



Lynchburg City Schools • 915 Court Street • Lynchburg, Virginia 24504

Lynchburg City School Board

Keith R. Anderson
School Board District 2

Mary Ann H. Barker
School Board District 1

Albert L. Billingsly
School Board District 3

Regina T. Dolan-Sewell
School Board District 1

Troy L. McHenry
School Board District 3

Jennifer R. Poore
School Board District 2

Treney L. Tweedy
School Board District 3

J. Marie Waller
School Board District 2

Charles B. White
School Board District 1

School Administration

Larry A. Massie
Interim Superintendent

William A. Coleman, Jr.
Assistant Superintendent of
Curriculum and Instruction

Anthony E. Beckles, Sr.
Chief Financial Officer

Wendie L. Sullivan
Clerk

**SCHOOL BOARD MEETING
November 15, 2011 5:30 p.m.
School Administration Building
Board Room**

A. PUBLIC COMMENTS

- 1. Public Comments
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Discussion

B. SPECIAL PRESENTATION

- 1. E. C. Glass High School and Heritage High School: Graduation
Rate
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C. FINANCE REPORT

- 1. Finance Report
Anthony E. Beckles, Sr.Page 3
Discussion

D. CONSENT

- 1. School Board Meeting Minutes: September 20, 2011 (Regular Meeting)
September 21, 2011 (Called Meeting)
September 27, 2011 (Student Discipline
Committee Meeting)
- 2. Personnel Report
Billie Kay Wingfield.Page 7
Discussion/Action

E. STUDENT REPRESENTATIVE COMMENTS

F. UNFINISHED BUSINESS

- 1. Legislative Positions: 2011-12
Larry A. Massie.Page 9
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G. NEW BUSINESS

- 1. School Board Policy 7-14: Nonresidents
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H. SUPERINTENDENT’S COMMENTS

I. BOARD COMMENTS

J. CLOSED MEETING

- 1. Notice of Closed Meeting
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- 2. Certification of Closed Meeting
Larry A. Massie.Page 36
Discussion/Action

I. INFORMATIONAL ITEMS

Next School Board Meeting: Tuesday, December 6, 2011, 5:30 p.m.
Board Room, School Administration Building

L. ADJOURNMENT

Agenda Report

Date: 11/15/11

Agenda Number: A-1

Attachments: No

From: Larry A. Massie, Interim Superintendent

Subject: Public Comments

Summary/Description:

In accordance with School Board Policy 1-41: Public Participation, the school board welcomes requests and comments as established in the guidelines within that policy. Individuals who wish to speak before the school board shall have an opportunity to do so at this time.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 11/15/11

Agenda Number: B-1

Attachments: No

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: E. C. Glass High School and Heritage High School: Graduation Rate

Summary/Description:

Mr. Kevin M. Latham, principal at E. C. Glass High School, and Dr. Mark L. Mear, principal at Heritage High School, will provide information to the school board about the strategies they are implementing to improve graduation rates.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 11/15/11

Agenda Number: C-1

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
Anthony E. Beckles, Sr., Chief Financial Officer

Subject: Finance Report

Summary/Description:

The school administration, in accordance with the 2011-12 school's operating budget, authorized, approved, and processed the necessary payments through October 31, 2011. The school administration certifies that the amounts approved are within budgetary limits and revenue.

The operating fund expenditure report summarizes the payments made through October 31, 2011, for the operating fund.

Total Operating Fund Budget	\$75,705,953.00
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Through October 31, 2011

Actual Revenue Received	\$ 12,932,955.08
Actual Expenditures	\$ 17,041,346.91
Actual Encumbered	\$ 48,824,887.49

Percent of Budget Received	17.08%
Percent of Budget Used, excluding encumbrances	22.51%

As of 10/31/11 – 4 months	33.00%
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The revenue and expenditure reports detail the transactions recorded through October 31, 2011. All reports appear as attachments to the agenda report.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board receive the agenda report as an informational item.

Lynchburg City Schools
 Operating Fund - Statement of Expenditures
 For the Four Months Ended October 31, 2011

	Fiscal Year 2010-11 (unaudited)			Fiscal Year 2011-12				BUDGET AVAILABLE	BUDGET % USED
	BUDGET	TRANSACTIONS	BUDGET % USED	BUDGET	TRANSACTIONS	BUDGET % USED	ENCUMBRANCES		
INSTRUCTION									
FUNCTION 1100 CLASSROOM INSTRUCTION	43,807,198.00	43,001,732.26	98.16%	41,162,111.86	7,481,473.64		30,224,280.46		91.60%
FUNCTION 1200 INST SUPPORT-STUDENT	2,754,658.44	2,679,824.08	97.28%	3,074,805.45	738,220.26		1,772,604.87		81.66%
FUNCTION 1300 INST SUPPORT-STAFF	5,091,974.86	4,960,244.91	97.41%	5,658,667.54	1,461,939.22		2,301,466.36		66.51%
FUNCTION 1400 INST SUPPORT-SCHOOL ADMN	4,404,168.11	3,400,065.83	77.20%	4,688,748.07	1,416,328.09		3,027,986.79		94.79%
TOTAL INSTRUCTION	56,057,999.41	54,041,867.08	96.40%	54,584,332.92	11,097,961.21	20.33%	37,326,338.48	6,160,033.23	88.71%
ADMINISTRATION									
FUNCTION 2100 ADMINISTRATION	2,449,937.78	2,096,489.10	85.57%	2,539,117.77	800,784.37		979,202.61		70.10%
FUNCTION 2200 ATTENDANCE & HEALTH SERV	1,803,495.42	1,736,958.35	96.31%	1,713,282.49	355,438.05		1,330,474.90		98.40%
TOTAL ADMINISTRATION	4,253,433.20	3,833,447.45	90.13%	4,252,400.26	1,156,222.42	27.19%	2,309,677.51	786,500.33	81.50%
PUPIL TRANSPORTATION									
FUNCTION 3100 MANAGEMENT & DIRECTION	278,661.38	270,242.66	96.98%	277,703.95	97,296.07		170,115.76		96.29%
FUNCTION 3200 VEHICLE OPERATION SERVICE	2,920,292.42	2,851,212.01	97.63%	2,972,059.40	637,645.42		1,629,675.83		76.29%
FUNCTION 3300 MONITORING SERVICE	318,795.50	303,775.67	95.29%	333,495.71	52,771.49		268,494.20		96.33%
FUNCTION 3400 VEHICLE MAINT SERVICE	367,100.50	363,030.56	98.89%	626,429.89	208,905.87		26,879.53		37.64%
FUNCTION 3500 BUS PURCHASE - REGULAR	169,217.06	169,227.06	100.01%	0.00	0.00		0.00		0.00%
FUNCTION 3600 BUS - LEASE PURCHASE	66,000.00	66,506.94	100.77%	0.00	0.00		0.00		0.00%
TOTAL PUPIL TRANSPORTATION	4,120,066.86	4,023,994.90	97.67%	4,209,688.95	996,618.85	23.67%	2,095,165.32	1,117,904.78	73.44%
OPERATIONS & MAINTENANCE									
FUNCTION 4100 MANAGEMENT & DIRECTION	307,191.98	287,213.22	93.50%	297,127.59	96,659.93		175,137.20		91.47%
FUNCTION 4200 BUILDING SERVICES	8,852,667.95	8,574,983.01	96.86%	8,594,466.63	2,573,510.84		4,802,735.06		85.83%
FUNCTION 4300 GROUNDS SERVICES	240,570.71	243,949.95	101.40%	263,071.42	69,477.66		127,286.46		74.79%
FUNCTION 4400 EQUIPMENT SERVICES	48,000.00	48,525.77	101.10%	64,000.00	47,728.99		-94.00		74.43%
FUNCTION 4500 VEHICLE SERVICES	23,000.00	25,566.85	111.16%	22,000.00	5,990.10		499.48		29.50%
FUNCTION 4600 SECURITY SERVICES	232,224.50	260,550.95	112.20%	233,329.80	66,581.73		25,473.96		39.45%
TOTAL OPERATIONS & MAINTENANCE	9,703,655.14	9,440,789.75	97.29%	9,473,995.44	2,859,949.25	30.19%	5,131,038.16	1,483,008.03	84.35%
SCHOOL FOOD SERVICES									
FUNCTION 5100 SCHOOL FOOD SERVICES	0	0.00	0.00%	0	52,551.45		158,089.29	-210,640.74	
TOTAL SCHOOL FOOD SERVICES	0.00	0.00	0.00%	0.00	52,551.45	0.00%	158,089.29	-210,640.74	0.00%
FACILITIES									
FUNCTION 6200 SITE IMPROVEMENTS	0	0	0.00%	0	0		0	0.00	0.00%
FUNCTION 6600 BLDG ADD & IMP SERVICES	98,095.00	63,099.89	64.33%	81,395.35	15,729.49		16,030.00	49,635.86	39.02%
TOTAL FACILITIES	98,095.00	63,099.89	64.33%	81,395.35	15,729.49	19.32%	16,030.00	49,635.86	39.02%
DEBT SERVICE									
FUNCTION 7100 DEBT SERVICE	720,472.94	717,900.14	99.64%	536,751.78	210,418.97	39.20%	292,705.81	33,627.00	93.74%
TOTAL DEBT SERVICE									
TECHNOLOGY									
FUNCTION 8100 CLASSROOM INSTRUCTION	1,560,213.69	1,762,037.19	112.94%	2,019,732.55	493,496.03		1,320,879.60		89.83%
FUNCTION 8200 INSTRUCTIONAL SUPPORT	652,501.82	466,081.62	71.43%	547,655.75	140,029.72		174,963.32		57.52%
FUNCTION 8200 LEASE PURCHASE	109,975.76	109,975.76	100.00%	0.00	0.00		18,369.52		0.00%
TOTAL TECHNOLOGY	2,322,691.27	2,338,094.57	100.66%	2,567,388.30	651,895.27	25.39%	1,495,842.92	0.00	83.65%
CONTINGENCY RESERVES									
FUNCTION 9100 CLASSROOM INSTRUCTION	0	0	0.00%	0	0		0		0.00%
FUNCTION 9300 ADMINISTRATION	300,000.00	0	0.00%	0	0		0		0.00%
FUNCTION 9500 PUPIL TRANSPORTATION	200,000.00	0	0.00%	0	0		0		0.00%
FUNCTION 9600 OPERATIONS & MAINTENANCE	0	0	0.00%	0	0		0		0.00%
TOTAL CONTINGENCY RESERVES	500,000.00	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00	0.00%
TOTAL OPERATING BUDGET	77,776,413.82	74,459,193.78	95.73%	75,705,953.00	17,041,346.91	22.51%	48,824,887.49	9,420,068.49	87.00%

