

# 2023~~4~~ Human Development & Education Policy Statement

## I. HUMAN DEVELOPMENT

The strength of our communities determines the strength of our democracy. ~~e~~Emotional, social, and economic poverty weakens the fabric of our society and threatens our democracy. Policy leaders must ensure access to opportunities and invest the proper resources necessary for all children to grow up in nurturing surroundings, and to reconnect and strengthen the bonds of individuals and institutions in communities so that they thrive and favorably compete in the global economy.

### A PLATFORM FOR CHILDREN & FAMILIES

VML endorses the National League of Cities' Platform for Children and Families that recognizes that strong communities are built on a foundation of strong families and neighborhoods. VML supports and encourages efforts by our communities and the state that emphasize:

- Opportunities to learn and grow: family literacy programs, quality out-of-school time programs and early childhood programs;
- Safe neighborhoods to call home: sufficient state support for local law enforcement, juvenile justice, and re-entry programs;
- Healthy lifestyles and environment: improving access to healthy foods, physical activity, and recreation programs; and
- Financially ~~fit~~ resilient families: workforce development, curbing predatory lending, and increasing access to mainstream banking and financial services and other resources to advance their economic mobility.

VML supports approaches (such as the Virginia Grocery Incentive Fund) to provide financial and technical support for businesses to expand and ensure greater access to healthy food for residents of the state as well as improving people's ability to get to grocery stores and community gardens.

### INTERGOVERNMENTAL ISSUES & FUNDING

Federal, state, and local governments share the same citizens and same taxpayers. Local governments request a restoration of a meaningful and fiscally balanced intergovernmental partnership in human services and education.

#### A working partnership.

- The federal and state governments should allow local governments maximum flexibility in developing and funding public/private partnerships to address human service needs.
- Local government must be a partner with the state and federal government in the process of developing regulations, policies, and funding allocation methods.
- The State should require interagency review of regulations to reconcile ~~existing~~ conflicts and to avoid duplication ~~or conflict~~ among agencies.
- The State should share data with communities and build a comprehensive human services data base to promote greater planning coordination and evaluation of services.

1 **Funding commitments.** Human services funding formulae should reflect identified needs,  
2 adequate resources to meet those needs, and not pit localities against each other. Equity in  
3 funding cannot be achieved by simply redistributing insufficient state aid among jurisdictions.  
4

5 **Cost shifting and unfunded mandates.** VML opposes the imposition of new federal or state  
6 requirements without the funding to pay for them. If the state reduces its funding and assistance  
7 to localities, it must ease or eliminate requirements it is unwilling to support. In the case of  
8 federal mandates, the state must at the very least maintain its share of responsibility for program  
9 supervision and funding. For example:

- 10 • funding the administration of the FAMIS eligibility and case management;
- 11 • paying the cost of federal penalties when the state does not meet its obligations for  
12 human services programs, including adequate administrative funding, technology,  
13 training, and technical assistance necessary to properly do the job;
- 14 • maintaining state funding for the costs for federally mandated and state-supervised  
15 programs such as adoption assistance, and
- 16 • upholding the state funding ratio for local welfare administrative costs, in which the state  
17 pays 80 percent, and the localities pay 20 percent.

## 18 **WORKFORCE NEEDS**

19 VML recognizes the challenges faced by localities in attracting and retaining employees in the  
20 human services arena, including public health, social services, behavioral health, and juvenile  
21 justice, as well as the public pre-K-12 system. Local governments support efforts in cooperation  
22 with state and private partners and the K-12 and higher educational system to create more  
23 comprehensive and supportive career paths for this vital workforce.  
24  
25

## 26 **AGING SERVICES**

27 **Community programs.** As alternatives to institutionalized care wherever appropriate, the state  
28 should develop Medicaid waivers or otherwise fully fund community-based programs like  
29 companion services, respite care, homemaker services, and adult day care for the elderly.  
30  
31

32 **Housing.** The state should support policies that increase the affordability and availability of  
33 senior housing throughout the Commonwealth.  
34

## 35 **OPIOIDS, HEROIN, SYNTHETIC DRUGS**

36 VML supports an intergovernmental and interdisciplinary partnership to address the epidemic of  
37 opioid and heroin overdoses and deaths in Virginia. Further, VML urges federal and state action  
38 to address the public health threats posed by any emerging synthetic drugs that pose a similar  
39 addiction/overdose threat.  
40

