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**GOVERNOR MCDONNELL'S TASK  
FORCE FOR LOCAL GOVERNMENT  
MANDATE REVIEW**

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**FIRST INTERIM REPORT TO THE  
GOVERNOR**

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January 16, 2012

<http://www.dhcd.virginia.gov/GovMandateReview/>



January 16, 2012

Dear Governor McDonnell:

I am pleased to submit for your review the first interim report of the Governor's Task Force for Local Government Mandate Review. Since our first meeting on November 7th, the Task Force has solicited input from local governments, school divisions, interest groups, and the public to identify mandates that are overly burdensome, costly and/or unnecessary and recommend appropriate changes. The Task Force further analyzed those suggestions, obtained public comment, and solicited comment from the agencies responsible for administering those mandates, resulting in the recommendations contained within this interim report.

In addition to reviewing individual mandates for elimination, we have reviewed the current policies and procedures that the Commonwealth has in place to analyze new and existing local government mandates and recommended improvements.

As you requested during your conference call with local government officials in November, the Task Force kept our initial focus on identifying mandates that can be eliminated without negative fiscal impact to the Commonwealth and which we would like to see considered for action at the 2012 General Assembly Session or considered for quick administrative action. While the discussion of eliminating mandates is not new, we believe your approach is. The recommendations contained herein are based in common sense and if followed will not only provide fiscal relief to both the Commonwealth and localities but will enable localities to more efficiently serve Virginia's residents. Most were reached with the broad consensus of Task Force members, localities and state agencies.

These recommendations have taken on greater importance as the cumulative budget gaps in local governments likely exceed the budget gap experienced by the Commonwealth. The vast majority of localities are also projecting revenue growth less than the Commonwealth's projected growth of 3.1%. After several very tough budget years, localities are in need of relief from state mandates and are not in a position to accept new ones. These recommendations should also result in reduced burden and fiscal relief for state agencies and the Commonwealth.

These recommendations are only the beginning of our work. We will continue developing recommendations to eliminate mandates and to reform the Commonwealth's local government mandate policies and to make recommendations on improving the state and local balance of funding and delivery of service.

I believe we have accomplished a lot in a short two month period and want to personally recognize the Task Force members and liaisons, the many local governments, state agencies, and organizations for their efforts in making this report possible. I also want to specifically recognize the support of the staff from the Commission on Local Government, most notably Susan Williams and Zack Robbins. Together this group worked as a team reacting to short deadlines, were creative and thorough with their input, and allowed us to move very quickly to produce this report in less than two months.

Thank you for giving us the opportunity to improve the relationship between local governments and the Commonwealth, and make government more effective by lessening the burden of state-imposed mandates on local governments and the Commonwealth. We look forward to continuing our work as we develop more comprehensive reforms, and will periodically advise you of our progress.

Sincerely,



Pat Herrity  
Chairman

## TASK FORCE MEMBERS

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Pat Herrity, Chair

*Fairfax County Board of Supervisors*

Joan E. Wodiska, Vice-Chair

*Falls Church City School Board*

Bob Dyer

*Virginia Beach City Council*

Shaun Kenney

*Chairman, Fluvanna County Board of Supervisors*

Kimball Payne

*City Manager, Lynchburg*

## GOVERNMENT REFORM COMMISSION LIAISONS

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Alicia Hughes

*Alexandria City Council*

Suzy Kelly

*Chesapeake City Council*

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# INTERIM REPORT

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## BACKGROUND

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In September 2011, Governor McDonnell announced the creation of the Governor's Task Force for Local Government Mandate Review. The five-member Task Force is a result of legislation introduced during the 2011 General Assembly Session by Senator Steve Newman (R-Bedford County) to review state mandates imposed on localities and to recommend temporary suspension or permanent repeal of such mandates as appropriate.

The full text of Senator Newman's bill amends Section 15.2-2903 of the *Code of Virginia* by adding the following subdivision to the duties of the Commission on Local Government:

*"8. At the direction of the Governor, to assist a five-member task force appointed by the Governor to review state mandates imposed on localities and to recommend temporary suspension or permanent repeal of such mandates, or any other action, as appropriate. The Governor shall have all necessary authority granted under § 2.2-113, or any other provision of law, to implement the task force recommendations or may recommend legislation to the General Assembly as needed. The task force shall be appointed by and serve at the pleasure of the Governor and shall serve without compensation. The task force may include city or town managers, county administrators, members of local governing bodies and members of appointed or elected school boards. All agencies of the Commonwealth shall provide assistance to the Commission, upon request. The provisions of this subdivision shall expire July 1, 2014"*

At that time, the Governor appointed two county Board of Supervisors members, a city council member, a school board member, and a city manager to serve on the Task Force. In addition, two members of the Governor's Commission on Government Reform & Restructuring, who are also city council members, were appointed to serve as liaisons between the bodies.

The Governor also addressed local government officials via email and a statewide telephone call, requesting that they submit ideas for mandates that could be potentially eliminated. Due to the current budget situation, he also directed the Task Force to focus on identifying mandates that can easily be eliminated without state fiscal impact during the 2012 General Assembly Session, rather than submitting a request for more funding.

## EXECUTIVE SUMMARY

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### PROCESS

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On Monday, November 7, 2011, the five-person Governor's Task Force on Local Mandates met for the first time to discuss rolling back state mandates on local government and schools. According to the Commission on Local Government, there are more than 600 discrete state compulsory mandates, of which, over 100 apply to education. Each of the over 600 mandates includes numerous requirements, reports, and regulations. In addition to those mandates, local governments also identified numerous other state mandates that were not even on the Commission's list. Of all of these mandates, in the last several years, only one mandate has been eliminated through the mandate review process. Frankly stated, that is simply unacceptable.

As such, the Governor's Task Force on Local Mandates established real, bold, and measurable goals to reduce red-tape on local government. We developed and recommended a three part strategy: (1) a moratorium on all new mandates; (2) reform to bureaucratic rules blocking the process to review mandates, or the "mandates on mandates"; and (3) a measurable and meaningful 15% reduction of state mandates, annually, until 2014. Further, we discussed and recommended that the State Legislature seek to get meaningful and real cost estimates of the fiscal impact of mandates on local governments and schools. All elements are essential, inter-related, and the minimum required to begin addressing the burden of state mandates on local government. For this first interim report, the Task Force identified mandates that could be acted upon in the 2012 General Assembly, or by administrative processes. The Task Force put off for the short term the real discussion that must take place on the effective delivery of state mandated services and the related funding. This issue will be addressed in future reports. As such, we divided our workload into three related Subcommittees:

1. **Education:** This subcommittee was immediately tasked, with the assistance of the Virginia School Boards Association (VSBA) and Virginia Association of School Superintendents (VASS), to conduct a survey of local school officials to identify burdensome education mandates. The subcommittee used those results to compile a list of recommendations for elimination at the 2012 General Assembly Session.

In the long-term, this group will concentrate on mandates in specific areas such as the Virginia Retirement System (VRS), special education, data reporting, human capital, and testing.

*Members: Joan Wodiska (Chair), Shaun Kenney*

2. **Moratorium [on Mandates]:** This subcommittee was to suggest potential legislation for the Governor's consideration that would impose a moratorium on new mandates. In addition, this group has begun to analyze how the legislative process can be improved to provide more analysis of proposed legislation that could result in a new mandate on local governments.

*Members: Bob Dyer (Chair), Shaun Kenney, Suzy Kelly*

- 3. Suggestions for Potential Mandate Elimination Legislation:** This subcommittee concentrated on making the distinction between mandates that can be eliminated during the 2012 General Assembly Session as a short-term goal, and seeking state funding for unfunded mandates, as a long-term goal.

*Members: Kimball Payne (Chair), Pat Herrity, Alicia Hughes*

The Task Force has received timely suggestions and comments from 28 of 95 counties (29.5%), 12 of 39 cities (30.8%), 7 of 190 towns (3.7%). In addition to local government units, 22 of 132 (16.7%) school divisions provided suggestions, either directly to the Task Force or through the survey administered by VASS and VSBA. The Virginia Association of Counties (VACo) and the Virginia Municipal League (VML) also provided comments, representing a collection of localities statewide.

At its meeting on Saturday November 19th the Task Force approved a list of 82 general mandates as well as 126 comments regarding education mandates for further consideration and requested input on the impact of the elimination of the mandate from state agencies. Localities were again asked for input and the lists were published on the Task Force web site for public review and comment. The Task Force received comments from over 35 state agencies regarding the identified mandates.

The correspondence received from local governments and the public, as well as a summary of comments from state agencies and this interim report are posted on the Task Force web site at <http://www.dhcd.virginia.gov/GovMandateReview/default.htm>.

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## RECOMMENDATIONS

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### MANDATES RECOMMENDED FOR ELIMINATION OR MODIFICATION

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An early instruction to the Task Force advised that recommendations that sought to merely shift costs for mandated services from the localities back to the State would be difficult to consider given the fiscal challenges facing the Commonwealth. In reaction to that instruction, the Task Force has attempted to identify mandates whose elimination or modification would not result in significant additional costs at the state level. The recommendations that follow are the result of this process and represent the initial recommendations for possible action at the 2012 General Assembly Session, or expedited action through administrative rulemaking. They are broken into two groups – general mandates and education mandates.

**General Mandates:** Of the 82 mandates identified and considered by the Task Force, the Task Force is recommending 41 for elimination or modification as more fully described in Appendix 1. Specific examples of general mandates to eliminate include the requirement for local governments to provide overtime pay to public safety employees in excess of the requirements of the Federal Fair Labor Standards Act, and the requirement for localities installing bus shelters to go through a lengthy state review for each shelter.

**Education Mandates:** From the 126 comments submitted regarding education mandates that were considered by the Task Force 20 mandates were recommended for elimination or modification as more fully described in Appendix 2. Specific examples of recommendations

regarding education mandates include elimination of the requirement for the school year to begin after Labor Day, and reducing the paperwork burden on school divisions by reducing the number of state-mandated reports by 15%.

The Task Force believes the elimination of these mandates will provide not only fiscal relief to localities and the Commonwealth but the ability to more efficiently serve Virginia's residents.

The Task Force also identified mandates that it felt merited further review, discussion and analysis before recommending them for action. Given the complexity and varied input regarding several state mandates, the Task Force recommended further study to be prudent, transparent, and ensure the opportunity for public input and deliberation. As with the recommended mandates, they are broken into two groups – general mandates and education mandates.

**General Mandates:** Of the 82 mandates identified and considered by the Task Force, the Task Force is recommending 20 for further study by the Task Force as more fully described in Appendix 3.

**Education Mandates:** From the 126 comments submitted regarding education mandates that were considered by the Task Force, the Task Force is recommending two areas for further study by the Task Force as more fully described in Appendix 4.

The Task Force also identified several Federal mandates that it felt the Commonwealth should consider advocating for elimination. These appear in Appendix 5.

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#### ADOPTION OF LEGISLATION PLACING A MORATORIUM ON NEW LOCAL MANDATES

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In the short term, the Task Force calls for the adoption of legislation in the 2012 Session of the General Assembly placing a moratorium on the creation of any new mandates through legislation, including the Appropriations Act. The purpose of the moratorium would be to stop the shifting of service responsibilities and costs from the State to its localities in order to facilitate the discussion on how to best balance the delivery of services and funding requirements in the Commonwealth.

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#### IMPROVING THE IDENTIFICATION AND FISCAL ANALYSIS OF MANDATES.

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In furtherance of these objectives, the Task Force calls for a better process of fiscal impact analysis and mandate review.

First, the Task Force recommends that Section 30-19.03 of the Code of Virginia be amended to provide a better filter to stop new unfunded mandates from moving through the legislative process without a timely fiscal impact analysis. Specifically, the Task Force recommends: (1) the reinstatement of the first day introduction requirement for bills with local fiscal impact, and (2) establishment of a process whereby localities or school divisions representing 35% of the population of the Commonwealth could petition the Commission on Local Government to review bills or budget amendments that would impose unfunded or underfunded mandates on local governments or school divisions. The petition process could be initiated by localities and school divisions prior to the final approval of proposed legislation by both houses of the legislature, and local governing bodies and school boards could delegate petitioning authority to the chief administrative officer or school superintendent.

Second, the Task Force recommends that the mandate assessment process be revised to provide for more immediate and frequent review than currently permitted. Currently, a mandate must be in effect for two years prior to agency assessment (Executive Order #58 (2007)), and cannot be re-assessed more frequently than once every four years (Va. Code § 15.2-2903 (6)). The Task Force specifically recommends amendments to Executive Order and the Code of Virginia to provide for a better process of mandate review by eliminating the two-year assessment waiting period and providing for more frequent review, under appropriate circumstances, than permitted under the current four-year cycle.

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### BEGIN A DISCUSSION OF HOW STATE MANDATED SERVICES ARE DELIVERED AND FUNDED.

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The Task Force believes strongly that any longer term approach to addressing mandates will require a serious discussion of how state-mandated/locally-delivered services are funded. At its most basic level the issue of mandates is about how desired services are paid for. Every local government in the Commonwealth was created by an act of the General Assembly at least in part to facilitate the more efficient delivery of services to the citizens. In that respect, localities are “tools” of the State in the provision of essential services to its residents.

Unfortunately, the State is not taking care of its tools. Members of the Task Force have been clear in expressing their opinion that the relationship between the state and its localities is “broken” and needs to be mended. The practice of adding additional costly mandates onto localities without sufficient funding, and of shifting the costs of existing mandates from the state to local governments is not sustainable. Cost shifting is a fundamental problem with mandates and if there is going to be a successful resolution of this issue there will need to be a serious discussion regarding which level of government is the most appropriate for the funding and delivery of services to Virginia’s citizens.

Looking forward, the Task Force calls for an ongoing discussion regarding the partnership between the State and its localities for the delivery of services to the citizens of the Commonwealth. This is not a call for a new board or commission; there are several existing entities that could be utilized for this discussion, including the Commission on Local Government, the Council on Virginia’s Future, and the Governor’s Reform Commission. The Task Force will work to identify and develop an appropriate forum for this ongoing discussion.

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### MANDATES RECOMMENDED FOR ELIMINATION OR MODIFICATION INVOLVING FUNDING.

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The Task Force acknowledges the challenges inherent in the State’s current fiscal condition and largely stayed true to the direction to focus on mandates with no negative fiscal impact to the Commonwealth. Nevertheless, it believes that eliminating unfunded mandates should be addressed in our initial recommendations given budget conditions in localities and the nearly universal concerns expressed by the localities. Based on a quick survey of localities by VACo and VML, it was found that nearly all jurisdictions were experiencing budget gaps. The cumulative budget gaps of local governments in the Commonwealth likely exceed the budget gap reported by the Commonwealth. In addition, the vast majority of localities are also projecting revenue growth less than the Commonwealth’s reported revenue growth of 3.1%.

Of the unfunded mandates list detailed in the General Mandates Subcommittee Report (#1) the Task Force requests immediate relief in three areas:

- the reversal of the biennial \$60-million reduction in State Aid to Localities;
- that the requirement that localities pay for expenses related to the Line of Duty Act be rescinded, and;
- that the cost of the health benefits for retired teachers, a benefit created by the General Assembly, be paid by the State. The Task Force also stressed the importance of stabilizing VRS, so localities can better predict their anticipated VRS payment.

In addition to concerns about existing mandates, a number of localities mentioned pending or potential mandates that they asked not be imposed. Three, in particular, were identified:

- The requirement of Section 22.1-253.13:4 (D) of the Code of Virginia requiring that, beginning with the 2012-2013 academic year, all schools shall begin development of a personal academic and career plan for each seventh-grade student with completion by the fall of the student's eighth-grade year.
- The devolution of responsibility for secondary road construction and maintenance from the State to the counties.
- A prohibition against the local accrual of fines as suggested in the September 2011 report by the Auditor of Public Accounts regarding "Local Ordinances and the Funding of Courts."

These recommendations are only the beginning of our work. We will continue developing recommendations to eliminate mandates and to reform the Commonwealth's local government mandate policies and to make recommendations on improving the state and local balance of funding and delivery of service.

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## SUBCOMMITTEE REPORTS

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### SUBCOMMITTEE REPORT #1:

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#### GENERAL MANDATES TO CONSIDER FOR ELIMINATION OR MODIFICATION

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The Task Force has considered the numerous mandates submitted by local governments and has chosen the list of mandates in Appendix 1 to forward to the Governor at this time. The Task Force also identified a list of mandates that requires further review, discussion and analysis attached as Appendix 3 and a list of Federal mandates that it believes the Commonwealth consider advocating for elimination (Appendix 5). This is not to imply that mandates, or other issues, not on the list in this preliminary report do not merit further consideration.

In addition to the original request for input from the Governor, the Task Force solicited input from all local governments and has received timely suggestions and comments from 28 of 95 counties (29.5%), 12 of 39 cities (30.8%), 7 of 190 towns (3.7%). 22 of 132 (16.7%) school divisions provided suggestions, either directly to the Task Force or through the survey administered by VASS and VSBA. VACo and VML also provided comments, representing a collection of localities statewide.

After the Task Force approved the lists of mandates for further consideration it requested input on the impact of the elimination of the mandate from the impacted state agencies. In addition, localities were again asked for input and the lists were published on the Task Force web site for public review and comment. The Task Force received comments from over 35 state agencies regarding the identified mandates.

The list in Appendix 1 represents the best efforts of the Task Force to identify mandates that do not involve additional funding to be considered for elimination or modification by the Governor and the General Assembly in the 2012 General Assembly session or by administrative action. Developing the list in a short period of time was not easy. Specific examples of general mandates to eliminate include the requirement for local governments to provide overtime pay to public safety employees in excess of the requirements of the Federal Fair Labor Standards Act, and the requirement for localities installing bus shelters to go through a lengthy state review for each shelter.

Many of the mandates under which localities labor are complex and have been created over time by various statutes or regulations. The complexity of these mandates suggests that resolution may be as simple as modification to allow local flexibility rather than just elimination. Recognizing this many localities and agencies did not recommend the total elimination of onerous mandates but made suggestions that they be analyzed, reviewed, and modified to reduce redundancy and improve efficiency and effectiveness. Clearly, there are many opportunities along these lines. Accordingly, in Appendix 3 the Task Force has a list of mandates for which it has deferred recommendations pending further review, discussion and analysis.

Additionally there are Federal mandates which have been passed to localities by the Commonwealth. The Task Force has listed, in Appendix 5, Federal mandates that the Commonwealth should consider advocating for elimination.

In reviewing the submissions from the various localities a number of issues were consistently raised. While these issues involve fundamental issues of funding and cost shifting that the Task Force was asked to defer in the short-term, the Task Force feels that it must acknowledge the nearly universal concerns expressed by the localities and includes them in this report as a place-holder for further discussion.

