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Subject: Impact of selected state mandates on Orange County Public Schools
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Attachments: [Ed Mandates_10.25.11.pdf](#)

Members of the Governor's Task Force for Local Government Mandate Review: Attached find an analysis of the time and monetary impact of selected state (and some federal) mandates on Orange County Public Schools. The Orange County School Board does not question the worthiness of these mandates. Rather the Board suggests that state (and federal) elected leaders accept greater responsibility for the monetary costs associated with the obligations they impose on local governments and school boards. We thank you for your consideration. Please let me know if we can be of any further assistance. – Robert P. Grimesey, Jr.

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Recent Federal and State Education Mandates That Maintain or Increase Cost (Revised 10/24/11)

Mandate	Year	Notes
The new required WIDA test was implemented for ESL students in 2008-2009. Application of federal Title III funding for purchase of required tests was eliminated in 2009-2010. Benchmarks for ESL subgroup performance increased during 2009-2010 and again in 2010-2011. New 2008-2009 regulation also mandated expanded requirements for parental engagement. In 2010-2011, ELL reporting requirements were added to the Student Data Upload for SOL Testing.	Implemented 2008-2009, expanded 2009-2010	The addition of this standardized test in 2008-2009 required sustainable new costs associated with staff development, family outreach, data analysis and student remediation and support. Removal of federal Title III funding in 2009-2010 transferred testing costs to local level. Expanded 2010-2011 reporting requirements added to administrative costs at a time when state was decreasing its contribution for administrative and support staff.
Pass rate for 3rd grade history and science tests increased from 50% to 70%.	2012-2013	The low 50% pass rate was approved, in part, because of the widespread understanding that it was NOT "developmentally appropriate" to test 8 year olds on their recall of historical and scientific facts that had been introduced to them from first grade through third grade. The trend in student performance supported the increased benchmark, but the increased demand added to the need of local school divisions to at least maintain their investments in curriculum development, teacher training, student remediation and student support services.
Pass rates for grade 3-5 English increased from 70% to 75%.	Implemented 2009-2010	The trend in student performance supported the increased benchmark, but the increased demand added to the need of local school divisions to at least maintain their investments in curriculum development, teacher training, student remediation and student support services.
Advanced Technical diplomas and Standard Technical diplomas will be implemented for 9th graders.	2012-2013	Implementation delayed from 2010-2011 to 2011-2012 by HB 2166, and further delayed to 2012-2013 by HB 1554 and SB 810. The new diplomas will likely create need to increase course offerings in math, science and career and technical education. It may not be possible to simply reduce other course offerings in order to offset the increased cost without eliminating sections of English, social studies or fine arts. There is a high probability that the new diplomas will increase personnel cost or require the elimination of other highly valued programs, such as fine arts.
Link student performance measures with teacher and principal performance evaluations, and "warehouse" related data for the purpose of federal reporting at some future time.	2011-2012	Mandated as part of Phase II of American Recovery and Restoration Act funding and implemented during 2011-2012 school year, this requirement establishes a "master schedule collection process" that demands an extreme amount of administrative man hours to complete. Each student's schedule, grades and SOL test outcomes are collected and aligned with the evaluation outcomes of their respective teachers and principals. The State will conduct two major data collections per year. Many man hours of training have been required to date, and more training is expected.