41 VML supports a statewide policy framework that targets the following:

- 42 • prevention - tracking and reduction of the supply of illegal opiates such as heroin and  
43 synthetic substances; continuing efforts with the medical community to limit  
44 use/prescribing of opioid medications; and educating vulnerable communities and  
45 populations about the risks of these drugs;
- 46 • harm reduction – active intervention until treatment is available and accepted;

- treatment – for those who are addicted, and support/recovery resources for family members of people in treatment; and
- culture change - discourage use/overuse of legal opioids and remove stigma regarding addiction treatment and recovery for individuals of all ages and their families.

## **BEHAVIORAL HEALTH**

### **Planning for the future of the community & facility system.**

Any plan for the publicly funded behavioral health and developmental services system should include adequate state funding for:

- A community-based, comprehensive system of care;
- Crisis intervention teams and centers to ensure that adults and children experiencing a mental health crisis are able to obtain timely evaluation and assistance as close to their home community as possible;
- A robust statewide system of alternative transportation and custody options to help individuals in crisis get to evaluation services and treatment and eliminates the reliance on local law enforcement for extended transportation and custody services;
- Accessibility to inpatient beds and crisis services on a regional basis, including public-private partnerships, to decrease long-distance transports for critical care;
- Comprehensive services and supports for people returning to the community from any type of state facilities (public safety as well as behavioral health), as well as for people diverted from state facilities.
- Children’s mental health services, including community-based early interventions and the Mental Health Initiative;
- Medicaid waivers to eliminate service waiting lists; and
- Availability of services for individuals voluntarily seeking treatment services, regardless of their ability to pay.

Federal ARPA funds and robust state revenues offer an opportunity for the state to make new investments in the community-based system of care (which includes public and private service providers) and to state hospitals to maintain vital services.

Investments must go to both build the community network of care and assist state hospitals to mend the safety-net and create the infrastructure necessary to serve Virginians of all ages. This cannot be a zero-sum funding situation whether one part of the system benefits at the cost of the parts of the system.

VML supports Community Services Boards (CSBs) as the single point-of-entry into the publicly funded system of care and as a choice for services to individuals and families.

Any restructuring plan should assure the following:

- Local flexibility in planning and service provision, particularly for local-only funds;
- No changes in the local match that would increase the burden on local budgets or shift local-only funds to other localities;
- Meaningful consultation with local officials and community services boards regarding strategies and funding proposals for publicly funded services;
- Sufficient time and opportunity for public comment on legislative proposals;

- Strategies to discourage the concentration of consumers in facility communities; and
- State facilities are not so drastically reduced that the potential for inpatient care is effectively eliminated.

**Crisis response and Marcus Alert.** Successful implementation of the crisis response component of the STEP-VA program and the Marcus Alert program and protocols requires sufficient and sustained state funding and technical assistance to communities. This funding should not come at the expense of other community-based service initiatives and requirements; nor should the burden of funding these initiatives be shifted to local governments.

**Part C early intervention.** VML urges the General Assembly to assure full state funding for infants and toddlers eligible for therapeutic services under Part C of IDEA to improve their school readiness and quality of life.

**Behavioral health services for youth funding.** The state should build upon its funding and seek federal-state funded waivers to provide behavioral health services, in particular, prevention services for youth. VML supports greater state funding to the Mental Health Initiative and other community-based initiatives to diagnose and serve children with behavioral health needs early, to prevent more complex, costly, and restrictive interventions.

**Treatment beds.** The state has greatly decreased state facility beds and state-funded services for children, including those with long-term or hard-to-treat conditions, and those in the state and local juvenile detention system. VML urges the state to continue its support of the Commonwealth Center for Children and Adolescents as a part of the array of behavioral health services, and to fund treatment beds for those committed to the juvenile justice system. Further, the state should fund supportive services for children leaving treatment and their families to further stabilize their living situations and allow for recovery.

**Mental health parity.** The Federal Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) generally provides that financial requirements - such as co-pays and coinsurance - and treatment limitation - such as visit limits - imposed on mental health or substance use disorders (MH/SUD) cannot be more restrictive than those applied to substantially all medical/surgical benefits.

