



**Albemarle County School Board
Special Meeting – Meeting with Legislators
November 16, 2009 – 11:00am
Conference Room B, Albemarle County Office Building, 5th Street**

AGENDA

- I. Call to Order and Chairman Welcome
- II. Discussion of Issues Specific to Albemarle County Public Schools:
- Revenue Sharing in Composite Index Calculation
 - Triennial Census
 - Cost of Competing/Composite Index Adjustment
 - No Child Left Behind
 - Standards of Quality Funding/Caps on Inflation
 - Security Public Deposits Act
 - Reporting Criminal Offenses on School Property
 - International Standards
MESA (Math Engineering and Science Academy at Albemarle High School)
 - Budget – State and Local revenue current year concerns
- III. Additional Information for Consideration/Requests for information
- IV. Adjournment

Legislative Representatives:

Delegate Watkins Abbitt
Delegate Rob Bell
Senator Creigh Deeds
Senator Emmett Hanger
Delegate Steve Landes
Representatives Tom Perriello
Delegate David Toscano

School Board Members:

Steve Koleszar
Diantha McKeel
Barbara Massie Mouly
Pamela Moynihan
Ronnie Price
Jon Stokes
Brian Wheeler, Chairman

ACPS Representatives:

Dr. Pam Moran
Superintendent

Dr. Bruce Benson
Asst. Superintendent for
Operations & System Planning

Jackson Zimmermann
Executive Dir., Fiscal Services

Billy Haun
Asst. Superintendent for
Student Learning

Dr. Luvelle Brown
Chief Information Officer

ALBEMARLE COUNTY PUBLIC SCHOOLS AT-A-GLANCE

- 27 schools: 16 elementary, 5 middle, 4 high (including Murray, charter school), CATEC (joint with Charlottesville City), Arts-infused charter middle, MESA (Math & Science Academy at AHS)
- Total students grades pre-K through 12 estimate ('09-'10) : 12,986
- Students identified as gifted: 12.6%
- Students served by Special Education: 11.8%
- Students eligible for free/reduced lunch: 24.5% (increase of 3.5% over '08-'09)
- Students identified Limited English Proficient (LEP): 7.8% (increase almost 2% over '08-09)
- Number of languages spoken by students: 68
- Number school lunches served daily: 6720
- Number of miles buses travel daily: 17,397
- Students-to-computers ratio: 2.57:1
- High School completion rate: 93% (increase of 2% over '08-'09)
- Average Class Size: Kindergarten: 19
Grades 1-3: 19
Grades 4-5: 20
Grades 6-12: 22
- All of our schools are accredited by Virginia DOE; 25 of 26 are fully accredited
- One of 19 school divisions in State to earn VIP Governor's Award for Educational Excellence
- Average SAT scores surpass state and national averages by more than 60 points on each sub-scale
- 85% of our high school graduates pursue post-secondary education
- 83% of our students taking an AP test received passing scores, compared to state average of 61%

REVENUE SHARING IN COMPOSITE INDEX CALCULATION

Background

Albemarle County has a revenue sharing agreement with the City of Charlottesville. This revenue sharing agreement predates the General Assembly's moratorium on annexation by cities. The revenue sharing agreement is complex; however the general impact is to provide \$0.10 of the County's tax rate to Charlottesville. The current calculation of the Composite Index does not account for this payment to Charlottesville and thereby overestimates the available revenues to fund education via property taxes.

Impact Statement

Albemarle County's ability to pay as calculated by the Composite Index is overstated. The estimated dollar impact of this overstatement may well exceed \$1 million in annual lost funding from the Commonwealth. Albemarle County will provide \$18,038,878 in FY 09/10 for the revenue sharing agreement.