Lynchburg City Schools
 Operating Fund - Statement of Revenue
 For the Four Months Ended October 31, 2011

ACCOUNT TITLE	FY 2010-2011 (unaudited)				FY 2011-12			
	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED
240308 SALES TAX RECEIPTS	(8,321,436.00)	(8,686,156.49)	364,720.49	104.38%	(8,965,522.00)	(1,861,323.59)	(7,104,198.41)	20.76%
240202 BASIC SCHOOL AID	(19,996,461.00)	(18,942,052.10)	(1,054,408.90)	94.73%	(19,663,616.00)	(5,735,221.31)	(13,928,394.69)	29.17%
240207 GIFTED & TALENTED	(232,983.00)	(233,626.00)	643.00	100.28%	(233,116.00)	(67,992.19)	(165,123.81)	29.17%
240208 REMEDIAL EDUCATION	(916,399.00)	(918,931.00)	2,532.00	100.28%	(916,922.00)	(267,435.56)	(649,486.44)	29.17%
240208 REMEDIAL EDUCATION	(206,426.00)	(148,487.00)	(57,939.00)	71.93%	(148,487.00)	0.00	(148,487.00)	0.00%
240209 ENROLLMENT LOSS	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
240212 SPECIAL ED SOQ	(2,583,520.00)	(2,590,657.00)	7,137.00	100.28%	(2,584,995.00)	(753,956.91)	(1,831,038.09)	29.17%
240217 VOCATIONAL ED SOQ	(305,466.00)	(306,310.00)	844.00	100.28%	(305,641.00)	(89,145.28)	(216,495.72)	29.17%
240221 SOC SEC-INSTR	(1,340,942.00)	(1,344,650.00)	3,708.00	100.28%	(1,212,202.00)	(391,332.41)	(820,869.59)	32.28%
240223 VRS INSTRUCTIONAL	(792,143.00)	(794,330.00)	2,187.00	100.28%	(1,341,711.00)	(353,558.94)	(988,152.06)	26.35%
240241 GROUP LIFE INST	(46,598.00)	(46,725.00)	127.00	100.27%	(46,623.00)	(13,598.41)	(33,024.59)	29.17%
240228 READING INTERVENTN	(117,822.00)	(142,932.00)	25,110.00	121.31%	(141,000.00)	0.00	(141,000.00)	0.00%
240205 CAT-REG FOSTER	(150,118.00)	(140,240.00)	(9,878.00)	93.42%	(145,135.00)	0.00	(145,135.00)	0.00%
240246 CAT-HOMEBOUND	(160,802.00)	(147,984.74)	(12,817.26)	92.03%	(156,865.00)	0.00	(156,865.00)	0.00%
240248 REGIONAL TUITION	(866,273.00)	(645,645.48)	(220,627.52)	74.53%	(849,922.00)	0.00	(849,922.00)	0.00%
240265 AT RISK SOQ	(1,071,449.00)	(1,074,480.00)	3,031.00	100.28%	(1,074,910.00)	0.00	(1,074,910.00)	0.00%
240309 ESL	(114,953.00)	(89,904.00)	(25,049.00)	78.21%	(106,053.00)	0.00	(106,053.00)	0.00%
330213 SCHOOL LUNCH	0.00	0.00	0.00	100.00%	0.00	0.00	0.00	100.00%
240281 AT RISK 4 YR OLDS	(1,209,101.00)	(1,209,101.00)	0.00	100.00%	(1,231,987.00)	0.00	(1,231,987.00)	0.00%
240218 CTE - ADULT ED	(19,175.00)	(1,238.00)	(17,937.00)	6.46%	(19,175.00)	0.00	(19,175.00)	0.00%
240252 CTE EQUIPMENT	0.00	(10,212.98)	10,212.98	100.00%	0.00	0.00	0.00	100.00%
240253 CTE OCC PREP	(29,073.00)	(25,260.00)	(3,813.00)	86.88%	(33,809.00)	0.00	(33,809.00)	0.00%
LOTTERY PROCEEDS	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
REG SPEC SERV	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
240273 CPI HOLD HARMLESS	(1,744,519.00)	(1,563,186.60)	(181,332.40)	89.61%	(126,411.00)	0.00	(126,411.00)	0.00%
SUPPLEMENTAL SUPPORT	0.00	0.00	0.00	0.00%	(671,477.00)	0.00	(671,477.00)	0.00%
240275 PRIMARY CLASS SIZE	(1,174,904.00)	(1,171,919.00)	(2,985.00)	99.75%	(1,190,402.00)	0.00	(1,190,402.00)	0.00%
240214 TEXTBOOKS	(272,021.00)	(272,772.00)	751.00	100.28%	(210,115.00)	(61,283.53)	(148,831.47)	29.17%
240203 GED/ISAP	(23,576.00)	(23,576.00)	0.00	100.00%	(23,576.00)	0.00	(23,576.00)	0.00%
240405 ALGEBRA READINESS	(110,760.00)	(114,911.00)	4,151.00	103.75%	(114,911.00)	0.00	(114,911.00)	0.00%
COMMONWEALTH OF VA	(41,806,920.00)	(40,645,287.39)	(1,161,632.61)	97.22%	(41,514,583.00)	(9,594,848.13)	(31,919,734.87)	23.11%
330201 BASIC ADULT ED.	(50,000.00)	(44,128.90)	(5,871.10)	88.26%	(50,000.00)	0.00	(50,000.00)	0.00%
330212 IMPACT AIDPL81-874	(6,000.00)	(7,990.43)	1,990.43	133.17%	(6,000.00)	0.00	(6,000.00)	0.00%
180303 MEDICAID REIMBURSE	(300,000.00)	(842,050.41)	542,050.41	280.68%	(300,000.00)	(276.04)	(299,723.96)	0.09%
JR ROTC	(105,000.00)	(114,133.42)	9,133.42	108.70%	(105,000.00)	(22,037.65)	(82,962.35)	20.99%
FEDERAL	(461,000.00)	(1,008,303.16)	547,303.16	218.72%	(461,000.00)	(22,313.69)	(438,686.31)	4.84%

