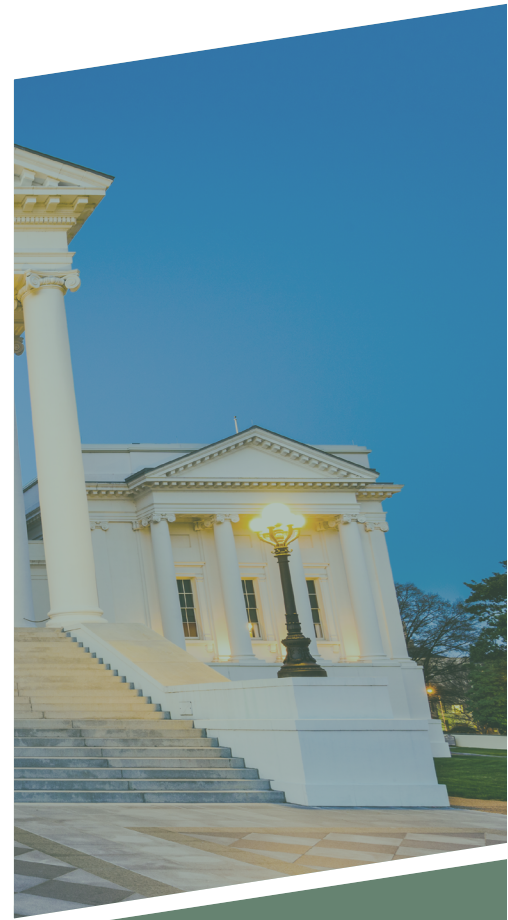




ALBEMARLE COUNTY PUBLIC SCHOOLS  
**LEGISLATIVE AGENDA**  
2023 SESSION



HELEN DUNN  
DEPUTY PUBLIC AFFAIRS AND  
STRATEGIC COMMUNICATIONS OFFICER

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## OUR VISION

Our learners are engaged in authentic, challenging, and relevant learning experiences, becoming lifelong contributors and leaders in our dynamic and diverse society.

## OUR MISSION

Working together as a team, we will end the predictive value of race, class, gender, and special capacities for our children's success through high-quality teaching and learning for all. We seek to build relationships with families and communities to ensure that every student succeeds.

**We will know every student.**

## OUR VALUES

**Equity:** We will provide every student with the level of support necessary to thrive.

**Excellence:** We will mitigate barriers and provide opportunities for every student to be academically successful.

**Family and Community:** We will engage with and share the responsibility for student success with families and community partners.

**Wellness:** We will support the physical and emotional health of our students and staff.

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## LEGISLATIVE PRIORITIES

### STUDENT HEALTH AND WELLNESS

ACPS **supports** a significant increase in state resources for programs and staffing (including school psychologists, school nurses, school counselors, and school social workers) to help school divisions manage the steady increase in the mental and physical health and wellness needs of our student population. This would include assistance with responses to issues such as childhood obesity, child and adolescent sleep, menstrual product availability, student mental health, student safety, suicide prevention and public health crises including vaping and opioid use.

ACPS **requests** funding to support the purchase of menstrual supplies to be provided at schools. Virginia code [§22.1-6.1](#) requires school boards to make menstrual supplies available at all times and at no cost to students in bathrooms of both middle and high schools, and wherever appropriate in elementary schools. Though this state law has created an unfunded mandate for Virginia school divisions, we believe in the importance of this law and would ask the Commonwealth to provide funding to fulfill the requirements of this law.

### STUDENT PARKING APPLICATION

ACPS **requests** appropriate changes to the [Code of Virginia § 22.1-205.1](#). This section of code requires any public high school student who applies to park a vehicle on school property to provide evidence of possessing a valid driver's license or driver privilege card. It also requires that each public school provide students with a standard application form, developed by the Department of Education, when requesting a pass to park a vehicle on school property. The application was given to schools for use starting on July 1, 2022, but the application adds burdensome administrative duties for staff without having any utility to schools.

## LEGISLATIVE POSITIONS

### FREEDOM OF INFORMATION ACT (FOIA)

ACPS **supports** the revision and amendment of the Virginia Freedom of Information Act (FOIA) and companion regulations, such as those issued by the Library of Virginia regarding records retention, to achieve the appropriate balance between the considerable investment in time and money required for compliance, protection of personal information and ensuring the people of the Commonwealth ready access to public records.

Additionally, ACPS **supports** addressing and potentially adjusting FOIA requirements in light of the growth of the use of electronic communications and social media to communicate more quickly and efficiently with the public. This shift in communication techniques has resulted in increasingly broad, complex, and burdensome requests, and has highlighted a need for additional flexibility in reporting timelines regarding requests for extraordinary volumes of records or extraordinarily lengthy searches.

## FUNDING FOR STATE EDUCATION

ACPS **supports** adequate state funding for elementary and secondary education that appropriately supports high-quality programs for all Virginia students. The state should share responsibility with each local school board for the true costs to localities of implementing Virginia's state-mandated education-related programs. This includes fair, equitable and up-to-date state funding distribution formulas, including the Local Composite Index (LCI), that accurately reflect local ability to pay, revenue generation capacity, local cost of living, local salary costs and the particular resource needs of local school divisions.

ACPS **supports** continued state funding to address shortfalls in education funding due to reductions in student population counts used in Basic Aid and other state funding formulas and in food and nutrition service budgets resulting from the continued effects of the COVID-19 pandemic, particularly in elementary school populations.