For the 2008-2010 biennium, Albemarle's composite index is 0.6232. For the 2010-2012 biennium, the composite index is 0.6872. The increase will result in significantly less state revenue for Albemarle for the 2010-12 biennium. Albemarle significantly exceeded the state average in terms of growth of true value of property and adjusted gross income. Property values and income account for 90% of the formulaic increases associated with the composite index. Albemarle's increase is the 6th greatest increase in ability to pay in the Commonwealth and is not based on the actual available revenue to fund education in the county.

Consideration

Adjust the Composite Index calculation to fully account for approximately \$0.10 of the local property tax rate not being available for funding education in Albemarle County.

TRIENNIAL CENSUS

Background

School divisions conduct triennial census of all 5-19 year olds residing in the district (regardless of their school choice), and the count determines appropriation of state sales and use tax for public education. VDOE provides guidelines to school divisions, but the planning and execution of the census is left to the local school boards.

Impact Statement

Although the triennial census is a cumbersome and costly process, it is essential to access all children within a district who must be served. The school district is required to provide services to these children, whether they choose to attend public school or not. Therefore, the funds must be available to provide the services.

Consideration

Oppose efforts to eliminate the requirement for a triennial census, and oppose base distribution on average daily membership of the school division rather than the school-age population of a school division.

COST OF COMPETING (ACPS Strategic Plan Goal 3, 5)

Background

Ensuring Albemarle County Public Schools recruits, develops, and retains a highly qualified, diverse cadre of staff is critical to achieving world class learning results and efficient use of funding allocated to personnel. During the 2007-08 school year: 125 teaching staff resigned or retired (33 retired, 92 left for other reasons), 9% of these were minority teachers. Data for the most recent school year 2008-09 is currently being compiled.

The aggressive recruiting strategies practiced by the Division produced an additional 12 minority teachers from October 1, 2007 to September 30, 2008 (for a total of 95), a decrease of 2 from the previous year. Virginia colleges and universities report the number of minority students enrolled in teacher education programs continues to decrease. This is primarily due to increased opportunity and options available in careers with more competitive salaries than those in education. Therefore, the pool of minority teachers is limited and in high demand within Virginia and nationwide. An aging workforce also impacts the Division. The number of professional and teaching staff within retirement age continues to increase: Cumulative # of teachers (full and part time) eligible for retirement (Voluntary Early Retirement Incentive Program by Albemarle County) in June 2009 – 288, in June 2010 – 320, in June 2011 - 347. These potential retirees represent approximately 25-30% of the teaching workforce within Albemarle County.

Impact Statement

Despite initiatives by the School Division and local government to prioritize market competitiveness, Albemarle County is challenged to maintain a competitive edge because of the high cost of living and limited affordable housing options. Albemarle County Public Schools compete for teachers and administrators with school divisions in metropolitan areas that have a higher cost of living coupled with higher salaries (Northern Virginia) or with a lower cost of living with higher salaries (Richmond area). The teaching demographic with the greatest attrition falls within 0-5 years of experience, with teachers leaving the profession for higher paying jobs outside of education or gaining experience here then transferring to our competition. Reaching and maintaining market competitive salaries and benefits remains a constant, moving target for the Division due to economic conditions.

Currently no formal process seems to be in place for assessing COCA funding. Belonging in the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area (CSA) is an official prerequisite for consideration of COCA assistance. COCA funding is currently provided to Virginia localities within the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area (CSA), as designated by the Federal Office of Management and Budget (OMB, www.whitehouse.gov/omb/inforeg/statpolicy.html#ms): Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City, Manassas Park City, Stafford County, Fauquier County, Fredericksburg County, Spotsylvania County, Warren County, Clarke County, Frederick County, Winchester City, Culpeper County.

Basing the availability of COCA funding purely upon proportion of commuters to the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV CSA or upon membership to that CSA ignores the reason for the establishment of COCA funding. COCA funding was provided to accommodate higher costs incurred by those divisions to meet the market requirements of the region. The same market issues that led to the establishment of COCA funding for the Northern Virginia localities exist here in the Charlottesville-Albemarle area.

