
FAIRFAX COUNTY SCHOOL BOARD

2021 State and Federal Legislative Program



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

Adopted 11/16/2020

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 2021 State and Federal Legislative Program

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Fairfax County School Board 2021 State Priority Positions

The Fairfax County School Board (FCSB) believes that public education should be based on a strong partnership between the Commonwealth and its local school divisions, with the state supporting the provision of locally based public education. Adequate and appropriate state funding for public pre-K, elementary, and secondary education—with the state fairly sharing in the true costs of implementing Virginia’s Standards of Quality, Standards of Accreditation, Standards of Learning, and other state mandated education related programs – is critical to ensuring high quality instructional and support programs for all students in the Commonwealth. While we understand the state’s role in setting and measuring standards, the supervision of schools and flexibility in the implementation of educational policies should remain with local school boards as specified in the Virginia Constitution. This is particularly true considering the changes and challenges faced by local school boards due to the COVID-19 pandemic.

NEAR TERM FUNDING AND POLICY PRIORITIES

Pandemic Related Funding Resources

- The Fairfax County School Board (FCSB) supports state funding to address potential shortfalls in education funding due to reductions in state revenue, in student population counts used in Basic Aid and other state funding formulas, and in food and nutrition service budgets, resulting from the COVID-19 pandemic (V.2) as well as increased state resources to address school division needs related to addressing public health emergencies, including resources to provide school-based COVID-19 testing capabilities (V.3).

Pandemic Related Policy Flexibilities

The FCSB supports permanent continuation of temporary flexibilities granted in response to the COVID-19 pandemic, including:

- Attendance reporting which allow for additional measures of attendance based on student engagement, including participation in virtual and remote learning activities (B.3).
- Expanded authority to conduct electronic communication meetings, including removal of limitations on the remote participation of members (J.6).
- Providing local school divisions flexibility in counting virtual, and remote learning when calculating instructional time as well as expanded local flexibility to determine the appropriate allocation of instructional time at the elementary level based on student needs across subject areas (T.2).
- Continued graduation and testing requirement flexibility for students affected by school closures and subsequent virtual and hybrid instruction school reopening in response to the COVID-19 pandemic (T.3).

Technology and Cybersecurity

- The FCSB supports increased state contributions for local educational technology infrastructure improvements and modernization, to address the cyber and data security needs of school divisions, and to improve home and remote connectivity through expanded broadband access. (F.1, F.6).

College and Workforce Readiness

- 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 and workforce opportunities (D.4).

Open Meeting Laws

- The FCSB supports adjusting the threshold for open meeting requirements such that an open meeting is identified based on a percentage of a governing Board’s size meeting rather than the current standard of more than two members meeting, regardless of a Board’s size (J.8).

Changes in State Funding Formulas

- The FCSB supports full restoration of the Cost of Competing adjustment for support positions (V.19) as well as funding support targeted to individual schools and divisions with high concentrations of and significant numbers of students in poverty, English learners, and students receiving special education services (V.8).

CONTINUED LONG-TERM FUNDING AND POLICY PRIORITIES

Early Childhood Education

- The FCSB supports increased state per-pupil funding for pre-K programming and related facilities costs (E.2), flexibility in the use of VPI funds to allow accounting for local at-risk criteria to determine eligibility (E.3), use of VPI funds in programs serving three-year-olds (E.4), and additional options to confirm VPI eligibility for families enrolling after the initial Fall membership verification date (E.5).

English Learners and Accountability

- The FCSB supports additional funding resources for the provision of appropriate academic and English language instructional programs for English learners, particularly for English learner students new to the United States who enter Virginia schools with limited or interrupted formal education (SLIFE) (H.1, H.4), and state accreditation standards which recognize the unique circumstances of SLIFE students when incorporating these students into state measures of non-academic student performance (T.11).

Environmental Sustainability/Renewable Energy

- The FCSB supports continued efforts to reduce greenhouse gas emissions and operational demand for energy through efficiency, conservation, renewable energy, and education; state incentives, opportunities, and targeted goals for the expansion of renewable energy and energy efficiency; and removing existing barriers to such efforts (I.1), including state resources to support the deployment of electric school buses in local school divisions as well as state capital funding dedicated to sustainability-related building construction, renovation and infrastructure (I.2).