Lynchburg City Schools
 Operating Fund - Statement of Revenue
 For the Four Months Ended October 31, 2011

	FY 2010-2011 (unaudited)				FY 2010-2011			
	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED
510500 CITY OPER APPR	(33,710,034.00)	(33,710,034.00)	0.00	100.00%	(31,942,103.00)	(3,025,000.00)	(28,917,103.00)	9.47%
510502 CITY DEBT SERV APP	(33,627.00)	(31,021.65)	(2,605.35)	92.25%	(33,627.00)	0.00	(33,627.00)	0.00%
CITY - USE OF RESERVES	0.00	0.00	0.00	0.00%	(200,000.00)	0.00	(200,000.00)	0.00%
CITY	(33,743,661.00)	(33,741,055.65)	(2,605.35)	99.99%	(32,175,730.00)	(3,025,000.00)	(29,150,730.00)	9.40%
189912 MISC REV/OTH FUNDS	0.00	(278,625.09)	278,625.09	100.00%	0.00	(1,485.53)	1,485.53	100.00%
180303 REBATES & REFUNDS	(15,000.00)	(51,501.65)	36,501.65	343.34%	(15,000.00)	(8,373.00)	(6,627.00)	55.82%
189903 DONATIONS & SP GF	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
189909 SALE OTHER EQUIP	0.00	(1,813.45)	1,813.45	100.00%	0.00	0.00	0.00	100.00%
189910 INSURANCE ADJUST	(162,217.06)	(168,572.58)	6,355.52	103.92%	(3,000.00)	0.00	(3,000.00)	0.00%
189912 OTHER FUNDS	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
E RATE REIMBURSEMENT	(85,000.00)	(96,777.43)	11,777.43	113.86%	(85,000.00)	(26,649.02)	(58,350.98)	31.35%
TRANSFER IN/OUT	0.00	23,725.85	(23,725.85)	-100.00%	0.00	0.00	0.00	-100.00%
MISCELLANEOUS	(262,217.06)	(573,564.35)	311,347.29	218.74%	(103,000.00)	(36,507.55)	(66,492.45)	35.44%
150201 RENTS	(110,000.00)	(98,000.00)	(12,000.00)	89.09%	(98,000.00)	(98,000.00)	0.00	100.00%
161201 TUITION DAY SCHOOL	(189,000.00)	(132,647.66)	(56,352.34)	70.18%	(160,000.00)	(44,354.50)	(115,645.50)	27.72%
161206 TUITION ADULT	(15,750.00)	(19,342.00)	3,592.00	122.81%	(10,000.00)	0.00	(10,000.00)	0.00%
161207 TUITION SUMMER SCH	0.00	0.00	0.00	0.00%	(40,000.00)	0.00	(40,000.00)	0.00%
161202 SPEC PUPIL FEES	(50,000.00)	(49,763.36)	(236.64)	99.53%	(45,000.00)	(500.00)	(44,500.00)	1.11%
161205 BUS RENTAL	(132,500.00)	(405,708.09)	273,208.09	306.19%	(170,500.00)	(85,808.46)	(84,691.54)	50.33%
190101 TUIT FM OTH CO/CY	(634,620.00)	(644,571.00)	9,951.00	101.57%	(634,620.00)	0.00	(634,620.00)	0.00%
161201 DUAL ENROLLMENT	(42,000.00)	(88,848.75)	46,848.75	211.54%	(35,000.00)	0.00	(35,000.00)	0.00%
PRINT SHOP	0.00	(116,455.64)	116,455.64	100.00%	(100,000.00)	(993.78)	(99,006.22)	100.00%
SCHOOL NUT UTILITIES	(98,500.00)	(90,518.20)	(7,981.80)	91.90%	(98,500.00)	(10,690.62)	(87,809.38)	10.85%
FACILITY RENTALS	(54,270.00)	(65,487.50)	11,217.50	120.67%	(60,020.00)	(13,907.75)	(46,112.25)	23.17%
CHARGES FOR SERVICES	(1,326,640.00)	(1,711,342.20)	384,702.20	129.00%	(1,451,640.00)	(254,255.11)	(1,197,384.89)	17.52%
150101 INTEREST-BNK DPST USE OF MONEY	0.00	(526.75)	526.75	100.00%	0.00	(30.60)	30.60	100.00%
LEASE PURCHASE PROCEEDS	(175,975.76)	0.00	(175,975.76)	0.00%	0.00	0.00	0.00	0.00%
TOTAL OPERATING FUND	(77,776,413.82)	(77,680,079.50)	(96,334.32)	99.88%	(75,705,953.00)	(12,932,955.08)	(62,772,997.92)	17.08%

Agenda Report

Date: 11/15/11

Agenda Number: D-2

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
Billie Kay Wingfield, Director of Personnel

Subject: Personnel Report

Summary/Description:

The personnel recommendations for November 1 – 15, 2011, appear as an attachment to this agenda report.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board approve the personnel recommendations for November 1 – 15, 2011.

NAME	COLLEGE	DEGREE/ EXPERIENCE	SCHOOL/ ASSIGNMENT	EFFECTIVE DATE
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NOMINATIONS, INSTRUCTIONAL PERSONNEL, 2010-11:

Ciccarelli, Paula A	Cabrini College	B.S./3 yrs. (Lv. 3 3)	R.S. Payne Elementary First Grade	11/02/11
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Agenda Report

Date: 11/15/11

Agenda Number: F-1

Attachments: Yes

From: Larry A. Massie, Interim Superintendent

Subject: Legislative Positions: 2011-12

Summary/Description:

During the school board meeting November 1, 2011, the school board discussed its legislative positions for 2011-12. The school board requested that the school administration develop a legislative position regarding private school vouchers. That item has been added and appears in the attachment to the agenda report.

