

046552492

HOUSE JOINT RESOLUTION NO. 92

Offered January 14, 2004

Prefiled January 12, 2004

Establishing a joint subcommittee to examine the feasibility and appropriateness of implementing the recommendations of the 2002 Review of Elementary and Secondary School Funding by the Joint Legislative Audit and Review Commission. Report.

Patrons—Rust, Albo, Amundson, Callahan, Dillard, Petersen, Plum and Scott, J.M.; Senators: Howell, Mims, Puller, Saslaw and Ticer

Referred to Committee on Rules

WHEREAS, in its 2002 Review of Elementary and Secondary School Funding, the Joint Legislative Audit and Review Commission (JLARC) considered, among other questions, whether additional improvements and enhancements to the Standards of Quality funding methodology may be appropriate; and

WHEREAS, JLARC found that cost calculations in certain areas are no longer current with the cost estimates for the year being funded, as fiscal year 2002 support costs data were used to estimate Standards of Quality costs for fiscal years 2003 and 2004, and the estimate of Standards of Quality costs for fiscal years 2003 and 2004 contained no increases for teacher salaries beyond fiscal year 2001; and

WHEREAS, many of the cost calculation methodologies now in use are not consistent with those developed and used by the Commonwealth before the fiscal problems of the 1990's, resulting in a biennial shortfall in calculating the state share of Standards of Quality costs of more than a half billion dollars; and

WHEREAS, opinions of the Virginia Attorney General state that the legislative determination of Standards of Quality cost may not be based upon arbitrary estimates with no reasonable relationship to the actual expense (1983) and that, in estimating the cost of implementing the Standards of Quality, the General Assembly must take into account the actual cost of education rather than developing cost estimates based on arbitrary figures bearing no relationship to the actual expense of education prevailing in the Commonwealth (1973); and

WHEREAS, JLARC advised that, as a result of allowing cost calculations to diverge from cost estimation principles that are known, reliable, and independent of factors unrelated to the actual expense of education, such as the short-term availability of State funds, the State appears to be in a weaker position to defend its cost estimates as being realistic in relation to current costs for education; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to examine the feasibility and appropriateness of implementing the recommendations of the 2002 Review of Elementary and Secondary School Funding by the Joint Legislative Audit and Review Commission.

The joint subcommittee shall consist of 10 members to be appointed as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; and four members of the Senate to be appointed by the Senate Committee on Privileges and Elections. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall consider, among other things, the implication of requiring that (i) the costs of implementing the Standards of Quality be estimated on principles consistent with producing a current, prevailing cost; (ii) salaries, support costs, and fringe benefits be funded at the full anticipated levels in the budgetary biennium; (iii) the cost of competing factor for Planning Division 8 support salaries be fully funded; (iv) the use of the linear weighted average to determine prevailing costs be reviewed for any dampening effect on estimates of prevailing costs; and (v) recommendations be developed regarding establishing a teacher salary goal for the Commonwealth.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the staffs of the Joint Legislative Audit and Review Commission, the House Committee on Appropriations, and the Senate Committee on Finance. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2004 interim, and the direct costs of

INTRODUCED

HJR92

58 this study shall not exceed \$10,000 without approval as set out in this resolution. Approval for
59 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the
60 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is
61 agreed to, written authorization of both Clerks shall be required.

62 No recommendation of the joint subcommittee shall be adopted if a majority of the House members
63 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the
64 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
65 joint subcommittee.

66 The joint subcommittee shall complete its meetings by November 30, 2004, and the chairman shall
67 submit to the Division of Legislative Automated Systems an executive summary of its findings and
68 recommendations no later than the first day of the 2005 Regular Session of the General Assembly. The
69 executive summary shall state whether the joint subcommittee intends to submit to the General
70 Assembly and the Governor a report of its findings and recommendations for publication as a document.
71 The executive summary and the report shall be submitted as provided in the procedures of the Division
72 of Legislative Automated Systems for the processing of legislative documents and reports and shall be
73 posted on the General Assembly's website.

74 Implementation of this resolution is subject to subsequent approval and certification by the Joint
75 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
76 delay the period for the conduct of the study, or authorize additional meetings during the 2004 interim.