

Salem City Schools



2020 Legislative Priorities

Adopted: November 12, 2019

Vision: The Salem City School Division envisions an exciting future for Salem’s children. Achieving this vision will require purposeful elimination of some traditional barriers prescribed by outdated laws and regulations that have failed to keep pace with innovation in Salem City Schools. The purpose of this document is to advocate for necessary legislative and regulatory changes to provide those who serve children the opportunity to innovate on their behalf.

Legislative Priorities: The 2020 session of the General Assembly will consider numerous issues of profound importance to the Commonwealth’s public school students and to the school employees who deliver the promise of a high quality public education. Positions adopted by the Salem City School Board will be communicated to Salem’s legislators before the Assembly convenes. Legislators are urged to contact the Board or the Superintendent regarding legislation with implications for Salem’s children.

2020 State Legislative Priorities

- Local Control – Teaching and learning are extremely complex processes. While public education is a national priority and a state responsibility, it is ultimately a local function. The Salem City School Board urges state and federal government leaders to create the conditions that facilitate innovation by supporting local School Board authority, while avoiding the temptation to micromanage a local function.
- School Funding – The Salem City School Board urges the General Assembly to adopt a state budget that fully funds its commitment to teacher compensation, recruitment and retention. When controlled for inflation, the current budget for FY 2020 provides \$395 less per pupil than FY 2009.
- Teacher Shortage – VRS rules for the employment of retired teachers vary widely (from 1 to 12 months) and unnecessarily complicate the hiring of retirees in areas identified as critical shortages.
- Work-based Experiences and Dual Enrollment options for Standard Diploma – The options for meeting the CTE requirements to earn a Standard Diploma should include recognition of dual-enrollment coursework and high quality work-based experiences.

The pages that follow are offered as a potential resource for elected representatives when considering specific legislation the Board expects may be considered by the General Assembly.

K-12 Education Funding (Controlled for Inflation)

2019 Adopted State Per Pupil K-12 Direct Aid Funding Nominal and Inflation-Adjusted (CPI \$2005)



Source: Fiscal Analytics, Ltd using Virginia DOE - http://www.doe.virginia.gov/school_finance/budget/calc_tools/index.shtml

Current Reality: The budget adopted by the 2019 General Assembly featured another teacher raise for the second year of biennium (5% over two years for an average of 2.5% per year). Rebenchmarking projections still rely on antiquated methodology and are artificially depressed by factors including the SOQ Support Staff Cap implemented in the midst of the Great Recession. This cap is a significant part of the reason that the 15 year trend for state K-12 funding is of justified concern. When controlled for inflation, the current budget for FY 2020 provides \$395 less per pupil than FY 2009.

Legislative Recommendation: The state budget should pay for its share of what it requires localities and school divisions to do. Specifically, the Salem City School Board urges the General Assembly remove positions directly related to instruction in the classroom from the “SOQ Support Staff Cap” that was implemented during The Great Recession. The current cap was calculated not by what is required to provide a quality educational program, but by what multiplier would balance the state budget. It not only shifted the state’s responsibility to localities, it has artificially depressed the re-benchmarking calculation. Just as the General Assembly established a goal of fully funding VRS, it should establish a plan to provide the state share of funding to move teacher pay to the national average and set July 1 as the start date for all future pay increases.

Addressing the Teacher Shortage: Increased Flexibility for Hiring Retirees in Critical Shortage Positions

Current Reality: By allowing the VDOE to establish critical shortage areas by subject matter and allowing a retiree to fill that role while still receiving their Virginia Retirement System monthly benefit, school divisions have more options to fill vacancies with qualified, licensed teachers. A VRS rule requires that to serve in a critical shortage area exists, the retiree cannot have worked in a part-time, substitute, or coaching position for at least 12 consecutive months following the effective date of their retirement and may not have participated in an extended work incentive program. Additionally, a retiree may not serve in a critical shortage position if they retired with a reduced benefit. This 12 month rule is 12 times more than the standard one month VRS “separation of service.” Currently school division retirees, both those who retired with reduced and unreduced benefits, after a VRS bona fide break in service (one month), are permitted to serve school divisions and students as qualified substitutes, coaches, etc. since their retirement. By serving as substitutes since their retirement, these professionals have remained current and connected to the profession, making them excellent candidates to serve in critical shortage positions, but are prohibited by the 12 month “no employment” rule/requirement. Per VRS, the 12 month requirement is one set by VRS rule, not by the Code of Virginia, with the reasoning that “retirement patterns” would change without the requirement.