Further, Charles B. White, school board chairman, will be the delegate representing the school board at the Virginia School Boards Association Annual Convention on November 16-18, 2011, and he will be asked to vote on the legislative positions developed by the VSBA during that convention. Mr. White would like input from school board members regarding those legislative positions.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board approve its legislative positions for 2011-12.

**Lynchburg City Schools
2011-12 Legislative Positions**

Compensation and Employee Relations

- **The Lynchburg City School Board opposes legislation that would provide for binding arbitration, meet-and-confer requirements, and imposed grievance procedures thus restricting the authority of school boards.**

Instruction

- **The Lynchburg City School Board continues to urge legislators to request that the United States Department of Education allow the Commonwealth of Virginia to use the state's standards of accreditation system as the sole accountability system for public schools.**
 - The school board appreciates recent flexibility provided in the No Child Left Behind (NCLB) requirements; however, the school board believes that the Virginia Standard's of Learning assessments, which were in place before the No Child Left Behind legislation was enacted, is the appropriate program for measuring the academic progress of Virginia's students. The school board also supports modification of the Virginia's Standards of Accreditation to include provisions for monitoring the achievement of major subgroups of students and including specific goals for continuous academic improvement.
- **The Lynchburg City School Board supports passage of legislation to permit each local school board to set the school calendar and determine the opening of the school year.**
- **The Lynchburg City School Board supports modifications to the requirements for the General Achievement Diploma.**
 - The current requirements include actually withdrawing the student from school after completing the 20 required credits. The requirement that the student drop out of school may push the student further from needed resources and support. That requirement should be removed.

Funding

- **The Lynchburg City School Board supports legislation that would provide the necessary state funding for increased compensation for its teachers.**
 - Teachers throughout the Commonwealth deserve salaries commensurate with their duties and the average national salary for teachers.

- **The Lynchburg City School Board supports legislation establishing incentives to encourage students to consider teaching as a career and to keep teachers trained in Virginia colleges in the Commonwealth.**
 - As the pool of qualified teacher candidates decreases, teacher recruitment becomes increasingly challenging. Incentives such as those offered in North Carolina (see <http://www.ncpublicschools.org/scholarships/>) may encourage students to consider teaching as a career and may also encourage veteran teachers to remain in the profession and stay in Virginia. Efforts to increase the pool of qualified teachers would benefit all school divisions in the state.
- **The Lynchburg City School Board supports legislation which requires both public and private pre-kindergarten programs that use public tax dollars meet the same standards required of local school boards and school divisions.**
- **The Lynchburg City School Board urges the General Assembly to eliminate the Federal Revenue Deduction from the Basic Aid formula.**
- **The Lynchburg City School Board is appreciative of the Virginia General Assembly's support for many of the Standards of Quality (SOQ). The school board understands and is aware of the present financial downturn, but still believes that the SOQ are needed in order to meet the prescribed requirements for a quality education for each student in the school division. Thus the school board supports the legislation that funds the following:**
 - one principal at every elementary school,
 - an assistant principal for every 400 students in grades K-12
 - reduced caseloads for speech-language pathologist (from 68 to 60 students)
 - one full-time instructional position for each 1,000 students to serve as a reading specialist
 - In addition to supporting funding for these modifications, the Lynchburg City School Board requests funding for one testing coordinator for every 1,000 students.
- **The Lynchburg City School Board supports legislation that fully funds the educational costs of students with disabilities.**
- **The Lynchburg City School Board supports legislation to provide additional funds to maintain alternative education opportunities for students who would benefit from non-traditional programs housed in smaller, highly structured environments.**
- **The Lynchburg City School Board supports ~~continuation~~ of the Virginia General Assembly's efforts to provide funding for the improvement of aging schools through *School Construction Grants* thereby allowing for the implementation of instructional improvements. The School Board also**

supports legislation which would increase the level of support provided through consistent funding sources.

- The Lynchburg City School Board supports legislation that would maintain the level of funding provided through the *Literary Fund* for the renovation and construction of public school buildings. The current funding application process must be shortened so that funds are available to localities more quickly.
- The Lynchburg City School Board opposes federal or state legislation that would create or expand private school voucher programs.
 - Private school vouchers and tuition tax credits undermine public education by diverting dwindling education tax dollars from public schools to subsidize the tuition of private school students. There is no reliable data to suggest that private schools outperform public schools when adjusting for differences in student populations. Additionally, Virginia public schools are required to meet accountability measured under the state's accreditation system through the Standards of Learning and the federal Adequate Yearly Progress under the *No Child Left Behind Act*, now known as the *Elementary and Secondary Education Act*. In using public funds, private school voucher programs do not use public accountability standards, do not make achievement and budget information public, and do not have to meet the standards of equity and special services provided in public schools.

Lynchburg City School Board

Charles B. White, Chairman
Trenay L. Tweedy, Vice Chairman
Keith R. Anderson
Mary Ann Hoss Barker
Albert L. Billingsly
Regina T. Dolan-Sewell
Troy L. McHenry
Jennifer R. Poore
J. Marie Waller

School Administration

Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction
Anthony E. Beckles, Sr., Chief Financial Officer

Tab IX

Proposed Legislative Positions Amendments

- Previously adopted Legislative Positions remain in full effect from year to year. **No vote is necessary on Legislative Positions if no change is made.**
- Only changes to existing Legislative Positions (Amendments to add or delete language), or new Legislative Positions, are to be considered by the Delegate Assembly.
- When a proposed new legislative position, or proposed amendment, is removed from the "block" to be considered separately, **only the proposed changes are open to consideration/discussion.** It takes a two-thirds vote to suspend the rules to consider/discuss any part of a position not new or proposed for amendment.
- The explanation for and history of each position that is included in the official VSBA Handbook of Legislative Positions is omitted in this section. They are omitted because they are used for lobbying purposes and are not part of the position statement, nor subject to action by the Delegate Assembly.
- The full text of all current Legislative Positions with explanations and history of each position are included in the Appendix.

Proposed New Legislative Positions

4.23 Expansion of the Virginia Human Rights Act

The VSBA requests the expansion of classifications contained in the *Virginia Human Rights Act, Code of Virginia §§2.2-3900 and 2.2-3901*, to include gender orientation and gender identity and to further amend the *Code of Virginia, §22.1-78*, to allow local schools boards to similarly expand the protected classifications contained in local school board policies and regulations.

Rationale: Several local school boards are considering expansion of the protected classifications contained in local school board policies. It is uncertain whether or not these actions are permitted within the *Virginia Human Rights Act*. Clarifying legislation will ensure that all persons have equal protection in all categories.

5.13 Scheduling of School Opening

The VSBA requests that the Virginia General Assembly rescind the restrictions upon the opening of school before Labor Day.

A pre-Labor Day opening would allow local school systems to effectively schedule all mandatory instructional, professional development, and teacher work days, and allow for the scheduling of additional instructional days in advance of mandatory assessment windows.

Furthermore, a pre-Labor Day opening would provide greater flexibility in calendar creation, and accommodate unique local conditions, regional programs, and state and federal holidays.