ACPS **opposes** the use of school vouchers or any other measures that would shift taxpayer money to families to finance moving their students from public schools to either private or home school. Any such measure effectively takes funding away from public schools directly in opposition to the constitution of Virginia, which states that the "General Assembly shall provide for a system of free public elementary and secondary schools for all children of school age throughout the Commonwealth, and shall seek to ensure that an educational program of high quality is established and continually maintained."

## HIRING PRACTICES

ACPS **supports** updated background checks for use in onboarding newly-hired staff. Currently, the state requires that staff undergo fingerprinting as part of this process and that fingerprinting be conducted through Virginia's Central Criminal Record Exchange, but the federal government and other U.S. states have valid fingerprinting services that can be used for background checks for our staff. This change would allow us to hire virtual teachers in some of our more difficult hiring areas without requiring them to travel to Virginia only for the purposes of going through the fingerprint process.

ACPS also **supports** provisions in code that expedite getting our new hires to work. When the Virginia State Police find that a background check is "clean," it takes 48 hours or less to get the result, which is visible online. However, if part of the background check produces a flag on the report, it will show up as "pending" online and that report must be sent on paper through the mail. This generally takes from 20-30 days, though no timeframe is given to the employer. This can contribute to loss of income for the employee and create a negative start the employee-employer relationship. This is a problem across the state, and allowing other methods of delivering this information would ease some related difficulties.

## LOCAL COMPOSITE INDEX (LCI)

ACPS **supports** lowering the current .8000 cap on the LCI to increase the state's minimum share of education funding for every local school division. Additionally, ACPS **supports** hold harmless provisions to mitigate the effects of biennial changes in the LCI.

## LOCAL TAXING AUTHORITY

ACPS **supports** changes to the Code of Virginia that make Albemarle County eligible to levy an additional 1% retail sales tax for the purpose of funding school division capital projects. Generating this revenue for the Commonwealth's 95 counties to match authority already available to its 39 cities would make it possible for school divisions to respond to the growing capacity needs in their already-overcrowded school facilities.

## MEETINGS OF PUBLIC BODIES

ACPS **supports** granting local school boards and other local public bodies expanded authority to conduct electronic communication meetings, including removal of limitations on the remote participation of members, as well as flexibility in how to fulfill mandates for required legal notices for certain public hearings and meetings.

## NON-DISCRIMINATION

ACPS **supports** policies that provide students and employees with an equitable, safe and supportive school and workplace environment. ACPS also **supports** policies that protect students and employees, on the basis of age, race, color, sex, sexual orientation, gender identity, religion, national origin, marital status or disability from discrimination under any educational program, activity or employment.

## RECRUITMENT OF BUS DRIVERS

ACPS **supports** changing in state retirement practices related to hiring bus drivers. For years, our school division has struggled to hire adequate numbers of drivers, and that shortage has been more acutely felt than ever in the last few years. During the 2020 General Assembly session, our delegation graciously supported legislation ([HB351](#) and [SB 324](#)) that allowed for bus drivers to be added to the Department of Education's [critical shortage list](#). This list allows retirees from Virginia Retirement System-covered positions to return to work in critical shortage positions in Virginia while continuing to receive their retirement benefits. These [critical shortage positions](#) require a break in service of at least 12 consecutive months between the retiree's retirement date and the date the retiree wishes to work in a critical shortage position. Many potential employees cite this required break in service as a deterrent for them taking advantage of the program. If that break in service were shortened only for bus drivers during this critical time when school divisions are desperately trying to transport their students to schools, it would make a meaningful difference in our school division and across the state.

## SWATTING

ACPS **supports** legislation that provides law enforcement with additional tools to combat the act of making a hoax communication to 9-1-1 (or to a private citizen, who communicates with 9-1-1) reporting an immediate threat to human life with the intent of triggering an immediate and significant law enforcement response, usually involving a SWAT team (known as “swatting”).

## SPECIAL EDUCATION

ACPS **opposes** the shifting of expenses for private day special education from the state to localities. The state must fulfill its commitment to vulnerable children and families. The Department of Education and Office of Children’s Services (OCS) have begun the process of shifting these expenses such that new rates will be adopted on July 1, 2023. ACPS has learned that will result in dramatic services changes, such as dismissal of critical staff at these private day schools who support our students. Without these services, many of the students who need this support the most will not get the services that they desperately need to function and thrive.

## STANDARDS OF QUALITY (SOQ)

ACPS **supports** adoption and maintenance of appropriate and adequately funded Standards of Quality to accurately reflect and fully support actual local instructional and support priorities and operating expenses, best practices, and needs; and which keep pace with evolving accountability requirements.

ACPS **supports** funding for the SOQ that fully covers the total state share (55%) of the costs of establishing and maintaining an educational program of high quality, as envisioned in the Constitution of Virginia.

ACPS **supports** the elimination of the arbitrary support positions ratio cap.

## TRANSGENDER AND GENDER-EXPANSIVE MODEL POLICIES

ACPS **supports** revision by the Virginia Department of Education of the proposed 2022 “Model Policies on the Privacy, Dignity and Respect for All Students and Parents in Virginia’s Public Schools” in consultation with local school divisions, and to support locally elected school boards. It is the Commonwealth’s constitutional responsibility to provide **all** students with a safe and engaging public education, one that unleashes their highest personal development potential.