local salary costs, and the particular resource needs of local school divisions.

State Funding Formulas and Practices

- 2) The FCSB supports the 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.
- 3) The FCSB supports providing full and appropriate funding for the biennial re-benchmark of Direct Aid to Public Education. Should the General Assembly fail to fully fund re-benchmarking, the state should grant waiver requests from mandated requirements in proportion to the shortfall.
- 4) The FCSB supports the use of true weighted averages (which account for actual numbers of students/personnel) when calculating average teacher salaries and other education costs for state funding purposes, instead of linear weighted estimators.
- 5) The FCSB supports the recognition of absolute population numbers as well as percentages for programs targeting funding support for English learners, students receiving special education services, and students in poverty.
- 6) The FCSB supports the use of formulas based on individual school populations, rather than solely on aggregate system-wide data.
- 7) The FCSB supports funding formulas which account for student population growth, measured both by percentage as well as by absolute population growth, as a key factor which drives education funding needs in high growth localities.
- 8) The FCSB supports continued distribution of some funding on a uniform state/local match, such as technology grants.

- 9) The FCSB supports 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 Local Composite Index.
- 10) The FCSB supports funding formulas that distribute state aid for early intervention and remediation programs for all eligible students by using the local school division's composite index or .5000 – whichever is lower.
- 11) The FCSB supports increasing the proportion of state sales tax dedicated to public education.
- 12) The FCSB supports 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.
- 13) The FCSB supports a tax structure in the Commonwealth that provides localities with sufficient state revenue to better address the resource demands of mandated education programs. Any revisions to the tax structure should result in long-term additional revenue capacity, not in revenue-diminishing or revenue-neutral changes among different taxing sources.
- 14) The FCSB opposes artificial limitations on the growth of state expenditures, such as limiting expenditure growth to the rate of inflation and general population increases.
- 15) The FCSB opposes the continued practice of shifting Standards of Quality and other recurring cost programs into the state's lottery funded accounts.
- 16) The FCSB opposes 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.

Cost of Competing Adjustment

- 17) The FCSB supports continued use of an appropriate and up-to-date cost of competing factor for both instructional and support personnel in the Standards of Quality reimbursement formulas which recognize the necessity to pay higher wages in identified high cost of living and competitive wage market regions to attract and retain the highest quality workforce.

Local Composite Index (LCI)

- 18) The FCSB supports lowering the current .8000 cap on the LCI to increase the state's minimum share of education funding for every local school division.
- 19) The FCSB supports hold harmless provisions to mitigate the effects of biennial changes in the LCI.
- 20) The FCSB 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, concentrated areas of poverty, 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.

Program Specific Funding

- 21) The FCSB supports increased state funding for instructional and support position salaries without revenue contingencies.
- 22) The FCSB supports additional state funding support to help offset the increasing costs of Career and Technical Education credentials.
- 23) The FCSB supports increased funding for all regional, academic year Governor's Schools, 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, as well as state funding support for capital construction and improvements at regional academic year Governor's Schools.
- 24) The FCSB supports funding of the student costs for Advanced Placement and International Baccalaureate end-of-course examinations and other related fees.
- 25) The FCSB supports adequate state funding for alternative education programs with the necessary flexibility for local school boards to operate their own diverse programs.
- 26) The FCSB supports additional state funding to help address the local education-related impacts associated with major regional corporate relocations, such as increases in K-12 enrollments in particular communities.

W. Student Activities

- 1) The Fairfax County School Board (FCSB) 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.

X. Student Discipline

- 1) The Fairfax County School Board (FCSB) 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.
- 2) The FCSB supports regulations and procedures that enable prompt, understandable, consistent, and fair disciplinary action for all students.
- 3) The FCSB supports the availability of state funding resources for local school boards to implement programs which provide alternatives to suspension and/or expulsion.
- 4) The FCSB opposes legislative imposition of universally-applicable restrictions on local school board authority to take disciplinary action against students for specific actions or behaviors, particularly in cases of offenses that endanger students and/or staff such as those involving drugs, weapons, physical injury, or offenses of a sexual nature.
- 5) The FCSB opposes legislative requirements that local school boards 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.

Y. Student Health and Wellness

- 1) The Fairfax County School Board (FCSB) supports significantly increased state resources devoted to programs and staffing (including school psychologists, school nurses, school counselors, and school social workers) to help school divisions serve the increasing school health and wellness needs of our student population; and to assist with responses to issues such as childhood obesity, child and adolescent sleep, student mental health, student safety, and suicide prevention.
- 2) The FCSB supports maintaining locally-based authority and flexibility to determine the school health, mental health and counseling models that most appropriately meets a division's needs via local policies and staffing, including preservation of the role that local health departments play in the provision of school health services. Should the General Assembly choose to mandate particular health-related programs or staffing anyway, adequate and appropriate state resources must be allocated before local school divisions would be required to implement changes.
- 3) The FCSB supports current policies allowing parents to review Family Life Education (FLE) curricula and, at their discretion, to opt their student out of participation from FLE lessons.
- 4) The FCSB supports increased state reimbursement for both the school lunch and school breakfast programs.