Non-Discrimination

- The FCSB supports policies which provide students and employees with an equitable, safe, and supportive school and workplace environment (L.1) as well as policies that protect students and employees, on the basis of age, race, color, sex, sexual orientation, gender identity, religion, national origin, marital status, or disability, from discrimination under any educational program, activity, or employment (L.2).

Assessment Reforms

- The FCSB supports 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 inform instruction (T.5)

School Quality Indicator – Chronic Absenteeism

- The FCSB encourages the Virginia Board of Education to consider a different indicator of school quality or student success than chronic absenteeism under the Standards of Accreditation (T.15).

State Funding Formula Changes

- The FCSB supports eliminating the state's arbitrary cap on support position funding (U.6), use of true weighted averages rather than linear weighted estimators when calculating the state's share of average teacher salaries and other education costs (V.7), and a comprehensive analytical update to the now 18-year-old 2002 JLARC Review of Elementary and Secondary School Funding to determine the adequacy of existing Standards of Quality (U.2).

Student Discipline Alternatives

- The FCSB supports continued local school board authority and discretion for offering alternative education programs to students, including those who have been disciplined; as well as increased availability of state funding resources for local school boards to implement alternatives to suspension and/or expulsion, such as restorative justice initiatives (X.3).

Student Mental and Behavioral Health Supports

- The FCSB supports significantly increased and flexibly provided state resources to allow school divisions to address the specific mental and behavioral health needs of their students (Y.1, Y.2)

Fairfax County School Board 2021 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) and the Individuals with Disabilities Education Act (IDEA), as well as broad flexibility to empower states and localities to fulfill mandated program requirements.

Pandemic Funding Resources

- The FCSB supports additional federal funding to help school divisions address the ongoing effects of the COVID-19 pandemic and return to school activities, including funding dedicated to remediation and learning recovery, special education services, technology and broadband provision, food and nutrition service revenue losses, social-emotional supports, and services for English learners. (FED.20)

Pandemic Related Policy Flexibility

- The FCSB supports continued federal testing requirement flexibility for students affected by school closures and subsequent virtual and hybrid instruction school reopening in response to the COVID-19 pandemic. (FED.13)

Technology and Broadband Connectivity

- 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, devices, and connectivity for remote or at-home use. In addition, the FCSB supports federal resources dedicated to cyber and data security for school and school division technology infrastructure. (FED.24)

Title IX

- The FCSB supports repealing the U.S. Department of Education's Final Rule under Title IX of the Education Amendments of 1972 (released May 2020), which prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance and in the interim returning to the pre-May Rule. (FED.21)

Individuals with Disabilities Education Act (IDEA)

- The FCSB supports mandatory funding for special education to fully 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). (FED.1)

Impact Aid

- The FCSB supports full funding for the federal Impact Aid program, which is intended to offset the local impact of Fairfax's over 19,000 federally-connected students as well as those associated with federal military base relocation decisions. (FED.8)

Fairfax County Board of Supervisors and Fairfax County School Board
2021 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 and appropriately meets its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow critical formula-driven gaps to persist between appropriate state funding levels and the actual costs to localities of providing a high-quality education, particularly in high cost of living jurisdictions like Fairfax. Virginia's state per pupil funding consistently ranks among the lowest compared to other states, shifting the fiscal burden to localities, and continuing a discrepancy that becomes increasingly untenable, particularly at a time when a global pandemic has placed unprecedented challenges on public education.

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:

- Addressing potential revenue and education funding shortfalls, including those due to reduced student population counts (ADM), resulting from the COVID-19 pandemic;
- Maintaining full funding for the biennial re-benchmark of Direct Aid to Public 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 annually since its adoption in 2009;
- 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 (approximately 30 percent higher costs than general education), students living in economically disadvantaged households (approximately 10 percent higher costs), and students receiving special education and mental health services (approximately 100 percent higher costs);
- Realistic and appropriately funded Standards of Quality consistent with actual local staffing and costs, and flexible enough to allow for variations in local staffing needs and capacity;
- Rejecting the use of weighted averages and other estimators designed to reduce the state's share of public education costs when calculating average teacher salaries and other education costs;
- Recognizing 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.

Fairfax County School Board 2021 State Legislative Positions

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 and coordination between local, state, federal, and non-profit resources focusing on after-school programs, summertime programs, and initiatives with a proven record of effectiveness that enhance academic, social, physical, and emotional development, address opportunity gaps, and address gang violence prevention.