During the 2008 General Assembly Session, Delegate Bell (Item 140, #32h and #29h) and Delegate Toscano (Item 140, #33h) introduced budget amendments to address the School Division's lack of COCA funding by adjusting the composite index funding formula methodology of Albemarle County. Chairman Wheeler addressed the Appropriations Committee regarding the initiatives. Appropriations Staff representative, Susan Hogge (Legislative Fiscal Analyst for Education Issues) met with Dr. Moran to review the issue and provide suggestions. Ultimately, the Appropriations Committee did not support the budget amendments.

Consideration

- Support Cost of Living Adjustments to be extended to Albemarle County Public Schools.
- Investigate option to request OMB incorporate Albemarle County into the CSA for DC-MD-VA-WV.
- Introduce budget amendments to provide COCA funding to Albemarle County.

Attached:

1. Letter from Governor Tim Kaine (April 25, 2007) to Delegate Toscano re: cost to compete

NO CHILD LEFT BEHIND (ACPS Strategic Plan Goal 1-5)

Background

The Albemarle County School Board supports the No Child Left Behind (NCLB) Act's goal of having all children learn to high standards but is deeply concerned about the Act's major expansion of federal authority over state and local educational programs. The School Board supports return of accountability to state and local authorities for NCLB since Virginia has already demonstrated meaningful success with high standards and assessment. The School Board supports full Federal funding for implementation of NCLB.

The NCLB Act of 2001 was intended to be cost neutral, but it includes mandates which localities must fund. The current gap in funding of NCLB is projected at \$55 billion nationwide. And, the Albemarle School Division spends approximately \$1.73 million in local funding for NCLB mandates. The projected cost per student for 2007-08 was \$138 per student, and the Division now has more students than anticipated. The School Board supports H.R. 648, introduced in the 110th Congress by Representative Don Young (R-AK). H.R. 648, the No Child Left Behind Improvements Act of 2007, strengthens accountability for improving academic performance of children enrolled in the nation's public schools. It offers improvements that address many of the unintended consequences of the federal legislation while holding states and school districts accountable.

The Albemarle County School Board adopted a resolution June 14, 2007 to fully support H.R. 648 and to seek the support of local community and civic leaders, members of the General Assembly, and Virginia's Congressional Delegation.

H.R. 648:

- Provides that a state's intermediate academic achievement goals need not increase in equal increments for all groups.
- Requires that states be given maximum flexibility in devising academic improvement plans.
- Limits the implementation of sanctions to schools and LEAs that fail AYP standards in the same subject for the same group for two consecutive years, and the provision of school transfers and supplemental services to students in the group who failed AYP standards. Provides further exceptions to and conditions on the application of corrective actions.
- Involves LEAs in the choice and critique of supplemental service providers as well as the provision of such services.
- Authorizes states, LEAs, and schools to defer implementation of certain corrective action in any fiscal year when the amount appropriated under ESEA and the Individuals with Disabilities Act does not equal or exceed a specified authorized amount.
- Applies AYP assessments to private schools receiving benefits under ESEA. Allows states to deny such benefits to private schools that fail state AYP standards for three consecutive years and underperforms local public schools.

Impact Statement

The NCLB Act of 2001 redirects funds away from areas the locality could better serve. In 2005, Albemarle County Public Schools participated in a directed review of NCLB costs in which staff documented by the 2007-08 school year, the Division would be contributing a minimum of \$138 per pupil in local funding to meet NCLB mandates. Approximately \$1.73 million in local funding is required for NCLB mandates.

Consideration

- Aggressively support full funding for implementation of the NCLB Act of 2001 or only have the Division accountable for students funded through federal programs.
- Support H.R. 648 to amend the Elementary and Secondary Education Act of 1965.