Rationale: The new proposed legislative position removes language from the existing Legislation Position 5.11 (currently entitled, **Scheduling of Elections and School Opening**) and focuses entirely on the existing restrictions placed on school systems on the opening of school before Labor Day. The new legislative position notes the numerous benefits for all school systems that would be associated with eliminating the restrictions.

5.14 Changing Board Procedures in the Event of a Tie Vote

The VSBA requests changes in the *Code of Virginia, § 22.1-75 -Procedure in case of tie vote*, that will provide for the following of Robert's Rules of Order Newly Revised in addressing such situations.

Rationale: Currently the Code of Virginia can cause local School Boards to delay decisions when a tie vote occurs. The use of Robert's Rules of Order Newly Revised will allow local School Boards to operate in a smooth and efficient manner without delaying actions.

Proposed Amendments to Existing Legislative Positions

1.1 Elementary and Secondary Education Act of 1965 and Limited English Proficiency Programs

The VSBA supports the goals of the federal Elementary and Secondary Education Act of 1965 (ESEA) (also known as the No Child Left Behind Act of 2001 [NCLB]) to ensure that every student receives a high-quality education. The VSBA also supports the following specific revisions of law and regulation so that the Act may be appropriately implemented at all levels of accountability.

- Flexible programs which encourage and enhance successful local practices and which emphasize the achievement of particular goals rather than rigid and inflexible “top down” or “one size fits all” reform models.
- Reconciliation of ESEA provisions with those found in other major federal education laws, such as the Individuals with Disabilities Education Act (IDEA).
- Accountability measured by student subgroup is a cornerstone of the federal ESEA. Therefore, when Adequate Yearly Progress (AYP) is calculated, a school, division or state should be counted as not making AYP and subject to sanction only if the same student subgroup misses achievement benchmarks in the same subject for two or more consecutive years. Currently, missing achievement benchmarks in the same subject by any subgroup is sufficient to cause a school to be counted as having not met AYP, even if the specific subgroup missing the benchmark changes from year to year;
- Public school choice and the provision of supplemental services to students in schools that have missed AYP benchmarks for two or more consecutive years should be made available only to the subgroup(s) and individual students failing to meet benchmark standards. Scarce Title I resources should be focused only on students with demonstrated needs, not on students already meeting AYP benchmarks;
- Reversing the order in which sanctions for failing to meet AYP benchmarks are applied, with supplemental service provision preceding public school choice;
- States and school divisions should be given greater flexibility over how to assess and measure achievement for all students with particular emphasis on students with disabilities and students with limited English proficiency to ensure that assessments fairly, accurately, and meaningfully measure student achievement. This would include the use of growth models that measure individual student progress rather than the proportion of students meeting a single standard. The use of a single, uniform standard

to measure every child's progress results in counting students who make significant progress within a school year as missing AYP benchmarks and potentially subjects their schools to sanction despite their successful progress. A uniform standard also does not take into consideration differences in how long it might take different students to learn the same body of information;

- **The United States Congress should encourage the United States Department of Education to work cooperatively with states that have a demonstrated record in the use of student accountability systems in improving student achievement and grant such states flexibility in aligning existing and proven state accountability systems with provisions under the ESEA. In order to achieve this alignment, USED should consider allowing such states to keep components of their existing state accountability plans intact. While states need to make every effort to align state plans to match ESEA provisions, USED needs to show similar flexibility in their consideration and approval of state plans submitted to implement the law; The United States Department of Education should publicly and transparently disclose every ruling made on state ESEA implementation plans and state requests for plan changes and waivers. Waiver requests granted to individual states should automatically be extended to all states;**
- **The United States Department of Education and, if necessary, the United States Congress, should address and adjust the policy of counting the test scores of a single student who qualifies in multiple subgroups as a member of each of those subgroups, in order to address the disproportionate impact these students may have on AYP results;**
- **The VSBA strongly supports actions taken by the Board of Education and General Assembly asking for changes in particular components of the law, for an analysis of the state and local costs associated with the implementation of this federal mandate, and for efforts to identify initiatives and conditions within ESEA that are not integral or necessary components of the Commonwealth's own accountability programs;**
- **All states should establish a common definition and calculation of graduation rates to be based on the recommendation of the National Governor's Association; and**
- **The VSBA opposes expanding the scope of ESEA (e.g. incorporating additional subjects in AYP, expanding sanctions beyond title I schools, extending to additional grade levels, etc.) before addressing substantive changes in the underlying structure and implementation of the law itself.**
- **Focusing interventions on positive supports to improve student achievement rather than on sanctions to punish underperforming schools.**
- **Tailoring interventions to better fit the circumstances under which schools fail to meet accountability benchmarks. States and local school systems decide among a continuum of interventions based on best practices and local experience.**
- **Recognition of exemplary school performance as well as the availability of resources to share proven best practices.**

- VSBA opposes school reform models that rely on the removal of a principal as a requirement to turn around an underperforming school. In addition, VSBA opposes teacher and principal evaluation systems that solely link student scores on standardized tests to their performance.

The VSBA also supports expanding the exemption for limited English proficient (LEP) students in their first three (3) years of enrollment in the United States under the ESEA. Currently, USED requires all enrolled students to be included in state assessments and to include their scores in ESEA computations. The only exception is for LEP students in their first year of enrollment in a U.S. school, regardless of when they entered the country and their initial language proficiency. These students still must be assessed but their results are excluded from ESEA computations. Because students arrive in the U.S. at varying levels of English proficiency, and because LEP students learn English at different rates, it may not be educationally appropriate, nor a valid indicator of educational achievement, for LEP students with limited or no English proficiency to participate in regular English or mathematics state assessments within the first three years of their arrival in the US.

Specifically, the VSBA supports the following for LEP programs:

- The educational program for LEP students should develop all students' English language proficiency so that all students may participate in the regular classroom program.
- The VSBA opposes state mandates in areas of instructional choice that are properly made at the local school board level. For example, local school boards should not be prohibited from providing any specific programs of instruction, including foreign language immersion, which are designed to improve student language proficiency and academic achievement.
- The VSBA supports state provision of alternate assessments for LEP students that are linguistically appropriate and in the form most likely to yield accurate and reliable information on these students' mastery of subjects other than English, as authorized by the ESEA. ~~Virginia has already implemented a "plain English" mathematics assessment for LEP students, and should develop similar versions for every Standards of Learning examination.~~ Virginia has developed alternate mathematics and language arts tests and should develop alternate tests for the remaining subject areas and grade levels that are components of the state and federal accountability programs. These alternative forms of the content examinations are particularly critical in states for which native language assessment is impractical.
- More generally, the VSBA supports greater flexibility over how to assess limited English proficiency students to ensure that such assessment fairly, accurately, and meaningfully measures student achievement; particularly given scientifically-based research regarding the length of time it takes limited English proficiency students to attain language fluency.

- **The VSBA opposes shifting the cost of these mandated assessments to school divisions – the state should fund all LEP-related assessments in the same manner as the state funds other tests required for mandated accountability plans. Local school divisions should not have to incur the costs of assessments that fulfill state and federal mandates, particularly since the state has adopted a single, uniform language proficiency assessment for use in all school divisions.**

Rationale: The language contained in the proposal refocuses the existing VSBA position away from the existing ESEA/NCLB structure, to what school boards might want a future reauthorization of the ESEA to focus on.