Common issues from the local government submissions include:

- Local Aid to the Commonwealth (the \$60 million reduction in Aid to Localities for state-mandated/locally-delivered services)
- Line of Duty Act—the latest example of shifting the costs of a State created program/benefit to the localities
- Comprehensive Services Act cost shifting
- Constitutional Officers funding
- Stormwater/Chesapeake Bay/TMDLs costs
- Schools—requirements that exceed Federal standards
- Per diem reductions for State responsible prisoners held in local/regional jails

- Health benefits for retired teachers—another State created benefit where costs were ultimately shifted to the localities
- Costs for primary elections

Existing mandates are an important part of the work the Task Force must perform, however there is another side to the equation that deals with mandates that are on the horizon. As local governments face budget shortfalls now is clearly not a time to add more mandates. Throughout the meetings and contained within the input the Task Force received from dozens of jurisdictions, three concerns emerged that the Task Force feels compelled to include in this report.

The first concern deals with education and a provision going into effect in the 2012-2013 academic year that would require all schools to develop a personal and academic career plan that each student would be responsible for executing by the end of their eighth grade year. While the Task Force does not necessarily disagree that having a plan for personal and academic growth is a positive thing, it does take issue with the costs that all public school systems will have to shoulder in a time where many are struggling to keep class sizes from ballooning.

Another issue that emerged from discussions is that of secondary road devolution. While the state of secondary road maintenance in some parts of the state leaves much to be desired, the solution should not be to pass the responsibility on to another governmental entity. This move would have yearly costs and startup costs associated with it that would surely place smaller jurisdictions in very difficult positions.

Finally, it has come to the attention of many local governments and the Task Force that a change in state code may be in the works that would no longer allow local governments to collect revenues from traffic enforcement. A report recently released by the Auditor of Public Accounts outlined this potential and suggested that a change in code would be a prudent move to allow the state to collect more revenues. These fines are as a result of the work done by local police officers that are paid by local governments, not the state. Fines are a critical part of funding public safety programs and any attempt to seize those revenues by the state would hurt the ability for local governments to ensure basic public safety.

## SUBCOMMITTEE REPORT #2:

### EDUCATION MANDATES TO CONSIDER FOR ELIMINATION OR MODIFICATION

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Every day in Virginia, our public K-12 schools are filled with amazing and inspirational stories of student success. We are so proud of everyone's hard work, especially during these recent challenging financial times. At the same time, given the challenges of the new, global economy, Virginia's public schools must also continually improve, innovate, and evolve to ensure that every student succeeds and is prepared for careers, college, and life. Now, more than ever, is the time to eliminate state mandates that distract and divert scarce funds, time, and energy from our mission to ensure a world-class education for every Virginian.

Make no mistake: state red tape increases the cost of education, inhibits innovation, and negatively impacts staff morale and working conditions. Most concerning, the reams of state education reports and paperwork are diverting significant time, money, and staff from spending time helping, serving, and educating students. In short, state and federal paperwork stands in the way of helping Virginia's school children.

Over the decades, more and more federal and state mandates have been layered and layered upon Virginia's K-12 education system. Several of these mandates are viewed as "non-negotiables" and protect the health, safety and welfare of students and educators. Such mandates, of course, must be maintained to ensure our high standards for Virginia's children and schools. Rather, the Task Force focused on those state mandates widely agreed upon to be unnecessary, outdated, burdensome, and duplicative.

On November 8, with the approval of the Task Force and at the direction of this Subcommittee, VSBA and VASS distributed a detailed survey to their memberships to gather consensus based input to inform the Task Force's work on education mandates. The VSBA/VASS survey was modeled after a similar instrument utilized by the National Governors Association, and highlighted by the US Department of Education as a best practice in the identification of federal red tape. The VSBA/VASS survey added an additional, optional criterion to estimate the staff time and cost associated with the state mandate. The survey was distributed to all 132 school boards and superintendents, representing all school divisions in the Commonwealth of Virginia. School board members and Superintendents were asked to identify state "low-hanging" mandates that distract or divert funds, time, and energy from the real mission of educating students and could be acted upon by the 2012 Virginia General Assembly, or by the administration.

The response from Virginia school divisions, even in a limited time frame of a week, was overwhelming and spoke to the tremendous challenges present in our schools today. In total, respondents submitted 126 comments regarding state mandates, reports, and requirements for elimination or modification. It is worth noting that at times, it is particularly difficult to parse out the source of a mandate, whether federal, state, or state interpretation of federal mandates. That noted, as identified through the VSBA/VASS survey much can be done, even in a short period, to help Virginia's children and public schools.

In reviewing the VSBA/VASS Report, several common themes quickly emerged:

- Return more decisions to local school leaders
- Allow local leaders to determine school Start date
- State paperwork is a costly, serious problem
- Barriers persist to recruit and retain high quality staff
- Too much testing. Testing must be better coordinated
- Special education merits further deliberation

*A full copy of the most recent VSBA/VASS Report on State Red Tape on Public Education is attached as Appendix 6.*

**Empower Local School Leaders.** Every single school division that responded to the survey advocated for the removal of state barriers to local control. Local leaders, school boards, and superintendents are eager to regain greater local control to ensure that all students succeed and to reduce unnecessary costs. As Virginia's state and local economies rebound in the aftermath of the worst recession since the Great Depression, now more than ever, duplicative, burdensome, and costly state mandates on public education must be eliminated. Virginia's public school leaders are re-thinking how to deliver services to students in the most impactful, as well as cost-efficient manner. However, these local reforms efforts have been limited and curtailed by state mandates in a number of areas.

***Examples of Requests for Greater Local Control***

- *Mandated advisory committees, such as Health, Family Life, Adult Education, Career and Technical Education, and Gifted, which often act independently of each other, and whose mandated membership compositions do not necessarily represent the community, and require staff time*
- *New graduation requirements, including increased number of credits for an advanced diploma*
- *Specific curriculum mandates such as personal finance, family life, and character education*
- *As of yet unimplemented, but planned, mandates including the Academic and Career plans for every student in 8th grade*
- *School start date*

**School Start Dates Must be a Local Decision.** As of the 2011-2012 school year, 77 of the 132 school divisions have completed the cumbersome, costly, labor intensive paperwork process to seek exemptions in order to start school before Labor Day. [Note: this process was amended last year so that it no longer requires the paperwork. Now it is simply a self-certification by the school board] Many more school divisions desperately want the much needed flexibility to start school a week or two weeks earlier, or as they see fit, but are prohibited by state law from doing so. Local leaders, working with parents, community members, and businesses, want and are in the best position to decide the appropriate day to start school. With the increasing rigor and expectation of every student to be college or career ready, schools need additional time to support students. The so-called "Labor Day Law" or "King's Dominion Law" is the definition of a burdensome, costly, outdated, and unnecessary state mandate. The road to economic recovery, job creation, and good paying jobs for all Virginians is paved by a high-quality, educated citizenry. The "King's Dominion Law" directly conflicts with Virginia's economic and education goals and must be fully repealed and eliminated.

**State Paperwork is a Costly, Serious Problem.** Scarce federal, state, and local resources and precious staff time is being wasted on "reporting" and paperwork. Governor McDonnell has worked hard to ensure that funds are directed to the classroom, and through our work, we've identified the primary roadblock – federal and state red tape. In 2011, every Virginia public school division completed more than 75 state education reports, many of which must be submitted multiple times per year. Regardless of the size of the staff, every school division must comply with the paperwork requirements and reports, and every school Superintendent must read, study, and

comply with the volumes of daily or weekly state edicts. In addition, the vast majority of mandates, even those directly supportive of student learning, require extensive out of classroom staff time – either by school division support personnel or by teachers themselves. A full listing of all of the state reporting requirements is included in Appendix 7.

One particular recently added paperwork burden, the “**Master Schedule Data Collection**”, is deeply concerning, burdensome, and costly to school divisions. As a condition for the American Recovery and Reinvestment Act (ARRA), Virginia was required to report on teacher effectiveness as it related to student achievement and the distribution of high quality teachers. The Virginia Department of Education’s (VDOE’s) interpretation, application, and corresponding report far exceeds the intent of the federal requirement. Virginia mandates a teacher’s social security number be used, their race, gender, date of birth, ethnicity, and reams of personal information about teachers. In addition, Virginia mandates a complicated, convoluted course level identifier, grade span, local course codes, licensure prefix, and defined class type. Lastly, the report mandates detailed information about the students as well. In large school divisions, entire teams of staff are spending months filling out this one state report. In smaller school divisions, we heard first hand, one staff member is spending every minute of every day, for months, filling out this one state report and nothing else. The Task Force recommends the immediate suspension of the “Master Calendar Data Collection” process for school divisions, and to allow further study of this requirement at VDOE.

Additionally, the Task Force requests that VDOE recommend how to eliminate at a minimum 18 (15%) of the reports required at present. While VDOE previously indicated that none of the reports can be eliminated, the Task Force believes that a 15% reduction in paperwork is attainable with additional study. The Task Force also asks that VDOE consider consolidating reports, the use of publicly available data, permitting electronic submission, and the use of existing reports that divisions already file with the Federal government.

***Examples of Excessive, Burdensome, Duplicative Paperwork***

- *School divisions must complete more than 75 state reports per year, some of which require quarterly or monthly data submissions.*
- *School divisions must submit reports that are similar but different than federal report, even though the information is readily available in another format.*
- *In 2012, the list of individual State Superintendent’s Memos received by school spanned 23 pages, with many of the memos including tens or hundreds of pages of information, requirements, or requests.*
- *Requirements for K-3 English and Mathematics Achievement Records with the sample reports provided on the state website including 10 pages of required reporting for English and 15 for Math, per student, per year.*
- *Public schools must report on home school students, who do not even attend public schools.*
- *The “Master Calendar” as interpreted by the state as a condition of federal American Recovery and Reinvestment Act Funds is excessive, burdensome, costly, and potentially invades on basic privacy rights.*

**Barriers Persist to Recruit and Retain High Quality Staff:** In education, schools do not have “programs” – schools employ people. Generally speaking, 80-90% of the cost of education is staff salaries and benefits. Like many other states across the country, Virginia is confronted by a retiring teacher, leader, and staff workforce, the challenges of attracting high-quality, top-notch graduates into the profession of education, shortages of high-need educators and school staff in rural communities, wage disparities with the private sector, and an expensive, legacy pension system. The VSBA/VASS survey showed, not surprisingly, school leaders are concerned about their ability to attract, retain, reward, and recognize high-quality employees and the relationship to state mandates. Specifically, school leaders highlighted state mandated paperwork as having a clear, discernable negative impact on employee morale. As expounded on above, state mandated paperwork is a distraction and gets between staff and quality, contact time helping students. Respondents also expressed concern with the new requirements for career and technical educators, as well as the overly burdensome and restrictive requirements for educational interpreters. Localities also highlighted the great budgetary difficulties created by the unpredictable swing in VRS payments. The integrity and solvency of the VRS system is critical to attract and retain high quality school staff. More must be done to smooth, stabilize, and solidify the payment structure of VRS for local units of government. Additionally, the State Legislature should give serious consideration to the budgetary challenges created by last minute changes, or delays in state budget. School districts, generally speaking, must finalize and know their budgets by April or early May to finalize staff contracts. VRS rate changes, at the last minute, can be the difference between hiring new staff or pink slipping an employee.

***Examples of barriers to recruit and retain high quality staff***

- *Paperwork and reporting requirement burdens fall to classroom teachers and principals*
- *New requirements for career and technical educators*
- *New civics requirements for teacher licensure*
- *Overly burdensome and restrictive requirements for educational interpreters, so many school divisions, especially rural schools, cannot find candidates and students don't get services*
- *Unpredictable, uncertain VRS payments*

**Too Much Testing:** Many school divisions expressed concern about the sea of federal and state testing requirements. Without question, assessment provides critical data to inform decisions, improve classroom practices, and most importantly, ensure that every student is on track to succeed. Virginia’s school leaders are committed to rigorous academic standards, disaggregated data, strong, transparent accountability, and utilization of fair and developmentally appropriate assessments. However, school leaders expressed concerns about the fairness of some of the assessments currently out in the field, the cost and burden on local divisions to develop state mandated assessments, and the requirement to test science, history and social studies. Further study is needed in this area to develop clear long-term strategies to reap the financial benefits of an

economy of scale for schools, while finding an appropriate role for the state to play to minimize local burden, costs, and help students. The Task Force recommends further study in this area.

#### ***Examples of Student Achievement and Testing***

- *Unfunded but mandated ELL testing such as the WIDA and ACCESS tests*
- *Science, history and social studies testing requirements beyond federal requirements*
- *Mandatory but underfunded phase-in of elementary level on-line testing*

**Special Education Merits Further Deliberation:** In total, there are over 175 discrete points where Virginia law exceeds the federal special education law, the Individuals with Disabilities Education Act (IDEA). Numerous respondents noted this fact and raised concerns about the cost, burden, and merit. The federal IDEA law protects and ensures that a student with a disability receives a free and appropriate education in the least restrictive environment possible. In Virginia, it is broadly understood that the federal law is a minimum standard, and that Virginia has much higher expectations and aspirations for our children. Given the inherent complexity and sensitivity of special education, combined with the abbreviated work period, the Task Force recommended further study in this area. Additional outreach to students, parents, educators, and schools should be explored to identify areas of consensus or improvement.

As state and local leaders work to balance budgets, redesign and refocus government, and ensure a world-class education for every Virginian, the Task Force recommends and urges quick, decisive action to eliminate wasteful, duplicative, costly, outdated, and burdensome state red tape on education.

The Virginia catalog of mandates notes that education has more mandates than any other functional area of government. In fact, 1/3 of all state agency administered mandates identified statewide apply to education. Therein rests our collective challenge, but also an opportunity to chart a new future for Virginia's public schools. Thankfully, local leaders agree about many simple, quick steps that state leaders can take to alleviate the burden. By working together, to remove state mandates, we can help ensure that every Virginian receives a world-class public education and that our economy continues to grow and prosper. It's time to sharpen our scissors on state education mandates and free our schools to serve children.

The list in Appendix 2 represents the best efforts of the Task Force to identify education mandates that do not involve additional funding to be considered for elimination or modification by the Governor and the General Assembly in the 2012 General Assembly session or by administrative action. The Task Force believes the elimination of these mandates will provide not only fiscal relief but the ability to more efficiently deliver education to Virginia's schoolchildren.

The Task Force also identified education mandates, listed in Appendix 4, that it felt merited further review, discussion and analysis before recommending them for action. While it was not possible to fully vet these mandates in the two months since its initial meeting, the Task Force will be further studying these in the coming months.

## SUBCOMMITTEE REPORT #3:

### MORATORIUM ON MANDATES AND PROCESS IMPROVEMENTS

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In light of the turbulence and uncertainty of the economy on the federal, state and local levels, we strongly encourage consideration of a “moratorium” on unfunded mandates.

The goal of this action would be to prohibit the imposition of new unfunded and underfunded mandates on local governments and school divisions. The strategy identified by the task force would be a solution applicable to legislation that amends the Code of Virginia as well as to the Budget Bill.

#### **I. POSSIBLE SOLUTIONS CONSIDERED BY THE TASK FORCE**

The task force considered the following possible solutions:

- Amend the Constitution of Virginia;
- Establish a process whereby potential unfunded and underfunded mandates are reviewed by the Governor; and
- Establish a process whereby mandates are funded by the legislature

#### ***Amending the Constitution***

The Task Force identified amending the Constitution as a potential long-term solution. A proposed amendment to the Constitution must be twice approved by a majority of members elected to both houses of the General Assembly, and an intervening general election of the House of Delegates is required before the question is submitted to the voters. Because the next general election will take place in November 2013, this approach would take three years to accomplish, provided the referendum initiative is successful.

#### ***Review by the Governor***

Next, the task force considered a process whereby, upon the request of local governments or school divisions, unfunded and underfunded mandates would be reviewed by the Commission on Local Government and the Governor after approval by the General Assembly but before the Reconvened Session. This process would be in addition to the fiscal impact estimation process conducted by the Commission during the legislative session.

The process, which was suggested by representatives from VACo and VML, would be established by adding language to Part IV of General Provisions in the Budget Bill. The process would primarily take place during the thirty days after the adjournment of the session in which the Governor has to act on the bills presented to him, including the Budget Bill.

At such time as a bill or a budget amendment is approved by its house of origin in the legislature, local governments or school divisions could begin petitioning the Commission on Local Government for a determination that the bill or budget amendment amounts to an unfunded or underfunded mandate. Petitions would be accepted until 10 days after the adjournment of the legislative session. In order for the Commission to review a bill or budget amendment, local governments or school divisions containing thirty-five percent of the Commonwealth’s population

would be required to submit petitions requesting the Commission's review of the particular bill or budget amendment. The Commission could also be given the authority to select bills or budget amendments for review on their own initiative. In the interest of time, local governing bodies and school boards would be permitted to authorize the chief administrative officer of the locality or the school superintendent to file the petition on behalf of the locality or school division.

Once the General Assembly approves a bill or budget amendment, local governments and school divisions would have ten remaining days in which to file their petitions, and the Commission would have ten days to review their petitions and make recommendations to the Governor. The criteria used by the Commission in making the determination would be the same as that set forth in the statute governing fiscal impact analysis:

- Does the measure require a net additional expenditure by any county, city or town [or school division] or
- Does it require a net reduction of revenues collected by any county, city or town?

Upon a finding that the criteria are met, the Commission would recommend the bill or budget amendment to the Governor for further action. The Governor's options would include to:

- Recommend an amendment to eliminate the unfunded mandate;
- Recommend an amendment to fund the mandate;
- Recommend a reenactment clause on the mandate to allow time for it to be studied; or
- Take no action.

### ***Fund the Mandates***

First, the Code of Virginia would be amended to reinstitute the first day introduction requirement for bills that have local fiscal impact. This would be an important first step in improving the process for identifying the local fiscal impact of proposed legislation because it would maximize the time available to conduct the analysis. The current process, which is conducted by the Commission on Local Government and relies entirely upon input provided by local government volunteers, would not be adequate for the purposes outlined below because the Commission, based on the information provided by a sample of local governments, identifies a range of cost to local governments and not a statewide dollar estimate. In addition, the Commission is not currently responsible for assessing the fiscal impact of proposed bills on school divisions, and, at present, does not have the resources to do so.

Once the first day introduction requirement is in place, a process could be established whereby unfunded mandates on local governments are identified early and an appropriation is made from the general fund equal to the estimated fiscal impact. This approach could be modeled after Va. Code § 30-19.1:4, which is sometimes referred to as the "Woodrum Amendment." The statute was enacted in 1993 to enable the legislature to consider the fiscal impact of proposed bills that have the effect of increasing the adult correctional population. It was subsequently amended to also require an analysis of the impact on local and regional jails and juvenile detention centers, as well as on state and local community corrections programs.