For Virginia, failure of insurance plans to adhere to federal and state standards can shift the burden of costs to the public system (such as CSA and CSBs), often at the point when an individual requires more intensive services.

VML supports the 2020 recommendations of the Joint Legislative Audit and Review Commission (JLARC) to strengthen and expand the Virginia Bureau of Insurance oversight of insurance plans and compliance with federal and state mental health parity requirements.

**Mental health service access for community college students.** VML supports efforts by the Virginia Community College System to seek state funding to address the mental health needs of students through partnerships with community services boards in order to support and keep adult

1 learners in school and on track to meet career goals and greater financial independence. Such  
2 partnerships with CSBs should be separate from the local match for CSB services.

### 3 4 **CHILDREN’S SERVICES ACT**

5 When the CSA was developed in the early 1990s, the plan called for comprehensive prevention  
6 programs for at risk youth and families. Unless ~~and until~~ the state commits to developing and  
7 funding services that address the root issues that bring children and families into CSA, the CSA  
8 program will continue as an expensive “catch-up” approach to addressing the complex needs of  
9 children and families.

10  
11 **Administrative funding.** VML supports greater funding from the state to support the program’s  
12 substantial administrative requirements carried out at the local level.

13  
14 **Base-budget funding.** The costs of CSA should be fully funded in the state’s base budget.

15  
16 **Expansion of the mandated population.** VML opposes attempts to expand the CSA mandated  
17 population ~~or turn CSA into the children’s mental health program~~. VML also opposes efforts to  
18 expand local responsibility for Medicaid match to new categories of individuals, or to require  
19 localities to pay the educational costs for children placed in residential treatment outside of the  
20 local FAPT process.

21  
22 **Incentive funding.** The CSA funding formula should include an incentive component that  
23 rewards those local governments implementing innovative and cost-effective interventions.

24  
25 **State agency policy coordination.** The State Executive Council must ensure that the  
26 administrative and policy requirements of the state agencies involved in the CSA are consistent  
27 with one another and consistently applied to local governments.

28  
29 **Service coordination.** State and local governments should work together to ensure the greatest  
30 degree of coordination between Individual Education Plans (IEPs) and CSA service plans.

31  
32 **Sum sufficiency.** CSA serves many children who are entitled to sum sufficient services; the  
33 state must keep its commitment to fund its share of services costs for this population.

34  
35 **Utilization review.** Local governments must maintain the flexibility to develop utilization  
36 management processes that are approved by the State Executive Council.

37  
38 **Fair rates and statewide contracts Rate-setting.** VML supports state oversight of ~~state rate~~  
39 ~~setting for~~ special education private day and residential program rates. VML supports state  
40 contracts that localities may use to procure such services ~~for children covered by CSA~~.

### 41 42 **FACILITIES FOR ADULTS AND YOUTH**

43 **Auxiliary grant program.** The state should assume full responsibility for the cost of the  
44 auxiliary grant program for elderly persons and people with disabilities.

1 **Licensure and regulation of group homes.** VML urges the state to continue to work with local  
2 governments to assure adequate licensure and regulatory requirements to meet resident and  
3 community needs.

#### 4 5 **HOMELESSNESS**

6 VML supports measures to prevent homelessness in Virginia and to assist the chronic homeless,  
7 including veterans, in obtaining appropriate rehabilitative and recovery services, job training and  
8 support, and affordable and appropriate housing. VML urges further state support for the housing  
9 trust fund to help communities develop and support housing for this population.

#### 10 11 **LOCAL AND REGIONAL JAILS**

12 **Jail per diems.** There is no requirement in the Code of Virginia to adjust per diem rates to keep  
13 pace with actual costs. VML requests that the Code of Virginia be amended to require that jail  
14 per diem rates for all offenders held in a local or regional jail, including those awaiting  
15 sentencing or serving (tier I) and state-responsible offenders (tier II) be regularly adjusted for  
16 inflation in line with the Consumer Price Index so that per diem payments keep pace with actual  
17 costs, such as is done with other areas of the budget (e.g., Standards of Quality).

18  
19 **State-responsible inmates in local/regional jails.** Local and regional jails should have a choice  
20 as to whether it will keep state-responsible inmates (tier II) in their facility after the 60-days from  
21 the date of the final sentencing order. Willing facilities could contract with the state to keep such  
22 inmates past the 60-day period; those jails unable to keep state-responsible inmates due to space  
23 or resource limitations should not be compelled to keep state inmates past the 60-day period.