Attached:

1. Board resolution of support for H.R. 648 dated June 14, 2007
2. Board letter to Congressman Goode dated March 27, 2007

STANDARDS OF QUALITY FUNDING (ACPS Strategic Plan Goal 5)

Background

The Albemarle County School Board supports fully funding current and future Standards of Quality as defined by JLARC in an annual evaluation of such funding, applying such definitions, formula and methodologies to the state and local shares of all educational expenditures in the Standards. A full review was conducted by JLARC in February, 2002.

Impact Statement

In areas where state funding does not fully fund Standards of Quality requirements, localities bear the burden of the additional costs. Without a full JLARC annual study, it is difficult for the School Board to know the real costs for Albemarle County's subsidy of SOQs.

Consideration

Charge JLARC to conduct a follow-up complete study of the February 2002 Review of Elementary and Secondary School funding, with recommendations for fully funding the SOQs. Examine the impact of inflation caps upon school divisions and calculate its specific impact upon funding by the Commonwealth. Provide recommendations to remove the inflation cap, calculate and fund the previously inflationary costs passed onto localities, and continue to meet the Commonwealth's statutory requirements to fully share in the costs of educating Virginia's students.

During the upcoming rebenchmarking of education costs, the state should resist requirements for localities to fund a greater share. The state should not cap state funding for education support personnel. Funding should be realistic and recognize the actual educational costs and needs to educate students, as well as the costs of the system practices to fulfill the numerous and burdensome state and federal reporting requirements.

CAPS ON INFLATION RATES

Background

The current biennial budget contained provisions to limit the effects of inflation on the Commonwealth's share of costs associated with both SOQ costs and Categorical costs.

Impact Statement

This erodes the Commonwealth's commitment to public education and to the SOQ. Due to this change, localities will shoulder a larger burden for the cost of education than will the Commonwealth. The estimated cost of this change for Albemarle County Public Schools is more than \$264,000 in the prior biennium. The effect of this is compounding and will result in a very significant reduction in just the state's share of funding to education in the coming decades. With inflation increasing at a rate not seen for many years, the Commonwealth is failing to fund its basic commitments to education.

Consideration

Eliminate the cap on inflation rates. Continue to fully share in the costs of education with localities.

SECURITY PUBLIC DEPOSITS ACT

Background

The Security for Public Deposits Act provides public monies with collateralized security of all deposits. This means that all public funds are fully insured, no matter the amount deposited in a single bank. Over the past few years concerns have been raised that school activity fund monies are not considered public funds under the Virginia Security for Public Deposits Act. In the past, there was an assumption by most school divisions, auditors, and all banks that school activity fund monies were considered public funds for the purposes of the Security for Public Deposits Act. While it is somewhat unclear if activity fund monies are considered public, Albemarle County has taken steps to ensure that its activity funds are deposited in such a way as to be fully insured by the FDIC. Current temporary FDIC limits are \$250,000 per individual or institution per bank. These levels require 3-4 or our largest schools to maintain no less than two accounts per school. The standard FDIC limits are \$100,000 per institution per bank.

Consideration

Were these limits to be reinstituted and activity funds not be included in the Security for Public Deposits Act, then our largest schools would have to maintain 3-4 separate accounts in separate banks to meet FDIC limits. Many other schools would need to open multiple accounts to maintain balances of less than the standard FDIC limits. It would be operationally beneficial to schools to specifically include in the language of the Security for Public Deposits Act that school activity fund monies, for the purposes of the Act, are considered public funds and subject to the provisions of the Act. This could be accomplished by an amendment to the definition of “public deposit” under Va. Code §2.2-4401.

The citation for the Virginia Security for Public Deposits Act is Virginia Code §§ 2.2-4400 et seq.

REPORTING CRIMINAL OFFENSES ON SCHOOL PROPERTY

Background

Under Virginia Code §22.1-279.3:1(D), principals must immediately report to their local law-enforcement agency certain criminal offenses if they occur on school property, a school bus, or at a school-sponsored activity. These include, for example, the illegal carrying of a firearm, certain kinds of assaults, and threats against school personnel. However, neither §22.1-279.3:1 nor any other Virginia Code section expressly permits a law-enforcement agency to provide juvenile law-enforcement information, in return, to the school division about all of these offenses that school staff must report.