Va. Code § 30-19.1:4 requires that:

- Fiscal impact statements are prepared;

- The amount of the estimated appropriation reflected in the fiscal impact statement – or “cannot be determined” – is printed on the face of the bill;
- The fiscal impact statements are forwarded to the Clerks of the House and Senate;
- A one year appropriation is made from the general fund equal to the estimated increase; and
- A non-reverting special fund consisting of the moneys appropriated is established.

Further, this process typically involves the re-referral of bills by the Courts of Justice Committees to the Senate Finance and House Appropriations Committees. In addition, bills so identified may be amended to include a second enactment clause, such as: “That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in a general appropriation act passed by the [2012] Regular Session of the General Assembly, which becomes law.”

## **II. ADDITIONAL APPROACHES IDENTIFIED**

- Amend the Code of Virginia to add a new section in Title 30 (General Assembly) to prohibit the imposition of new unfunded mandates, unless the local governing body or school board affirmatively votes to accept the mandate or the General Assembly appropriates sufficient funds to effectuate the purposes of the bill. This approach would require that “unfunded mandate” be defined in statute. In addition, exemptions should be made for federal laws or requirements; court orders; constitutional requirements; immediate threats to public health, welfare or public safety; and other specified circumstances, as appropriate.
- Implement a “Sunset Clause” on new mandates, as requested by VML. This approach could be modeled after Va. Code § 30-19.1:9, which provides for a “sunset” on state boards and commissions after three years.
- Amend the Administrative Process Act to comprehensively address the impact of proposed regulations on local governments and school divisions through economic impact analysis (Va. Code § 2.2-4007.04) and periodic review (Va. Code § 2.2-4007.1).
- Ask the Governor to consider executive action to more comprehensively address the impact of proposed regulations, such as that which is currently extended to existing and potential employers through Executive Order 14 (2010) – Development and Review of Regulations Proposed by State Agencies, General Policy, Section N.  
Ask the Governor to consider executive action to delay the implementation of new or expanded regulations that impose a mandate on local governments or school divisions, where possible.

## **III. RECOMMENDATIONS OF THE TASK FORCE**

In summary, it is incumbent upon this Task Force to convey to the General Assembly the detrimental impacts of unfunded mandates on the budgets of localities and school divisions.

In the short term, the Task Force calls for the adoption of legislation in the 2012 Session of the General Assembly placing a moratorium on the creation of any new unfunded mandates through legislation, including the Appropriations Act. The purpose of the moratorium would be to stop the shifting of service responsibilities and costs from the State to its localities in order to facilitate the

discussion on how to best balance the delivery of services and funding requirements in the Commonwealth.

In furtherance of these objectives, the Task Force voted unanimously at their meeting on December 9, 2011 to make the following recommendations to Governor McDonnell to improve the process of fiscal impact analysis and mandate review.

First, the Task Force recommends that Section 30-19.03 of the Code of Virginia be amended to provide a better filter to stop new unfunded mandates from moving through the legislative process without a timely fiscal impact analysis. Specifically, the Task Force recommends: (1) the reinstatement of the first day introduction requirement for bills with local fiscal impact, and (2) establishment of a process whereby localities or school divisions representing 35% of the population of the Commonwealth could petition the Commission on Local Government to review bills or budget amendments that would impose unfunded or underfunded mandates on local governments or school divisions. The petition process could be initiated by localities and school divisions prior to the final approval of proposed legislation by both houses of the legislature, and local governing bodies and school boards could delegate petitioning authority to the chief administrative officer or school superintendent.

Second, the Task Force recommends that the mandate assessment process be revised to provide for more immediate and frequent review than currently permitted. Currently, a mandate must be in effect for two years prior to agency assessment (Executive Order #58 (2007)), and cannot be re-assessed more frequent than once every four years (Va. Code § 15.2-2903 (6)). The Task Force specifically recommends amendments to Executive Order and the Code of Virginia to provide for a better process of mandate review by eliminating the two-year assessment waiting period and providing for more frequent review, under appropriate circumstances, than permitted under the current four-year cycle.

## APPENDICES

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1. General Mandates Recommended for Elimination
2. Education Mandates Recommended for Elimination
3. General Mandates Recommended for Further Study
4. Education Mandates Recommended for Further Study
5. Federal Mandates that the State Consider Advocating for Elimination
6. VSBA/VASS Report on State Red Tape on Public Education
7. Virginia Department of Education, Calendar of Reports for 2011 - 2012



## Appendix 1: General Mandates Recommended for Elimination

	Description	Possible Solution	Reference
1	Jail revenues and expenditures reporting--current code mandates that all local and regional jails that receive funds from the Compensation Board provide information to the Board on revenues and expenditures. This is redundant because the APA already collects this information.	Eliminate.	SOA.CB005
2	Community Services Boards--there currently exists an annual contract requirement with the Department of Behavioral Health and Developmental Services Adds little value for citizens served and is only an administrative exercise.	Eliminate.	SHHR.DBHDS012
3	Fire and Police Overtime Pay--current code requires that LEO and fire overtime be paid for annual and sick leave that would not normally be counted as hours of work. This is a benefit that is extended to no other class of employee and local governments are having a difficult time funding this mandate.	Repeal the appropriate provisions of §§ 9.1-700 & 701 of the Code of Virginia.	NSO.125
4	Blood Borne Pathogen training--current code requires training on hazmat courses every year. Other in-service training requirements are performed every two years.	Modify mandate to allow for biennial training.	SCT.DOLI003
5	Increased dam regulations--The regulations adopted in 2008 raised dam safety standards and required many dams and watersheds across Virginia be brought up to compliance. The pre-2008 regulations sufficed and existing infrastructure that complied with the pre-2008 regulations have handled historic flooding with little to no issues. The new requirements will mean that local governments must now improve dam and watershed infrastructure to bring them into compliance and will cost local governments millions (Amherst County is specifically estimating \$8 million.)	Amend regulations to seek greater balance between risk, economics, and public safety. This mandate was categorized as both "Advance" and "Further Study" because the Task Force wants to support efforts to relax the existing requirements and study the issue further.	SNR.DCR020
6	Erosion & Sediment control programs--currently, construction sites are inspected for E & S performance by the state. Some local governments have their own E & S control programs that must meet identical standards to the state E & S programs. However, construction sites must be inspected by the state and, in some localities, by the local government.	Eliminate the requirement for state inspection of construction sites for E & S performance in localities where an identical program exists.	SNR.DCR008
7	Stormwater fee remittance--current code requires that 28% of all stormwater fees collected at the local level be remitted to the state. Localities are already having a hard carrying out and enforcing the stormwater regulations and remitting 28% of the fees used to support the program to the state is a heavy burden.	Eliminate.	SNR.DCR008

## Appendix 1 : General Mandates Recommended for Elimination (continued)

8	Description	Possible Solution	Reference
8	Annual Recycling Survey Report--Local governments must prepare and provide an annual Recycling Survey Report. Compiling the report requires significant staff time because most recycling is done by the private sector. County staff must prepare and mail surveys, follow-up and remind people to complete the survey, compile and send reports to Richmond. The report does not change the amount of material that is actually recycled, however.	1) Eliminate the requirement all together; or 2) Require the report be submitted every 2 or 3 years as opposed to every year.	SNR.DEQ015
9	Wastewater testing--the state has established additional wastewater testing requirements that include new parameters to test and increase the frequency of others. This will increase the cost to localities of testing because many samples must be sent to outside labs.	Relax these requirements and examine where minimum thresholds can be raised with little to no adverse environmental impact.	SNR.DEQ020
10	Fees for Solid Waste Management Facility Permits--current requirements mandate that localities pay this fee on a sliding scale based on tonnage. This is unfair to smaller governments who do not have a high tonnage.	Change the mandate to be a flat fee or eliminate all together.	SNR.DEQ012
11	Solids Waste Management Plans--mandates that local governments develop a solid waste management plan and submit to the state. This mandate provides little to no impact on the actual management of solid waste and each local government should be allowed to operate their own plans without state oversight.	Eliminate.	SNR.DEQ014
12	Solid Waste Management--current code requires an annual report on the amount of solid waste disposed of by a locality and a differentiation between in and out of state tonnage.	Eliminate. The information is available from other sources.	SNR.DEQ028
13	VPPA--currently required to report public notice of request for proposals in newspapers of general circulation. This is an antiquated and expensive requirement.	Eliminate this requirement and replace it with appropriate online advertisements and notices in public spaces.	NSO.019 & § 2.2-333 2
14	Minimum number of bidders--requires that for procurements that exceed \$30,000 a minimum of 4 informal bidders are received as well as a posting of a public notice. The act also allows localities to adopt their own written purchasing procedures where goods and non-professional services do not exceed \$100,000. the minimum bidder requirement for purchases over \$30,000 contradicts the ability of a locality to adopt their own procurement policies for goods and non-professional services under \$100,000	1) eliminate the requirement for a certain number of bidders for procurements over \$30,000; 2) allow localities to adopt their own procurement procedures for all procurements less than \$100,000 3) waive this requirement if the locality posts the solicitation notice on eVA.	NSO.019 & § 2.2-4303 G

## Appendix 1 : General Mandates Recommended for Elimination (continued)

	Description	Possible Solution	Reference
15	Procurement thresholds--the formal procurement threshold for professional services is \$50,000 yet for all other procurements it is \$100,000. All procurement classifications should have equal thresholds for formal procurement to ensure uniformity and reduce administrative costs.	Raise the formal procurement threshold for professional services to \$100,000.	NSO.019 & § 2.2-4343 12
16	Reductions in State Aid to Libraries-- As a condition of state funding, local operating expenditures of libraries shall not fall below that of the previous year. In cases where the budgets of all departments of the local government are reduced below those of the previous year, the library's state aid would be reduced.	Eliminate. The waiver process is burdensome, costly, and time-consuming.	SOE.LVA003 & 17 VAC 15-110-10
17	Licensing Local Government Loan Originators-- The Federal SAFE Act places training and licensing requirements on mortgage loan originators. The state has interpreted the requirements to cover local government employees working with federal, state, and locally funded home purchase and rehab assistance, despite a HUD interpretation to the contrary.	Eliminate.	Fed Register, Vol. 76, No. 126, page 38466,
18	Auction of surplus property--current code mandates that surplus property must first be offered for sale to other local governments and volunteer fire departments.	Eliminate.	§ 2.2-1124 and § 15.2-951
19	UDA Reporting--current code requires that UDAs be reported to the state. Serves no practical purpose.	Eliminate.	SCT.DHCD019
20	International Code Council Codes adoption--current state law requires the purchase of the 2012 edition of the International Code Council Code Book. There have no major changes added to the 2012 edition.	Delay the purchasing of the code books until the 2015 edition is released.	SCT.DHCD019
21	Airport Property Lease--current code requires that any lease on airport property be approved by the state Department of Aviation. This decision is best left to the local government based on their unique needs.	Eliminate.	TBD
22	Department of Corrections jail inspections--current code mandates that local and regional jails be inspected annually by the DOC. Some jails are accredited by the American Correctional Association which contains all the state requirements. This is thus a duplication of efforts.	Waive DOC inspections for jails that are ACA accredited.	SPS.DOC001 & SPS.DOC005
23	Waste Management Facilities Operators License--code requires a license to operate a waste management facility. There is another mandate that covers this already; SNR.DEQ012	Eliminate one of the redundant mandates.	SCT.DPOR003

## Appendix 1 : General Mandates Recommended for Elimination (continued)

Description	Possible Solution	Reference
<p><b>24</b> Vending services by the blind--if a vending stand is relocated or removed in a public building the Department of Rehabilitation Services shall have the right to place another stand in its place to be operated by the blind. The necessity of this mandate is questioned. Also, the state capitol and all legislative offices are exempted from this mandate, however all other public buildings are not. If this mandate is truly a well thought out mandate then why are the capitol and legislative offices exempted?</p>	Eliminate.	SHHR.DBVI003 & § 51.5-89
<p><b>25</b> Medicaid Applicants Duplication--current code requires that new medicaid applicants be entered into the Virginia MMIS system. This system cannot track the status of the pending applications so a second system, Medpend, was created that the same applicant information must also be entered into. This is a clear case of duplication of efforts.</p>	Develop a new system that consolidates the two existing systems.	SHHR.DSS022
<p><b>26</b> VFOIA Response Times--The current code requires that governments respond within 5 business days, or request an extension. Most FOIA requests are extended due to the staff time required to fulfill the requests.</p>	Raise the response time from 5-7 days to 7-10 days to decrease the number of extension requests that must be processed.	NSO.114 & § 2.2-3704 (B)
<p><b>27</b> Library Internet Use Policy--current code mandates that all libraries that receive state funds submit an internet use policy to the Librarian of Virginia. This mandate serves little to no purpose.</p>	Eliminate.	SOE.LVA006 & § 42.1-36.1
<p><b>28</b> Road and Transportation Improvement Maps--cost estimates must be provided on planned road improvements. This is unnecessary and misleading because at this stage in the planning process any estimation of cost is arbitrary and will most assuredly change significantly.</p>	Eliminate or extend the date of required reporting to a period in which a more accurate cost can be attained.	NSO.083
<p><b>29</b> Courthouse Construction--current code mandates that localities construct and maintain court facilities. Additionally, the circuit court can arbitrarily order the construction of a new court with no regard for local finances or CIP plans. Financially burdened localities should not be in the position to be forced to construct new court facilities.</p>	Eliminate.	JUD.SUPCT001
<p><b>30</b> Depositing Requirements for State Funds &amp; Estimated Tax Payments--current code requires the reporting and submitting of funds daily. This is a heavy administrative burden that serves little to no purpose and could be relaxed.</p>	Allow for multiple daily deposits from individual jurisdictions.	SFIN.TAX005 & SFIN.TD006

## Appendix 1 : General Mandates Recommended for Elimination (continued)

31	Description	Possible Solution	Reference
31	Unclaimed Property--current code requires that localities identify, collect, and return property that has been held for specified dormancy periods to rightful owners. Property held more than 1 year must be reported and remitted. This is a very time consuming task and has little to no benefit to the public.	Establish a threshold (\$25) under which this mandate would not apply.	SFIN.TD008
32	Unclaimed Property Due Diligence--current code requires due diligence be exercised for property \$100 or more. Reports are also required to be submitted. The impacts of this mandate on the citizens is minimal however it takes significant staff time and resources.	Raise the threshold for due diligence to \$500.	SFIN.TD008 & § 55-210-1
33	Local Use of Transportation Funds--current mandates require oversight from VDOT on certain local road projects. This mandate is unnecessary as it only adds additional personnel to a road project and local officials could be trained and perform the same oversight duties as VDOT officials while not tying up VDOT resources.	Modify mandate to allow for a VDOT certification for local governments to attain or eliminate all together with conditions.	STO.VDOT022
34	Coordination of State and Local Transportation--local governments must submit plans, plan amendments, and rezoning proposals that affect transportation on a state highway to VDOT. This is redundant to traffic evaluations that are performed at the local level and add no value over and above local analyses.	Eliminate.	STO.VDOT030 - Ch. 527, 2006 Acts of Assembly
35	Bus Shelter Permitting--current code mandates that bus shelter permitting go through DGS procedures which takes 8 weeks. The vast majority of bus shelters are a stand alone kit and already meet Uniform Building Code Standards. The additional permitting through DGS for a routine bus shelter installation seems unnecessarily burdensome.	Modify the code to allow for blanket permitting of bus shelters and to allow for a 3 year permitting as opposed to the newly established annual permitting.	TBD
36	Secondary road projects through Richmond--current code requires that all secondary road projects, once approved by a regional VDOT directors, must go to Richmond for further approval. This is overly time consuming considering the fact that the VDOT District Director follows the same standards as the Richmond office. Design waivers and exceptions could also be approved in the district offices.	Modify this mandate to allow for secondary road projects to only need approval from the District Director.	TBD
37	Red Light Cameras--VDOT currently requires cities to submit for approval the intersections that a locality wishes to place a red light camera at. Towns and Cities are responsible for their own road maintenance and this should be under local control.	Eliminate.	STO.VDOT036

## Appendix 1 : General Mandates Recommended for Elimination (continued)

38	Description	Possible Solution	Reference
38	State code requires the inclusion of Urban Development Areas in a local land use plan in high-growth localities. These requirements impede on the ability of a local government to make land use decisions in the best interest of their unique demographics and community concerns.	Eliminate.	NSO.085, 086, SCT.DHCD019
39	Employees at Multiple Work Sites Report--current code requires that localities report to the state cases in which employees work at multiple sites. This serves no purpose.	Eliminate.	US Bureau of Labor Statistics
40	New Hire Reporting--local governments are required to provide a list of new hires on a monthly basis to the state. The necessity of this report is in question.	Eliminate.	§ 60.2-212; 42 USC 653A
41	VRS contribution--local governments are not allowed the option to require employees hired before July 1, 2010 (VRS Plan 1) to contribute any of the 5% employee share of VRS. Benefits are a local issue that should meet the needs of the local government as determined by the local governing body. Also, the state has this option themselves.	Allow local governments to have the option to require employees hired before July 1, 2010 to contribute up to 5% for their employee share contribution.	IND.VRS001; 2012 Appropriations Act, Item 468 (K)

Note: References listed in this format: SSS.DDD123 are from the Catalog of State and Federal Mandates on Local Governments.