B. 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 supports adjustments to attendance and truancy regulations for students exceeding compulsory attendance age who choose to attend and continue their education so that neither the student choosing to continue their education nor the school division providing the opportunity are penalized.
- 3) The FCSB supports changes in attendance reporting to allow for additional measures of attendance based on student engagement and not solely based on a student's physical presence, to include participation in virtual and remote learning activities.
- 4) 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.

C. 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.

D. College and Workforce Readiness

- 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 pathways to credentialing of faculty between local school divisions and institutions of higher learning, allowing for mixed classrooms.
- 2) The FCSB supports continued local flexibility to determine the most appropriate financial

arrangements between individual school divisions and higher education institutions to deliver dual enrollment programming at no cost to students and families, regardless of how or where the instruction is provided.

- 3) The FCSB supports additional work-based learning opportunities for students while enrolled in high school to increase exposure to and exploration of career pathways, including expanded internship, externship, apprenticeship, journeyman programs, service learning, and other work-based learning opportunities.
- 4) 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.
- 5) 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).
- 6) The FCSB supports additional flexibility for older and non-traditional students to obtain high school credit through General Education Development (GED) programs, concurrent enrollment, enrollment in adult education high school completion courses, including expansion of virtual instructional offerings.
- 7) The FCSB supports additional state funding support to help offset the increasing costs of Career and Technical Education credentials.
- 8) The FCSB supports funding of the student costs for Advanced Placement and International Baccalaureate end-of-course examinations and other related fees.
- 9) The FCSB supports preserving the state's current split of federal Perkins career and technical education funding which allocates 85 percent of available funding to K-12 institutions.
- 10) The FCSB supports additional dual enrollment and work-based learning opportunities focused on careers related to environmental sustainability.
- 11) The FCSB opposes the imposition of a tuition floor on dual enrollment courses.

E. 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 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). Specifically, the FCSB supports allowing Fairfax County to increase the VPI program income eligibility threshold from families with incomes of up to 250% of the federal poverty level to families with incomes of up to 300% of poverty.
- 4) The FCSB supports increased flexibility in the use of VPI funds to allow for their use in programs serving children who are three years old.

- 5) The FCSB supports providing school divisions with additional options to establish VPI eligibility for families enrolling after the initial fall membership verification date.
- 6) The FCSB opposes shifting mandated responsibility for early childhood programs and capital facilities funding to localities or subjecting such funding to state equalization formulas.

F. Educational Technology

- 1) The Fairfax County School Board (FCSB) supports increased state and federal contributions for local educational technology infrastructure improvements and modernization, staffing needs, and on-going professional development to improve and enhance classroom instruction, to fulfill mandates for virtual instruction and online assessment, to address the cyber and data security needs of school divisions, and to assist with the extensive data collection and reporting requirements faced by school divisions.
- 2) The FCSB supports sufficient state funding to implement at least a four- 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 with the provision of mobile internet hotspot devices and partnerships with service providers.

G. Employer/Employee Relations

- 1) The FCSB supports granting authority to local school boards to recognize the right of employees to enter into collectively bargained agreements that value and balance the needs of employees with the educational mission of the school division and that preserves the constitutionally protected supervisory authority of the local school board.
- 2) 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.
- 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 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.

- 5) 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.

H. English Learners

- 1) The Fairfax County School Board (FCSB) supports additional funding resources for the provision of appropriate academic and English language instructional programs for English learners and increased access to family literacy programs and adult English classes for parents and guardians of English learners.
- 2) The FCSB supports funding English language proficiency assessments in the same manner as the state pays for other assessments required for state or federally mandated accountability programs, including development of a timely and secure method for divisions to access English language proficiency assessment results to facilitate efficient and appropriate educational placement for English learners transferring between Virginia school divisions.
- 3) The FCSB supports expanded availability of locally awarded verified credits to English learners as deemed appropriate by a student's English Learner Committee established under Department of Education guidance.
- 4) The FCSB supports additional state resources to provide appropriate services to English learner students new to the United States who enter Virginia schools with limited or interrupted formal education (SLIFE students).

I. 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; state incentives, opportunities, and targeted goals for the expansion of renewable energy and energy efficiency; and net-zero construction; and removing existing barriers to such efforts.
- 2) The FCSB supports state resources to support the deployment of electric school buses in local school divisions as well as state capital funding dedicated to sustainability-related building construction, renovation, and infrastructure.