Virginia Code §22.1-279.3:1(B) and §16.1-301(B) do permit law-enforcement agencies to share juvenile criminal information with a school division, but only in certain situations: when a juvenile has been charged with a violent juvenile felony, the equivalent of an adult felony, certain firearms and arson offenses, or certain drug offenses. Law-enforcement agencies do not appear to have the authority to share juvenile criminal information with schools for most misdemeanor offenses, such as an assault on another student or a teacher.

Impact Statement

School divisions should have the ability to obtain some juvenile criminal information from law-enforcement agencies regarding offenses that occur on school property, school buses, and school-related activities. The current lack of information has resulted, at times, in difficulty preparing for and considering the appropriate level of student disciplinary actions that may be necessary to protect the school, students and staff. As student discipline continues to be increasingly litigated—not only in Albemarle but divisions across the state—the need to evaluate and justify student disciplinary actions also rises.

Consideration

Either Virginia Code §22.1-279.3:1 or §16.1-301 should be amended to provide that, upon request by a Superintendent of a student alleged to have committed one of the offenses required to be reported under §22.1-279.3:1(D), the responsible law-enforcement agency will provide further information about the offense if such disclosure would not, in the determination of the law-enforcement agency, jeopardize its investigation or prosecution. Such an amendment would balance the needs of school divisions to receive relevant information against the needs of law-enforcement and juvenile and domestic relations courts to preserve the general confidentiality of juvenile records.

INTERNATIONAL STANDARDS

Background

In 2004, the Albemarle School Board endorsed and approved the following two strategic goals as critical to educating all young people to performance that not only meets but also exceeds performance standards set through the Virginia Standards of Learning:

- Prepare all students to succeed as members of a global community and in a global economy.
- Eliminate the Achievement Gap.

The United States lags behind a combination of developed and developing nations in the preparation of young people who leave our schools workforce ready, college ready, and citizenship ready (Wagner, T. *The Global Achievement Gap*, pp xix-xxi.) The Albemarle School Board has responded to the critical issue of preparing students to achieve international standards through recent initiatives that include:

- Implementation of a conversational Spanish program in grades K-8, beginning with introductory language for all K-5 students
- Addition of non-European language electives in each high school (Chinese, Japanese and Arabic)
- Implementation of concept-centered, standards-based curricula that emphasizes critical and creative thinking, analytical reasoning, and problem-solving
- Use of learning assessments that measure achievement that is more consistent with international standards than SOL metrics (New Standards Reference Exam for Math and the STAMP assessment of language proficiency)
- Partnership with Charlottesville City Schools and the National Geographic Jason Project to implement a summer science academy and professional development program for rising at-risk middle schoolers and their science teachers
- Provision of Acceleration Via Individual Determination (AVID) programs in two feeder patterns to prepare students who will be first generation college students in their families
- Customization of learning options for students including public charter schools, specialty centers, virtual learning programming, and the new Science/Technology, Engineering, and Mathematics High School Academy (see attached overview)
- Establishment of an International Baccalaureate Research Committee

Impact Statement

In 2007, Virginia had the highest concentration of tech workers in the nation. In the same year, 32% of all new jobs were in Virginia's technology sector and 29% of all wages in Virginia were from salaries in the technology sector. Concomitantly, of every hundred high school freshmen in Virginia, 75 graduate on time, 47 attend college, and 25 complete college in 150% of the normal completion time (from data provided by the Office of Secretary of Technology).

To contribute to the economic vitality of Virginia, public schools must graduate a workforce that is significantly better prepared to work in the jobs available to 21st century Virginians. To do so, revision of Virginia's standards and assessments to align with international standards and assessments is essential. In addition, to create the sizeable, competitive workforce necessary to the nation's global competitiveness, Virginia must commit to educating significant numbers of its high school students beyond the levels we expect of honors students today.