## Appendix 2: Education Mandates Recommended for Elimination

	Description	Possible Solution	Reference
1	Required Advisory Committees. Mandated advisory committees in areas such as health, family life, career and technical education, special education, and gifted often act independently of one another, have mandated memberships that do not necessarily represent the community, and require staff time.	Eliminate. One division suggested using a single comprehensive committee to provide a more integrated advisory role.	SOE.DOE048, SOE.DOE066, §§ 22.1-207, 22.1-253.13:1, 22.1-275.1, 8 VAC 20-120-40, 50, and 70.
2	Economics and Personal Finance Course. All students entering the 9th grade will be required to complete a course in personal finance and economics.	Eliminate, or suspend until associated FTEs may be included in the SOQ funding formula.	SOE.DOE123, §22.1-200.03, 8 VAC 20-131-50
3	Remediation Program Evaluation and Reporting. This requires an annual report specifying achievement and demographic information describing students enrolled in remediation programs. Programs are so varied across the state that the data likely is meaningless, out of context and not comparable from division to division.	Eliminate. Since DOE has access to SOL student performance data, it seems that the department could generate these reports for evaluative purposes.	SOE.DOE107, § 22.1-199.2, 8 VAC 20-630-10
4	Master Calendar Data Collection--This report links student performance with teacher and principal performance evaluations, but demands an extreme amount of administrative man hours to complete and keep up to date.	Immediately suspend, and have VDOE re-evaluate the federal requirements.	American Recovery and Reinvestment Act; ESEA AYP waiver requirement.
5	College and Career Preparation Planning and Programs. Beginning with the 2012-2013 academic year, all schools shall begin development of a personal academic and career plan for each seventh-grade student with completion by the fall of the student's eighth-grade year. The plan must further be reviewed at 9th and 11th grades.	Eliminate, or suspend until associated FTEs may be included in the SOQ funding formula.	SOE.DOE138, § 22.1-253.13:4 (D), 8 VAC 20-131-140
6	School Performance Report Card. This requires schools to provide parents with information on learning objectives, a copy of certain policies, SOL requirements, and diploma requirements.	Eliminate. It was suggested that this information could be posted to websites with hard copies available upon request.	§ 22.1-253.13:3 and 8 VAC 20-131-270
7	Authentication of Court Records. School divisions are required to send personnel to court to authenticate school records in cases involving anything other than the custody of a minor or the termination of parental rights.	Permit school divisions to authenticate court records via affidavit, to parallel the authority granted to other political subdivisions under § 8.01-390.	§§ 8.01-390 & 8.01-390.1
8	Restrictions on Cooperative Procurement. School divisions are restricted from seeking the best possible contract by placing artificial limiting conditions on cooperative procurement.	Eliminate.	§ 2.2-4304 (A)(2)

## Appendix 2 : Education Mandates Recommended for Elimination (continued)

9	Description	Possible Solution	Reference
9	Stanford 9. School divisions are required to administer the Stanford 9 test. It is anachronistic with most divisions no longer administering the test.	Eliminate.	§ 22.1-253.13:3, 8 VAC 20-131-10
10	Civics Course Requirement for Teacher License Renewal. Beginning next year, any license renewal for elementary, middle, and social studies certification will require the teacher to take a civics or government course.	Eliminate.	2010 Acts of Assembly, Chapter 814, 8 VAC 20-22-10, 8 VAC 20-542-10
11	K-3 Achievement Reporting. A requirement has been made for teachers to complete achievement records for all students in grades K-3. This is duplicative.	Eliminate.	8 VAC-20-131-80
12	Computerized SOL Writing Assessment. This requires elementary students to take online SOL writing tests. Several issues are of note: The elementary curriculum does not include instruction on keyboarding. School divisions need to purchase additional technology to accommodate computer labs for testing and existing technology education courses.	Eliminate.	8 VAC 20-131-30 & 8 VAC 20-131-280
13	Credential Requirements for Career & Technical Education (CTE). These increased credentials make finding qualified candidates difficult, especially in smaller divisions.	Eliminate or relax the credential requirements after further study.	8 VAC 20-131-70
14	Credential Requirements for Educational Interpreters. The level of endorsement required of interpreters is too rigid. It is difficult to find individuals with these qualifications and limits opportunities to utilize available interpretive assistance.	Eliminate or relax the credential requirements after further study.	§ 22.1-251 & 8 VAC 20-80-10
15	Paperwork--Schools must complete 75 state reports each year, sometimes completing these reports multiple times.	Direct the Virginia Department of Education to reduce paperwork by no less than 15% or 18 reports by consolidation of reports, eliminating duplication, and utilizing publicly available information.	Various. See VDOE's Calendar of Reports
16	Increased Graduation Requirements. Implementation of selected regulations have been delayed to 2012-2013, however exceptions to the delay include increases and changes to the credit requirements beginning in the 2011-2012 school year. Changes in the requirements impact the costs associated with personnel, staff development, and student and parent communication. Further, the reduction in elective courses reduce the flexibility of student schedules and increase personnel demands.	Suspend until the Commonwealth can restore state funding to the FY 2009 level. Suspension should be maintained until the state determines the true cost of additional FTEs needed for provision of additional courses. The State must pay its share of the cost.	8 VAC 20-131-50; 2011 Acts of Assembly, Chapters 391 & 411.

## Appendix 2 : Education Mandates Recommended for Elimination (continued)

17	Description	Possible Solution	Reference
17	Requirement to teach character education. Current code requires Virginia schools teach character education as part of general education goals. Instruction may be used to supplement a character education program, however, each program shall be interwoven into school procedures and environment, and instruct primarily via example, illustration, and participation. The DOE has established statewide standards.	Eliminate, and allow local school divisions to adopt their own policies.	§ 22.1-208.01
18	Sale of School Property--current code mandates that all proceeds from the sale of school property go into capital improvement. This decision is best left to the local school system based on their unique needs.	Eliminate.	SOE.DOE089
19	School year to begin after Labor Day--Current code mandates that public schools not granted a waiver by the Board of Education start school after Labor Day. This decision is best left to the local school system based on their unique needs.	Eliminate.	SOE.DOE132
20	Notification to parents on financial status--current code mandates that the superintendent annually reports to parents and guardians the cost per pupil across the entire system. Any parent or guardian may find this information in the school budget which is usually available online.	The language is unclear and contradictory. It needs to be clarified that this is an allowable procedure.	§ 22.1-92

Note: References listed in this format: SSS.DDD123 are from the Catalog of State and Federal Mandates on Local Governments.

## Appendix 3: General Mandates Recommended for Further Study

	Description	Possible Solution	Reference
1	Non Essential Reporting Requirements--the Comparative Report of Local Government Revenues and Expenditures require multiple forms of reporting. Many reports are redundant and unnecessary and provide little to no use for citizens.	Examine the requirements laid out in the Comparative Report of Local Government Revenues and Expenditures to find redundancies and to ensure only that which is necessary and of use is reported.	LEG.APA001 & LEG.APA002
2	APA Requirements--the APA mandates an annual comprehensive report be submitted by every locality. Many of the information is already available in the CAFR. Requiring an additional report duplicates effort.	Align APA requirements to those presented in the CAFR.	LEG.APA001 & LEG.APA002 § 15.2-2510
3	Contracts for Community Services Board Directors-- Longer contracts are needed to take advantage of potential cost savings.	Allow local governments to enter into longer term contracts with board directors.	SHHR.DBHDS002
4	CSA State Executive Council-- Local governments are a major funding partner for CSA however representation on the State Executive Committee does not reflect this fact.	Give local governments more representation on the CSA State Executive Committee.	SHHR.CSA001
5	Increased dam regulations--The regulations adopted in 2008 raised dam safety standards and required many dams and watersheds across Virginia be brought up to compliance. The pre-2008 regulations sufficed and existing infrastructure that complied with the pre-2008 regulations have handled historic flooding with little to no issues. The new requirements will mean that local governments must now improve dam and watershed infrastructure to bring them into compliance and will cost local governments millions (Amherst County is specifically estimating \$8 million.)	Amend regulations to seek greater balance between risk, economics, and public safety. This mandate was categorized as both "Advance" and "Further Study" because the Task Force wants to support efforts to relax the existing requirements and study the issue further.	SNR.DCR020
6	TMDL & Stormwater Compliance--new developments, redevelopments, and existing developments are required in some cases to comply with numerous TMDL and stormwater regulations. Not only does the compliance with these requirements pose a significant financial burden to local governments and developers, in many cases rural governments lack the ability to attain at a cost effective rate expertise needed to ensure compliance.	Relax regulations and provide state assistance by way of human resources to rural localities to ensure full monitoring and permitting of these regulations.	SNR.DCR006 & Clean Water Act
7	Landfill Surface and Groundwater Testing--current mandate requires a monthly report on ground and surface water quality due to landfill offsite migration concerns. Remediating the impact of ground water impact occurs over years and changes on a monthly basis are negligible.	Modify the requirement to permit annual or semi-annual reports.	TBD

### Appendix 3: General Mandates Recommended for Further Study (continued)

8	Description	Possible Solution	Reference
8	Local Landfill Closures--there are currently ongoing reporting and monitoring requirements for all closed local landfills. Administratively burdensome and could serve no purpose	Eliminate the requirement to monitor closed landfills that have had no identified problems for 3 or more years.	SNR.DEQ032
9	Contractor's License required for building permit--this requires that proof of a contractor's license be shown before a building permit is issued. Virginia Code 54.1-1111 states that alternatively an affidavit that the contractor is not subject to licensure is a reasonable substitute to a contractor's license. These 2 mandates are in direct conflict.	Eliminate this mandate and defer to existing code.	NSO.021
10	Annual Report of Guardians--state code outlines specific procedures for the filing and reporting of the annual report of guardians. The rigorous requirements seem overly burdensome and draining on local government resources.	Relax these procedures and allow for more electronic submissions to streamline the process.	SHHR.DSS067 & § 37.2-1021
11	Family Partnership Meetings--meetings are now required by the state for foster children at certain times in their lives. An expansion of the requirement is foreseen. The staff time and resources to facilitate these meetings is burdensome to local governments.	Minimize the number of required meetings.	DSS Guidance Document
12	Record keeping and retention requirements-- In general, these requirements are near impossible to meet, over burdensome, redundant, and resource consuming with little to no use served.	Reform the state record keeping and retention requirements.	SOE.LVA005
13	Newspaper Ads--current code mandates that newspapers be utilized for public meeting notices for a local government. This is very expensive to enact and electronic resources could be implemented.	Modify mandate to allow for electronic advertisements.	NSO.114
14	Certified Public Librarian--code requires that the head of a public library in a jurisdiction with more than 13,000 people must have a state certification. Unnecessary and the costs are shifted at times onto the head of the public library to attain the certification.	Eliminate.	SOE.LVA001
15	Circuit Court Fee Collection--current law requires that circuit court clerks assess and collect a \$10 fee per transaction that is then remitted to the supreme court. The circuit clerk must also purchase equipment and supplies from the supreme court. It is unequitable to require the circuit court clerks to collect fees for the supreme court then charge the clerks for supplies and equipment they are legally obligated to purchase from the supreme court.	a portion of the fees collect should be retained by the circuit court clerks to assist in paying for purchases from the supreme court.	§ 17.1-502

### Appendix 3: General Mandates Recommended for Further Study (continued)

16	Description	Possible Solution	Reference
16	Comprehensive Animal Care Laws--state code outlines extensive administrative requirements for animal care, licensing, fees, etc. This is a local issue and is best left to local governments.	Eliminate, or allow for more local control.	SOA.VDACS002, 004, 008, 009, & 010; Title I, Ch. 65
17	VITA Health Department--current code requires that health departments paid by the cooperative budget utilize IT services provided by VITA. VITA recently outsourced their IT services to Northrop Grumman and the costs have risen significantly.	Modify mandate to allow the local health departments to determine which IT service is best for them.	TBD
18	Six Year Secondary Improvement Plan--current code requires that local governments publish a 6 year plan that outlines secondary road improvements. This is unnecessary when there is no funding for these planned improvements.	Eliminate.	STO.VDOT023
19	Watch for Children Signs--current code does not allow for local governments to install these signs. This is akin to parking enforcement signs that local governments are allowed to install under a blanket permit.	Eliminate this code and allow for these signs to be installed under a similar blanket permit used for parking enforcement signs.	33.1-210.2
20	Bike and pedestrian trail storm water regulations--current code requires that bike or pedestrian trails which are constructed on a roadway that was previously exempted from storm water runoff regulations contain implementation for storm water runoff regulations for the entire roadway. This is over burdensome and cost prohibitive. This has resulted in many bike and pedestrian trails not being constructed.	Eliminate.	TBD

Note: References listed in this format: SSS.DDD123 are from the Catalog of State and Federal Mandates on Local Governments.

## Appendix 4: Education Mandates Recommended for Further Study

	Description	Possible Solution	Reference
1	Special Education Mandates. The state requirements exceed the Federal IDEA Act in over 175 areas.	Study the requirements further prior to recommending specific items to eliminate.	8 VAC 20-131-70 and 8 VAC 20-81-10, et seq.
2	Testing and Assessment Requirements.	Study the requirements further prior to recommending specific items to eliminate.	SOE.DOE059

Note: References listed in this format: SSS.DDD123 are from the Catalog of State and Federal Mandates on Local Governments.

## Appendix 5: Federal Mandates for the State to Consider Advocating for Elimination

Description	Possible Solution	Reference
1 Blood Borne Pathogen training--current code requires training on hazmat courses every year. Other in-service training requirements are performed every two years.	Modify mandate to allow for biennial training.	SCT.DOLI003
2 TMDL & Stormwater Compliance--new developments, redevelopments, and existing developments are required in some cases to comply with numerous TMDL and stormwater regulations. Not only does the compliance with these requirements pose a significant financial burden to local governments and developers, in many cases rural governments lack the ability to attain at a cost effective rate expertise needed to ensure compliance.	Relax regulations and provide state assistance by way of human resources to rural localities to ensure full monitoring and permitting of these regulations.	SNR.DCR006 & Clean Water Act
3 Cobalt remediation standards--the threshold for cobalt remediation was recently lowered by DEQ. Cobalt is a naturally occurring background substance and the new lower standards capture much of the naturally occurring levels and mandates that local governments remediate these naturally occurring levels even though the intent of the regulation is to remediate above average cobalt levels.	Roll back the DEQ regulation to pre-2010 levels.	TBD
4 Local Landfill Closures--there are currently ongoing reporting and monitoring requirements for all closed local landfills. Administratively burdensome and could serve no purpose	Eliminate the requirement to monitor closed landfills that have had no identified problems for 3 or more years.	SNR.DEQ032
5 Licensing Local Government Loan Originators-- The Federal SAFE Act places training and licensing requirements on mortgage loan originators. The state has interpreted the requirements to cover local government employees working with federal, state, and locally funded home purchase and rehab assistance, despite a HUD interpretation to the contrary.	Eliminate.	Fed Register, Vol. 76, No. 126, page 38466,
6 Master Calendar Data Collection--This report links student performance with teacher and principal performance evaluations, but demands an extreme amount of administrative man hours to complete and keep up to date.	Immediately suspend, and have VDOE re-evaluate the federal requirements.	American Recovery and Reinvestment Act; ESEA AYP waiver requirement.
7 Paperwork--Schools must complete 75 state reports each year, sometimes completing these reports multiple times.	Direct the Virginia Department of Education to reduce paperwork by no less than 15% or 18 reports by consolidation of reports, eliminating duplication, and utilizing publicly available information.	Various. See VDOE's Calendar of Reports

## Appendix 5: Federal Mandates for the State to Consider Advocating for Elimination (continued)

Description	Possible Solution	Reference
8 Family Partnership Meetings--meetings are now required by the state for foster children at certain times in their lives. An expansion of the requirement is foreseen. The staff time and resources to facilitate these meetings is burdensome to local governments.	Minimize the number of required meetings.	DSS Guidance Document
9 Wireless Telecommunications Antenna Sites--current code requires that all applications for antennas be decided within 150 days for a new tower or 90 days for a co-located antenna. It also prohibits denying the application based on already existent wireless service. This places an unnecessary burden on local governments and should be a decision the government makes, not the state.	Eliminate.	47 USC 332 (c)(7)(B); 24 FCC Rcd 13994
10 VCCS Reporting--VCCS requires a monthly report on the accruals under the Workforce Investment Act. Accruals are almost always done on an annual basis and this mandate has led to the establishing of more work to format the data.	Make this report annual.	SOE.VCCS002
11 Disaster Pet Planning/Animal Protection--current code mandates that localities coordinate with VDEM in developing emergency response plans to address the needs of individuals with household pets and service animals in the event of a disaster. The necessity of this mandate is questioned. Elimination would free local resources.	Review and possibly eliminate.	SPS.VDEM013
12 Reporting of Salary Date--Current code requires that quarterly salary data be reported to the VEC for the Occupational Employment Statistics Survey. This date is not published in any meaningful way.	Eliminate.	TBD
13 Employees at Multiple Work Sites Report--current code requires that localities report to the state cases in which employees work at multiple sites. This serves no purpose.	Eliminate.	US Bureau of Labor Statistics
14 New Hire Reporting--local governments are required to provide a list of new hires on a monthly basis to the state. The necessity of this report is in question.	Eliminate.	§ 60.2-212; 42 USC 653A

Note: References listed in this format: SSS.DDD123 are from the Catalog of State and Federal Mandates on Local Governments.

VSBA/VASS Report on State Red Tape on Public Education

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
1	Gloucester County Schools	Code: 22.1-253.13:2, 22.1-293 through 22.1-305	Pupil/Teacher Ratios	Required school wide ratios	Lack of funding to maintain ratios	408	24,904
2	Gloucester County Schools	Code: 22.1-253.13:5 and 22.1-253.12:6	Professional development for board members	Requires board members to participate in in-service	Lack of funding to provide in-service	24	11,326
3	Gloucester County Schools	Code: 22.1-98	Length of school term	Requires 180 days or 990 hours	Does not give school divisions flexibility	100	5,535
4	Gloucester County Schools	Code: 22.1-253.13:5	Professional development for teachers and administrators	Requires professional development	School divisions need flexibility in tight economic times	320	\$264,285 with \$117,535 grant funded & \$146,750 local
5	Gloucester County Schools	Code: 22.1-205 and 22.1-206	Drugs, Substance Abuse, Drunk Driving	Required instruction on topics	No funding to support and not the core mission of schools	700	29,010
6	Gloucester County Schools	Code: 22.1-207, 22.1-253.13:1; 22.1-275.1	Physical and health education	Required advisory committee	No funding to support the organization and management of advisory committee	24	1,115
7	Gloucester County Schools	Code: 22.1-253.13:1	Adult education	Required program	Not core mission and not adequate funding to support	144	7,101
8	Gloucester County Schools	Regulation: 20-120-40, 50, 70	CTE advisory committee	Required advisory committee	No funding to support the organization and management of advisory committee	288	13,347
9	Gloucester County Schools	Code: 22.1-279.3:1, 22.1-279.9	Violence and crime on school property	Required program	No funding to support and mandate is not necessary	12,893	439,929
10	Gloucester County Schools	Code: 22.1-6	Fees and charges	May charge fees authorized by Board of Education	Funding in not available to support limits on fees and it should be a local decision	110	8,582
11	Gloucester County Schools	Code: 22.1-303	Intervention training	Required training	Funding is not available to support localities in this mandate	As needed	20,000
12	Gloucester County Schools	Code: 22.1-200.03, 22.1-208, 22.1-208.1	Instruction requirements	Required financial literacy	No funding to support the additional teachers that will be required	4,200	180,000
13	Gloucester County Schools	Code: 22.1-291.1	Placement of twins	Allows parents to place children in classes	Educational placements should be a local decision and not made by the state.	18	N/A
14	Gloucester County Schools	Code: 22.1-289.2	Supplemental pay for military service	Requires supplemental pay to make up the difference in pay	This mandate, may be with good intentions, but is not funded and creates additional burden on local budgets Fund it if necessary	10	Variable dependent on differential
15	Gloucester County Schools	Code: 22.1-79.1	School year after Labor Day	Requires a minority of school divisions that do not qualify for a waiver to start school after Labor Day	It is an out-of-date law that needs to be repealed. Local school boards should have the flexibility to establish the calendar. An inequity exists in the amount of instructional time prior to administration of the SOL tests.	2,326	100,000
16	Gloucester County Schools	Code: 22.1-253.13:4	Career plans	Required career plans for all eighth graders	Laudable desire but no funding to implement with assessments, monitoring, and follow-through	1,400	120,000
17	Orange County Schools	VAC 20-131-30; VAC 20-131-280; USDOE interpretation of ESEA requirements	School assessment and accreditation / ESOL students	The new required WIDA test was implemented for ESL students in 2008-2009. Application of federal Title III funding for purchase of required tests was eliminated in 2009-2010. Benchmarks for ESL subgroup performance increased during 2009-2010 and again in 2010-2011. New 2008-2009 regulation also mandated expanded requirements for parental engagement. In 2010-2011, ELL reporting requirements were added to the Student Data Upload for SOL Testing.	Suspend until federal or state government can restore funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The addition of this standardized test in 2008-2009 required sustainable new costs associated with staff development, family outreach, data analysis and student remediation and support. Removal of federal Title III funding in 2009-2010 transferred testing costs to local level. Expanded 2010-2011 reporting requirements added to administrative costs at a time when state was decreasing its contribution for administrative and support staff.
18	Orange County Schools	VAC 20-131-30; VAC 20-131-280; USDOE interpretation of ESEA requirements	School assessment and accreditation	Pass rate for 3rd grade history and science tests increased from 50% to 70%.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The low 50% pass rate was approved, in part, because of the widespread understanding that it was NOT "developmentally appropriate" to test 8 year olds on their recall of historical and scientific facts that had been introduced to them from first grade through third grade. The trend in student performance supported the increased benchmark, but the increased demand added to the need of local school divisions to at least maintain their investments in curriculum development, teacher training, student remediation and student support services.