J. 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 and social media to communicate more quickly and efficiently with the public, which has resulted in increasingly broad, complex, and burdensome requests.

- 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, including removal of limitations on the remote participation of members.
- 7) The FCSB supports flexibility in how to fulfill mandates for required legal notices for certain public hearings and meetings.
- 8) The FCSB supports adjusting the threshold for open meeting requirements such that an open meeting is identified based on a percentage of a governing Board’s size meeting rather than the current standard of more than two members meeting, regardless of a board’s size.

K. 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 supports treating elected local school boards under the Code of Virginia in the same way as are other elected local governing bodies and boards.
- 3) The FCSB supports permitting school boards to seek disclosure by potential vendors whether the vendor imposes pre-dispute arbitration on their own customers or employees and to offer alternatives to pre-dispute arbitration which preserves protected student privacy and alternatives for parents or guardians.
- 4) In light of the November 2020 VCU/Penn State Study on School Segregation in the State of Virginia and its associated recommendations, the FCSB supports initiation of a Joint Legislative Audit and Review Commission (JLARC) study on school segregation in Virginia.
- 5) 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.

L. Non-Discrimination

1. The Fairfax County School Board (FCSB) supports policies which provide students and employees with an equitable, safe, and supportive school and workplace environment.

2. The FCSB supports policies that protect students and employees, on the basis of age, race, color, sex, sexual orientation, gender identity, religion, national origin, marital status, or disability, from discrimination under any educational program, activity, or employment.

M. Post-Secondary Education

- 1) 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.
- 2) The FCSB supports maintaining suitable ratios of in-state and out-of-state students in each of the Commonwealth's institutions of higher education.
- 3) 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.

N. Poverty and Student Achievement

- 1) The Fairfax County School Board (FCSB) supports additional state-level K-12 resources, including additional instructional and support positions, 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 programs to address food, housing, and health care insecurity, and 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 supports reimbursement from the Virginia Retirement System (VRS) for costs incurred by local school divisions that provide VRS-related services. Such services

include preparing estimates of VRS benefits; counseling employees on the benefits provided by VRS; handling VRS forms such as the VRS retirement application and related documents; assisting employees with VRS Disability Retirement applications; and correcting VRS records.

- 6) 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.
- 7) 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 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.
- 2) The (FCSB) supports local revenue flexibility to accommodate various economic and demographic conditions, including 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.
- 3) The FCSB supports continued 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.

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 expanded alternatives for demonstrating subject matter competency and for earning verified credits as deemed appropriate by a student's Individualized Education Program (IEP) team.
- 3) The FCSB supports a uniform set of rules and guidelines allowing school districts to seek Medicaid reimbursement for administrative and transportation expenses associated with Medicaid eligible services provided to special education students who are being served under the federal Individuals with Disabilities Education Improvement Act (IDEA). The FCSB further supports the implementation of program requirements allowing Local Education Agencies the opportunity to maximize reimbursements for nursing and personal care services, occupational therapy, speech and language therapy, physical therapy, audiology, psychological and transportation services, including telehealth services that are provided virtually or remotely.
- 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 the 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 based on a system of balanced measures of student achievement, engagement, and outcomes toward college and workforce readiness goals.
- 2) The FCSB supports continuation of emergency guidelines adopted as part of the response to the COVID-19 pandemic which provide local school divisions flexibility in counting hybrid, virtual, and remote modalities when calculating instructional time as well as expanded flexibility for local school divisions to determine the appropriate allocation of instructional time at the elementary level based on student needs across subject areas.
- 3) The FCSB supports continued graduation and testing requirement flexibility for students affected by school closures and subsequent virtual and hybrid instruction school reopening in response to the COVID-19 pandemic.
- 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 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 inform instruction.