Consideration

Provide state funding for innovative specialty programming such as the Albemarle Science and Math Academy that does not qualify as a governor's school or career and technical education STEM academy. Legislate action to align and integrate Virginia's current SOL and assessments to international performance standards and assessments.

MESA (Math Engineering Science Academy, Albemarle High School)

Recognizing the shortage and national need for engineers, mathematicians, and physicists, the goal and purpose of the Albemarle County Math, Engineering, and Science Academy (MESA) is to prepare students to become engineers in a world-class environment. The current focus of the academy is to create an integrated curriculum that teaches two levels of math and three sciences (Physics, Earth Science and Chemistry) in an expedited curriculum that creates two years in which the students can then participate in authentic scientific research, design, experimentation, and field work.

MESA opened its doors for the first time during the 2009-10 school year to 67 students. The MESA curriculum is a meta-discipline: a combining of multiple disciplines and fields of study into an integrated curriculum that is research and project-based. This will enable the student to be trained in the scientific inquiry method. By integrating math and science through an engineering lens, students will learn to communicate a variety of complex ideas. They will learn how to properly analyze; learn how to plan and create projects; and essentially, learn how to become critical thinkers within the context on an engineering framework.

Initially the student receives two levels of math and three sciences (Physics, Earth Science and Chemistry) in a rigorous hands on approach that both engages the student and allows the student to understand the math concepts through its application in the sciences. As students continue to progress through the program not only will they receive six college engineering credits, they will also have the opportunity to engage in semester long research projects and to mentor with scientists and engineers in authentic design and research.

It is the goal of MESA to become a highly visible STEM Academy model not only for the Commonwealth of Virginia, but for the East Coast Region and beyond. Our academy is designed with the goal of helping to bridge between the theory of schoolwork and the workplace. We strive to create an academy with a highly talented staff dedicated to energizing students and parents, rewarding creativity and innovation, and surmounting racial and gender stereotypes, while encouraging leadership, teamwork, and a strong desire to shape our nation's future.

FISCAL AUTONOMY

Background

There is a local school board action related to promoting “a study of fiscal autonomy” for elected school boards. The operative word here is “study”. This study is in response to a need to know the “pros and cons” of fiscal autonomy for elected school boards in Virginia. Only JLARC is able to conduct such a study in an impartial and objective way.

Consideration

The Albemarle County School Board re-affirms the Virginia School Board Association policy 1.20 recommending the General Assembly study the subject of fiscal autonomy for elected school boards in Virginia. A detailed definition of fiscal autonomy and feasibility of its implementation are further recommended for this study.

VRS RATE

Background

The Albemarle School Board supports the actuarial-based VRS rates as well as the establishment of a jointly appointed working group that will make recommendations for establishing actuarial assumptions for future contribution rates.

Impact Statement

Continuing to under fund the retirement benefits of teachers and employees of the Commonwealth will seriously impact the ability of government to hire staff. The longer the Commonwealth takes to fully fund this mandate, the greater the costs will be. It is a simple compounding interest problem: the longer we wait to fully fund retirement, the higher the retirement rate will be. Ultimately, the bond status of Virginia may be affected by the under funding of VRS retirement pensions, which would have a significant impact on the abilities of localities to affordably borrow money for public school projects.

Consideration

Fully fund the VRS actuarial retirement rate.

Enclosure 1

COMMONWEALTH of VIRGINIA

Office of the Governor

Timothy M. Kaine
Governor

April 25, 2007

The Honorable David J. Toscano
Member, House of Delegates
211 East High Street
Charlottesville, Virginia 22902

Dear Delegate Toscano:

Thank you for your recent letter requesting the addition of a cost-of-competing adjustment for the Albemarle County and City of Charlottesville school divisions. As you well know, I am an ardent supporter of public education and remain quite sensitive to the challenges facing local governments in Virginia.