1.3 State Testing and Coordination Support

The VSBA supports the provision of Standards of Quality (SOQ) funding for local school Divisions that supports the coordination and analysis of the required Standards of Learning (SOL) accountability program and NCLB testing while maintaining local flexibility. The SOL provides useful data that is used to compare the performance of Virginia's students with their peers across the nation. The Board of Education requires that information derived from the testing program may be incorporated into school performance report cards and the process for accrediting public schools, as well as be used for application of consequences to students, teachers, schools and school divisions.

The VSBA supports accountability and an effective and accurate program to assess progress in meeting the new SOL's and believes that accountability and effective performance assessment for both students and teachers demand that the assessment of course learning be provided in close time proximity to the completion of the course.

The VSBA supports end-of-course testing for credit-bearing courses designed to meet the Virginia SOLs and supports policies and practices to ensure that tests are administered judiciously and for purposes consistent with their intent.

The VSBA supports the need to monitor student achievement on a regular basis but emphasizes that the Board of Education should provide the frequent opportunity and adequate time for local school divisions to review and comment upon test instruments and testing criteria, and issues related to the purpose, validity, cost, implementation and administrative burden.

The VSBA urges the Board of Education to notify local school boards of significant changes to the required testing program at least two years in advance and to provide local school boards with 100% financial support necessary for all administrations of academic assessments mandated by the state accountability program.

A transience factor should be maintained by the state for determining past rates for accreditation purposes, so that schools with highly transient populations will not be unduly penalized for the performance of students who have only been enrolled for a short time.

The VSBA reiterates support for norm-referenced, criterion-referenced and alternative assessment and the commitment to assist the Board of Education in establishing a testing program that provides accountability as well as opportunities for program improvement, diagnosis of individual student learning needs, remediation and appropriate adaptations for students with disabilities and students with limited English proficiency. The VSBA also supports the retention of appropriate and valid alternative assessments of student achievement, including paper and/or portfolio-based assessments.

Rationale: This position supports continued use of paper-based alternative assessments, for students with disabilities, including portfolio assessments, where deemed appropriate. This position recommended in reaction to proposed state shift to online testing at all grade levels.

1.5 Aligning State and Federal Accountability Programs

While there are many similarities between the state and national accountability programs, there are also major differences, including whether students are held accountable, subjects and grade levels tested, standards for determining school success, and sanctions applied when schools do not meet standards. It will be complicated, burdensome, and expensive for schools and school divisions as well as the state to implement and comply with the requirements of these two accountability programs;

The VSBA urges the Board of Education to regularly review and revise the Standards of Accreditation so that the assessment accountability program mandated therein does not conflict with the implementation of the federal accountability program mandated in the No Child Left Behind Act.

The VSBA urges the Board of Education to re-evaluate the decision not to adopt the Common Core State Standards. The VSBA urges the Board of Education to provide information to local school boards during the course of the Board's re-evaluation so that school boards can become better informed regarding the Common Core State Standards. The VSBA urges the Board of Education to seek and consider the input of local school boards on the consideration of the Common Core State Standards.

The Board of Education is urged to request the Governor and General Assembly to assist local school boards with realistic and sufficient state funding so that they may not only comply with all federal and state accountability requirements, but also provide the programs and services essential for all of Virginia's public school students to achieve educational success.

Rationale: Forty-two states have adopted the Common Core standards. With such a large number of states having adopted the Common Core, textbooks, other instructional materials, and assessments will be written consistent with those standards, potentially putting Virginia school boards and their students at a disadvantage. The United States Department of Education has encouraged states to adopt the Common Core by, among other things, using such adoption as one of the criteria in awarding grants. Already, Virginia school boards have been denied grants because, in part, the Commonwealth has not adopted the Common Core. In addition, the Board of Education has adopted an evaluation instrument that places an emphasis on student growth. It is appropriate, therefore, for the Board of Education to revisit the decision not to adopt the Common Core. It is also appropriate for the Board of Education to share information regarding the Common Core with local school boards and to seek and consider the opinions of local school boards on the adoption of the Common Core.

5.11 Scheduling of Elections ~~and School Opening~~

The primary location of polling places in the Commonwealth of Virginia is the public schools. Because of the General Assembly action, public schools are not permitted to open prior to Labor Day of any given year as the opening days of any school year may create unforeseen problems and adjustments.

The VSBA requests that the Virginia General Assembly ~~rescind the restrictions upon the opening of school before Labor Day and~~ refrain from scheduling any elections on dates which coincide with the opening or first day of any school year.

Rationale: The amendment removes legislative position language that specifically addresses the restrictions on school systems for opening school before Labor Day. The removed language is the basis for the proposed new **Legislative Position 5.13** that specifically addresses the pre-Labor Day opening restrictions.

8.2 Lottery Funds for Construction

Virginia School Boards are mandated with the education of their students and their funding is dependent on other bodies' appropriations. Numerous court cases have upheld school boards' authority to spend appropriated money.

Virginia Code § 22.1-100.1 allows for the local appropriating body to create an escrow account for the lottery proceeds that requires their approval for expenditure. Virginia Code § 22.1-175.5 allows for the local appropriating body to create an escrow account for grants for school capital projects that requires their approval for expenditure.

The VSBA opposes the shifting of Standards of Quality and other recurring cost programs into the state's lottery funded accounts which reduce general fund support for education. Lottery funds were intended to be discretionary, unencumbered funds to be used by localities for construction and other undesignated operating costs. The VSBA urges the General Assembly to restore total control of lottery monies and capital funds to school boards.

Rationale: This position opposes shifts of recurring program costs to lottery funded accounts. This position is recommended in reaction to ongoing state budget actions.

9.10 Standards of Quality and State Education Funding

The VSBA strongly supports the Standards of Quality as the foundation of the education program in Virginia.

The VSBA believes all mandated programs and services of education should be funded on the basis of realistic costs, more specifically the costs that are actually incurred by local school divisions to provide a high quality education, and the state should bear a fair share of those costs. The state should increase the percentage of general SOQ funds appropriated to elementary and secondary education. Full funding, rather than just modification of the formula or creation of new categories, should be the goal. The VSBA believes that:

- It is the responsibility of the state to fund, on a statewide basis, at least fifty-five percent of the actual cost for providing a quality educational program to all students in the Commonwealth, and to provide cost-for-competing add-on funding to all Virginia school divisions.
- Supplemental state funds should be directed to legitimate areas of state concern including, but not limited to, educational technology, alternative education, remedial programs, the gifted and talented, special education, vocational education, English-as-a-second-language programs, textbooks, summer school, staff development, management skills, regional cooperative programs and facilities, and transportation. Maximum caps related to percentages or number of students for which funding is available should be eliminated. Present categorical incentive and grant funds should not be folded into basic SOQ aid.
- All full-time school employees should be included in the Virginia Retirement System (VRS), and the entire employer's share of VRS costs (retirement and life insurance) and federal Social Security should be budgeted by and paid directly by the state, and should not be subject to the equalization formula.
- State funds should be made available to local school divisions for school construction, renovations, additions and debt service, including those related to state mandates and federal requirements which result in facilities impact, including the requirements of the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.
- Waiver requests seeking relief from certain mandated requirements when reductions in state aid occur during the school years should be approved. Waiver requests should also be approved if the General Assembly fails to fully fund the biennial "rebenchmarking" of Standards of Quality accounts.
- Unallocated state revenue streams should continue to be provided to the localities to be used at the discretion of the school board and not to fund new mandates.