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Student Growth Percentile	Phase-in process from 2011 through 2014	The new metric will supplement or replace annual SOL testing as the primary measure for school accreditation. It will require a substantial increase in man hours devoted to data processing, analysis and presentation. It will require substantial training time for all stakeholders, including parents.
Benchmarks for AYP will rise to 91% in reading and 90% in math for the SOL tests taken in 2011-2012 that will determine AYP status for 2012-2013	2011-2012	AYP benchmarks associated with standardized test pass rates increase by five points each year with 100% success required in 2014. These continually increasing benchmarks mandate that investments in curriculum development, teacher training, student remediation and student support services should never decrease nor remain stagnant. Each five-point increase in the requirements should require at least a 5% increase in the resources needed to achieve the increased standard. The Virginia State Board of Education has expressed interest in applying for a waiver from the U.S. Department of Education that may freeze these benchmarks for 2012-2013.
All students entering 9th grade will be required to complete a course in personal finance and economics	2011-2012	As a result of HB 1554 and SB 810, implementation was exempted from further delay to 2012-2013. Consequently the mandate must be implemented in 2011-2012 despite the fact that it included no new state funding. Estimating 400 students at each grade level and assuming a 25:1 student teacher ratio, Orange County High School is projected to add 16 sections of personal finance and economics. This equated to 2.5 additional teachers for OCPS in 2011-2012. Given no new funding to employ extra teachers, we have closed down two sections "principles of business," five sections of "managing finances," one section of keyboarding, and two self-contained special education classes. During 2012-2013, we intend to close additional sections of electives in social studies and business education. We have received very little active response to our requests to the banking community for assistance with implementation of this mandate.
All 7th graders must develop an academic and career plan. It must be completed by 8th grade, reviewed upon students' entrance into 9th grade and again at 11th grade.	2012-2013	Implementation delayed from 2010-2011 to 2011-2012 by HB 2166, and further delayed to 2012-2013 by HB 1554 and SB 810. Formal electronic academic and career plans must be developed and implemented through guidance services at a time when budget reductions are forcing us to consider a reduction in guidance staff ratios to the minimum SOQ-compliance level. The new requirement increases cost - either in time or staffing. We must employ more guidance staff or we must direct our guidance counselors to re-allocate time away from other vital responsibilities. Such choices will compromise our counselors' capacity to encourage positive student character development, behavior, conflict resolution, study skills, attendance and college readiness. Moreover, the initiative will require expansion of career awareness programs at the middle level based on forthcoming data that will be generated by newly required interest inventories and career assessments. Expanded staff development will be provided in counselor applications of Virginia Wizard 3.0 and technical support. Orange County and other school divisions are attempting to implement the requirement during 2010-2011.

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<p>Civil rights data collection process, including an expansion of the number of classifications for student ethnicity from six to 32.</p>	<p>Expanded in 2010-2011 and expanding further in 2011-2012</p>	<p>The new requirement has increased time for school attendance clerks to track all students and update records, and then to maintain higher vigilance in monitoring data. The impact already is being felt. This new requirement increased the demand for support staff in the same year in which the General Assembly decreased funding for support staff. In general, the amount of data that must be reported to the U.S. Office of Civil Rights (OCR) has increased greatly since 2009. In many cases, OCR is requesting information that duplicates information that already has been reported to the Virginia Department of Education. The amount of administrative man hours required by the process has increased again in 2011-2012. There has been no restoration of administrative or clerical staff since the substantial staff reductions in 2008-2010.</p>
<p>New social studies standards were implemented and tested in 2010-2011.</p>	<p>Implemented in 2010-2011 and on-going.</p>	<p>The new standards required curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.</p>
<p>Pass rate for English in grades 6-12 will increase from 70% to 75%</p>	<p>2013-2014</p>	<p>The trend in student performance supports the increased benchmark, but the increased demand will add to the need of local school divisions to at least maintain their investments in curriculum development, teacher training, student remediation and student support services.</p>
<p>New mathematics standards were implemented in 2010-2011 and are being tested in 2011-2012.</p>	<p>2011-2012</p>	<p>The new standards required curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.</p>
<p>New course in Algebra Functions and Data Analysis (AFDA) was added during 2009-2010, but General Assembly directed Virginia Board of Education to drop the requirement that a related SOL assessment be added during the 2011-2012 school year.</p>	<p>2011-2012</p>	<p>Plan to require SOL test in Algebra Functions and Data Analysis by 2011-2012 was dropped during spring of 2010. The course has since been approved by the Virginia Board of Education as an option to satisfy the mathematics requirement for a Standard Diploma. The addition of the course will require new costs associated with local curriculum development, staff development and purchasing of textbooks and instructional materials. <u>A DOE spokesperson cautioned that the SOL assessment requirement will be reviewed annually and may be restored in any given year. If so, another assessment will require sustainable new costs associated with data analysis and student remediation and support.</u></p>
<p>A Virginia cohort graduation index of 85 points is required to achieve accreditation.</p>	<p>2011-2012</p>	<p>Virginia's graduation index is a superior measure of student progress as compared to the four-year graduation requirement that is needed to maintain "adequate yearly progress" under the federal "No Child Left Behind" law. Nevertheless, it is a reminder that state and federal accountability associated with student graduation requires localities to maintain or increase costs associated with student attendance monitoring, remediation, truancy enforcement and support services for students AND families. Virginia's associated cohort graduation index also requires administrative tracking of students who transfer to other school divisions, including those in other states.</p>