I am very sensitive to the issues related to the cost-of-living in Charlottesville and Albemarle; however, the Cost-of-Competing Adjustment (COCA) used in public education funding is not the same as a Cost-of-Living Adjustment (COLA). It is not intended to serve the same purpose.

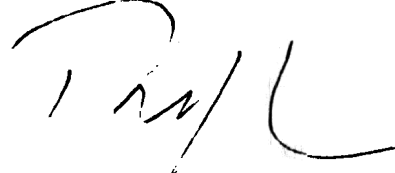
The COCA is intended to recognize the competitive nature of the labor market in a region and the competition that school divisions face in attracting teachers from other higher paying jobs that require the same skill set and education background as a teaching position. It is a labor cost analysis rather than a cost of living analysis. The two conditions may and frequently do co-exist, but one condition does not automatically lead to the other.

The Cost-of-Competing Adjustment (COCA) is included in the Standards of Quality to recognize the common labor market in the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area (CSA). A CSA is defined by the federal Office of Management and Budget (OMB) for purposes of collecting, tabulating, and publishing federal data. The designation incorporates multiple metropolitan and micropolitan statistical areas that are socially and economically intertwined.

Prior to the 2007 Session, the Washington, D.C. Metropolitan Statistical Area (MSA) served as the basis for the COCA under the Standards of Quality and all localities included in this MSA received the adjustment. During the 2007 Session, the General Assembly decided to expand the COCA to all localities within the DC-MD-VA-WV CSA, which resulted in the addition of the Counties of Frederick and Culpeper along with the City of Winchester. This CSA is now the basis for the COCA for Northern Virginia localities. Albemarle County and the City of Charlottesville are currently not included in the DC-MD-VA-WV CSA; however, OMB frequently considers revisions to existing CSA definitions so it is possible that your locality will be added in the future. -----

Again, thank you for your letter and I look forward to working with you in the future to strengthen public education in Virginia.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Kaine', with a large, sweeping flourish at the end.

Timothy M. Kaine

MK:cjd

c: The Honorable Jody M. Wagner, Secretary of Finance

Resolution Regarding Re-authorization of PL 107-110, *the No Child Left Behind Act of 2001*



WHEREAS, on January 8, 2002, President Bush signed into law the No Child Left Behind (NCLB) Act of 2001, which applies to all school districts and schools within states that accept federal Title I dollars; and

WHEREAS, the Albemarle County School Board supports the goals of NCLB of raising student achievement; closing the achievement gap; and ensuring that each child has a highly qualified teacher; and

WHEREAS, the Albemarle County School Board continues to welcome the accountability for improving student and school performance; and

WHEREAS, the Albemarle County Public Schools have been adversely impacted by NCLB's inadequate contemplation of how to fairly, accurately and reliably measure performance of divisions with a high percentage of English Language Learners and other students with special needs; and

WHEREAS, the Virginia Department of Education and the United States Department of Education have been unable to administratively resolve these inherent inequities and the resultant hardships borne by school divisions like the Albemarle County Public Schools; and

WHEREAS, the Albemarle County School Board has had four years of operational experience in implementing NCLB and;

WHEREAS, the Albemarle County School Board has identified improvements that could be made to NCLB that would eliminate barriers to full, fair and reasonable implementation and administration of the federal law; and

WHEREAS, the National School Boards Association (NSBA) developed draft legislation based on input from local school boards across the nation that would address the concerns of local school boards, and improve the implementation of NCLB; and

WHEREAS, in April 2006 the NSBA Delegate Assembly re-affirmed its support of federal legislation that is consistent with the NSBA draft legislation, and

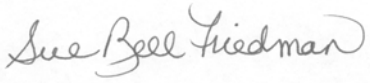
WHEREAS, in January 2007 Representative Don Young (R-AK) re-introduced legislation, the No Child Left Behind Improvements Act of 2007, H.R. 648, that is consistent with the NSBA draft legislation; now therefore, be it