- State funds should continue to be made available to local school divisions for a lunch program based on the number of children served regardless of the amount of federal funding for this program.
- The state should fully fund its share of all currently mandated programs. All new mandated programs, including those implemented by the Virginia State Board of Education through the rulemaking process, and should be fully funded.
- The Local Composite Index should be provided annually to localities no later than August 15 of the specified official base year for the biennium.
- Periodic adjustments to the equalization formula should be made when such changes improve the accuracy of the formula in estimating the true wealth of a locality.
- A floor should be established in the computation of the Local Composite Index, whereby a city or county with less than 8,000 population and whose school division has less than 1,000 Average Daily Membership (ADM) may use 8,000 population and 1,000 ADM for purposes of determining the composite index of ability-to-pay.
- The cost of the required triennial school census should be reimbursed in full by the state to each school division.
- The state should adjust basic aid payments when actual sales tax receipts are less than the state fiscal year estimate used in the basic aid formula.
- Categorical funding should be provided for required elementary guidance counselors and reading specialists.
- The state should provide adequate and realistic funding for the provision of school health services to assist in the delivery of such services to students, according to the model selected by each locality.
- The state should expand funding for the Virginia Teaching Scholarship Loan Program to no less than \$1 million so that the Commonwealth of Virginia will have a sufficient quantity of qualified teachers eligible for employment.
- The state should reinstitute the policy of forgiving student loans on a one-for-one year basis for those who teach in a Virginia public school.
- The statewide salary figures used in calculating basic aid payments should be determined by applying an unweighted measure of the arithmetic mean to the actual salaries paid instructional personnel in Virginia, using the employee rather than the school division as the basic unit of measurement.
- The VSBA is encouraged to provide information to and support for statewide and regional coalitions that promote this policy.

- **Program and service requirements enacted by the state that exceed the minimum regularly funded programs and services mandated by Congress should be implemented only if 100% of the cost difference is funded by the state.**
- **It is the state’s responsibility to fund 100% of the costs of all testing required by state and federal accountability programs, including mandated tests of English language proficiency and the development and administration of “plain English” versions of every NCLB-mandated test for LEP students.**
- **The state should use the actual costs of educational and support services as faced by local school divisions in its biennial “re-benchmark” of state education funding formulas. Statistical methodologies that purposely disassociate local costs from the costs included in state reimbursement formulas or that place artificial caps on state reimbursements including, for example, the use of general measures of inflation (e.g. the Consumer Price Index) instead of actual cost increases in school divisions, only serve to reduce required and appropriate state contributions to education.**

Rationale: The proposed amendment opposes the dedication of previously undedicated funds and then claiming it pays for new unfunded mandates. The amendment is in reaction to ongoing state budget actions.

9.11 Federal Funding of Education

Federal financial aid to education should cover the cost of programs and services mandated at the federal level. The VSBA believes that:

- Financial aid to localities should be general rather than categorical;
- Impact and forest reserve aid should be continued or other financial arrangements should be made between localities and the federal government to relieve localities of the financial burden of educating all school age children;
- Funds for implementing the required programs and services mandated by the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, NCLB Act, and the Americans with Disabilities Act should be provided or applicable portions of the legislation cited should be amended to permit the states to determine requirements and to establish funding levels of these programs. In the event these and similar programs cease to be funded categorically by the federal government, and federal block grants to the states are substituted for categorical funds, the state should consult with the localities in setting priorities for funding educational programs from block grant aids; and
- Forward funding in the earliest possible fiscal year should be expanded to include all educational programs.
- There should be a continued reliance on federal formula grants (e.g., Title I programs) to provide critical and consistent funding to all eligible school divisions.
- Competitive grants have value added benefits and should not supplant federal formula grants. Where competitive grants are used, all states and localities should be eligible to participate equally.

Rationale: This proposal supports continued reliance on federal formula grants while recognizing that competitive grants are beneficial. This position recommended in reaction to, for example, the competitive allocation of federal “Race-to-the-Top” funding.

Agenda Report

Date: 11/15/11

Agenda Number: G-1

Attachments: No

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: School Board Policy 7-14: Nonresidents

Summary/Description:

During the school board retreat, school board members discussed the ability of students who live outside the city and pay tuition to attend the Lynchburg City Schools to have access to the same programs as students who reside in the city. Revisions have been made to School Board Policy 7-14: Nonresidents that reflect those discussions. A copy of the policy appears as an attachment to the agenda report.

Disposition: Action
 Information
 Action at Meeting on: 12/06/11

Recommendation:

The interim superintendent recommends that the school board receive this agenda report as an informational item and consider action at the school board meeting on December 6, 2011.

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Nonresidents P 7-14

Nonresident students may be accepted for enrollment in the Lynchburg City Schools upon authorization by the superintendent or his/her designee.

Tuition fees for **{enrolled}** nonresident students will be approved by the board each year. Additional tuition fees may be charged depending upon the services required.

A refund for any unused tuition will be made if a**{n enrolled}** nonresident student should withdraw during the school year.

The superintendent, or his designee, will assign students to schools. Transportation will be the responsibility of the parent.

{Enrolled Nn}onresident students are not eligible to apply as Lynchburg residents to attend the pre-kindergarten program, the schools for innovation, **{or}** the Gifted Opportunity Center**{.}**, ~~or the~~ **{Enrolled nonresident students will be allowed to apply to attend the}** Central Virginia Governor’s School for Science and Technology.

Nonresident students will be admitted only on a space-available basis and contingent upon a review of the student’s scholastic record. Admission is not assumed to be continuous from one year to the next. Parents/guardians must submit an application each year.

Students who have been suspended from their former schools or who have poor attendance or disciplinary records or reportable offenses may not be accepted. **{Enrolled Nn}**onresident students who become disciplinary problems, have attendance problems, or have reportable offenses after enrollment are subject to immediate removal from the school division.

Parents or guardians paying tuition for multiple children during the same academic year will pay on a basis of paying full tuition for the first child and half tuition for any other children who reside with the same parent/guardian.

Legal Reference

Code of Va., §22.1-5. Regulations concerning admission of certain persons to schools; tuition charges. – “A. Consistent with Article VIII, Section 1 of the Constitution of Virginia, no person may be charged tuition for admission or enrollment in the public schools of the Commonwealth, whether on a full-time or part-time basis, who meets the residency criteria set forth in § 22.1-3. No person of school age shall be charged tuition for enrollment in a general education development or alternative program offered as a regional or divisionwide initiative by the local school division in which such person is deemed to reside pursuant to § 22.1-3. Further, no person of school age shall be denied

STUDENTS

Nonresidents P 7-14

admission or charged tuition when (i) such person's custodial parent has been deployed outside the United States as a member of the Virginia National Guard or as a member of the United States Armed Forces; (ii) such person's custodial parent has executed a Special Power of Attorney under Title 10, United States Code, § 1044b providing for the care of the person of school age by an individual who is defined as a parent in § [22.1-1](#) during the time of his deployment outside the United States; and (iii) such person has been attending a public school in this Commonwealth while residing with his custodial parent. The person of school age shall be allowed to attend a school in the school division in which the individual providing for his care, pursuant to the Special Power of Attorney under Title 10, United States Code, § 1044b, resides or, when practicable, to continue to attend the school in which he was enrolled while residing with his custodial parent.