24  
25 **Behavioral health regulations for jails.** The 2019 General Assembly approved legislation  
26 directing the Board of Local and Regional Jails to draft standards for new regulations to address  
27 health and behavioral health service needs in local and regional jails, as well as discharge  
28 planning for inmates with behavioral health needs. VML supports sufficient and sustained state  
29 funding to meet these new requirements including enhanced per diem payments and otherwise  
30 funding new positions and associated costs through the Compensation Board for newly required  
31 services.

32  
33 **Substance abuse and behavioral health needs in the justice system.** VML supports the  
34 creation of state-funded programs and facilities, and funding of current programs, such as drug  
35 courts and day reporting centers, to divert individuals with mental illness and substance use  
36 disorders from jails and juvenile detention into appropriate community-based or in-patient  
37 treatment programs. VML supports state funding for programs in local and regional jails to  
38 address mental health and substance use disorder issues among inmates and connect individuals  
39 with continued assistance upon release, but opposes changes in state funding formulae to turn  
40 local and regional jails into in-patient behavioral health treatment centers.

#### 41 42 **JUVENILE JUSTICE PROGRAMS**

43 **Virginia Juvenile Community Crime Control Act (VJCCCA).** The Virginia Municipal  
44 League urges the General Assembly to restore the 71 percent funding reduction taken in the early  
45 2000s to the Virginia Juvenile Community Crime Control Act (VJCCCA) program, and to  
46 support an equitable and stable funding allocation process for the program.

1  
2 The VJCCCA directs localities, in cooperation with judges, court-services unit directors, and  
3 Community Policy and Management Teams under the Children’s Services Act to implement  
4 programs that divert youth from state or local confinement or help ensure the success of those re-  
5 entering the community from confinement. Every city and county participate in the program.  
6

7 VJCCCA gives judges the ability to order first-time and less serious offenders to services such as  
8 electronic monitoring, intensive individual or family counseling, and group homes. Such  
9 appropriate services reduce costlier and less suitable placements in local secure detention or state  
10 prisons. It also serves non-mandated youth under the Children’s Services Act.  
11

12 VML opposes any effort to divert existing VJCCCA funds for other purposes; any new  
13 populations proposed for services under this program must be accompanied by additional state  
14 funding.  
15

16 **System transformation.** VML supports juvenile justice system transformation that:

- 17 • Gives juvenile detention centers flexibility, not mandates, to contract with the state to  
18 house lower-risk offenders from state facilities;
- 19 • Pays juvenile detention facilities the actual costs for housing and serving lower-risk  
20 offenders from the state; and
- 21 • Allows the Department to reinvest savings or otherwise provides sufficient, stable  
22 funding to implement a treatment continuum with more service and treatment options and  
23 supports to ensure better outcomes and lower recidivism.  
24

## 25 **SOCIAL SERVICES**

26 **Family First Prevention Services Act.** Approved by Congress in 2018, the FFPS Act is the  
27 first major revision of the title IV-E foster care program since the early 1980s. Changes in the  
28 program’s requirements and allowable services will require cooperation between the state, local  
29 governments, and private service providers to ensure successful implementation. VML supports  
30 this cooperative effort but opposes any proposal to impose new local match requirements to this  
31 program.  
32

33 **Child and family services program improvement plan.** The state must fund the technology  
34 and systems to improve the quality of all casework activities related to child welfare services  
35 (prevention of child abuse/neglect; prevention foster care, foster care and adoption).  
36

37 **Child care.** Affordable, high-quality child care is crucial to parents in the Temporary Assistance  
38 to Needy Families (TANF) program and to low-income parents whose wages cannot cover child  
39 care costs. The state must help fund child care costs to help these families. The state should  
40 consider ways to ensure safe, affordable child care, such as grants for nonprofit or public  
41 organizations offering child care, and employer incentives to provide child care centers or other  
42 assistance for their employees.  
43

44 **Healthy families.** VML supports expanded use of state general funds for the Healthy Families  
45 program, a voluntary program that offers parental education, support, and assistance to help  
46 families succeed and prevent the need for costlier interventions.

