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HOUSE JOINT RESOLUTION NO. 63

Offered January 11, 2012

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Directing the Joint Legislative Audit and Review Commission to study the efficiency and effectiveness of the composite index of local ability to pay. Report.

Patrons—McClellan, Carr, Hope, McQuinn and Tyler

Referred to Committee on Rules

WHEREAS, Article VIII, Section 1 of the Constitution of Virginia vests ultimate responsibility for public education with the Virginia General Assembly, which is specifically charged with the duties of establishing a public school system and the responsibility of seeking "to ensure that an educational program of high quality is established and continually maintained"; and

WHEREAS, the Standards of Quality (SOQ), prescribed by the Board of Education and revised only by the General Assembly, establish minimum educational goals and requirements, and the framers of the Constitution of Virginia (1971) clarified that the legislative branch must not only revise the SOQ prescribed by the Board, but also determine the method of financing public education, and agreed that although the General Assembly would apportion costs, responsibility for funding public schools would be shared with localities; and

WHEREAS, to meet this constitutional directive, in 1974 the General Assembly crafted the Composite Index of Local Ability to Pay, a complex methodology for the apportionment of the state and local share for the Standards of Quality; and

WHEREAS, the Composite Index of Local Ability to Pay compares three local measures of wealth—true values of real property and public service corporations, adjusted gross income, and sales and use taxes—to statewide averages and adjusts these indicators by student population and total population; and

WHEREAS, over the years, the application of these "measures" has been disputed, and the Composite Index of Local Ability to Pay is sometimes criticized because the complicated and antiquated funding formula does not reflect variations among local revenue sources or local need for services; and

WHEREAS, further, the funding formula does not reflect the true costs of public education or represent, accurately, local fiscal capacity to support mandated educational programs; nor does it implement the Standards of Learning and comply with the Standards of Accreditation while providing other necessary public services; and

WHEREAS, school divisions are mandated to provide many educational and support services for which they receive no state funding; and

WHEREAS, changing demographics and an economic recession have highlighted once again the concerns of Virginia's localities about increasing education costs: school divisions are struggling to meet rigorous educational reforms, respond to the shortage of classroom teachers, reduce class size, remediate and accelerate students who are educationally at risk, stem school dropout rates and increase graduation rates, prepare students for the Standards of Learning assessments, maintain accreditation, ensure school safety, meet the needs of special education and English as a Second Language (ESL) students, update transportation services, expand and provide a range of alternative education programs, promote parental involvement, generate community support, and comply with federal educational and related reporting requirements; and

WHEREAS, Virginia's local school boards, committed to quality education, often surpass the minimum requirements of the Standards of Quality, and burgeoning educational costs often exceed the Commonwealth's share of the costs of public education, straining local resources; and

WHEREAS, concerns have been expressed about the adequacy of funding for the Standards of Quality, and the Joint Legislative Audit and Review Commission last completed a comprehensive review of the formula for funding the SOQ in 2002; and

WHEREAS, any adjustment of the Composite Index necessitates careful examination of a plethora of educational, financial, legal, and policy issues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study the efficiency and effectiveness of the Composite Index of Local Ability to Pay.

In conducting its study, the Joint Legislative Audit and Review Commission shall (i) review current statutory, constitutional, and budgetary provisions governing the calculation of SOQ costs and funding; (ii) examine the components of the Composite Index and their interaction; (iii) evaluate other states'

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59 public school funding formulas; (iv) hear local concerns and seek input from various Virginia and
60 national experts, as available; and (v) evaluate the need to adjust the current basic school aid formula.

61 Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by the
62 Department of Education and the staffs of the Senate Committee on Finance and the House Committee
63 on Appropriations. All agencies of the Commonwealth shall provide assistance to the Commission for
64 this study, upon request.

65 The Joint Legislative Audit and Review Commission shall complete its meetings by November 30,
66 2012, and the Chairman shall submit to the Division of Legislative Automated Systems an executive
67 summary of its findings and recommendations no later than the first day of the 2013 Regular Session of
68 the General Assembly. The executive summary shall state whether the Commission intends to submit to
69 the General Assembly and the Governor a report of its findings and recommendations for publication as
70 a House or Senate document. The executive summary and report shall be submitted as provided in the
71 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
72 and reports and shall be posted on the General Assembly's website.