The following persons may, however, in the discretion of the school board of a school division and pursuant to regulations adopted by the school board, be admitted into the public schools of the division and may, in the discretion of the school board, be charged tuition:

1. Persons who reside within the school division but who are not of school age.
2. Persons of school age who are residents of the Commonwealth but who do not reside within the school division, except as provided in this section.
3. Persons of school age who are attending school in the school division pursuant to a foreign student exchange program approved by the school board.
4. Persons of school age who reside beyond the boundaries of the Commonwealth but near thereto in a state or the District of Columbia which grants the same privileges to residents of the Commonwealth.
5. Persons of school age who reside on a military or naval reservation located wholly or partly within the geographical boundaries of the school division and who are not domiciled residents of the Commonwealth of Virginia; however, no person of school age residing on a military or naval reservation located wholly or partly within the geographical boundaries of the school division may be charged tuition if federal funds provided under P.L. 874 of 1950, commonly known as Impact Aid, shall fund such students at not less than 50 percent of the total per capita cost of education, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school division.
6. Persons of school age who, as domiciled residents of the Commonwealth who were enrolled in a public school within the school division, are required as a result of military or federal orders issued to their parents to relocate and reside on federal property in

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another state or the District of Columbia, if the school division subsequently enrolling such persons is contiguous to such state or District of Columbia.

7. Persons of school age who reside in the school division and who are enrolled in summer programs, exclusive of required remediation as provided in § [22.1-253.13:1](#), or in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

For the purposes of determining the residency of persons described in subdivisions 1 and 2 of this subsection, local school boards shall adopt regulations consistent with the residency requirements regarding persons residing in housing or temporary shelter, or on property located in multiple jurisdictions, as articulated in § [22.1-3](#).

B. Persons of school age who are not residents of the Commonwealth but are living temporarily with persons residing within a school division may, in the discretion of the school board and pursuant to regulations adopted by it, be admitted to the public schools of the school division. Tuition shall be charged such persons.

C. No tuition charge authorized or required in this section shall exceed the total per capita cost of education, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school division and the actual, additional costs of any special education or gifted and talented program provided the pupil, except that if the tuition charge is payable by the school board of the school division of the pupil's residence pursuant to a contract entered into between the two school boards, the tuition charge shall be that fixed by such contract.

D. School boards may accept and provide programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their twelfth birthday, and who have not reached 22 years of age on or before August 1 of the school year. No tuition shall be charged such students, if state funding is provided for such programs.”

(Code 1950, §§ 22-218.3, 22-219, 22-220; 1958, c. 628; 1959, Ex. Sess., c. 81, § 1; 1964, c. 192; 1968, c. 178; 1976, cc. 681, 713; 1978, c. 140; 1980, c. 559; 1981, c. 342; 1993, c. 293; 1994, c. 887; 1999, cc. 394, 443, 465, 988; 2000, c. 253; 2004, c. 967.)

Code of Va., § 22.1-101.1. Increase of funds for certain nonresident students; how increase computed and paid; billing of out-of-state placing agencies or persons.--” A. To the extent such funds are appropriated by the General Assembly, a school division shall be reimbursed for the cost of educating a child who is not a child with disabilities and who is not a resident of such school division under the following conditions:

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1. When such child has been placed in foster care or other custodial care within the geographical boundaries of the school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children;

2. When such child has been placed within the geographical boundaries of the school division in an orphanage or children's home which exercises legal guardianship rights; or

3. When such child, who is a resident of Virginia, has been placed, not solely for school purposes, in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ [63.2-1700](#) et seq.) of Title 63.2 which is located within the geographical boundaries of the school division.

B. To the extent such funds are appropriated by the General Assembly, a school division shall be reimbursed for the cost of educating a child with disabilities who is not a resident of such school division under the following conditions:

1. When the child with disabilities has been placed in foster care or other custodial care within the geographical boundaries of the school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children;

2. When such child with disabilities has been placed within the geographical boundaries of the school division in an orphanage or children's home which exercises legal guardianship rights; or

3. When such child with disabilities, who is a resident of Virginia, has been placed, not solely for school purposes, in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ [63.2-1700](#) et seq.) of Title 63.2 which is located within the geographical boundaries of the school division.

C. Each school division shall keep an accurate record of the number of days which any child, identified in subsection A or B above, was enrolled in its public schools, the required local expenditure per child, the handicapping condition, if applicable, the placing agency or person and the jurisdiction from which the child was sent. Each school division shall certify this information to the Board of Education by July 1 following the end of the school year in order to receive proper reimbursement. No school division shall charge tuition to any such child.

D. When a child who is not a resident of Virginia, whether disabled or not, has been placed by an out-of-state agency or a person who is the resident of another state in foster care or other custodial care or in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ [63.2-1700](#) et seq.) of Title 63.2 located within the

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geographical boundaries of the school division, the school division shall not be reimbursed for the cost of educating such child from funds appropriated by the General Assembly. The school division in which such child has been enrolled shall bill the sending agency or person for the cost of the education of such child as provided in subsection C of § [22.1-5](#).

The costs of the support and maintenance of the child shall include the cost of the education provided by the school division; therefore, the sending agency or person shall have the financial responsibility for the educational costs for the child pursuant to Article V of the Interstate Compact on the Placement of Children as set forth in Chapters 10 (§ [63.2-1000](#) et seq.) and 11 (§ [63.2-1100](#) et seq.) of Title 63.2. Upon receiving the bill for the educational costs from the school division, the sending agency or person shall reimburse the billing school division for providing the education of the child. Pursuant to Article III of the Interstate Compact on the Placement of Children, no sending agency or person shall send, bring, or cause to be sent or brought into this Commonwealth any child for placement unless the sending agency or person has complied with this section by honoring the financial responsibility for the educational cost as billed by a local school division.”

(1988, c. 101; 1992, cc. 837, 880; 1994, c. 854.)

Code of Va., § 22.1-255. Nonresident children.-- Any person who has residing with him for a period of sixty days or more any child within the ages prescribed in § [22.1-254](#) whose parents or guardians reside in another state or the District of Columbia shall be subject to the provisions of § [22.1-254](#) and shall pay or cause to be paid any tuition charges for such child that may be required pursuant to § [22.1-5](#) or shall return such child to the home of his parents or legal guardians.

(Code 1950, § 22-220; 1958, c. 628; 1968, c. 178; 1976, cc. 681, 713; 1978, c. 140; 1980, c. 559.)

Public Law 100-77 (July 22, 1987) at Subtitle B - "Education for Homeless Children and Youth."

Adopted by School Board: June 17, 1975
Revised by School Board: January 6, 1981
Revised by School Board: November 5, 1996
Revised by School Board: March 7, 2006
Revised by School Board:

Agenda Report

Date: 11/15/11

Agenda Number: J-1

Attachments: No

From: Larry A. Massie, Interim Superintendent

Subject: Notice of Closed Meeting

Summary/Description:

Pursuant to the Code of Virginia §2.2-3711 (A) (1), the school board needs to convene a closed meeting for the purpose of discussing the following specific matters:

Personnel Matters

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The chairman recommends that the school board approve a motion to enter into Closed Meeting in accordance with the Code of Virginia §2.2-3711 (A) (1) to discuss personnel matters.

Agenda Report

Date: 11/15/11

Agenda Number: J-2

Attachments: No

From: Larry A. Massie, Interim Superintendent

Subject: Certification of Closed Meeting

Summary/Description:

The Lynchburg City School Board certifies that, in the closed meeting just concluded, nothing was discussed except the matters specifically identified in the motion to convene in a closed meeting and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board approve the Certification of Closed Meeting in accordance with the Code of Virginia §2.2-3712(D).