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
19	Orange County Schools	VAC 20-131-30; VAC 20-131-280; USDOE interpretation of ESEA requirements	School assessment and accreditation	Pass rates for grade 3-5 English increased from 70% to 75%.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The trend in student performance supported the increased benchmark, but the increased demand added to the need of local school divisions to at least maintain their investments in curriculum development, teacher training, student remediation and student support services.
20	Orange County Schools		Diploma requirements	Advanced Technical diplomas and Standard Technical diplomas will be implemented for 9th graders.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	<b>Implementation delayed from 2010-2011 to 2011-2012 by HB 2166, and further delayed to 2012-2013 by HB 1554 and SB 810. The new diplomas will likely create need to increase course offerings in math, science and career and technical education. It may not be possible to simply reduce other course offerings in order to offset the increased cost without eliminating sections of English, social studies or fine arts. There is a high probability that the new diplomas will increase personnel cost or require the elimination of other highly valued programs, such as fine arts.</b>
21	Orange County Schools	American Recovery and Reinvestment Act; ESEA AYP waiver requirement	"Master Schedule" report of all student achievement measures and teacher/principal evaluation outcomes	Link student performance measures with teacher and principal performance evaluations, and "warehouse" related data for the purpose of federal reporting at some future time.	Suspend until Commonwealth can restore state funding to FY 2009 level with particular emphasis on restoration of previous state funding for support staff and instructional technology resource (ITRT) positions.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	Mandated as part of Phase II of American Recovery and Restoration Act funding and implemented during 2011-2012 school year, this requirement establishes a "master schedule collection process" that demands an extreme amount of administrative man hours to complete. Each student's schedule, grades and SOL test outcomes are collected and aligned with the evaluation outcomes of their respective teachers and principals. The State will conduct two major data collections per year. Many man hours of training have been required to date, and more training is expected.
22	Orange County Schools	American Recovery and Reinvestment Act; ESEA AYP waiver requirement	Student growth percentile.	Creates additional measure for the determination of school accreditation.	Suspend until Commonwealth can restore state funding to FY 2009 level with particular emphasis on restoration of previous state funding for support staff and instructional technology resource (ITRT) positions.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The new metric will supplement or replace annual SOL testing as the primary measure for school accreditation. It will require a substantial increase in man hours devoted to data processing, analysis and presentation. It will require substantial training time for all stakeholders, including parents.
23	Orange County Schools	VAC 20-131-30; VAC 20-131-280; Elementary and Secondary Education Act	School assessment and accreditation.	Benchmarks for AYP will rise to 91% in reading and 90% in math for the SOL tests taken in 2011-2012 that will determine AYP status for 2012-2013	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	AYP benchmarks associated with standardized test pass rates increase by five points each year with 100% success required in 2014. These continually increasing benchmarks mandate that investments in curriculum development, teacher training, student remediation and student support services should never decrease nor remain stagnant. Each five-point increase in the requirements should require at least a 5% increase in the resources needed to achieve the increased standard. The Virginia State Board of Education has expressed interest in applying for a waiver from the U.S. Department of Education that may freeze these benchmarks for 2012-2013.

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or		Regulation*		Topic		Mandate Summary		Rationale for Elimination or Suspension		Number of Hours Spent on Mandate (Estimate)		Cost to Schools	
School District													
24	Orange County Schools	VAC 20-131-50	Requirements for standard and advanced diplomas.	All students entering 9th grade will be required to complete a course in personal finance and economics	Suspend until associated FTEs may be included in SOQ funding formula.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	As a result of HB 1554 and SB 810, implementation was exempted from further delay to 2012-2013. Consequently the mandate must be implemented in 2011-2012 despite the fact that it included no new state funding. Estimating 400 students at each grade level and assuming a 25:1 student teacher ratio, Orange County High School is projected to add 16 sections of personal finance and economics. This equated to 2.5 additional teachers for OPCS in 2011-2012. Given no new funding to employ extra teachers, we have closed down two sections "principles of business," five sections of "managing finances," one section of keyboarding, and two self-contained special education classes. During 2012-2013, we intend to close additional sections of electives in social studies and business education. We have received very little active response to our requests to the banking community for assistance with implementation of this mandate.						
25	Orange County Schools	VAC 20-131-140	College and career readiness	All 7th graders must develop an academic and career plan. It must be completed by 8th grade, reviewed upon students' entrance into 9th grade and again at 11th grade.	Suspend pending inclusion of additional middle school guidance FTEs may be included in SOQ funding formula.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	Implementation delayed from 2010-2011 to 2011-2012 by HB 2166, and further delayed to 2012-2013 by HB 1554 and SB 810. Formal electronic academic and career plans must be developed and implemented through guidance services at a time when budget reductions are forcing us to consider a reduction in guidance staff ratios to the minimum SOQ-compliance level. The new requirement increases cost - either in time or staffing. We must employ more guidance staff or we must direct our guidance counselors to re-allocate time away from other vital responsibilities. Such choices will compromise our counselors' capacity to encourage positive student character development, behavior, conflict resolution, study skills, attendance and college readiness. Moreover, the initiative will require expansion of career awareness programs at the middle level based on forthcoming data that will be generated by newly required interest inventories and career assessments. Expanded staff development will be provided in counselor applications of Virginia Wizard 3.0 and technical support. Orange County and other school divisions are attempting to implement the						

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
26	Orange County Schools	USDOE Office of Civil Rights Regulations.	Civil rights monitoring.	Civil rights data collection process, including an expansion of the number of classifications for student ethnicity from six to 32.	No state level option available. This recent additional compliance standard underscores the need for restoration of state funding to 2009 level with emphasis on need to restore previous support staff funding level under SOQ formula.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The new requirement has increased time for school attendance clerks to track all students and update records, and then to maintain higher vigilance in monitoring data. The impact already is being felt. This new requirement increased the demand for support staff in the same year in which the General Assembly decreased funding for support staff. In general, the amount of data that must be reported to the U.S. Office of Civil Rights (OCR) has increased greatly since 2009. In many cases, OCR is requesting information that duplicates information that already has been reported to the Virginia Department of Education. The amount of administrative man hours required by the process has increased again in 2011-2012. There has been no restoration of administrative or clerical staff since the substantial staff reductions in 2008-2010.
27	Orange County Schools	VAC 20-131-30	Standards of Learning.	New social studies standards were implemented and tested in 2010-2011.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The new standards required curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.
28	Orange County Schools	VAC 20-131-30; 20-131-280	Student assessment and school accreditation.	Pass rate for English in grades 6-12 will increase from 70% to 75%	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The trend in student performance supports the increased benchmark, but the increased demand will add to the need of local school divisions to at least maintain their investments in curriculum development, teacher training, student remediation and student support services.
29	Orange County Schools	VAC 20-131-30	Standards of Learning.	New mathematics standards were implemented in 2010-2011 and are being tested in 2011-2012.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The new standards required curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.
30	Orange County Schools	VAC 20-131-30	Standards of Learning.	New course in Algebra Functions and Data Analysis (AFDA) was added during 2009-2010, but General Assembly directed Virginia Board of Education to drop the requirement that a related SOL assessment be added during the 2011-2012 school year.	Maintain current suspension until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	<b>Plan to require SOL test in Algebra Functions and Data Analysis by 2011-2012 was dropped during spring of 2010. The course has since been approved by the Virginia Board of Education as an option to satisfy the mathematics requirement for a Standard Diploma. The addition of the course will require new costs associated with local curriculum development, staff development and purchasing of textbooks and instructional materials. A DOE spokesperson cautioned that the SOL assessment requirement will be reviewed annually and may be restored in any given year. If so, another assessment will require sustainable new costs associated with data analysis and student remediation and support.</b>

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
31	Orange County Schools VAC 20-131-300; VAC 20-13-280	Graduation requirements and school accreditation.	A Virginia cohort graduation index of 85 points is required to achieve accreditation.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	Virginia's graduation index is a superior measure of student progress as compared to the four-year graduation requirement that is needed to maintain "adequate yearly progress" under the federal "No Child Left Behind" law. Nevertheless, it is a reminder that state and federal accountability associated with student graduation requires localities to maintain or increase costs associated with student attendance monitoring, remediation, truancy enforcement and support services for students AND families. Virginia's associated cohort graduation index also requires administrative tracking of students who transfer to other school divisions, including those in other states.	
32	Orange County Schools VAC 20-131-30	Standards of Learning.	New English standards will be implemented in 2011-2012 and tested in 2012-2013.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The new standards will require curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The transition will include significant updating of our local formative assessment benchmarking system. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.	
33	Orange County Schools VAC 20-131-30; VAC 20-131-280	Student assessment and school accreditation.	New SOL writing test will require all students to compose their submissions on a computer.	Suspend until Commonwealth can restore state funding to FY 2009 level. Suspension also should be continued pending a review of the adequacy of state VPSA technology bond funding. Do we have the technology capacity for this expansion of on-line writing tests?	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The new requirement terminates the paper-and-pencil writing test and expands demand for computer labs at a time when state funding for technology remains flat.	
34	Orange County Schools VAC 20-131-30	Standards of Learning.	New science standards will be implemented in 2011-2012 and tested in 2012-2013.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	The new standards will require curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The transition will include significant updating of our local formative assessment benchmarking system. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.	
35	Orange County Schools VAC 20-131-70; VAC 20-81-90.C	State special education regulations that exceed federal requirements.	Students who test out of specialized educational services may not be dismissed unless and until parent/guardian gives written agreement.	Amend to ensure that state requirement does not exceed federal requirement.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	Virginia special education regulation that exceeds the federal standard. Virginia public schools must continue to offer specialized services to students even though they no longer demonstrate an educational disability, unless the parent/guardian gives written permission to cease such services. This requirement exceeds the federal standard and obligates school divisions to maintain excess staff. As well, this impacts materials, supplies, technical assistance, assistive technology, health care needs, crisis plans, restraint trained staff, CPR & Glucagon trained staff, transportation, and meals. Equally important, this increases the percentage of disabled students and negatively impacts the Virginia State Performance Plan (SPP) based on 20 indicators of performance in special education services and support. This regulation leaves school divisions without recourse to disproportionality.	
36	Orange County Schools VAC 20-131-70; VAC 20-81-250.F; Va. Code 2.2-5211, 5212	State special education regulations that exceed federal requirements.	The Comprehensive Services Act (CSA) for students and families at risk no longer funds as many specific support services as previously.	Amend to ensure that state requirement does not exceed federal requirement.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	Virginia special education regulation that exceeds the federal standard. While CSA funding decreases, requirements for 1:1 behavioral support, residential placements, day treatment support, medical supports, remain in effect. As a result, school division budgets must assume increasing costs associated with low incidence, high-cost special needs students.	

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
37	Orange County Schools VAC 20-131-70; VAC 20-81-120.2	State special education regulations that exceed federal requirements.	School divisions have no recourse with transfer students.	Amend to ensure that state requirement does not exceed federal requirement.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	Virginia special education regulation that exceeds the federal standard. Transferred disabled students are automatically enrolled in specialized programs with no exceptions. The receiving division may be punished with 15% set aside funding due to disproportionality.	
38	Orange County Schools VAC 20-131-70; 20-81-40.E.3b	State special education regulations that exceed federal requirements.	Increased licensing requirements for interpreting services, hearing impaired teachers and vision impaired teachers.	Amend to ensure that state requirement does not exceed federal requirement.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	Virginia special education regulation that exceeds the federal standard. Rural school divisions are often unable to secure and maintain licensed staff who have complied with increased licensing requirements. These specialists are not easily persuaded to work in smaller divisions. Failure to be in compliance leaves divisions without recourse to litigation. Increasingly, rural school divisions must negotiate contracts with external service providers. The restricted market for such providers is driving up the costs of their services.	
39	Orange County Schools VAC 20-131-70	College and career readiness; student assessment; and school accreditation	Increased credentialing requirements for Career and Technical education.	Suspend until Commonwealth can restore state funding to FY 2009 level. Suspension should be maintained until state determines true cost of ensuring CTE teachers are qualified to provide required training and to proctor required certification exams. State must pay its share of the true cost.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	In 2008-2009 the state required detailed reporting of student credentials by individual students: school, student SIS identifier, test result, use of verified credit elective, and cost. HB 566 and SB 630 continues to require local school boards to report annually the number of VA Board of Education-approved industry certifications obtained, state licensure examinations, and national occupational competency assessments passed while adding the Virginia workplace readiness assessments in 2010-2011. VDOE is tracking student certifications as a part of the School Report Card and requires divisions to increase their student credentials in increments of 33% until a division has 100% of its completers credentialed. While the state has delayed the increases, the expectation is to continue to credential 100% of completers at a time when VDOE will add Advanced Studies Technical and Standard Technical diploma types. Increased demand for new diplomas will ultimately increase the demand for CTE classes, teachers, teacher credentials, facility space, program expansion, and credentialing costs.	
40	Orange County Schools VAC 20-131-50	Graduation requirements.	The number of standard units of credit for an Advanced Studies Diploma will increase from 24 to 26.	Suspend until Commonwealth can restore state funding to FY 2009 level. Suspension should be maintained until state determines true cost of additional FTEs needed for provision of additional courses. State must pay its share of the additional cost.	Not available. Small divisions lack administrative capacity to provide detailed analysis of additional hours needed for new functions. Our parameters are clear. We must comply and we must do so with no new staff.	Implementation of selected regulations in the Standards of Accreditation were delayed from 2010-2011 to 2011-2012 by HB 2166, and further delayed to 2012-2013 by HB 1554 and SB 810. However exceptions to the delay include increases and changes to the credit requirements for the Advanced Studies and Standard diplomas beginning in 2011-2012 school year. Changes to the requirements for the Standard diploma are the addition of 2 credits of foreign language, fine arts, or CTE and 1 credit of economics and personal finance while reducing the number of elective credits required from 6 to 4. For an Advanced Studies diploma, the number of credits required for graduation has increased from 24 to 26 with 1 credit required for economics and personal finance and 1 required additional elective credit. Changes in the requirements impact the costs associated with personnel, staff development and student and parent communication. Further, the reduction of elective courses reduce the flexibility of student schedules and increase personnel demands.	
41	Patrick County Schools 8 VAC 20-131-80	Achievement Records	A requirement has been made for teachers to complete achievement records for all students in grades K-3. This is duplicative	This requirement will cost thousands of dollars to automate. The clerical costs and storage costs are unknown as the report is 14 pages long and goes into the permanent record.	unknown but could be in the hundreds	unknown but could in in the thousands	
42	Patrick County Schools <a href="http://www.doe.virginia.gov/administrators/superintendents_memos/2011/243-11.shtml">http://www.doe.virginia.gov/administrators/superintendents_memos/2011/243-11.shtml</a>	Career readiness certificates	Career readiness assessments are part of the requirement to provide for testing for career development certificates.	The cost is passed to the locality even though we get discounts.	unknown but could be in the hundreds	unknown but could in in the thousands	

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
43	Patrick County Schools <a href="http://www.doe.virginia.gov/administrators/superintendents/memos/2011/177-11.shtml">http://www.doe.virginia.gov/administrators/superintendents/memos/2011/177-11.shtml</a>	GED Tests	GED Testing costs - division is required to provide adult education under the SOQs.	The cost of these tests has risen significantly and is now passed on to us.	unknown but could be in the hundreds	unknown but could in in the thousands	
44	Roanoke County Schools Code of Virginia §§ 22.1-251; State BOE Reg 8 VAC 20-80-10 et seq.; IDEIA of 2004; 20 USC 1400 et seq.; 34 CFR 300, 303	Special Education Annual Plan	Requires the submission of an annual plan.	Eliminate the annual plan in the existing format. The annual plan submission is essentially repetitive data submitted each year. It includes policies that rarely change and programs that are essentially ongoing from one year to the next. We recommend that the Department of Education develop an assurance statement with a checklist of requirements for the Superintendent to certify. Annual local audits and external federal monitoring reviews provide oversight that the LEA is complying with special education regulations.			
45	Roanoke County Schools Code of Virginia §§ 22.1-251; State BOE Reg 8 VAC 20-80-10 et seq.; IDEIA of 2004 ; P.L. 108-446 ; 20 USC 1400 et seq.; 34 CFR 300,303	Special Education Program Standards	Specialized criteria required for educational interpreters.	The level of endorsement required for interpreters is too rigid. It is very difficult to find individuals with these qualifications and limits opportunities to utilize available interpretive assistance.			
46	Roanoke County Schools State BOE Reg 8 VAC 20-120-40, 50, and 70	Career and Technical Advisory Council	Separate advisory councils (career and technical, special education, gifted).	Eliminate all requirements for separate advisory councils at the LEA. Our School System works with a Comprehensive Plan Committee for development of the Annual Comprehensive Plan. This committee is composed of stakeholders from all areas and provides advisory input on every functional area of school operations, including career & technical education, gifted education, special education, and technology. The state requires that we have independent advisory councils for these different areas. It would seem that a Comprehensive Committee would provide for a more integrated advisory role while ensuring that the Annual Comprehensive Plan which sets annual goals for the school system is developed and implemented accordingly.			
47	Roanoke County Schools Various	Mandated state reports	There are too many mandatory state reports.	The Virginia Department of Education should be required to review every mandated state report and identify how and what the reported data is used for rather than expect the LEA to identify which ones should not be required. In some cases, there may be no alternative source of information but we question if all of the data that is currently being requested is used for a legitimate purpose or merely put on a shelf. Past attempts by the General Assembly to require the elimination of duplicate reporting from the LEA have resulted in a laughable reduction yet evidence is not available to support the purpose of the data required.			
48	Roanoke County Schools Code of Virginia 22.1-254.1	Home instruction	Requirement to report information on home school students.	Why is the LEA required to report information on home schooled children? The LEA is not receiving funding for these students and is not providing educational services.			
49	Roanoke County Schools	Title II-D State Report	Required to submit separate report when all information has already been submitted into the state grant system (Omega).	We submit duplicate information to the state for this grant and others. Every reimbursement request is submitted through the state Omega system. Why is it then necessary to submit a separate report outlining how we spent the Title II-D funds when that is what was used in the monthly reimbursement reports submitted to the state?			
50	Roanoke County Schools Code of Virginia 22.1-253.13:2, 22.1-293 through 22.1-305, State Board of Education Regs 8 VAC 20-22-10 et seq	Minimum instructional personnel	One size fits all regulations on class sizes.	School Systems are in the best position to know what program and staffing modifications are needed to accomplish their goals for student success. Generic class size calculations and minimum staffing levels do not guarantee student performance. The state should hold schools accountable for student performance and let the LEA dictate the best way to meet those goals. This varies from division to division and even within schools in a single division. The old one-size-fits-all method does not work.			