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<p>New English standards will be implemented in 2011-2012 and tested in 2012-2013.</p>	<p>2012-2013</p>	<p>The new standards will require curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The transition will include significant updating of our local formative assessment benchmarking system. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.</p>
<p>New SOL writing test will require all students to compose their submissions on a computer.</p>	<p>Pilot in 2011-2012. Implement fully in 2012-2013.</p>	<p>The new requirement terminates the paper-and-pencil writing test and expands demand for computer labs at a time when state funding for technology remains flat.</p>
<p>New science standards will be implemented in 2011-2012 and tested in 2012-2013.</p>	<p>2012-2013</p>	<p>The new standards will require curriculum changes in K-12 as well as staff development and adoption of instructional textbooks and materials. The transition will include significant updating of our local formative assessment benchmarking system. The increased rigor embedded in the new standards will require additional resources, staff development, remediation and student support beyond the implementation years.</p>
<p>Students who test out of specialized educational services may not be dismissed unless and until parent/guardian gives written agreement.</p>	<p>On-going</p>	<p>Virginia special education regulation that exceeds the federal standard. Virginia public schools must continue to offer specialized services to students even though they no longer demonstrate an educational disability, unless the parent/guardian gives written permission to cease such services. This requirement exceeds the federal standard and obligates school divisions to maintain excess staff. As well, this impacts materials, supplies, technical assistance, assistive technology, health care needs, crisis plans, restraint trained staff, CPR & Glucagon trained staff, transportation, and meals. Equally important, this increases the percentage of disabled students and negatively impacts the Virginia State Performance Plan (SPP) based on 20 indicators of performance in special education services and support. This regulation leaves school divisions without recourse to disproportionality.</p>
<p>The Comprehensive Services Act (CSA) for students and families at risk no longer funds as many specific support services as previously.</p>	<p>On-going</p>	<p>Virginia special education regulation that exceeds the federal standard. While CSA funding decreases, requirements for 1:1 behavioral support, residential placements, day treatment support, medical supports, remain in effect. As a result, school division budgets must assume increasing costs associated with low incidence, high-cost special needs students.</p>
<p>School divisions have no recourse with transfer students.</p>	<p>On-going</p>	<p>Virginia special education regulation that exceeds the federal standard. Transferred disabled students are automatically enrolled in specialized programs with no exceptions. The receiving division may be punished with 15% set aside funding due to disproportionality.</p>

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<p>Increased licensing requirements for interpreting services, hearing impaired teachers and vision impaired teachers.</p>	<p>On-going</p>	<p>Virginia special education regulation that exceeds the federal standard. Rural school divisions are often unable to secure and maintain licensed staff who have complied with increased licensing requirements. These specialists are not easily persuaded to work in smaller divisions. Failure to be in compliance leaves divisions without recourse to litigation. Increasingly, rural school divisions must negotiate contracts with external service providers. The restricted market for such providers is driving up the costs of their services.</p>
<p>Increased credentialing requirements for Career and Technical education.</p>	<p>2009-2010 and on-going</p>	<p>In 2008-2009 the state required detailed reporting of student credentials by individual students: school, student SIS identifier, test result, use of verified credit elective, and cost. HB 566 and SB 630 continues to require local school boards to report annually the number of VA Board of Education-approved industry certifications obtained, state licensure examinations, and national occupational competency assessments passed while adding the Virginia workplace readiness assessments in 2010-2011. VDOE is tracking student certifications as a part of the School Report Card and requires divisions to increase their student credentials in increments of 33% until a division has 100% of its completers credentialed. While the state has delayed the increases, the expectation is to continue to credential 100% of completers at a time when VDOE will add Advanced Studies Technical and Standard Technical diploma types. Increased demand for new diplomas will ultimately increase the demand for CTE classes, teachers, teacher credentials, facility space, program expansion, and credentialing costs.</p>
<p>The number of standard units of credit for an Advanced Studies Diploma will increase from 24 to 26.</p>	<p>2011-2012</p>	<p>Implementation of selected regulations in the Standards of Accreditation were delayed from 2010-2011 to 2011-2012 by HB 2166, and further delayed to 2012-2013 by HB 1554 and SB 810. However exceptions to the delay include increases and changes to the credit requirements for the Advanced Studies and Standard diplomas beginning in 2011-2012 school year. Changes to the requirements for the Standard diploma are the addition of 2 credits of foreign language, fine arts, or CTE and 1 credit of economics and personal finance while reducing the number of elective credits required from 6 to 4. For an Advanced Studies diploma, the number of credits required for graduation has increased from 24 to 26 with 1 credit required for economics and personal finance and 1 required additional elective credit. Changes in the requirements impact the costs associated with personnel, staff development and student and parent communication. Further, the reduction of elective courses reduce the flexibility of student schedules and increase personnel demands.</p>