Legislative Recommendation: It is recommended that the General Assembly eliminate/prohibit the VRS requirement that a retiree must have a bona fide break in service of at least 12 consecutive months following the effective date of retirement to be eligible for employment in a critical shortage teacher vacancy. It is further recommended that the State delete the VRS rule/requirement that a retiree who retired with a reduced benefit or participated in an extended work incentive program be ineligible for employment in a critical shortage teacher vacancy.

Suggested Language:

§ 51.1-155. Service retirement allowance.

3. (Expires July 1, 2025) Any person receiving a service retirement allowance under this chapter, who is hired as a local school board instructional or administrative employee required to be licensed by the Board of Education, may elect to continue to receive the retirement allowance during such employment, under the following conditions:

(a) The person retired with reduced or unreduced benefits, after a VRS bona fide break in service (one month); and

~~(a) The person has been receiving such retirement allowance for a certain period of time preceding his employment as provided by law;~~

~~(b) The person is not receiving a retirement benefit pursuant to an early retirement incentive program from any local school division within the Commonwealth; and~~

~~(e b) At the time the person is employed, the position to which he is assigned is among those identified by the Superintendent of Public Instruction pursuant to subdivision 4 of § 22.1-23, by the relevant division superintendent, pursuant to § 22.1-70.3, or by the relevant local school board, pursuant to subdivision 9 of § 22.1-79.~~

Increased Options to Meet the CTE Credential Requirement for Students Pursuing a Standard Diploma

Current Reality: Currently all students pursuing a standard diploma are required to earn a career and technical credential or state license approved by the Board of Education. This requirement was loosely based on the false assumption that students who were pursuing a standard diploma were enrolled in CTE programs and/or were not planning to attend college after graduation, neither of which is necessarily true. This requirement has been expanded to allow for participation in an Advanced Placement, Honors, or International Baccalaureate course to also meet this requirement. While it does provide more flexibility, we believe that this requirement is also based on the faulty assumption that students who graduate with a standard diploma are somehow unprepared for college, technical training, or a career. We also feel that this requirement represents a potential barrier to graduation for specific disadvantaged populations of students who have otherwise met the credit and assessment requirements for graduation.

Legislative Recommendation: While we agree that students benefit from participating in advanced coursework and that earning a Career and Technical Credential or State License may positively impact a student's transition from school to work, additional graduation requirements disproportionately disadvantage students from our most at-risk populations. In order to earn a Standard Diploma in Virginia students are required to earn 22 credits and verify that they have mastered course standards by passing five SOL tests. The additional requirement that students earn an industry credential when they may or may not be enrolled in a related Career and Technical course is not logical. While the additional flexibility of allowing an Advanced Placement, Honors, or International Baccalaureate course to satisfy this requirement is appreciated, these courses are not appropriate for all learners. This requirement should be expanded to also include dual enrolled courses and high-quality workplace-based learning experiences such as apprenticeships and internships to ensure that school divisions have the flexibility necessary to make decisions based on what is in the best interest of individual children with regard to this additional graduation requirement.

Suggested Language:

§ 22.1-253.13:4

D.6. Require that students either (i) complete an Advanced Placement, Honors, International Baccalaureate, or **dual-enrolled course** (ii) **complete a high quality work-based learning experience, as defined by the Board, or (iii)** earn a career and technical education credential that has been approved by the Board, except when a career and technical education credential in a particular subject area is not readily available or appropriate or does not adequately measure student competency, in which case the student shall receive satisfactory competency-based instruction in the subject area to earn credit.