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Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
51	Roanoke County Schools		State mandates in excess of federal mandates	Virginia imposes mandates in excess of the federal requirements.	Virginia imposes an excessive amount of mandates above and beyond the federal requirements. The burden on LEA's to satisfy all of the federal and state mandates take valuable time away from the core mission of every school system to provide a full spectrum of educational opportunities for all students to learn and grow.		
52	Roanoke County Schools	Code of Virginia 22.1-253.13:3, State BOE Regs 8 VAC 20-131-10 et seq	Administration of Stanford 9	School divisions are required to administer Stanford 9 test.	Delete the requirement for reporting of the Stanford 9. It is anachronistic with most divisions no longer administering the test.		
53	Roanoke County Schools	Code of Virginia 22.1-199.2, State BOE Regs 8 VAC 20-630-10 et seq	Remediation programs evaluation	School divisions are required to annually evaluate these programs based on state criteria.	Eliminate this requirement. Programs are so varied across the state that the data is likely meaningless, out of context, and not comparable from division to division. It would be impossible to use this data in any statistically meaningful way at the state level.		
54	Salem City Schools	Instructional Standards for K-12 (p. 103)	Outdated, redundant record-keeping	Requires maintaining a SOL Card to track student progress on the SOLs K-3.	The advent of Standards-based computer gradebooks and 24/7 access for parents online reveal that technology has rendered this requirement as useful as the old Savings Account Bank Book	2-3 hours per K-12 teacher per year	Lost staff time that could be devoted to teaching and learning
55	Salem City Schools	SOQ	State Micromanagement of Local School Divisions	The proposed "65% rule"	In an era of limited resources, the Commonwealth should focus its old and new efforts on helping schools in need and leaving the rest of us alone. Further, the state has no business telling a locality how it invests its resources beyond the Local Required Effort. In Salem, our Board likes to put significant cash payments toward Capital Projects. This makes good financial sense and saves tax dollars in interest paid. Other localities may choose to invest in new fuel-efficient school buses to serve a rural population.	The proposed "65% rule" will reduce local control for all school divisions. If the General Assembly thinks that there are divisions not spending money appropriately, identify them using the ASR and go after them. Do not seek to micromanage the many for the suspected transgressions of the few.	Indeterminate
56	Washington County Schools	Code of Virginia §§ 22.1-200.03, 22.1-208, 22.1-208.01	Requirement for personal finance class to be taught to every student	A class in personal finance must be taught	Money should be allocated to pay for teachers for inclusion of this class	140 clock hours per course	Approx. \$200,000
57	Washington County Schools	Code of Virginia §§ 22.1-200.03, 22.1-208, 22.1-208.01	Requirement to teach character education	Requirement to teach character education	Money should be allocated to pay for services of staff and to purchase resources for this mandate	279 hours	Unknown
58	Washington County Schools	SOE.DOE117 SOE.DOE027	Requirement for professional development	School Divisions are required to provide a program of high quality professional development as prescribed by the Standards of Quality	There is no line item of revenue for PD from the state even though there is continuous training necessary to address new initiatives	Unknown	\$143,000
59	Washington County Schools	SOE.DOE081	Family Life Education	Family Life Education must be taught	Money should be appropriated for resources and staff to meet this requirement	186 hours	\$7,758
60	Washington County Schools	SOE.DOE059	Testing requirements	School divisions are required to administer appropriate assessments	NCLB requirements (increased requirements for state and federal accountability) have led to increased testing without commensurate external funding. Examples include: the need to extend student records collection which requires a full time position, the need for testing coordinators at each school, etc.	Unknown	\$750,000
61	Montgomery County Schools	Code of VA 22.1-253.13:1(D)(1); Reg 8 VAC 20-131-80; Supt's Memo #264-11 Sept. 23, 2011	K-3 English and Mathematics Achievement Records	Requires teachers to complete achievement records for all students in grades K-3. Requires extensive work to automate and store as permanent records.	Teachers review student's mastery of SOL skills daily and meet periodically to review data. LEA can monitor and assess student growth without a state report and mandate.	1620 ( 162 teachers x 10 hrs/tea)	\$62,969 (1620 x \$38.86/hr)
62	Montgomery County Schools	Code of VA 22.1-215: Reg 8 VAC 20-80-10	Special Educational Plan	Required to submit special education plan for following year.	Plan is a prescribed format with repetitive information to meet a reporting requirement. Format should be updated or replaced with assurance statement that LEA complies with federal and state laws.	17	\$1,182
63	Montgomery County Schools	Reg. 8 VAC 20-80-10	Special Education Program Standards for Interpreters.	Required endorsement standards for interpreters is too rigid and difficult to hire and pay within resources.	Revise the standard.		
64	Montgomery County Schools	Code of VA 22.1-254.1	Home Instruction	Requires LEA to monitor and report on home school students.	Funds are not received in ADM for these students and positions are not recognized to support home school students.	700	\$24,290
65	Montgomery County Schools	Code of VA 22.1-64	Superintendent Certifications	Superintendent required to sign multiple certification documents that LEA meets State standards.	Superintendent should be able to certify by oath and duties of position in one document that LEA will comply with standards.		

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Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
66	Montgomery County Schools Code of VA 22.1-199.2; Reg 8 VAC 20-630-10	Remediation Programs Evaluation	Requires LEA to annually evaluate remediation program based on criteria from State BOE.	Eliminate since programs are so varied for each LEA that report is likely meaningless.			
67	Montgomery County Schools	State Mandates that Exceed Federal Requirements	State has mandates that exceed Federal requirements, ie, State serves identified 2 year olds in special education while Federal requirement is age 3.	Extra work and expenditures to comply with Federal and extra State requirements.			
68	Montgomery County Schools	State Reports	State DOE and agencies should be required to review State reports that are not needed rather than depend on LEA.	LEA is not in a position to determine how reports are used at State level and which ones just meet a reporting requirement with no action.			
69	Stafford County Schools SOE.DOE094	Home Instruction	Requires school divisions to notify parents of home school students of the availability of Advanced Placement and PSAT exams, and provide instruction of low income.	The division does not presently budget for assistance for our public school students; therefore, the same benefit should not be allotted to students not enrolled in our public schools.	20	\$1,000 per year	
70	Stafford County Schools SOE.DOE107	Remediation Program Evaluation	Requires a report that specifies achievement and demographic information describing students enrolled in remediation programs.	Because the division does not have a student information system, this report from the 30 schools requires hundred of hours to complete at both the school and central levels. Since the Virginia Department of Education has state-wide access to SOL student performance, it seems that it could generate these reports for evaluative purposes.	150 hours	\$4,500 per year	
71	Stafford County Schools SOE.DOE132	School Year to Begin After Labor Day	The requirements for history of severe weather should be removed.	The start date for school divisions should be a local decision.	NA	NA	
72	Stafford County Schools Superintendent's Memo #278-11	On-Line Writing Assessment	Requires elementary students to take on-line SOL writing assessments.	Presents curriculum, scheduling, and financial burdens. The elementary curriculum does not include instruction in keyboarding. To properly prepare students, the state should provide SOQ staffing for keyboard instruction. The scheduling of computer labs during the testing period requires school divisions to purchase additional technology in order to accommodate all students in this testing as well as to continue the technology instruction for students in other grade levels.	NA	\$50,000 cost for an additional tech lab in each elementary school., and \$60,000 for a technology teacher in each elementary school. Total of approximately \$750,000 for the tech labs, and \$1,000,000 for the teaching staff.	
73	Stafford County Schools 8VAC20-131-50. Requirement	Economics and Finance Course Graduation Requirements for Students Entering 9th Grade in Fall 2011		Requirement places a burden on the school division since additional staff will need to be hired and additional resources used to purchase the textbooks and materials.	NA	1 additional teacher per high school and 400 additional textbooks. Approximate cost of \$300,000.	
74	Stafford County Schools NCLB 2001 places major emphasis upon HQ and Title I of the ESEA requires all teachers in programs/schools supported with Title I Part A be HQ (June 6, 2002).	Highly Qualified Requirement for Teachers in Title 1 Schools		In a school division that hires many out-of-state teachers, we are limited at our Title 1 schools because these teachers do not have the Virginia certification; therefore, they are deemed to be not highly qualified. This is an unfunded mandate because it limits the pool of applicants, and it places an undue financial burden on out-of-state new hires because they have to pay for the appropriate certification exams. School divisions should be given a one year waiver for these new out-of-state teachers, and the state should provide funding for the licensure tests required.	NA	Approximately \$10,000 to fund the state licensure tests for out-of-state new hires.	
75	Stafford County Schools Amendments to the Licensure Regulations for School Personnel (8 VAC 20-22-10 et seq.) and the Regulations Governing the Review and Approval of Education Programs in Virginia (8 VAC 20-542-10 et seq.) to Conform to Senate Bill 715 Passed by the 2010 General Assembly	Civic Course Requirement for License Renewal	Starting next year, any teacher license renewal for elementary school, middle school, and social studies certification will require the teacher to take a civics and or government course.	This is an unfunded mandate that places an undue financial burden on teachers.	5-10 hours per teacher to meet the certification requirement.	Approximately \$250,000 for courses and/or time spent completing the on-line requirements.	
76	Campbell County Schools Code of Virginia 22.1-253.13:3	Accreditation..and evaluation	Assessment methods to determine achievement of the SOL's	2010-2011 - New math standards - will be tested in 2011-2012. The new standards and embedded rigor requires significant staff development and resources. Significant resources will have to be spent if new benchmark scores are not met in the first year.	200	1.5 million (includes textbooks and staff development)	

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Section of VA Code or							
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77	Campbell County Schools	Code of Virginia 22.1-81,22.1-259, 22.1-260	Annual School Report	Requirement to submit statistical information	Staff resources are being spent on a state function. In addition, support staff has been cut.	160	10,000
78	Fauquier County Schools	NCLB Testing requirement	WIDA test	Requires that all ELL students are tested	While WIDA is very valuable, the costs can no longer be paid by Title III; therefore, local funds must support the costs associated with the testing	112.5 hours (3 weeks)	\$12,000
79	Fauquier County Schools	American Recovery and Restoration Act	Master Schedule Collection Process	Requires that school districts upload detailed information about courses teachers teach, course numbers, student achievement data, etc.	This effort requires an inordinate amount of staff time. The calculation noted here reflects a portion of staff time but can in no way reflect the magnitude of what is required -- ideally two additional positions.	unspecified	\$38,000 (represents staff time)
80	Fauquier County Schools	HB 1554 and SB 810	Financial Literacy Graduation Requirement	Requires that students complete a financial literacy course	FCPS has decided to offer four options for students to complete the requirements; three of the options are already in the high school schedule reducing the need to add a large number of teachers, but it appears that at least an additional teacher in CTE or mathematics will be needed.	90 hours	\$66,000
81	Fauquier County Schools	NCLB Sanctions	Title 1 Sanctions associated with Title 1 Schools in Improvement	Requires intensive staff time to meet reporting, bookkeeping, and meeting requirements	While aspects of the requirements are useful and valuable, several requirements emerging from the state's Office of School Improvement are negatively impacting staff time which would be better spent in supporting teaching and learning efforts (observations, common assessment development, etc.); costs listed represent 20% - 50% of 4 employees' time. Selected duties of these employees have been allocated to others within the school district, stretching capacity considerably.	unspecified	\$58,000
82	Fauquier County Schools	HB 566 and SB 630	Licensing and Credentialing Requirements	Requires licensing or credentialing for various staff personnel	Requirements extend to interpreting services, hearing & vision impaired teachers & CTE teachers restricting capacity to hire teachers and increasing time and costs for assisting teachers with licensing requirements; cost represents 5%-10% of a staff members time	unspecified	\$2,000 - \$4,000
83	Albemarle County Schools	Code of Virginia § 22.1-253.13:3; State Board of Education Regulation 8 VAC 20-131-10 et seq.; Individuals with Disabilities Education Improvement Act of 2004 (Fed.); 20 USC 1412 (Fed.); 34 CFR 300.320 (Fed.) VAC 20-390-10 et seq.	Administration of Assessment Instruments	School divisions are required to administer appropriate assessments which may include criterion-referenced tests, teacher-made tests, and alternative assessment instruments, and shall include the Standards of Learning Assessments and the National Assessment of Educational Progress State-by-State Assessment. Each school division shall analyze and report annually to the public, in compliance with any criteria that may be established by the Board of Education, the results from the Stanford 9 Assessment, if administered, industry certification examinations, and the Standards of Learning Assessments	JLARC has recommended reduction in the # of tests at the 3rd grade level to the General Assembly. We must continue to fund positions with testing responsibility, which is an increased burden due to reduction in SOQ funding for such positions.	unknown	unknown
84	Albemarle County Schools	Code of Virginia § 22.1-79.1	School Year to Begin after Labor Day	Local school boards shall set the school calendar so that the first day for students is after Labor Day. This requirement may be waived by the Board of Education if excessive closures due to severe weather or emergency would otherwise require the system to begin school before innovative programs, or it is entirely surrounded by a school division that begins after Labor Day.	Annual staff time to document the requirements for a pre-Labor Day opening is an unfunded mandate.	unknown	unknown

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Section of VA Code or							
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85	Albemarle County Schools	Code of Virginia §§ 22.1-60.1 and 22.1-253.13:5	Evaluation of Superintendent, Teachers, and Administrators	School divisions must evaluate the division superintendent, teachers, and administrators annually consistent with the performance objectives set out in the guidelines for Criteria for Teachers, Administrators, and Superintendents.	The staff time required for School Divisions to align local performance appraisals with new performance objectives represent an unfunded mandate.	unknown	unknown
86	Albemarle County Schools	Code of Virginia §§ 22.1-175.6 through 22.1-175.9; Item 132 (C)(12), Chapter 890, 2011 Acts of Assembly	Virginia Public School Educational Technology Grants Program	School divisions receiving grants from the Virginia Public School Educational Technology Trust Fund must provide a 20% local match based on the composite index of ability to pay, and must meet State Board of Education program guidelines. At least 25% of the local match shall be used for teacher training in the use of the technology.	These grants must be funded to support state on-line testing requirements, hence the 20% match is an unfunded mandate.	unknown	unknown
87	Albemarle County Schools	Code of Virginia §§ 22.1-207.5 and 22.1-253.13:4; Chapter 473, 2004 Virginia Acts of Assembly;	Student Achievement and Graduation Requirements	School divisions are required to have procedures for locally awarded verified units of credit, and to award diplomas to all secondary school students who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements approved by the Board of Education.	Requesting flexibility in the number of clock hours to earn a unit of credit.	unknown	unknown
88	Albemarle County Schools	P.L. 107-110 (No Child Left Behind Act of 2001 (Fed)	Elementary and Secondary Education Act Regulations	School divisions receiving funds from the Elementary and Secondary Act of 1965, reauthorized by the No Child Left Behind Act of 2001, must follow certain federal laws and achievement, accountability, teacher quality, parental options and other requirements.	Due to onerous testing and reporting requirements that consume significant annual staff time, we support regulatory relief.	unknown	unknown

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or		Regulation*		Topic		Mandate Summary		Rationale for Elimination or Suspension		Number of Hours Spent on Mandate (Estimate)		Cost to Schools	
School District													
89	Chesapeake Public Schools	Mandate 3	Felony Child Abuse Certification / Mandate 6: School Background Checks for Employees and Contractors	These mandates have a very important intent in protecting our students. However, the cost of the background checks for employees, as well as the staff time required to facilitate these background checks is significant. Staff time is also required to secure the appropriate required checks from contractors. For example, Mandate #6 states that the division should not "knowingly employ an unauthorized alien." It sometimes can take an inordinate amount of time to gather the required paperwork or documentation (e.g., felony compliance, immigration form). In addition, the mandates also fail to take into account the cost for school divisions to defend EEOC claims and legal challenges that result. While disciplinary actions may be considered part of the "routine administrative duties" of a school division, they are quite costly in terms of legal advice, defense of a claim, and the hiring and training of employees to handle these compliance issues. In regards to fingerprinting employees, a staff member must be trained to conduct the fingerprinting and interpret the	While these mandates have positive intentions, they are still unfunded/under funded mandates that divert needed funds from localities. We are very thankful to share the opportunity to share this information with you because the impacts of the mandates are magnified given the current financial situations facing our school today and any relief would be welcomed. In addition to the concerns noted above, the reduced funding for support personnel has impacted every phase of school division operations. In Chesapeake alone, for example, changing to the "4 to 1" ratio for support personnel cut state funding for over 500 positions.	500	\$25,000						
90	Chesapeake Public Schools	Mandate 3	Required Local Funding Effort for School Division	It is certainly important to provide this information to the public. However, it should be noted that providing the information required in print and on the internet requires significant staff time and printing expense. There is an assumption in this impact statement that local governing bodies are held accountable for providing sufficient local funds for the Standards of Quality. There is an assumption in this impact statement that formulas have not changed and that there is no obligation to explain formulas to the general public.	Unfunded	20 hours	\$1,000						