1  
2 **Social Services Block Grant.** Virginia uses Title XX-Social Services Block Grant (SSBG)  
3 funding for a variety of non-cash-assistance services, including in-home services for the elderly,  
4 child and adult abuse investigators, and domestic abuse and family preservation services.  
5 Congress has consistently underfunded the SSBG at the levels authorized in the 1996 federal  
6 welfare reform law. VML urges Congress to live up to its commitment to fully fund the SSBG.  
7 Until the federal budget fully funds SSBG, VML urges the General Assembly to continue to first  
8 use any Temporary Assistance for Needy Families (TANF) balances to replace SSBG funds.  
9

## 10 **PARKS & RECREATION**

11 **Recreational programs.** Local parks and recreation departments offer a variety of affordable  
12 activities and programs for children, teenagers, and adults. These programs abide by local  
13 health, safety, and risk-management requirements and are ultimately accountable to the local  
14 governing body ~~of a city, town, or county~~. Efforts to categorize these programs as child care are  
15 inappropriate, and such recreation programs should not be subject to duplicative state agency  
16 regulation and oversight.  
17

## 18 **HEALTH**

19 **Cooperative health budget.** The General Assembly should provide sufficient funding to local  
20 health departments. VML opposes any efforts by the state to impose new local funding  
21 requirements on local health departments.  
22

23 **Local flexibility.** District health offices should be locally controlled to the maximum extent  
24 consistent with protecting public health.  
25

26 **Emergency-related infrastructure and needs.** Sufficient state funds should be provided for  
27 public health emergency services to enable the state and local health departments and  
28 stakeholders to better prepare for and respond to public health emergencies, such as a pandemic.  
29

30 **Health IT needs.** Increased investment is needed for public health information technology and  
31 staff so that critical, timely information about public health emergencies is made available to  
32 policy makers, first responders, and the public.  
33

## 34 **HEALTH CARE REFORM**

35 VML supports continued state funding for Medicaid eligibility determination services.  
36

## 37 **HUMAN TRAFFICKING**

38 VML supports the state's efforts to address human trafficking, including the appointment of a  
39 sex trafficking response coordinator at the Department of Criminal Justice Services and the  
40 proposed development of much-needed public outreach, education, and treatment services.  
41 Outreach efforts and avenues for reporting trafficking must address language barriers for those  
42 reporting and those seeking rescue from trafficking. Since human trafficking also includes labor  
43 trafficking and affects a wide range of ages, all types of trafficking situations should ultimately  
44 be addressed in Virginia's response plan.  
45  
46

1 **II. EDUCATION**

2  
3 The Virginia Municipal League supports the goal of ensuring quality, well-funded and effective  
4 teaching in every classroom in the Commonwealth. Localities have greatly exceeded their  
5 responsibilities for K-12 education funding. It is essential for the state to meet fully its  
6 responsibilities to fund education.

7  
8 **VISION**

9 A strong public education system is the pillar of American society and a passport to the future.  
10 Our country cannot be strong without an excellent education system that prepares students for  
11 the future with the critical thinking skills that will enable them to be productive citizens. A solid  
12 foundation of learning is essential for our communities, state, and country. A strong public  
13 school system is essential to economic development and prosperity.

14  
15 A strong educational system requires accountability; parental, community and business  
16 involvement; and the wise and efficient use of resources. Standards are an essential part of the  
17 accountability system but cannot be measured simply by standardized tests. Students need to  
18 learn not only facts and figures, but also those critical learning skills that will enable them to  
19 leave high school prepared for either the workplace or higher education.

20  
21 Students, parents, school administrators and teachers all have roles in the educational system and  
22 have to be part of that accountability system. Parents should be involved with their children’s  
23 education, but support for parents is essential, particularly for those whose children have  
24 behavioral health issues, physical disabilities, substance abuse disorders or bullying problems.

25  
26 ~~Not all children should or need to prepare to attend college, but s~~Students across the economic  
27 spectrum should have equitable opportunities to learn in a variety of settings, including  
28 vocational and career preparation programs as well as without the pressures of attending a four  
29 year university programs.

30  
31 A sound education system puts resources where they can be most effective, includes  
32 collaboration between school boards and local governing bodies, uses technology effectively,  
33 embraces innovation and regional opportunities and focuses on early intervention to tackle  
34 problems at the earliest time possible.

