



K-12 Teacher Salary Increase – Local Match Requirement

Localities already pay more than the State when salaries increase. They should not have to meet a minimum to access State funds.

Amendments

- HB30: [Item 137 #10h](#) (Watts)
- SB30: [Item 137 #2s](#) (Marsden); [Item 137 #8s](#) (Ebbin)

Background

School divisions throughout the Commonwealth are affected by staffing shortages. To help address teacher retention, the introduced budget included a 10 percent salary increase for K-12 teachers over the new biennium; specifically, a five percent compensation supplement in each year of the biennium. The proposed funding came with the requirement that localities provide a minimum of a 2.5 percent salary increase each year of the biennium or else forgo the state share of funding.

What the amendments would accomplish

These amendments would remove the requirement in the introduced budget for school divisions to provide an average salary increase of at least 2.5 percent in each year of the biennium to qualify for the state share of funding.

Why VML supports these amendments

- Localities pay significantly more for K-12 education needs than what is required under the state Standards of Quality (SOQ), which does not recognize prevailing practices in school divisions statewide. As such, many localities pay 100 percent of the cost of salaries for teachers not recognized by the SOQ.
- If SOQ-recognized teachers get a raise, the locally funded teachers get a raise as well, with localities picking up that cost.
- Due to the large number of positions not recognized under the SOQ, localities fund approximately 56 percent of the cost of salary increases.
- Requiring the local match for the state share of funds for SOQ positions while shouldering 100 percent of the funding for non-SOQ recognized positions puts an undue burden on localities.
- These amendments would allow school divisions to access State funds designated for salary increases without having to meet a specific minimum threshold.

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Fund Instructional Aide Positions within Public Schools

Localities have been paying a disproportionate amount. This needs to change!

Amendments

- HB30: [Item 137 #17h](#) (Plum); [Item 137 #18h](#) (Keam)
- SB30: [Item 137 #12s](#) (McClellan)

Background

Currently, more than 21,000 teacher aides are employed by Virginia school divisions. However, only a small number (2,800) of Kindergarten and Special Education teacher aides are recognized and funded under the Standards of Quality (SOQ).

What the amendments accomplish

These proposed amendments provide an additional \$160.2 million in the first year and \$167.4 million in the second year for the State's share of funding for instructional aide positions. This is based on a ratio of total Kindergarten through seventh grade instructional aides to total Kindergarten through seventh grade teachers. Currently, instructional aide positions are only funded for kindergarten and special education.

Why VML supports these amendments

- Teacher aides are a vital resource in the classroom. They provide help one-on-one and for small groups of students as needed. They assist teachers with other duties and provide additional help in specific areas of a school.
- The State has not recognized the full number of positions needed for a school division to function. As a result, localities have been picking up a disproportionate amount of the cost of instructional aide positions.

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Eliminate the K-12 Support Cap

This “temporary” cap has been around for 13 years and is hurting schools. It’s long past time to remove it!

Amendments

- SB30: [Item 137 #9s](#) (Barker)
- HB30: [Item 137 #12h](#) (Kory); [Item 137 #21h](#) (Reid)

Background

The 2009 General Assembly reduced funding for many programs in response to the Great Recession. One of the programs affected was state assistance for instructional aide positions under the Standards of Quality. Specifically, a “temporary” support cap was placed on these positions.

What these amendments would accomplish

The proposed budget amendments would provide \$419.2 million in FY23 and \$430.5 million in FY24 to help offset the cost to fund instructional aide positions as recognized but only partially funded under the Standards of Quality. By removing the support cap, the number of positions to be fully funded would be increased based on the linear weighted average for positions per pupil and funded salaries.

Why VML supports these amendments

- After 13 years, the “temporary” support cap is still in place, placing an increased burden on local government budgets to pay for, and the ability of school boards to recruit and retain, much-needed instructional aides.
- Communities across the Commonwealth face teacher and instructional aide retention issues. Removing the support cap and restoring state funding for these positions would help ensure adequate numbers of instructional aides in public schools.

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State Assistance to Local Law Enforcement (HB 599 program)

The budget does not comply with the required funding for this program. These amendments ensure this essential program for localities is funded.

