

Local Flexibility and Consolidation Provisions in SB 30 as Introduced

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Local Flexibility & Consolidation Provisions

- **The next several slides list local flexibility and consolidation provisions included in the Governor's introduced 2012-14 budget (SB 30).**
- **The language provisions are in the Direct Aid to Public Education budget where school division funding is appropriated.**
- **The newer provisions provide relief from staffing requirements and funding flexibility. Older provisions on division and school consolidation provide a funding hold harmless.**

SB 30 Flexibility Provisions

- 1. Provide flexibility in using existing funds to employ data coordinators, reading specialists, mathematics teacher specialists, and English language learner teachers:**
 - Use existing state/local funds for SOQ instructional technology resource teachers to employ instructional technology resource teachers, data coordinators, or blended position (1 per 1,000 staffing standard still must be met).
 - Use existing state/local Early Reading Intervention funds to employ reading specialists.
 - Use existing state/local SOL Algebra Readiness funds to employ mathematics teacher specialists.
 - Use existing state/local funds for SOQ Prevention, Intervention, and Remediation to employ additional English language learner teachers.

Note: divisions must employ licensed instructional personnel under these provisions. They were recommendations of the Board of Education and were adopted in the Act by the 2009 General Assembly effective for FY10. The 2011 Assembly codified them in the SOQ statute.

SB 30 Flexibility Provisions

2. Provide flexibility in SOQ instructional staffing standards:

- SB 30 permits school divisions to increase the division-level pupil-teacher ratios in grades K-7 and English classes for grades 6 through twelve by one additional student. No changes in the individual class size maximums are permitted.
- Pupil-teacher ratios for Elementary Resource Teachers, Prevention, Intervention and Remediation, ESL, Gifted and Talented, Career and Technical Education are waived. The programs themselves must still be provided.
- Instructional and support technology positions, librarians, and guidance counselors staffing ratios for new hires are waived.

Note: these provisions were initially adopted by the 2010 General Assembly effective for FY11. The standard SOQ basic instructional staffing standards are shown in the table on slide 13.

SB 30 Flexibility Provisions

3. Allow unspent FY13 or FY14 state funds to be carried over to FY14 or FY15 (in 2010-12 budget):

- Any locality that has met its required local effort for the SOQ for FY13 (or FY14) and that has met its required local match for incentive or Lottery-funded programs the same years, may carry over into FY14 (or FY15) any remaining state Direct Aid to Public Education balances to help minimize any FY14 (or FY15) revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY14 (or FY15).

Note: SB 553 would amend Section 22.1-100 to allow school divisions to use unexpended state funds to provide a one-time bonus to teachers of up to 3 percent.

SB 30 Flexibility Provisions

4. Carryover Unspent Local Funds and Lump Sum Appropriation:

- SB 30 includes language encouraging localities to allow school boards to carry over any unspent local funds into the next fiscal year. Localities are also encouraged to provide flexibility to school boards by appropriating state and local funds in a lump sum (vs. categorically) (in 2010-12 budget).

5. Use of School Construction Grants Program Escrow Funds:

- SB 30 permits divisions to withdraw funds from local escrow accounts established under Section 22.1-175.5 to pay for recurring operational expenses. Not required to provide a local match of the withdrawn funds (in 2010-12 budget).

SB 30 Flexibility Provisions

6. Textbook Funding (in 2010-12 budget):

- Divisions permitted to appropriate Textbook funds for any other public education instructional expenditure.
- They may use a portion of their Textbook funding to purchase SOL instructional materials, electronic textbooks, or other electronic media for curriculum and classroom instruction and technical equipment to read and access electronic textbooks and curriculum materials.
- Textbook funds unexpended as of June 30, 2013 or 2014, must be carried over by the locality to be appropriated to the division the next year for the same purpose.

SB 30 Flexibility Provisions

7. Support Position Cap:

- Allows divisions discretion in determining where reductions may be made at the local level to accommodate the support position cap, providing divisions still meet the staffing requirements of the SOQ (in 2010-12 budget).

8. Block Grant for Remediation Purposes:

- Divisions may use state funds provided for SOQ Prevention, Intervention, and Remediation as a block grant for remediation purposes, without restrictions or reporting requirements, other than reporting necessary as a basis for determining funding for the program (in 2010-12 budget).