- 6) The FCSB supports expanded use of locally administered performance-based assessments, expanded use of nationally and internationally benchmarked substitute assessments, flexible test administrations for students who can demonstrate mastery regardless of “clock hour” requirements, expanded use of competency provisions for the industry credential graduation requirement, as well as consideration of piloting subject matter assessments in a student’s native language.
- 7) The FCSB supports a comprehensive review of state content standards, curriculum guidelines, and assessments to ensure state policies promote culturally responsive educational practices free of systemic racism, discrimination, and background knowledge biases.
- 8) 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.
- 9) The FCSB 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.
- 10) 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. Possible changes in high school graduation requirements in particular should be evaluated in the context of where they fit within existing student requirements and balanced with consideration of relaxing or eliminating other requirements.
- 11) The FCSB supports accreditation standards which recognize the unique circumstances of English learners new to the United States with limited or interrupted formal schooling (SLIFE students) when incorporating these students into state measures of non-academic student performance like dropout rates and the Graduation and Completion Index (GCI) using similar practices and measures as those currently used for English learner student academic performance.
- 12) 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.
- 13) The FCSB supports continued 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.
- 14) The FCSB supports development of enhanced assessment management and data monitoring tools for use by divisions to improve efficiency and consistency in their application of revised state testing expectations and to strengthen and support their use of assessment data to inform instructional decisions and to design appropriate student interventions.
- 15) The FCSB encourages the Virginia Board of Education to consider a choosing a different indicator of school quality or student success other than the currently used measure of chronic absenteeism under Virginia’s Standards of Accreditation and its federally required Every Student Succeeds Act (ESSA) state plan.
- 16) The FCSB supports providing an option for students to fulfill the requirements of the state mandated 90-minute parent/student driver education program in Planning District 8 who may not have a parent/guardian available to attend, including for students who are legally emancipated and students who are over the age of 18 and are completing driver education

in school.

- 17) 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.
- 18) The FCSB opposes state “takeovers” of underperforming local schools.
- 19) 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 a comprehensive analytical update to the now 18-year-old 2002 JLARC *Review of Elementary and Secondary School Funding* to determine the adequacy of existing Standards of Quality.
- 3) The FCSB supports staffing standards that are flexible enough to address varying local service needs and accommodate innovative instructional practices.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) The FCSB encourages the Virginia Department of Education to evaluate the policy implications and fiscal impacts of replacing the state’s existing position centered funding formulas under the Standards of Quality with weighted per-student funding formulas.
- 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 Basic Aid funding calculations.

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.
- 2) The FCSB supports state funding to address potential shortfalls in education funding due to reductions in state revenue, in student population counts used in Basic Aid and other state funding formulas, and in food and nutrition service budgets, resulting from the COVID-19 pandemic.
- 3) The FCSB supports increased state resources to address school division needs related to addressing public health emergencies, including resources to provide school-based COVID-19 testing capabilities.
- 4) The FCSB supports state resources dedicated to remediation and learning recovery services for our most vulnerable student populations as required to address the effects of emergency school closures in response to COVID-19.

State Funding Formulas and Practices

- 5) 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.
- 6) 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.
- 7) 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.
- 8) 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.
- 9) The FCSB supports the use of formulas based on individual school populations, rather than solely on aggregate system-wide data.
- 10) 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.
- 11) The FCSB supports continued distribution of some funding on a uniform state/local match, such as technology grants.
- 12) 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.
- 13) 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.

- 14) The FCSB supports increasing the proportion of state sales tax dedicated to public education.
- 15) 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.
- 16) 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.
- 17) The FCSB opposes the continued practice of shifting Standards of Quality and other recurring cost programs into the state's lottery funded accounts.
- 18) 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

- 19) 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)

- 20) 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.
- 21) The FCSB supports hold harmless provisions to mitigate the effects of biennial changes in the LCI.
- 22) 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

- 23) The FCSB supports increased state funding for instructional and support position salaries without revenue contingencies.
- 24) 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.
- 25) 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 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; as well as increased availability of state funding resources for local school boards to implement alternatives to suspension and/or expulsion, such as restorative justice initiatives.
- 4) The FCSB supports limiting the required reporting of school-based student offenses to law enforcement only to cases where the offense would be a felony, or, in the case of instances of assault or assault and battery without bodily injury, reporting such cases to the police at the discretion of the principal.
- 5) 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.
- 6) 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, menstrual hygiene product availability, student mental health, student safety, suicide prevention, and public health crises including vaping and opioid use.
- 2) The FCSB supports maintaining locally-based authority and flexibility to determine the school health, mental health, and counseling models that most appropriately meet 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, 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.
- 5) The FCSB supports coordinated strategies to meet the growing need for substance use disorder services that target specific high-risk age groups. In particular, innovative approaches to prevention and nicotine addiction treatment are necessary to address the vaping crisis that is affecting teens and young adults at an alarming rate.

