

LD8165202

HOUSE BILL NO. 735

Offered January 25, 1994

A BILL to amend the Code of Virginia by adding a section numbered 22.1-97.1, relating to appeal of computation of the composite index of local ability-to-pay.

Patrons—Deeds, Abbitt, Baker, Bennett, Cunningham, Jackson and Shuler; Senators: Nolen, Reasor and Trumbo

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 22.1-97.1 as follows:**

§ 22.1-97.1. Appeal of computation of the composite index of local ability-to-pay.

The Board of Education shall establish, pursuant to the Administrative Process Act (§ 9-6.14:1 et seq.), a procedure for appeal of the computation of the composite index of local ability-to-pay or "local composite index" (LCI) as formulated in the appropriation act. The President of the Board shall appoint a review committee consisting of three members of the Board; the Superintendent of Public Instruction, who shall serve as secretary to the committee; and a local school board member. The Secretary of Education or his designee and the Secretary of Finance or his designee shall also serve on the LCI-review committee.

Any school board may petition the Board for a review of its determination of the cost apportioned to it for maintaining an educational program meeting the Standards of Quality (§ 22.1-253.13:1 et seq.). No local school board may petition the Board for a review of its LCI computation more than once in any two consecutive calendar years. In response to such petition, the Superintendent of Public Instruction shall prepare a detailed analysis of such school board's LCI and related computations. The Board shall review this analysis, and, upon a finding of extenuating circumstances which, when factored into the formula for calculating the LCI, may significantly affect the computation of the costs apportioned to the locality, the Board shall grant the appeal and so notify the Superintendent of Public Instruction to convene the committee to hear the appeal. The Superintendent of Public Instruction shall poll the committee; establish a time, date, and place for the hearing; and so notify the petitioning school board.

Within sixty days of any such hearing, the committee shall provide the petitioning school board, the Governor, the House Committee on Appropriations, and the Senate Committee on Finance with its findings.

Consistent with applicable law, the Department of Education may incorporate any committee findings which require adjustments to the calculations of the petitioning school board's apportioned costs of the Standards of Quality as derived through the LCI.