Amendments

- **HB/SB 29:** [408 #2h](#) (Brewer); [408#1s](#) (Edwards); [408#2s](#) (Lucas); [408#3s](#) (Reeves)
- **HB/SB 30:** [410 #2h](#) (Brewer); [410#1s](#) (Reeves); [410#2s](#) (Edwards); [410#3s](#) (Lucas); [410#4s](#) (Newman)

Background

- A total of 175 localities – including all cities as well as counties and towns with police departments – receive HB 599 funding to help support public safety, which is a basic government service.
- A majority of Virginians are protected by local police departments, versus sheriff's departments.
- Localities receiving HB 599 funding must comply with state-established training and reporting standards and must certify every year that they are not using state funding to supplant local funding for police departments.
- The *Code of Virginia* states that HB 599 funds are to grow at the same rate as growth in state general fund revenue collections. The introduced budget did not abide by this requirement; it froze funding at the FY20 level.
- While funding for sheriffs' departments (i.e., deputies) falls short of the Compensation Board's staffing standards, the funding level is at least projected to keep pace with inflation, increasing by 20.3 percent from FY07 through FY22. The same cannot be said for HB 599 funding for local police departments.
- Localities have stepped up to meet local public safety needs, increasing their local contributions to law enforcement by more than 30 percent from FY07 to FY21.

What these amendments would accomplish

For HB/SB29, each amendment listed would provide \$38.4 million in the current fiscal year (FY22) to increase funding for the State Aid to Localities with Police Departments ("HB 599") Program to reflect the general fund revenue growth rate of 14.4 percent in FY21 and 4.9 percent in FY22, as directed by § [9.1-165](#), et seq., *Code of Virginia*.

For HB/SB 30, each amendment listed would provide \$49.4 million in the first year (FY23) and \$59.4 million in the second year (FY24) in additional funding to police departments by acknowledging the state general fund growth rate in FY21 (14.4 percent); FY22 (4.9 percent); and projected growth rates in FY23 (4.8 percent) and in FY24 (4.2 percent) as directed by § [9.1-165](#), et seq., *Code of Virginia*.

Why VML supports these amendments

The amendments are necessary because the introduced budget did not comply with the *Code of Virginia* requirements for funding this program.



Effective Implementation of Local CSA Programs

New regional consultants would provide technical assistance to local CSA programs and coordinators.

Amendments

- HB30: [Item 285 #2h](#) (Plum)
- SB30: [Item 285 #2s](#) (Hanger)

Background

- A November 2020 report on the Children's Services Act (CSA) by the Joint Legislative Audit and Review Commission (JLARC) made several recommendations about ways to ensure effective implementation of the CSA program at the local level.
- The 2021 General Assembly approved HB 2212 (Plum) that included several JLARC recommendations and new responsibilities for the Office of Children's Services to implement them. Accompanying language in the Appropriations Act directed OCS to prepare a plan to implement these new responsibilities; a workgroup was convened in 2021 to assist with a plan.
- One recommendation of the workgroup was for the hiring of four regional consultants at the Office of Children's Services who would provide additional assistance to local CSA programs

What these amendments would accomplish

These amendments would fund four regional consultants within the Office of Children's Services. These consultants would provide technical assistance to local CSA programs and CSA coordinators.

Why VML supports these amendments

- CSA is an increasingly complex program and local program administrators must comply with federal requirements in the Medicaid and Title IV-E programs as well as all state statutes and policies.
- The regional consultants are intended to provide additional support to local programs, such as training for local coordinators, helping to organize regional collaborative efforts such as joint negotiation of rates, helping to address regional service delivery gaps, and assisting with the implementation of quality improvement plans.

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Local CSA Program Administration

Funding for CSA administrative services helps localities administer the program on behalf of the State.

Amendments

- HB30: [Item 284 #2h](#) (Plum)
- SB30: [Item 284 #1s](#) (Hanger)

Background

- CSA is an increasingly complex program and local program administrators must comply with federal requirements in the Medicaid and Title IV-E programs as well as all state laws and policies across multiple agencies.
- HB 2212 (Plum), as approved by the 2021 General Assembly, requires the Office of Children's Services (OCS) to provide for the effective implementation of the Children's Services Act in all localities. Language in the 2021 Appropriations Act directed OCS to prepare a plan for implementation; a workgroup assisted in the plan development.
- The OCS workgroup recommended that the state provide additional administrative funding to ensure that each local CSA program receive at least \$50,000 per year, including local matching dollars.
- State administrative funds provided to local programs have not been increased since FY2017; and before that, in FY2006.
- In a recent survey, localities reported providing a total of \$8.8 million in personnel costs and an additional \$1.1 million in non-personnel costs to support their local programs.

What these amendments would accomplish

These amendments would provide \$2.5 million each year to ensure that each local CSA program receives at least \$50,000 in administrative funds (including local matching dollars).

Why VML supports these amendments

- Local governments administer the CSA program on behalf of the state.
- These amendments are in line with implementation of 2021 legislation approved by the General Assembly following recommendations by the Joint Legislative Audit and Review Commission (JLARC) in 2020.

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Restore Jail Per Diem to FY11 Levels

Per diem payments haven't changed in 12 years. Operating costs have increased, it's time to increase these payments!