Salem City Schools



2020 Standing Legislative Positions

Adopted: November 12, 2019

In addition to the annual list of Legislative Priorities, the Board and the Superintendent of Schools will monitor the proceedings of the 2019 General Assembly and make known to its representatives the Board's positions on other issues that may arise.

The following chart is provided to indicate standing issues of particular interest to the City of Salem School Board and the Board's official position on each issue. The Board makes every effort to communicate with elected representative and also urges legislators and state officials to contact the Board or the Superintendent regarding legislation that might have implications for public education.

Budget and Financial Issues

Fully funding the re-benchmarking of the Standards of Quality (SOQ) so that the standards are, "realistic in relation to the Commonwealth's current education needs and practices" (Code of Virginia – 22.1-253.13.1)	<i>Support</i>
Changes in the Standards of Quality (SOQ) Funding Formula (such as arbitrary staffing caps) which would reduce the state's responsibility to fund its mandates to local school divisions.	<i>Oppose</i>
Funding annual raises using the linear weighted average and real inflation figures derived from annual reports from the school divisions.	<i>Support</i>
Reducing funds to Risk Reduction Programs that are essential to assisting at-risk and disadvantaged students achieve the high standards necessary to earn a diploma.	<i>Oppose</i>
Reinstate full funding for the Western Virginia Public Education Consortium to support and promote collaboration and the sharing of best practices in the school divisions of Alleghany, Bath, Bland, Botetourt, Craig, Floyd, Franklin, Giles, Henry,	<i>Support</i>

Montgomery, Patrick, Pulaski, Roanoke, and Wythe and the cities of Covington, Martinsville, Radford, Roanoke, and Salem.

Increase state reimbursement for school lunches to .10 per student lunch and .05 per student breakfast **Support**

Continued use of the Literary Fund for purposes other than school construction. **Oppose**

Supplanting state or local support for public education through use of federal monies **Oppose**

Reinstate funding of the School Construction Program **Support**

Maintain and consider increasing state funds for Instructional Technology **Support**

Expenditure of public funds on private schools through tuition tax credits or tuition vouchers **Oppose**

Fiscal autonomy for elected school boards **Oppose**

Changes to the authority of local governments to set and collect local real estate taxes **Oppose**

Employment Issues

Expansion of grievance procedures for Licensed and Continuing Contract Employees to Employees with an Annual Notice of Employment. **Oppose**

Continuing the requirement for teaching experience in order to obtain licensure as a school leader whether by traditional or alternative licensure **Support**

Amendment of the grievance procedure to provide for the decision of the grievance panel to be final and binding **Oppose**

Establishment of negotiation rights for school employees **Oppose**

Establishment of term contracts for professional staff **Monitor**

Requirements for written contracts for at-will employees (non-teachers) **Oppose**

School Board Governance Issues

Control of the school board calendar as authority of local school board (complete and total repeal of the requirement to open school after Labor Day) **Support**

Maintaining that only parents or legal guardians may make educational decisions for students and require that “Kinship Care” arrangements be reviewed by Local Departments of Social Services or approved by a District Juvenile Court **Support**

Increased court intervention for students and penalties for parents in proven cases of truancy. **Support**

Maintaining the authority of local school boards granted in Article VIII, Section 7 of the Constitution to regulate firearms on school property and at school events, including school board meetings **Support**

Maintaining the Virginia High School League as a voluntary association to regulate high school competition **Support**

Legislation or BOE/DOE Regulation seeking to regulate the VHSL **Oppose**

Maintaining the Virginia charter school law in its present form whereby local school boards retain authority and control over such schools **Support**

State Leadership on Federal Issues

The Salem City School Division supports the 2015 Reauthorization of the Elementary and Secondary Education Act (now referred to as ESSA) and urges the BOE/DOE to extend the spirit of increased local control. Further, the Salem City School Board encourages the BOE/DOE to continue to rethink and redesign assessment in the Commonwealth in an effort to take full advantage of the flexibility ESSA extends to states so that students and teachers in Virginia may persist in the transformation of the long-standing 1990’s approach to assessment in Virginia.