Z. Student Safety

- 1) The Fairfax County School Board (FCSB) supports the provision of and funding for a safe and secure learning environment for its students and personnel; which includes securing physical facilities, addressing student mental health and wellness, as well as educating students regarding the safe use of the internet and other instructional technologies.
- 2) The FCSB supports state funding sufficient to support at least one uniformed School Resource Officer (SRO) in each middle school and high school in the Commonwealth.
- 3) The FCSB supports state support for the active monitoring by state and local offices of probation and parole of individuals in the State Sex Offender and Crimes Against Minors Registry.
- 4) The FCSB supports 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.
- 5) The FCSB 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.
- 6) The FCSB supports 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.

- 7) The FCSB supports allowing localities the option of regulating the proximity of a gun store to a public school.
- 8) The FCSB supports maintaining the confidentiality of school specific and district-wide emergency/crisis plans.
- 9) The FCSB opposes requiring the designation of officials to carry concealed handguns in schools.
- 10) The FCSB opposes specific state mandates to place School Resource Officers in particular schools; such personnel decisions should remain with local school boards.

AA. Student Transportation

- 1) The Fairfax County School Board (FCSB) supports measures that foster safe transportation for pupils as well as the efficient operation of school buses and school division transportation systems.
- 2) The FCSB supports renewed focus on the enforcement of the prohibition on passing stopped school buses, including removing barriers to implementation of stop arm photo monitoring cameras on school buses.
- 3) The FCSB supports findings of the National Highway Traffic Safety Administration's April, 2002 Report to Congress regarding the safety value of installing safety belts on large school buses which concluded that lap belts appear to have little, if any benefit, in reducing serious injuries and actually could increase the incidence of neck and abdominal injuries. While the use of combination lap/shoulder belts could provide some benefit, misuse could result in serious injuries.
- 4) The FCSB supports the elimination of requirements to equip school buses with EZ Pass transponders in order to operate on any toll lanes, including Express Lanes, for which they are already exempt from paying tolls.
- 5) The FCSB opposes legislation which would involve local school boards in the provision of transportation for nonpublic school students.

AB. Teachers and Instructional Personnel

- 1) The Fairfax County School Board (FCSB) supports local, state, and federal initiatives that help to attract and retain the highest quality teachers and instructional personnel of diverse backgrounds including: 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.
- 2) The FCSB supports rigorous and fair performance evaluation systems including the ability to remove ineffective teachers.
- 3) The FCSB supports significantly increased opportunities for and availability of high quality professional development to better prepare teachers and school administrators to successfully manage such challenges as educational accountability, addressing achievement gaps, and the integration of technology for the purpose of improving student achievement.

- 4) The FCSB supports a comprehensive evaluation of the appropriateness of initial teacher licensure and licensure renewal requirements, particularly in light of the accumulation of new mandates added over the last several years.
- 5) The FCSB supports an evaluation of Virginia statutes governing teacher employment, grievance, suspension and dismissal, including in particular the impacts of the changes adopted by the General Assembly in 2013.
- 6) The FCSB supports reform to the process for submission of licensure applications and renewals to the state, with the goal of streamlining processing and reporting.
- 7) The FCSB supports better alignment between content included in teacher preparation programs and the actual skills required by teachers to be successful in the classroom as well as those mandated by state and federal policymakers.
- 8) The FCSB supports additional routes to provisional or conditional licensure in high-need fields, including English for Speakers of other Languages (ESOL) and special education, and incorporation of additional flexibility in provisional or conditional licensure for teachers seeking to add further endorsement areas (even in non-high need fields) when those individuals are able to secure an intention to hire from a school administrator in a high poverty school.
- 9) The FCSB supports additional state resources and policies to facilitate and accelerate the process of conducting teacher background checks, including state approval for specific local positions authorized to conduct teacher background checks.
- 10) The FCSB opposes the elimination of continuing contracts.
- 11) The FCSB opposes changes to the grievance process that do not preserve adequate due process protections.
- 12) The FCSB opposes the use of standardized test scores as the sole or predominant measure of teacher effectiveness.

AC. Vouchers, Tuition Tax Credits, and Tax Deductions

- 1) The Fairfax County School Board (FCSB) 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).
- 2) The FCSB opposes diverting public education funds away from local public schools to non-public schools in the form of tuition tax credits, tax deductions, education savings accounts, or vouchers as means of reimbursing parents for their children's educational expenses, grades K-12.
- 3) The FCSB opposes measures requiring the transfer of local taxpayer funds to other jurisdictions, to a statewide institution, or to private providers should a student choose to attend a virtual program outside of their home school division.

Fairfax County School Board 2019 Federal Priority Positions

The Fairfax County School Board (FCSB) supports full and adequate funding to implement federal mandates, such as those found in the Every Student Succeeds Act (ESSA), as well as broad flexibility to empower states and localities to fulfill mandated program requirements.