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or		Regulation*		Topic		Mandate Summary		Rationale for Elimination or Suspension		Number of Hours Spent on Mandate (Estimate)		Cost to Schools	
School District													
91	Chesapeake Public Schools	Mandate 95	Planning Time for Elementary School Teachers	The impact statement implies that all staffing standards have remained constant. Students must be monitored by staff members other than classroom teachers during the planning time. Provision of planning time for elementary teachers has been accomplished through the use of resource teachers, media specialists, and guidance personnel at the elementary level, but SOQ pupil teacher ratios for these positions do not provide school divisions with enough personnel to appropriately carry out the additional supervision/instruction required. Meeting the mandate is even more difficult for schools with exceptionally small enrollments that do not have the resource positions or must share the positions with other school buildings.	Unfunded	5 hours/week	per teacher	\$1,800,000					
92	Chesapeake Public Schools	Mandate 127	Planning Time for Elementary School Teachers	The impact statement implies that all staffing standards have remained constant. Students must be monitored by staff members other than classroom teachers during the planning time. Provision of planning time for elementary teachers has been accomplished through the use of resource teachers, media specialists, and guidance personnel at the elementary level, but SOQ pupil teacher ratios for these positions do not provide school divisions with enough personnel to appropriately carry out the additional supervision/instruction required. Meeting the mandate is even more difficult for schools with exceptionally small enrollments that do not have the resource positions or must share the positions with other school buildings.	Unfunded	5 hours/week	per teacher	\$1,800,000					
93	York County Schools	Code of Virginia § 22.1-253.13.3; 8 VAC 20-131-270	School Performance Report Card	Requires schools to provide parents with information regarding learning objectives, a copy of the division promotion, retention, and remediation policies, all applicable SOL requirements, and requirements for all diploma types.	This information could be posted on school division web sites with hard copies available upon request	40		\$14,600					
94	York County Schools	Code of Virginia Section 22.1-79.1	School Year to Begin after Labor Day	Requires that, except in certain circumstances, local school boards may not set the school board calendar so that the first day of school for students is before Labor Day.	Elimination of this mandate would grant more flexibility and local control of the school calendar.								
95	Newport News Public Schools	SOE.DOE138	Personal Academic and Career Plan	Beginning with the 2012-13 academic year, all schools shall begin development of a personal academic and career plan for each seventh grade student with completion by the end of the eighth grade year	NNPS does not object to the mandate as long as it is funded. This is currently an unfunded mandate.								
96	Newport News Public Schools	Chapter 391, Acts of the 2011 General Assembly	Economics and Personal Finance Course	Beginning with the 2011-12 academic year high school students are required to take and pass a new course on Economics and Personal Finance.	NNPS does not object to the mandate as long as it is funded. This is currently an unfunded mandate.								

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
97	Newport News Public Schools		State assessments in science and social studies for third graders	Virginia mandates that all students in grades 3 be tested in math, science, reading and social studies.	A report by the Joint Legislative Audit and Review Commission shows that most states do NOT require 3rd grade testing in science and social studies and asserts that students in grade three would be better served by being tested only in reading and math.		
98	Appomattox County Public Schools		New teacher eval system for June 2012	All teachers			
99	Appomattox County Public Schools		SPED testing	All SPED students			
100	Appomattox County Public Schools		Paperwork to DOE for waivers	Early start of school			
101	Appomattox County Public Schools		Gifted Services	All gifted students			
102	Appomattox County Public Schools		SOL testing	Grades 3-8, EOC			
103	Appomattox County Public Schools		IDEA Services	Only funded about 22% by Feds			
104	Appomattox County Public Schools		LEP testing	All LEP students			
105	Arlington Public Schools	VAC 20-131-30; VAC 20-131-280; USDOE interpretation of ESEA requirements	School assessment and accreditation / ESOL students	The new required WIDA test was implemented for ESL students in 2008-2009. Application of federal Title III funding for purchase of required tests was eliminated in 2009-2010. Bench-marks for ESL subgroup performance increased during 2009-2010 and again in 2010-2011. New 2008-2009 regulation also mandated expanded requirements for parental engagement. In 2010-2011, ELL reporting requirements were added to the Student Data Upload for SOL Testing.	Suspend until federal or state government can restore funding to FY 2009 level.	Administration of and analysis of results diverts resources from instructional activities. APS costs include materials @ ~ \$115,000, subs to cover test administration @ ~ \$35,000, and staff time (STCs and ESOL/HILT lead teachers January-March) as well as student and classroom time (at least 1 hour per student and classroom). For each grade level, there is a test in each of the four language domains; listening, speaking, reading and writing. The listening test and the reading test consist of multiple-choice questions. The writing test and the speaking test are made up of performance tasks scored according to specific rubrics. The listening, reading and writing tests can be group-administered and are centrally scored. The speaking test is an individually-administered, adaptive test that is scored by the test administrator.	The addition of this standardized test in 2008-2009 required sustainable new costs associated with staff development, family outreach, data analysis and student remediation and support. Removal of federal Title III funding in 2009-2010 transferred testing costs to local level. Expanded 2010-2011 reporting requirements added to administrative costs at a time when the state was decreasing its contribution for administrative and support staff. Test Materials cost us \$115,450; Substitutes cost \$4,756; test administrators (retired staffers) cost \$31,311, for a total of \$151,517.  These costs do not include the work hours of non-teaching APS staffers who assisted in the administration and required testing as noted below. Here are some other details for the 2010-11 administration: <ul style="list-style-type: none"> <li>• ACCESS was administered to 4,618 students in grades K – 12</li> <li>• 251 staff elementary test administrators available</li> <li>• 129 secondary test administrators available</li> <li>• Administration takes between 1 and 1.5 hours per student</li> <li>• APS paid 22 retired teachers to help administer</li> <li>• 8 Department of Instruction staff members volunteered their time to administer</li> <li>• All test administrators (staff and retirees) were required to spend at thirty minutes per section</li> </ul>

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
106	Arlington Public Schools VAC 20-131-30; VAC 20-131-280; USDOE interpretation of ESEA requirements	School assessment and accreditation	Pass rate for 3rd grade history and science tests increased from 50% to 70%.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Administration of and analysis of results diverts resources from instructional activities. APS costs include materials @ ~ \$115,000, subs to cover test administration @ ~ \$35,000, and staff time (STCs and ESOL/HILT lead teachers January-March) as well as student and classroom time (at least 1 hour per student and classroom). For each grade level, there is a test in each of the four language domains; listening, speaking, reading and writing. The listening test and the reading test consist of multiple-choice questions. The writing test and the speaking test are made up of performance tasks scored according to specific rubrics. The listening, reading and writing tests can be group-administered and are centrally scored. The speaking test is an individually-administered, adaptive test that is scored by the test administrator.	The low 50% pass rate was approved, in part, because of the widespread understanding that it was NOT "developmentally appropriate" to test 8 year olds on their recall of historical and scientific facts that had been introduced to them from first grade through third grade. The trend in student performance supported the increased benchmark, but the increased demand added to the need of local school divisions to at least maintain their investments in curriculum development, teacher training, student remediation and student support services.	
107	Arlington Public Schools VAC 20-131-30; VAC 20-131-280; USDOE interpretation of ESEA requirements	School assessment and accreditation	Pass rates for grade 3-5 English increased from 70% to 75%.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available.	The trend in student performance supported the increased benchmark, but the increased demand added to the need of local school divisions to at least maintain their investments in curriculum development, teacher training, student remediation and student support services.	
108	Arlington Public Schools	Diploma requirements	Advanced Technical diplomas and Standard Technical diplomas will be implemented for 9th graders.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available.	Implementation delayed from 2010-2011 to 2011-2012 by HB 2166, and further delayed to 2012-2013 by HB 1554 and SB 810. The new diplomas will likely create need to increase course offerings in math, science and career and technical education. It may not be possible to simply reduce other course offerings in order to offset the increased cost without eliminating sections of English, social studies or fine arts. There is a high probability that the new diplomas will increase personnel cost or require the elimination of other highly valued programs, such as fine arts.	
109	Arlington Public Schools American Recovery and Reinvestment Act; ESEA AYP waiver requirement	"Master Schedule" report of all student achievement measures and teacher/principal evaluation outcomes	Link student performance measures with teacher and principal performance evaluations, and "warehouse" related data for the purpose of federal reporting at some future time.	Suspend until Commonwealth can restore state funding to FY 2009 level with particular emphasis on restoration of previous state funding for support staff and instructional technology resource (ITRT) positions.	Not available. While it is difficult to estimate the costs involved in implementing this mandate, several factors have contributed to the difficulty in implementing efficiently and effectively: (1) changing data requirements as VDOE worked through the first data collection cycle; (2) inability to use current student information system to load required data; (3) absence of elementary scheduling to accurately link students to the teacher of instruction (rather than the homeroom teacher).	Mandated as part of Phase II of American Recovery and Restoration Act funding and implemented during 2011-2012 school year, this requirement establishes a "master schedule collection process" that demands an extreme amount of administrative staff hours to complete and keep up to date. Each student's schedule, grades and SOL test outcomes are collected and aligned with the evaluation outcomes of their respective teachers and principals. The State will conduct two major data collections per year. Many man hours of training have been required to date, and more training is expected.	
110	Arlington Public Schools American Recovery and Reinvestment Act; ESEA AYP waiver requirement	Student growth percentile.	Creates additional measure for the determination of school accreditation.	Suspend until Commonwealth can restore state funding to FY 2009 level with particular emphasis on restoration of previous state funding for support staff and instructional technology resource (ITRT) positions.	Not available. While it is impossible to estimate the costs of implementing student growth percentile until the state clarifies expectations regarding its use (e.g., for accreditation), there remain several questions regarding the limitations of this growth model, most notably, its exclusion of student performance at advanced levels, the statistical requirements for relatively large numbers of students per teacher aggregates (40 recommended) and the difficulties in tying student scores to the teacher of instructional the elementary level.	The new metric will supplement or replace annual SOL testing as the primary measure for school accreditation. It will require a substantial increase in staff hours devoted to data processing, analysis and presentation. It will require substantial training time for all stakeholders, including parents.	

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
111	Arlington Public Schools VAC 20-131-30; VAC 20-131-280; Elementary and Secondary Education Act	School assessment and accreditation.	Benchmarks for AYP will rise to 91% in reading and 90% in math for the SOL tests taken in 2011-2012 that will determine AYP status for 2012-2013	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available.	AYP benchmarks associated with standardized test pass rates increase by five points each year with 100% success required in 2014. These continually increasing benchmarks mandate that investments in curriculum development, teacher training, student remediation and student support services should never decrease nor remain stagnant. Each five-point increase in the requirements should require at least a 5% increase in the resources needed to achieve the increased standard. The Virginia State Board of Education has expressed interest in applying for a waiver from the U.S. Department of Education that may freeze these benchmarks for 2012-2013.	
112	Arlington Public Schools VAC 20-131-50	Requirements for standard and advanced diplomas.	All students entering 9th grade will be required to complete a course in personal finance and economics	Suspend until associated FTEs may be included in SOQ funding formula.	Not available.	As a result of HB 1554 and SB 810, implementation was exempted from further delay to 2012-2013. Consequently the mandate must be implemented in 2011-2012 despite the fact that it included no new state funding. Estimating 400 students at each grade level and assuming a 25:1 student teacher ratio, Arlington Public Schools High School is projected to add 16 sections of personal finance and economics	
113	Arlington Public Schools USDOE Office of Civil Rights Regulations.	Civil rights monitoring.	Civil rights data collection process, including an expansion of the number of classifications for student ethnicity from six to 32.	No state level option available. This recent additional compliance standard underscores the need for restoration of state funding to 2009 level with emphasis on need to restore previous support staff funding level under SOQ formula.	Not available. There are 2 pieces to this topic: (1) all civil rights data collections; (2) changes in race/ethnicity coding and reporting in 2010-11. Federal civil rights data collections in the last two years have involved significant staff time to compile and provide the required data either through data file uploads or web-based data entry systems (estimated @ .5 FTE over 4 months each year). The changes in race/ethnicity coding required an extensive data collection process and changes in our student information system March-July 2010, but now implemented, just the training and communication costs in ensuring that staff are using the correct codes.	The new requirement has increased time for school attendance clerks to track all students and update records, and then to maintain higher vigilance in monitoring data. The impact already is being felt. This new requirement increased the demand for support staff in the same year in which the General Assembly decreased funding for support staff. In general, the amount of data that must be reported to the U.S. Office of Civil Rights (OCR) has increased greatly since 2009. In many cases, OCR is requesting information that duplicates information that already has been reported to the Virginia Department of Education. The amount of administrative man hours required by the process has increased again in 2011-2012. There has been no restoration of administrative or clerical staff since the substantial staff reductions in 2008-2010.	
114	Arlington Public Schools VAC 20-131-30	Standards of Learning.	New social studies standards were implemented and tested in 2010-2011.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available.	The new standards required curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.	
115	Arlington Public Schools VAC 20-131-30	Standards of Learning.	New mathematics standards were implemented in 2010-2011 and are being tested in 2011-2012.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available.	The new standards required curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.	

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
116	Arlington Public Schools VAC 20-131-300; VAC 20-13-280	Graduation requirements and school accreditation.	A Virginia cohort graduation index of 85 points is required to achieve accreditation.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available. While difficult to estimate the time spent implementing this mandate, we should also consider the training and communication costs in providing this new information to schools staff and the public.	Virginia's graduation index is a superior measure of student progress as compared to the four-year graduation requirement that is needed to maintain "adequate yearly progress" under the federal "No Child Left Behind" law. Nevertheless, it is a reminder that state and federal accountability associated with student graduation requires localities to maintain or increase costs associated with student attendance monitoring, remediation, truancy enforcement and support services for students AND families. Virginia's associated cohort graduation index also requires administrative tracking of students who transfer to other school divisions, including those in other states.	
117	Arlington Public Schools VAC 20-131-30	Standards of Learning.	New English standards will be implemented in 2011-2012 and tested in 2012-2013.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available.	The new standards will require curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The transition will include significant updating of our local formative assessment benchmarking system. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.	
118	Arlington Public Schools VAC 20-131-30; VAC 20-131-280	Student assessment and school accreditation.	New SOL writing test will require all students to compose their submissions on a computer.	Suspend until Commonwealth can restore state funding to FY 2009 level. Suspension also should be continued pending a review of the adequacy of state VPSA technology bond funding. Do we have the technology capacity for this expansion of on-line writing tests?	Not available. Again, while difficult to estimate the hours required to implement this mandate until it takes effect in Spring 2012, the costs in preparing and training for this new requirement should also be considered.	The new requirement terminates the paper-and-pencil writing test and expands demand for computer labs at a time when state funding for technology remains flat.	
119	Arlington Public Schools VAC 20-131-30	Standards of Learning.	New science standards will be implemented in 2011-2012 and tested in 2012-2013.	Suspend until Commonwealth can restore state funding to FY 2009 level.	Not available.	The new standards will require curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The transition will include significant updating of our local formative assessment benchmarking system. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.	
120	Arlington Public Schools VAC 20-131-70; VAC 20-81-90.C	State special education regulations that exceed federal requirements.	Students who test out of specialized educational services may not be dismissed unless and until parent/guardian gives written agreement.	Amend to ensure that state requirement does not exceed federal requirement.	Not available.	Virginia special education regulation that exceeds the federal standard. Virginia public schools must continue to offer specialized services to students even though they no longer demonstrate an educational disability, unless the parent/guardian gives written permission to cease such services. This requirement exceeds the federal standard and obligates school divisions to maintain excess staff. As well, this impacts materials, supplies, technical assistance, assistive technology, health care needs, crisis plans, restraint trained staff, CPR & Glucagon trained staff, transportation, and meals. Equally important, this increases the percentage of disabled students and negatively impacts the Virginia State Performance Plan (SPP) based on 20 indicators of performance in special education services and support. This regulation leaves school divisions without recourse to disproportionality.	
121	Arlington Public Schools VAC 20-131-70; VAC 20-81-250.F; Va. Code 2.2-5211, 5212	State special education regulations that exceed federal requirements.	The Comprehensive Services Act (CSA) for students and families at risk no longer funds as many specific support services as previously.	Amend to ensure that state requirement does not exceed federal requirement.	Not available.	Virginia special education regulation that exceeds the federal standard. While CSA funding decreases, requirements for 1:1 behavioral support, residential placements, day treatment support, medical supports, remain in effect. As a result, school division budgets must assume increasing costs associated with low incidence, high-cost special needs students.	

VSBA/VASS Report on State Red Tape on Public Education (continued)

Section of VA Code or							
School District	Regulation*	Topic	Mandate Summary	Rationale for Elimination or Suspension	Number of Hours Spent on Mandate (Estimate)	Cost to Schools	
122	Arlington Public Schools VAC 20-131-50	Graduation requirements.	The number of standard units of credit for an Advanced Studies Diploma will increase from 24 to 26.	Suspend until Commonwealth can restore state funding to FY 2009 level. Suspension should be maintained until state determines true cost of additional FTEs needed for provision of additional courses. State must pay its share of the additional cost.	Not available.	Implementation of selected regulations in the Standards of Accreditation were delayed from 2010-2011 to 2011-2012 by HB 2166, and further delayed to 2012-2013 by HB 1554 and SB 810. However exceptions to the delay include increases and changes to the credit requirements for the Advanced Studies and Standard diplomas beginning in 2011-2012 school year. Changes to the requirements for the Standard diploma are the addition of 2 credits of foreign language, fine arts, or CTE and 1 credit of economics and personal finance while reducing the number of elective credits required from 6 to 4. For an Advanced Studies diploma, the number of credits required for graduation has increased from 24 to 26 with 1 credit required for economics and personal finance and 1 required additional elective credit. Changes in the requirements impact the costs associated with personnel, staff development and student and parent communication. Further, the reduction of elective courses reduce the flexibility of student schedules and increase personnel demands.	
123	Fairfax County Code of Virginia § 2.2-4304A, particularly subsection 2	Cooperative procurement	Restricts school divisions from seeking best possible contract pricing by placing artificial limiting conditions on cooperative procurement.	School divisions should be able to pursue best possible pricing under cooperative procurement.	N/A	Unable to quantify	
124	Fairfax County EXAMPLES: Code of Virginia § 22.1-79 and 22.1-92	Required public notice	School divisions are required to post various public notices in "newspapers of general circulation" in their jurisdiction	Readily available venues exist for school divisions to post public notices widely and easily accessible to the public without having to pay for advertising space.	N/A	Cost varies based on number of required public notices annually.	
125	Fairfax County Code of Virginia §8.01-390.1	Authentication of school records	School divisions are currently required to send personnel to court to authenticate school records in cases involving anything other than the custody of a minor or the termination of parental rights	School divisions should be allowed to authenticate school records in all matters via affidavit, to parallel authority granted to other political subdivisions of the Commonwealth under 8.01-390. However, school divisions should retain the authority to redact subjective information as specified in 8.01-390.1	Varies by court appearance and number of records requests	Unable to quantify	
126	Fairfax County Code of Virginia §22.1-79.1	School calendar	School divisions, unless eligible for waivers enumerated in Code, must start school after Labor Day	School divisions should be allowed the flexibility to set school calendars to best reflect the needs of their students and their local community.	N/A	Only for eligible jurisdictions, the paperwork associated with applying for waivers.	