35  
36 **STANDARDS OF QUALITY**

37 The SOQ should be broad enough to include the major components of what is required for a  
38 quality educational program.

39  
40 The current SOQ ~~de~~does not reflect the actual cost of a sound public education system. The  
41 SOQ are not based on prevailing practices, nor do they reflect the cost of meeting state  
42 accountability standards. Because of this disconnect between the accountability standards and the  
43 SOQ, the cost that the state recognizes in its funding formulas is too low, and too much of the  
44 burden of funding public education falls on local governments.

1 The state and local governments should partner to determine the minimum funding levels  
2 necessary to sustain high quality services for schools and other local government operations  
3 while also addressing capital and maintenance needs.

4  
5 VML supports ~~a study by~~ the Joint Legislative Audit and Review Commission findings to  
6 determine how the SOQ may be revised and adequately funded to meet the requirements  
7 contained in the Standards of Learning and Standards of Accreditation. VML also supports the  
8 implementation of JLARC recommendations included in the recent study to promote third-grade  
9 reading overall academic performance.

## 11 12 **SOQ FUNDING**

13 VML supports full funding of the state’s share of the actual costs of the SOQ based on prevailing  
14 practices, and full funding of the state’s share of categorical educational mandates in areas such  
15 as special education, alternative education, and gifted education.

16  
17 The state should fully recognize and fund the costs of rebenchmarking of the various educational  
18 programs including the Standards of Quality, incentive, categorical, and school facilities  
19 programs. Changing the process of rebenchmarking to artificially lower recognized costs does  
20 not change what it actually costs to provide education. Instead, it simply transfers additional  
21 costs to local governments, and ultimately to the local real estate tax base.

22  
23 The state must be a reliable funding partner in accordance with the Virginia Constitution and  
24 state statutes. The Standards of Quality should recognize resources, including positions, required  
25 for a high-quality public education system.

26  
27 The Joint Legislative Audit and Review Commission (JLARC) completed a two-year study in  
28 July 2023 regarding the cost of education in Virginia and making an accurate assessment of the  
29 costs of the Standards of Quality (SOQ). JLARC made several recommendations to update the  
30 SOQ in the short and long term. The recommendations included items VML has long supported,  
31 including the elimination of the support cap and providing additional staff and funding for staff.

32  
33 VML supports the findings and recommendations of the 2023 JLARC study and encourages the  
34 General Assembly to implement these recommendations to ensure the overall success of students  
35 across the Commonwealth.

36  
37  
38 Funding for the SOQ should include:

- 39 1. Establishment of a new, predictable, and meaningful source of funding for construction,  
40 including funding for new construction, renovation, maintenance, and land purchase. The  
41 Literary Fund and the Virginia Public School Authority are not sufficient means for the  
42 state to help localities pay for capital needs and should be expanded.
- 43 2. VML supports the statewide authority for local governments to impose a one percent  
44 sales tax to help raise funds for school construction and renovation. For those already  
45 imposing an approved one percent sales tax for local or regional special funding needs,  
46 an additional one percent for school infrastructure funding should be authorized for

1 school construction and renovation purposes. Options could include creating a two-year  
2 pilot program of competitive grants using funds from the Virginia Public Building  
3 Authority to offset new construction or renovation costs for publicly owned and operated  
4 K-12 schools in fiscally stressed communities as defined by the Virginia Commission on  
5 Local Government.

- 6 3. A predictable and reliable source of funding for technology infrastructure and personnel  
7 costs.
- 8 4. Realistic state funding for salary increases for professional and non-professional school  
9 employees. Salary increases should be funded for a full year starting July 1, the start of  
10 the fiscal year.
- 11 5. State funding to meet the goal of the Commonwealth (VA Code §22.1-289.1) that teacher  
12 compensation be competitive; at a minimum, at or above national average teacher  
13 compensation, provided that the true costs of meeting the SOQ are funded by the state.
- 14 6. Funding to initiate and continue to enable school systems to address school safety issues.
- 15 7. Recognition of adequate support costs based on realistic measures of the importance of  
16 support positions to achievement on state accountability standards. Current state funding  
17 for support positions is not based on prevailing practices or on any scientifically derived  
18 staffing ratios.
- 19 8. Flexibility where possible in areas such as funding of student health services.
- 20 9. Support for funding of recommendations made by JLARC to promote reading by grade  
21 level by the third grade.
- 22 10. Development of realistic cost estimates that are based on prevailing practices and not on  
23 the availability of state funding.
- 24 11. Review by JLARC in order that data and information can be provided to the State Board  
25 of Education on the cost of meeting the SOQ, SOLs and SOAs.
- 26 12. Lottery funds that are distributed to localities without a corresponding reduction in direct  
27 aid.