Amendments

- HB30: [Item 73#1h](#) (Brewer)
- SB30: [Item 73#3s](#) (Petersen) and [Item 73#4s](#) (Deeds)

Background

- While state per diems are between \$4 to \$12 per day, the average operating cost per inmate per day in FY20 was \$100.32 (operating costs are generally higher in sheriff-operated local jails and lower in regional jails)
- In FY20, localities spent \$605.1 million in operating and capital costs for jails and jail farms; the state through the Compensation Board contributed \$362.1 million.
- Other state funding (mostly grants) was down in FY20 compared to FY19 (\$2.6 million vs. \$4.9 million).
- In FY20, the Commonwealth's portion of costs funded as a percentage of expenditures was 34.7 percent, down from 35.05 percent in FY19 and 36.3 percent in FY18.

What the proposed amendments would accomplish

Each of these proposed amendments would increase the per diem paid to local and regional jails for local responsible inmates from \$4 to \$8 per day, and from \$18 to \$22 for inmates housed and maintained in a jail farm not under the control of the sheriff. This returns the per diem rate to that which was in place prior to the reduction in 2010.

- Costs to maintain state responsible inmates in local and regional jails have increased since 2010 but state per diems have remained frozen.
- While there is no requirement in the Code or Appropriations Act to adjust per diem rates for inflation (there should be one), inflation is recognized in other areas of the budget, such as the Standards of Quality.
- State revenues have fully recovered from the Great Recession and remain robust; there is no reason why the state cannot at least bring per diem payments back to the 2010 level.

Why VML supports these amendments

Local governments have received diminished state per diem payments for jails since 2010, when the state reduced payments in response to the Great Recession. It's 12 years later: operating costs have risen for jails; the state's economic landscape has greatly improved; per diem payments haven't changed.

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Street Maintenance Funding

City road maintenance payments need to return to equal footing with VDOT's own maintenance payments. These amendments are a good start.

Amendments

SB30: Lucas [456#4s](#); Marsden [456#6s](#); Saslaw [456#5s](#)

Background

- The amendments are in response to the recommendation by the Joint Legislative Audit and Review Commission (JLARC) in its November 2021 report on Transportation Infrastructure and Funding that additional funding is needed to improve the pavement and bridge condition of local roads. In summary, JLARC stated that "Locally maintained roads are in poorer condition than those maintained by VDOT."
 - Only 67 percent of locally maintained primary pavements are in adequate condition, compared with 83 percent of those maintained by VDOT.
 - While comparable data is unavailable for locally maintained secondary roads, local public works staff uniformly report that their secondary roads are not in as good condition as their primary roads.
- JLARC reported that fiscally stressed localities have a harder time maintaining their local roads because of greater competing local needs and fewer revenue resources. As a result, localities with higher fiscal stress rely almost entirely on city road maintenance payments to maintain their roads while localities with lower fiscal stress may supplement these state payments.
- For years local road maintenance funding grew at a slower rate than maintenance payments for VDOT-maintained roads because language in the Appropriations Act tied the growth of local and state maintenance payments to one another. While this stopped further erosion of local maintenance payments, it did nothing to address the growing differences between state and local maintenance payments.

What these amendments would accomplish

These identical budget amendments increase funding for financial assistance to city road maintenance by \$30 million in each year of the biennium.

Why VML supports these amendments

These budget amendments are intended to begin bringing city road maintenance payments back up to equal footing with VDOT's own maintenance payments. The \$60 million for the biennium is just a down payment on what is ultimately needed.

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Street Maintenance Study

This study makes sense but funding it at the expense of local maintenance does not. These amendments correct the payment source.

Amendments

- HB29 McQuinn [446#1h 451#1h](#); Simon [446#2h 456#2h](#)
- HB30 McQuinn: [451 #1h 451#3h](#); Simon [456 #2h 456#4h](#)
- SB29 Lucas [451 #1s 446#1s](#); Saslaw [446#2s 451#2s](#)
- SB30 Lucas [451#4s 456#3s](#); Marsden [451#3s 456#2s](#); Saslaw [456#1s 451#2s](#)

Background

The introduced budgets (HB/SB 29 and HB/SB 30) included language directing a study to assess the condition of locally maintained roads. This information is not currently available or collected by VDOT or any other state agency.

What these amendments would accomplish

These budget amendments move the study language from the Financial Assistance for Localities section to the Ground Transportation Planning and Research section where it more appropriately belongs. This action clarifies the funding for this study should not come at the expense of local maintenance payments.

Why VML supports these amendments

- Studying locally maintained urban pavements is in line with recommendations from the Joint Legislative Audit and Review Commission's (JLARC) [Transportation and Infrastructure Report](#) released in November 2021.
- It is important that the study should not be paid for out of the funds that are already insufficient to cover street maintenance needs.

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