To these ends, the Fairfax County School Board's federal priorities for 2019 include:

Full funding for the Individuals with Disabilities Education Act (IDEA)

- In 1975, the federal government made a commitment to fund 40 percent of “excess” special education costs, based on the assumption that the cost of educating children with disabilities was twice the average cost measured as the national average per pupil expenditure (APPE) of educating other children; but it has never come close to fulfilling that commitment
- Funding for IDEA covered only about only 10.8 percent of FCPS' special education related costs for our approximately 27,000 students receiving special education services in FY 2019 (FY 2017 federal funding covered about 14.6 percent of the national APPE, so Fairfax's percentage of costs covered is even lower than the national average)
- Fully funding IDEA to cover 40% of FCPS's special education related costs would have resulted in an additional \$82.9 million in federal funding for Fairfax in FY 2019

Full funding for the federal Impact Aid program

- Impact Aid provides federal resources to help offset the local impacts of educating Fairfax's approximately 19,000 military and federally connected students, as well as those associated with the presence of federal tax exempt properties
- When Impact Aid is not fully funded, allocations to localities are prorated based on a formula which is heavily weighted by the overall percentage of military and federally connected students in a jurisdiction
- In FY 2019, Impact Aid funding covered only 11.2 percent of Fairfax's calculated maximum basic support payment to educate military and federally connected students (only approx. \$169 per federally connected student)
- Fully funding Impact Aid, based on current funding formulas, would have resulted in approximately an additional \$22 million in federal funding for Fairfax in FY 2019

FED. Federal Education Funding and Policy

Individuals with Disabilities Education Act (IDEA)

- 1) The FCSB 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).

- 2) The FCSB supports 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.

Title I

- 3) The FCSB supports continuation and full funding of the Title I, Part A grant within the Elementary and Secondary Education Act (ESEA) that serves schools with the highest percentage of children from low-income families.
- 4) The FCSB supports 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.
- 5) The FCSB supports giving schools greater flexibility for using Title I funds to address persistent performance gaps, including allowing school divisions to flexibly supplement local funding where appropriate as well as reducing the number and amount of mandated fund set-asides.
- 6) The FCSB supports 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.

- 7) The FCSB opposes turning Title I or other federal program funding into portable vouchers.

Impact Aid

- 8) The FCSB supports full funding for the federal Impact Aid program, which is intended to offset the local impact of federally-connected students as well as those associated with federal military base relocation decisions.
- 9) The FCSB supports additional Impact Aid funding support to address the impacts of particular concentrations of military-connected families within localities.
- 10) The FCSB supports additional Impact Aid funding support for students with disabilities who receive special needs exemptions to attend military-connected schools.
- 11) The FCSB supports revisions to the Impact Aid eligibility identification process which would automatically "opt in" any student with a military student identifier (newly created under ESSA).

Other Funding Issues

- 12) The FCSB supports 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.
- 13) The FCSB supports continued and adequate funding for teacher quality and professional development (Title II); educational services for students with limited English proficiency (Title III); for vocational and technical education (the Carl D. Perkins Vocational and Technical Education Act); for at-risk youth; and for quality after school and summer programs (21st Century Community Learning Centers Initiative).
- 14) The FCSB supports continued and adequate funding for educational technology and internet connectivity (E-Rate), including additional flexibility to use E-Rate funds for mobile internet infrastructure and connectivity for student at-home use.

- 15) The FCSB supports additional federal funding aid to help address the needs of unaccompanied children who have been relocated to Fairfax County through the federal Department of Health and Human Services, Office of Refugee Resettlement.
- 16) The FCSB supports a uniform set of rules and guidelines that would at least maintain current Medicaid funding and eligibility standards for our students and that would continue to allow school divisions to claim administrative and transportation expenses associated with Medicaid eligible services to students served under the federal Individuals with Disabilities Education Improvement Act (IDEA).
- 17) The FCSB supports federal funding reauthorization of the Children's Health Insurance Program (CHIP) which helps serve children's health care needs in low income households.

- 18) The FCSB opposes intrusive federal mandates that are not adequately funded or that impose undue administrative burdens.
- 19) The FCSB opposes arbitrary across-the-board cuts to, or federally-imposed caps upon, education spending, such as those envisioned by "sequestration".
- 20) The FCSB opposes overly restrictive interpretations of "supplement, not supplant" provisions for federal funding which infringe on a local school board's authority to set their own budget and staffing priorities.

Every Student Succeeds Act (ESSA) Implementation

- 21) The FCSB supports the ideals embodied by the federal Elementary and Secondary Education Act (ESEA) 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.
- 22) The FCSB supports common sense federal accountability programs that ensure fair, accurate, and meaningful assessments of student achievement, and that leave the ultimate determination of the best ways to measure student, school and school division accountability to the states and localities.
- 23) The FCSB supports federal programs which encourage and enhance the use of successful evidence-based improvement models, appropriately 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.
- 24) The FCSB supports emphasis on the broad-based college and workplace readiness skills necessary for success in the 21st Century.
- 25) The FCSB supports allowances for determinations of reasonable and meaningful student assessment, including the use of alternative assessments for students with disabilities and English learners where appropriate.

- 26) The FCSB 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.
- 27) The FCSB opposes making policy decisions, such as teacher and principal evaluations, solely or overly reliant on student scores on standardized, high-stakes tests.