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HOUSE JOINT RESOLUTION NO. 83

Offered January 9, 2008

Prefiled January 4, 2008

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.

Patron—Rust

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WHEREAS, the Joint Legislative Audit and Review Commission found that cost calculations in certain areas are no longer current with the cost estimates for the year being funded; and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 substantial biennial shortfall in calculating the state share of Standards of Quality costs; 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 consider 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 have a total membership of 10 members that shall consist of 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 Rules. 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 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 2008 interim and four meetings for the 2009 interim, and the direct costs of this study shall not exceed \$10,000 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

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

63 The joint subcommittee shall complete its meetings for the first year by November 30, 2008, and for  
64 the second year by November 30, 2009, and the chairman shall submit to the Division of Legislative  
65 Automated Systems an executive summary of its findings and recommendations no later than the first  
66 day of the next Regular Session of the General Assembly for each year. Each executive summary shall  
67 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a  
68 report of its findings and recommendations for publication as a House or Senate document. The  
69 executive summaries and reports shall be submitted as provided in the procedures of the Division of  
70 Legislative Automated Systems for the processing of legislative documents and reports and shall be  
71 posted on the General Assembly's website.

72 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
73 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or  
74 delay the period for the conduct of the study, or authorize additional meetings during the 2008 and 2009  
75 interims.