28 ~~13. Maintenance of the state's commitment to use statewide gaming proceeds for school  
29 construction; until those proceeds are sufficient, the state should supplement with general  
30 funds to meet current construction needs.~~

31 13. Assessing school construction maintenance needs.

32  
33 The state should not require any maintenance of local effort other than that associated with the  
34 SOQ. A maintenance of effort requirement that is not connected to the SOQ will punish those  
35 localities that voluntarily spent beyond the required minimum in an effort to achieve a high-  
36 quality system of education. Further, it will simply perpetuate the current mismatch in state-local  
37 funding for education.

38  
39 The General Assembly should recognize that local governments traditionally have funded their  
40 share of costs of meeting the SOQ and, in fact, most have funded education beyond their  
41 required share in efforts to provide quality education. These higher funding levels have meant  
42 that localities have had to raise local taxes and fees and defer spending on other important local  
43 priorities including public safety.

44  
45 The local composite index (LCI) is a crude and often inaccurate proxy for determining the ability  
46 of each locality to pay its share of K-12 expenses as defined by the SOQ. The Commonwealth's

1 education funding formulae (SOQ and LCI) are more sensitive to the state’s revenue situation  
2 than the educational needs of Virginia’s students. VML supports a JLARC or other state study  
3 that examines the ways other states fund education and whether the Commonwealth should use a  
4 funding strategy that establishes a more realistic base foundation amount per pupil – plus add-on  
5 funding to reflect higher costs for educating at-risk, disabled, ESL, and gifted students, etc.  
6

7 Because spending increases alone may not produce desired levels of student achievement, the  
8 State Board of Education and other responsible bodies are urged to develop measures of results  
9 to determine the actual effectiveness of expenditures on education. VML supports the use of  
10 school efficiency reviews to help determine ways to ensure that public funds are spent as  
11 effectively and efficiently as possible.  
12

13 VML believes that the methodology for costing the SOQ does not consider the differences in  
14 costs in the state’s various regions, nor does it adequately address unique local conditions such as  
15 small, large, declining, or diverse student populations.  
16

17 4) ~~1)~~ the methodology artificially lowers the state average salary by using the “L-estimator”  
18 instead of average salary figures.

19  
20 2) the L-estimator is based on dated information that does not reflect current salary levels.  
21

22 3) the methodology uses an artificially low limit on the number of professionals per 1,000 pupils  
23 for which state aid is given.  
24

25 4) the methodology does not address the differences in providing education to students with  
26 special needs or the heavy additional cost of educating English as Second Language students.  
27 The add-on funding for at-risk students is a start toward meeting unique local circumstances and  
28 should be increased.

29 The first priority for the use of a state surplus should be the funding of mandated educational  
30 programs.  
31

32 Disparity should not be addressed by simply redistributing existing state aid among jurisdictions.  
33

### 34 **LOCAL AUTONOMY**

35 Because public education should be as close as possible to the people, local school decisions  
36 cannot and should not be made by the state. Local school boards should be responsible for the  
37 direct supervision and management of local schools.  
38

39 The state should not take any actions that limit authority of local school boards and local  
40 governing bodies to finance and manage local schools. Otherwise, decisions that affect the  
41 funding of public schools potentially could be made by a statewide, appointed body that has no  
42 direct connection to the council or board of supervisors.  
43

44 Authority over local school board unexpended balances. VML supports the current practice  
45 in which school boards may keep any unexpended funds at the end of the fiscal year if approved  
46 by the local governing body. Local governing bodies are solely responsible for raising the

1 revenue that comprises the local share of funding appropriated to a school board to support K-12  
2 public education in the community. VML supports the authority of local governing bodies to  
3 determine if any funds unspent at the end of a fiscal year should revert to the local government or  
4 remain with the school board.

