

TO: L. Kimball Payne, III, City Manager

FROM: Larry A. Massie, Interim Superintendent

DATE: November 16, 2011

SUBJECT: Unfunded and Underfunded Mandates

Thank you for soliciting the input of the Lynchburg City Schools' staff regarding unfunded mandates. Following is a list of mandates provided by our principals and central office administrators. If I may be of further assistance, please do not hesitate to contact me.

- 1. Underfunded Special Education Staff** - The school division continues to move toward more inclusive practices for students with special needs. While the federal government is supposed to support up to 40% of special education costs, the current allocation to Lynchburg City Schools does not come close to this percentage.
- 2. Reduced School Improvement Funding and Sanctions-** Funds to schools in improvement have been cut drastically since Perrymont Elementary School first entered school improvement. Currently, Perrymont (Year 2 Holding), Heritage Elementary (Year 2), Robert S. Payne (Year 1), and Linkhorne Elementary (Year 1) are in School Improvement status, yet the funding needed for these schools to implement improvement practices is lacking. For example, schools in Year 1 will receive approximately \$14,000.00 this year as opposed to the approximately \$179,000 Perrymont received its first year. This year, Perrymont has received approximately \$81,300.00. This money is being used to help fund a remediation teacher, a Kindergarten teacher, and a school improvement coach as well as the Istation, FASTT Math, and IXL computer-assisted programs. Because of Perrymont's and Heritage Elementary's Year 2 status, Public School Choice (PSC) and Supplemental Education Services (SES) are offered to eligible children/families. The schools do not receive additional funds to pay for PSC or SES, and yet, both are required. Ten percent of the school division's Title 1 funds have to be set aside to meet these requirements.

Even though the school's student population does not meet the criteria to qualify for any Title 1 funds and therefore the school is not required to go through the state's official school improvement process, the school division's administration requested that Bedford Hills Elementary School staff participate in improvement. This request was based on the fact that students did not meet Adequate Yearly Progress in two categories in reading for two consecutive years. However, with the exception of last year, the staff at the school has not had any type of remediation program outside of the school day due to lack of funds. Last year, the school division did provide the school with approximately \$5,000 to run a Saturday tutorial program. The school staff is participating in a school improvement plan using the state's Indistar model that asks staff plans to produce "rapid improvement in our students." Title 1 schools in the same status receive \$14,000 to assist in this process, yet a non-Title I eligible school in improvement is not eligible to apply for improvement funds.

- 3. Additional Graduation Requirements**—Economics and Personal Finance is a graduation requirement for students enrolled in ninth grade in the 2011-12 school year. In Lynchburg, this means that approximately 650 students will need to complete a course that had not previously been required. To meet this requirement, approximately six teachers will eventually need to be hired.
- 4. Additional Staffing to Manage State Testing Requirements**—Additional staff is required in order to manage the 25,000 individual SOL tests administered each year. While Lynchburg City Schools has delegated many of the functions related to testing to Guidance Counselors and Instructional Technology Specialists, the school division has still needed to hire testing coordinators in the high schools and testing clerks in the middle schools. Some school divisions have entire departments assigned to manage the testing process. No additional funding was provided through the state to assist with these necessary positions.
- 5. Computer and Network Needs Related to Testing and School Improvement**—While the state has provided support for technology initiatives so that students can complete SOL testing on line, there is a need for additional support for technology. In high schools and middle schools, networked mobile labs will allow for testing without disruption to courses and programs regularly assigned to computer labs. Additionally, mobile labs will allow for more access to on-line remediation programs in math and reading for those elementary schools in improvement. Without mandatory testing and the requirements to use certain computer-based programs in schools that are

in improvement, schools and school divisions could more easily handle technology needs and not require additional support.

6. **Underfunding of Compliance with AHERA Regulations** - Among the regulations/mandates that affect facilities, AHERA (asbestos management) has been the most costly. While the school division no longer incurs the sizable costs it once did, there are still asbestos management projects occurring. For example, an asbestos abatement project was completed at Heritage Elementary School last summer.
7. **Underfunding of Compliance with ARC Flash Regulations** - There is a new regulation/mandate that covers "arc flash," an extremely dangerous electrical condition occurring, occasionally, in electrical switch gear, distribution panels and other high voltage equipment. Included in the regulation are requirements for the assessment of all of electrical equipment, proper personal protective equipment and training for staff. Campbell County Schools has just started the process to have its equipment tested and labeled to comply with the regulation. The cost of the assessment in all its buildings is approximately \$230,000. Facilities staff with Lynchburg City Schools is developing its estimated cost for this important examination.
8. **Reference: Code of Virginia—Standards of Quality—S 22.1-253.13:2 Standard 2. Instructional, Administrative, and Support Personnel**

Listed below are some positions which are underfunded through the Standards of Quality.

Principals in Elementary Schools, one half time per 299 students, one full time at 300 students—The enrollment at four elementary schools in Lynchburg City Schools is less than 299 students. Full-time principals are a necessity at each of those schools.

Assistant Principals in Elementary Schools, one half-time per 600 students, one full time at 900 students—No elementary schools have an enrollment of 600 students; however, due to students' needs and required school improvement planning and monitoring, six of the 11 elementary schools have assistant principals.

Librarians in Elementary Schools, one part-time to 299 students, one full-time at 300 students—Every elementary school, regardless of enrollment, has a media librarian on staff.

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Guidance Counselors in Elementary Schools, one hour per day per 100 students, one full time at 500 students—Currently T. C. Miller and Dearington Elementary School share an elementary guidance counselor. All other elementary schools have a full-time guidance counselor on staff. Guidance counselors are required to complete all school-wide testing (Gifted, Stanford, Naglieri, spring SOLs), handle issues related to attendance/truancy, meet with students, complete paperwork for day treatment placements, and conduct all Child Study meetings.

Resource Teachers, 5 full-time per 1,000 students, grades K-5—Resource teachers in movement education, music, and art serve each elementary school in order to provide common planning time for classroom teachers. These resource teachers are assigned to multiple schools. Lynchburg City Schools currently has a total of 21.2 full-time equivalent elementary resource teachers for approximately 3,900 elementary students.

Technology Support & Instructional Technology Resource, 2 full time per 1000 students, K-12—Currently, each school has an Instructional Technology Specialist on staff.

School-based Clerical Personnel in Elementary Schools, part time to 299 students, full time at 300—Each elementary school has an 11-month secretary. Additionally, four elementary schools have part-time clerical support for the secretary.

Thank you again for asking for our input in this matter.

LAM/wls

cc: Members, Lynchburg City School Board