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, as well as state funding to provide additional safety and security personnel in elementary schools.
- 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 continued focus on policies and technologies which assist in the enforcement of the prohibition on passing stopped school buses.
- 3) The FCSB supports findings regarding the safety value of installing safety belts on large school buses which conclude 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); 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 school board discretion to determine the appropriate weighting of student academic progress components in teacher evaluation systems, as well as the ability to remove ineffective teachers.
- 3) The FCSB supports significantly increased state resources for and availability of high quality comprehensive induction programs, effective mentoring, and professional development to better prepare teachers and school administrators to successfully manage such challenges as educational accountability, addressing opportunity gaps, and the integration of technology for instruction and improving student achievement.
- 4) The FCSB supports a comprehensive evaluation of the appropriateness of initial teacher licensure and licensure renewal requirements, particularly as new mandates are added each year. Discussions of possible new requirements must be evaluated in light of the additional workload they place on teachers and balanced with consideration of relaxing or eliminating existing requirements.
- 5) The FCSB supports better alignment between the content and coursework requirements in teacher and administrator preparation programs and their respective licensure requirements, (including those mandated by state and federal policymakers), and the actual skills and content knowledge necessary for teachers and administrators to be successful.

- 6) 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.
- 7) 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.
- 8) 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.
- 9) 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.
- 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 2021 Federal Legislative Positions

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 as created under the Every Student Succeeds Act (ESSA).
- 12) FCSB supports policies to facilitate and streamline military student records transfers for military-connected youth transferring into or out of FCPS schools.

Every Student Succeeds Act (ESSA)

- 13) The FCSB supports continued federal testing requirement flexibility for students affected by school closures and subsequent virtual and hybrid instruction school reopening in response to the COVID-19 pandemic.
- 14) 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.
- 15) 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.
- 16) The FCSB supports emphasis on the broad-based college and workplace readiness skills necessary for success in the 21st Century.
- 17) 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.
- 18) 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.
- 19) The FCSB opposes making policy decisions, such as teacher and principal evaluations, solely or overly reliant on student scores on standardized, high-stakes tests.

Other Funding and Policy Issues

- 20) The FCSB supports additional federal funding to help school divisions address the ongoing effects of the COVID-19 pandemic and return to school activities, including funding dedicated to remediation and learning recovery, special education services, technology and broadband provision, food and nutrition service revenue losses, social-emotional supports, and services for English learners.
- 21) The Fairfax County School Board supports repealing the U.S. Department of Education’s Final Rule under Title IX of the Education Amendments of 1972 (released May 2020), which prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance and in the interim returning to the pre-May Rule.
- 22) 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.
- 23) The FCSB supports continued and adequate funding for teacher quality and professional development (Title II, Part A); educational services for students with limited English proficiency (Title III, Part A); 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).
- 24) 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, devices, and connectivity for remote or at-home use. In addition, the FCSB supports federal resources dedicated to cyber and data security for school and school division technology infrastructure.

- 25) 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.
- 26) 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), including telehealth services that are provided virtually or remotely.
- 27) 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.
- 28) The FCSB supports the implementation of funding to support the provision of a free and appropriate public education (FAPE) for students with disabilities identified under the Section 504 of the Rehabilitation Act of 1973, including the provision of related services, training of personnel and costs associated with maintaining 504 compliance.
- 29) The FCSB supports reclassifying menstrual hygiene products as eligible items for purchase with assistance from programs designed to help low-income families, including Medicaid, SNAP (Supplemental Nutrition Assistance Program, i.e. food stamps) and WIC (Special Supplemental Nutrition Program for Women, Infants, and Children).
- 30) The FCSB urges the federal Department of Housing and Urban Development (HUD) to partner with state education agencies and local school divisions to provide school performance data based on each state's own system of school quality rather than relying on oversimplified results from unaccountable nongovernmental aggregators of such data; and specifically requests that HUD end its partnership with GreatSchools.org.
- 31) The FCSB supports passage by the United States Congress of a federal constitutional amendment guaranteeing equal rights to women.

- 32) The FCSB opposes intrusive federal mandates that are not adequately funded or that impose undue administrative burdens.
- 33) The FCSB opposes arbitrary across-the-board cuts to, or federally imposed caps upon, education spending, such as those envisioned by "sequestration".
- 34) 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.
- 35) The FCSB opposes changes in eligibility requirements for federal assistance programs which would directly or indirectly reduce student access to free and reduced-price school meals (FRM) or school breakfast programs.