5 (This language was discussed by the VML Legislative Committee on Sept. 11 as a potential  
6 legislative position. The Committee determined that the language was more appropriate for the  
7 policy statement and asked that it be considered for inclusion at the VML business meeting.

## 10 **COLLEGE LABORATORY SCHOOLS**

11 Local school boards should retain the responsibility for approving applications for charter or  
12 college partnership lab schools. VML opposes any diversion of state funds or other resources  
13 intended for local public schools to fund lab schools or state directives to shift local funding or  
14 resources for those schools.

16 If the state officials or boards proceed down the path to expanding the size and scope of state  
17 government by creating new types of “public” school systems that use public funds but are not  
18 supervised by a local school board, any group proposing to operate such schools should be  
19 required to demonstrate that their systems address diversity and equity in admissions and meet  
20 the same requirements imposed on local school systems.

## 22 **SCHOOL CONSTRUCTION**

23 The School Construction Grant Fund was created by the General Assembly to provide funding assistance  
24 to localities for school construction and maintenance needs. Localities may receive grants from this fund  
25 based on a point system created by the General Assembly to be calculated and awarded by the Board of  
26 Education. The current biennial budget provides \$450 million in FY 2022 for the program until the  
27 intended source of revenue, the Gaming Proceeds Fund, has sufficient resources to fund this initiative.

28 The School Construction Grant Fund should continue to be funded by the State at the current rate of  
29 \$450 million annually or higher until the Gaming Proceeds Fund has sufficient resources to ensure any  
30 locality with enough points to qualify may receive a grant. Further, revenue in the Gaming Proceeds  
31 Fund should be used for the School Construction Grant Fund consistent with the Code of Virginia.

## 34 **ALTERNATIVE EDUCATION**

35 Traditional approaches to discipline—long-term suspensions and expulsions—transfer the  
36 problems of the student from the school division to the general government. There should  
37 continue to be school alternatives to the ~~traditional normal~~ school environment for students who  
38 do not behave appropriately or otherwise do not thrive in traditional school environments. The  
39 state should develop and fund alternatives, including workforce development grants, for students  
40 suspended and expelled from school, such as programs designed to encourage obtainment of  
41 GEDs, career education, job skills, self-control training and drug and substance prevention.  
42 Finally, there is little effective enforcement of truancy laws for students who are over 16 years of  
43 age. Some of these students have full time jobs and school divisions have difficulty in locating  
44 them. VML encourages the development of initiatives to better enable schools to track these  
45 older students, or otherwise determine if changes are needed to truancy laws.

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**EARLY CHILDHOOD DEVELOPMENT & EDUCATION**

Research has shown that the early childhood years (from infancy to age five) are critical years for brain development. These early years are also critical for establishing healthy lifestyles – eating nutritious foods, engaging in activities and exercise (i.e., playing), and learning basic health and safety practices.

Children who are regularly read to and gain basic language skills, who participate in healthy activities and learning experiences, and who learn basic social skills are more likely to enter kindergarten ready to learn. They are also more likely to read at grade level by the third grade. This early progress can lead to continued success in school and ultimately in the workforce.

VML supports state and local policies and initiatives that spotlight and encourage greater early learning opportunities for children, along with access to information and resources that will help parents and caregivers give young children the greatest chances to learn and grow in healthy ways. This will ensure a better economic future for families and communities.

VML supports increased state funding for pre-kindergarten students to ensure that all children entering the public system have the social and intellectual skills necessary to be successful students.

**LIBRARIES**

VML supports state funding to help local and regional public library systems remain robust and prepared to meet the growing needs of their communities.

**HIGHER EDUCATION**

Currently, community colleges are required to offer reduced tuition for high school students. Local schools, however, are required to make up the difference in tuition. This clearly is an unfunded mandate. The state should find other resources within its higher education budget to pay for the tuition for these students or assist institutions of higher education in finding resources to help offset the cost of tuition.

**WORKFORCE DEVELOPMENT**

VML supports innovative approaches, including creation of satellite campuses, to ensure that training and certification programs are widely available to high school students, GED candidates, returning veterans, and other residents, particularly those representing underserved and at-risk populations. Such programs are vital to prepare Virginians for careers important to Virginia’s economic prosperity.