NOW, THEREFORE, BE IT RESOLVED, that the School Board of Albemarle County urges Virginia's members of Congress - Bob Goodlatte, Jo Ann S. Davis, Thelma Drake, Robert C. Scott, J. Randy Forbes, Virgil Goode, Eric I. Cantor, James P. Moran, Rick Boucher, Frank R. Wolf, and Tom M. Davis - to support fully H.R. 648 by becoming co-sponsors of the bill, and be it further

FURTHER RESOLVED, that the Albemarle County School Board seeks the support of local community and civic leaders and appropriate members of the Virginia General Assembly in encouraging all of Virginia's Congressional delegation to become co-sponsors of H.R. 648, and be it finally

FINALLY RESOLVED, that copies of this resolution be sent to members of Virginia's U.S. Congressional delegation, the Governor, the members of the Virginia General Assembly, local public governing officials, and the Virginia Superintendent of Public Instruction.

Signed this 14th day of June 2007

By 
Sue Bell Friedman Chairman



Office of the School Board

401 McIntire Road Charlottesville, Virginia 22902-4596

Phone: (434) 972-4055 Fax: (434) 296-5893

www.k12albemarle.org

27 March 2007

Congressman Virgil Goode
Suite 215
70 East Court Street
Rocky Mount, VA 24151

Dear Congressman Goode:

As you may be aware, in January 2007, Representative Don Young (R-Alaska) introduced the No Child Left Behind Improvements Act of 2007, H.R. 648. This bill is very comprehensive and includes 42 provisions covering the areas of assessments, adequate yearly progress, sanctions, state flexibility, and non-public schools. As Chair of the Albemarle County School Board in your congressional district, I am writing you to urge you to join Representative Young as a co-sponsor of this important legislation.

We believe that H.R. 648 would increase accountability for improving the academic performance of all children enrolled in our public schools. We are pleased that the bill addresses many of the unintended consequences of the federal legislation enacted on January 8, 2002. Virginia has set high expectations for students and we believe that we are on the right track in holding our schools accountable for high performance. However, we know from current experience that the efforts of the U.S. Department of Education to micromanage our Commonwealth's educational work, particularly in regards to our most recent concerns about testing students who speak little to no English with no grade level assessments, can be improved by allowing Virginians to continue their work to raise the bar for all students but with reasonable flexibility to determine how we do so. H.R. 648 would remove many of the barriers to full implementation of the goals and objectives of the law. These include but are not limited to providing greater flexibility to states in:

- Demonstrating how schools and school districts reach adequate yearly progress across student membership groups,
- Engaging our LEA in choice and critique of supplemental service providers and application of fiscally responsible strategies to implementation of corrective actions
- More prudently applying student "numbers-N" sizes to determine adequate yearly progress (AYP) and alternate approaches and methodology to define AYP for schools and school districts
- Determining appropriate percentages of student participation in state assessments and reasonable exceptions for student absences, and
- Determining appropriate alternative assessments for students as well as the eligibility of students with significant cognitive disabilities or those lacking language proficiency not at a sufficient level to participate in state assessments.

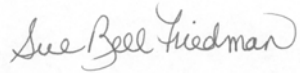


27 March, 2007

Page 2

Equally as important, we want you to know that H.R. 648 is consistent with the National School Boards Association's recommendations – which were developed based on input from local school districts across the nation, including Albemarle County. Your decision to become a co-sponsor critically sends a message to our community of your very positive actions and continued leadership in ensuring that our school district will be able to take more aggressive actions in raising the academic bar and closing the achievement gap. Thank you for your continued support to our public schools. Questions concerning our request may be directed to me.

Sincerely,

A handwritten signature in cursive script that reads "Sue Bell Friedman". The signature is written in dark ink on a light-colored background.

Ms. Sue Bell Friedman
School Board Chair
Albemarle County School Board

SBF:db