**Virginia Department of Education**  
**Calendar of Reports for 2011 - 2012**

Listed By Contact Office & Ordered by Due Date

Due Date	Report Name	Contact Office	Contact Name	Contact Phone No.	Report Status	Web Site Link & Notes
Monthly	Adult Basic Education, English Literacy, & Adult Secondary Programs Accountability Report	Adult Education & Literacy	Randall Stamper	804-225-2053	Same	<a href="http://p1pe.doe.virginia.gov/ssws/login.page.do">http://p1pe.doe.virginia.gov/ssws/login.page.do</a>
August 1	English Literacy/Civics Education Program Report	Adult Education & Literacy	Thomas Suh	804-225-2053	Same	<a href="http://www.vdoe.vi.virginia.gov/instruction/adulted/index.shtml">http://www.vdoe.vi.virginia.gov/instruction/adulted/index.shtml</a>
August 1	Race to GED Program Report	Adult Education & Literacy	Debbie Bergtholdt	804-225-2053	Same	<a href="http://www.vdoe.vi.virginia.gov/instruction/adulted/index.shtml">http://www.vdoe.vi.virginia.gov/instruction/adulted/index.shtml</a>
August 1	Individual Student Alternative Education Plan Report	Adult Education & Literacy	Michael Nusbaum	804-225-2053	Same	<a href="http://www.vdoe.vi.virginia.gov/instruction/adulted/index.shtml">http://www.vdoe.vi.virginia.gov/instruction/adulted/index.shtml</a>
August 1	Virginia GAE Diploma Programs Report	Adult Education & Literacy	Michael Nusbaum	804-225-2053	Same	<a href="http://www.vdoe.vi.virginia.gov/instruction/adulted/index.shtml">http://www.vdoe.vi.virginia.gov/instruction/adulted/index.shtml</a>
September 23, 2011	Remedial Summer School Enrollment	Budget	Budget Staff	804-225-2025	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/finance/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/finance/index.shtml</a>
September 23, 2011	Foster Care Enrollment	Budget	Budget Staff	804-225-2025	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/finance/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/finance/index.shtml</a>
September 15, 2011	Annual School Report - Financial Section	Budget	Budget Staff	804-225-2025	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/finance/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/finance/index.shtml</a>
October 1, 2011	Certification of Adequate Funds Budgeted to Meet Required Local Effort for the Standards of Quality and Local Match Requirements for Certain State	Budget	Budget Staff	804-225-2025	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/finance/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/finance/index.shtml</a>

Due Date	Report Name	Contact Office	Contact Name	Contact Phone No.	Report Status	Web Site Link & Notes
October 31, 2011	Career and Technical Education Financial Report (CTEFR) for SY 2010-2011	Career & Technical Ed.	Terry Dougherty	804-225-3349	Same	<u>To be published</u>
November 4, 2011	Secondary Enrollment Demographic Form (SEDF) Fall Report	Career & Technical Ed.	Lolita Hall	804-225-2051	Same	<a href="http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml">http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml</a>
December 9, 2011	CTE Industry Certification Reimbursement Requests (Exams given from June 1, 2011-June 30, 2011)	Career & Technical Ed.	Terry Dougherty	804-225-3349	Same	<a href="http://www.doe.virginia.gov/administrators/superintendents_memos/2011/148-11.shtml">http://www.doe.virginia.gov/administrators/superintendents_memos/2011/148-11.shtml</a>
April 20, 2012	Secondary Enrollment Demographic Form Spring Report	Career & Technical Ed.	Lolita Hall	804-225-2051	Same	<a href="http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml">http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml</a>
April 20, 2012	Secondary Student Career Clusters Enrollment Report (SSCCER)	Career & Technical Ed.	Lolita Hall	804-225-2051	Same	<a href="http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml">http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml</a>
April 30, 2012	CTE Local Plan & Budget Application for Federal Perkins Funding	Career & Technical Ed.	Lolita Hall	804-225-2051	Same	<a href="http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml">http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml</a>
May 15, 2012	Career and Technical Education Self-Assessment	Career & Technical Ed.	Glenn Anderson	804-225-2840	Same	<a href="http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml">http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml</a>
June 8, 2012	Annual Wage and Hour Report	Career & Technical Ed.	Sharon Acuff	804-225-2846	Same	<a href="http://www.doe.virginia.gov/instruction/career_technical/cooperative_education/index.shtml">http://www.doe.virginia.gov/instruction/career_technical/cooperative_education/index.shtml</a>
June 8, 2012	Career & Technical Education Industry Certification Reimbursement Reports (July 1, 2011-May 31, 2012)	Career & Technical Ed.	Terry Dougherty	804-225-3349	Same	<a href="http://www.doe.virginia.gov/administrators/superintendents_memos/2011/148-11.shtml">http://www.doe.virginia.gov/administrators/superintendents_memos/2011/148-11.shtml</a>
June 8, 2012	Career and Technical Education State Equipment Reimbursement Request for SY 2011-2012	Career & Technical Ed.	Terry Dougherty	804-225-3349	Same	<a href="http://www.doe.virginia.gov/administrators/superintendents_memos/2011/148-11.shtml">http://www.doe.virginia.gov/administrators/superintendents_memos/2011/148-11.shtml</a>
July 2, 2012	Career and Technical Education Completer Follow-up Survey	Career & Technical Ed.	Lolita Hall	804-225-2051	Same	<a href="http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml">http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml</a>
July 14, 2012	Completer Demographics Collection	Career & Technical Ed.	Lolita Hall	804-225-2051	Same	<a href="http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml">http://www.doe.virginia.gov/Instruction/career_technical/administration/index.shtml</a>

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July 20, 2012	CTE Credentialing Collection (CTECC)	Career & Technical Ed.	Joseph Wharff	804-225-3370	Same	<a href="http://www.doe.virginia.gov/Instruction/career_technical/administration/index/shtml">http://www.doe.virginia.gov/Instruction/career_technical/administration/index/shtml</a>
April 20, 2012	Student Record Data Collection - Spring (SPR)	Educational Information Management - Education Applications	Carol Wells Bazzichi	804-225-4847	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml</a>
July 13, 2012	Student Record Data Collection - End of Year (EOY)	Educational Information Management - Education Applications	Carol Wells Bazzichi	804-225-4847	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml</a>
August 31, 2012	Educational Registry Application (School ID, Div. Supt., Designated Contacts, and Central Office Staff Updates)	Educational Information Management - Education Applications	Susan Williams	804-786-3112 Option 4	Revised	<a href="http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml</a>
August 31, 2012	Student Record Data Collection - Summer	Educational Information Management - Education Applications	Carol Wells Bazzichi	804-225-4847	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml</a>
August 31, 2012	Other Academic Indicator	Educational Information Management - Education Applications	Susan Williams	804-786-3112 Option 4	Same	<a href="https://p1pe.doe.virginia.gov/era/oai.do">https://p1pe.doe.virginia.gov/era/oai.do</a>
August 31, 2012	Substitute Tests	Educational Information Management - Education Applications	Susan Williams	804-786-3112 Option 4	Same	<a href="https://p1pe.doe.virginia.gov/ssws/division.selection.do">https://p1pe.doe.virginia.gov/ssws/division.selection.do</a>
September 30, 2011	Master Schedule Data Collection	Educational Information Management - Education Applications	Allison May	804-225-3909	New	<a href="http://www.doe.virginia.gov/info_management/data_collection/master_schedule_collection/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/master_schedule_collection/index.shtml</a>
January 31, 2012	Master Schedule Data Collection/ Instructional Personnel (MSC - IPAL)	Educational Information Management - Education Applications	Allison May	804-225-3909	Same	<a href="http://p1pe.doe.virginia.gov/ssws/login.page.do">http://p1pe.doe.virginia.gov/ssws/login.page.do</a>

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October 15, 2011	Student Record Data Collection - Fall	Educational Information Management - Education Applications	Carol Wells Bazzichi	804-225-4847	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/student_record_collection/index.shtml</a>
Ongoing	On-Time Graduation Rate (OGR)/ Federal Graduation Indicator (FGI)/ Graduation Completion Index (GCI)	Educational Information Management - Education Applications	Susan Williams	804-786-3112 Option 4		<a href="https://p1pe.doe.virginia.gov/ogr/home.do">https://p1pe.doe.virginia.gov/ogr/home.do</a>
Quarterly	ARRA Jobs Reporting	Grants Accounting & Reporting	Karen Lux & Patrice Cosely	804-371-6877	Revised	<u>To be Announced</u>
May 15	Virginia Preschool Initiative Application	Instruction - Early Childhood Development	Cheryl Strobel	804-371-7578	Same	<a href="http://www.doe.virginia.gov/VDOE/Instruction/Elem_M/early/preschoolinitiative.html">http://www.doe.virginia.gov/VDOE/Instruction/Elem_M/early/preschoolinitiative.html</a>
October 1	Virginia Preschool Initiative Interim Report (Required in Appropriation Act)	Instruction - Early Childhood Development	Cheryl Strobel	804-371-7578	Same	<a href="http://www.doe.virginia.gov/VDOE/Instruction/Elem_M/early/preschoolinitiative.html">http://www.doe.virginia.gov/VDOE/Instruction/Elem_M/early/preschoolinitiative.html</a>
May	Early Intervention Reading Initiative - EIRI (Certification for Screening Instrument)	Office of Standards, Curriculum & Instruction	Tom Santangelo	804-225-3203		<a href="http://www.doe.virginia.gov/info_centers/administrators/superintendents_memos/2009/081-09.shtml">http://www.doe.virginia.gov/info_centers/administrators/superintendents_memos/2009/081-09.shtml</a>
August 31	Annual Report - Programs for the Gifted	Office of Standards, Curriculum & Instruction	Donna Poland	804-225-2884	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
June	Application for School Program Approval for Driver Education (Submission via attachment to Superintendent's Memorandum)	Office of Standards, Curriculum & Instruction	Vanessa Wigand	804-225-3300	Revised	
June	Driver Education Status Questionnaire (Submission via attachment to Superintendent's Memorandum)	Office of Standards, Curriculum & Instruction	Vanessa Wigand	804-225-3300	Revised	
June	Wellness Related Fitness Report	Office of Standards, Curriculum & Instruction	Vanessa Wigand	804-225-3300	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>

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Ongoing	Notification Process Concerning Driver Education Teachers Who Receive Traffic Citations (Submission via attachment to Superintendent's Memorandum) - Code of Virginia, § 46.2-340	Office of Standards, Curriculum & Instruction	Vanessa Wigand	804-225-3300	Same	
Late March	Annual Request for Waivers for Pre-Labor Day Opening	Policy and Communications	Michelle Vucci	804-225-2092	Same	<a href="http://www.doe.virginia.gov/info_centers/superintendents_memos/2008/01_jan/adm001.html">http://www.doe.virginia.gov/info_centers/superintendents_memos/2008/01_jan/adm001.html</a>
November-Annually	2009-2010 Title I, Part A, Comparability Report	Program Administration and Accountability	Gabie Frazier	804-225-2907		<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
February	Advanced Placement Fee Payment Program	Program Administration and Accountability	Ann Sheehan	804-371-2932		<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
June	Charter School Evaluation Report	Program Administration and Accountability	Diane Jay	804-225-2905	Same	
June	Regional Alternative Education Program Report	Program Administration and Accountability	Diane Jay	804-225-2905	Same	
July	NCLB Applications (consolidated and individual)	Program Administration and Accountability	Marsha Granderson	804-786-1993	Same	<a href="http://www.doe.virginia.gov/VDOE/Instruction/OCP/nclb-applications.html">http://www.doe.virginia.gov/VDOE/Instruction/OCP/nclb-applications.html</a>
November/Annually	Title I, Part D, Subpart 2, Count of Children Who Are Neglected or Delinquent (N or D)	Program Administration and Accountability	Diane Jay	804-225-2905		<a href="http://www.doe.virginia.gov/info_centers/administrators/superintendents_memos/2009/298-09.shtml">http://www.doe.virginia.gov/info_centers/administrators/superintendents_memos/2009/298-09.shtml</a>
Monthly	Crash/Incident Report	Pupil Transportation	June Eanes	804-225-2037	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
August	Certification of School Bus Insurance & Certification of Self Insurance	Pupil Transportation	June Eanes	804-225-2037	Same	
December	Pupil Transportation Report	Pupil Transportation	June Eanes	804-225-2037	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>

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Late-May 2010	Certification of Pre-Accreditation Eligibility (Accrediting Standards)	School Improvement	Kathleen Smith	804-786-5819	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/soa_compliance/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/soa_compliance/index.shtml</a>
Monthly	Claims Reimbursement Request for School Lunch, School Breakfast and After School Snacks	School Nutrition	School Nutrition Programs Staff	804-225-2074	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
November 15	Report of Verification of Free/Reduced Meal Applications	School Nutrition	School Nutrition Programs Staff	804-225-2074	Same	<a href="http://www.doe.virginia.gov/VDOE/suptsmemos/2007/">http://www.doe.virginia.gov/VDOE/suptsmemos/2007/</a>
January 31	School Nutrition Programs Local Accountability Review for School Lunch and After School Snack (local)	School Nutrition	School Nutrition Programs Staff	804-225-2074	Same	<a href="http://www.doe.virginia.gov/VDOE/suptsmemos/2007/">http://www.doe.virginia.gov/VDOE/suptsmemos/2007/</a>
January 31	School Nutrition Programs Semi-Annual Financial Report for July-December	School Nutrition	School Nutrition Programs Staff	804-225-2074	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
June 1	Local Wellness Policy Status Report	School Nutrition	School Nutrition Programs Staff	804-225-2074	New	<a href="http://www.doe.virginia.gov/VDOE/studentsrvcs/shab.shtml">http://www.doe.virginia.gov/VDOE/studentsrvcs/shab.shtml</a>
July 1	School Nutrition Programs Annual Agreement	School Nutrition	School Nutrition Programs Staff	804-225-2074	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
July 31	School Nutrition Programs Annual Financial Report for July -June	School Nutrition	School Nutrition Programs Staff	804-225-2074	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
December 1, March 31 & July 15	Special Education Regional Tuition Reimbursement	Special Education and Student Services	Sherry Hubbard	804-225-2339	Same	<a href="http://www.doe.virginia.gov/info_management/data_collection/special_education/index.shtml">http://www.doe.virginia.gov/info_management/data_collection/special_education/index.shtml</a>
May	Special Education Annual Plan/Part B Flow-Through Application	Special Education and Student Services	Paul Raskopf	804-225-2080	Same	
June 1	School Health Advisory Board Annual Report (Incl. Local Wellness Policy Status Report)	Special Education and Student Services	Caroline Fuller & Lynn Fellin	804-225-2431 & 225-2717	Revised	<a href="http://www.doe.virginia.gov/VDOE/studentsrvcs/shab.shtml">http://www.doe.virginia.gov/VDOE/studentsrvcs/shab.shtml</a>

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July - September	Special Education State Performance Report Indicator Data	Special Education and Student Services	Paul Raskopf	804-225-2080	Same	
July 15 Regional Ctrs July 31 School Divisions	Annual Report for Discipline, Crime and Violence	Special Education and Student Services	Joyce Martin	804-225-2966	Same	<a href="http://www.doe.virginia.gov/VDOE/Publications/Discipline/datacoll/2008-2009/08coll.html">http://www.doe.virginia.gov/VDOE/Publications/Discipline/datacoll/2008-2009/08coll.html</a>
August	Transfer of Funds	Special Education and Student Services	Paul Raskopf	804-225-2080	Same	
September 15	Homebound Student Services Report	Special Education and Student Services	Tia Campbell	804-786-8671	Same	<a href="https://p1pe.doe.virginia.gov/ssws/login.page.do">https://p1pe.doe.virginia.gov/ssws/login.page.do</a>
December	Special Education Child Count	Special Education and Student Services	Paul Raskopf	804-225-2080	Same	
September 1, 2011	2010-2011 Teacher and Principal Evaluation Collection Verification Report	Teacher Education & Licensure	Mark Allan	804-786-3925	Same	<a href="http://www.doe.virginia.gov/teaching/licensure/index.shtml">http://www.doe.virginia.gov/teaching/licensure/index.shtml</a>
January 31, 2012	Instructional Personnel (IPAL) Verification Report & Survey Data Report	Teacher Education & Licensure	Mark Allan	804-786-3925	Same	<a href="http://www.doe.virginia.gov/teaching/licensure/index.shtml">http://www.doe.virginia.gov/teaching/licensure/index.shtml</a>
January 31, 2012	Supply and Demand Report for School Personnel	Teacher Education & Licensure	JoAnne Carver	804-692-0251	Same	<a href="http://www.doe.virginia.gov/teaching/licensure/index.shtml">http://www.doe.virginia.gov/teaching/licensure/index.shtml</a>
June 1, 2012	Mentor Teacher Program Evaluation Report	Teacher Education & Licensure	JoAnne Carver	804-692-0251		
June 1, 2012	Mentor Teacher Hard-to-Staff Program Report	Teacher Education & Licensure	JoAnne Carver	804-692-0251		
October 14, 2012	New Teachers Program Verification Report	Teacher Education & Licensure	Mark Allan & JoAnne Carver	804-786-3925 804-692-0251		<a href="http://www.doe.virginia.gov/teaching/licensure/index.shtml">http://www.doe.virginia.gov/teaching/licensure/index.shtml</a>

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October 14, 2012	National Board Certification Incentive Award Verification Report	Teacher Education & Licensure	Mark Allan	804-786-3925		<a href="http://www.doe.virginia.gov/teaching/licensure/index.shtml">http://www.doe.virginia.gov/teaching/licensure/index.shtml</a>
October-11	Student Data Collection for Homeless Children & Youth For Subgrantees	Project Hope	Patricia Popp	757-221-4002	Same	<a href="http://wm.edu/hope">http://wm.edu/hope</a>