Consolidation Provisions in Governor's Introduced 2012-2014 Budget (SB 30)

SB 30 Consolidation Provisions

- **School Division or Local Government Consolidation:**

Item 139 A.4.c.1) of SB30 states: *“In the event that two or more school divisions become one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, all state payments from this item adjusted by the composite index of local ability to pay to such resulting division or interest rates on approved Literary Fund loans shall be made on the basis of a composite index established by the Board of Education, which shall equal the lowest composite index of any of the individual school divisions involved in such consolidation. In addition, the local share of state payments adjusted by the composite index shall also be based on the same lowest composite index of any of the individual school divisions involved in such consolidation. This index shall remain in effect for a period of **fifteen years**, unless a lower composite index is calculated for the combined division through the process for computing an index figure as set forth above.”*

SB 30 Consolidation Provisions

- **School Division or Local Government Consolidation, continued**
 - Currently, paragraph A.4.c.1) of Item 132 in Chapter 890, 2011 Acts of Assembly, provides for a 15 year composite index hold harmless when school division consolidations result from local government consolidations; however, a 2011 AG's Opinion indicated that the current Act language only provides for a **5** year composite index hold harmless when division consolidations aren't the result of local government consolidations (if only the divisions consolidate).
 - The language changes proposed in SB 30 are intended to provide for a 15 year composite index hold harmless when two or more school divisions consolidate, regardless of whether it is the result of local government consolidation.

SB 30 Consolidation Provisions

- **Small School Consolidation Hold Harmless:**
 - Item 139 A.4.e. of SB 30 states: *“In the event that any school division consolidates two or more small schools, the division shall continue to receive Standards of Quality funding and provide for the required local expenditure for a period of five years as if the schools had not been consolidated. Small schools are defined as any elementary, middle, or high school with enrollment below 200, 300 and 400 students, respectively.”*
 - This provision has been in the appropriation act since the mid-1990’s. SOQ funding for teachers and other school instructional positions is maintained for five years as if all schools remained open. Currently, only Grayson Co. is receiving SOQ funding under this provision from FY11-FY15 due to the consolidation of two small elementary schools.

Appendix

Basic Instructional Standards for Basic Aid Funding in the 2012-2014 Biennium										
Standards of Quality Class Sizes/Ratios					Standards of Quality School-level Staffing					
Grade	Maximum Class Sizes	School-wide Pupil-Teacher Ratio	Division-wide Pupil-Teacher Ratio	Division-wide English Pupil-Teacher Ratio	Guidance Counselor	Librarian	Assistant Principal	Principal		
K	24; 29 w/ aide		24 to 1		Elementary School Positions:					
1	30					25 to 1	.20 per 100 students (500 to 1)	less than 300 students=.50; 300 or greater students=1.0	less than 600 students=0.0; 600 to 899 students=.50; 900 or greater students=1.0	less than 300 students=.50; 300 or greater students=1.0
2	30									
3	30									
4	35									
5	35	21 to 1		24 to 1	Middle School Positions:					
6	35				.20 per 80 students (400 to 1)	less than 300 students=.50; 300 to 999 students=1.0; 1,000 or greater students=2.0	less than 600 students=0.0; 600 to 1,199 students=1.0; 1,200 to 1,799 students=2.0; 1,800 to 2,399 students=3.0; greater than 2,400 students = 4.0	1.0		
7	35									
8										
9										
10				24 to 1	High School Positions:					
11					.20 per 70 students (350 to 1)	less than 300 students=.50; 300 to 999 students=1.0; 1,000 or greater students=2.0	less than 600 students=0.0; 600 or greater students = 1.0 per 600 students up to maximum of 4.0	1.0		
12										
Ungraded										

Other funded division-wide SOQ standards adopted by the General Assembly:

- Five elementary resource teachers in art, music, and physical education per 1,000 students in grades kindergarten through five.
- One technology support position and one instructional technology position per 1,000 students in grades kindergarten through 12.
- 17 full-time equivalent instructional positions per 1,000 students identified as having limited English proficiency (ESL account).