Taking Action to Make Democracy Work

AGENDA

9:00 Registration, Networking, Wares Shopping

10:00 Plenary Session
- Welcome
  - Sue Lewis, LWV-VA President
  - Mary Crutchfield, LWVRMA President
- Roll Call
- Committee Reports
  - Credentials Committee
  - Rules Committee
  - Reading Committee
- Appointments
- Budget Presentation
- Program Presentation
  - Behavioral Health Committee
  - Schools Task Force.

Noon Speaker, Rachel Bitecofer (Wason Center, Christopher Newport University)

1:00 Recess for Lunch – Dining Room

Tables are marked for topic caucuses: Behavioral Health, Schools Task Force, Women’s Rights, Budget and Fiscal Management,

1:45 Plenary Session Resumes
- Program Update: Women’s Rights Committee & ERA

2:00 Voting
- Budget
- Behavioral Health
- School Funding
2:50 Refreshment Break: Networking, Wares Shopping

3:00 Break Out Discussions
  - LWVUS Convention Prep/Transformational Journey
  - Working with Activist Groups

4:00 Wrap Up
  - Advocacy Award
  - Direction to Board
  - LWV-VA Convention
    - May 18-19, 2019
    - Norfolk, VA
    - Host League: LWV of South Hampton Roads
Proposed Council Rules

A motion to adopt these rules will be made at the opening plenary session. Amendments may be offered at this time and require a majority vote to adopt.

The rules, as proposed or amended, require a two-thirds (2/3) vote for adoption. To suspend a rule at a later time requires a two-thirds vote (2/3).

1) Admission to the Convention shall be limited to persons displaying official badges, which must be worn at all meetings of the Convention.

2) Only accredited delegates representing local Leagues, MAL (Member-at-Large) Units and ILO and LWV-VA Board members may vote.

3) Only accredited delegates and those authorized by the chair or the delegate body may address the Convention.

4) In debate, no person shall speak more than once until all others who wish to speak have done so; no person shall speak more than twice on the same motion; debate shall be limited to two minutes per speaker unless other procedure limits take precedence.

5) Each speaker shall use a microphone and announce their name and League when addressing the Convention.

6) Main motions and amendments of substantial length must be in writing on paper included in the folders or obtained from the ushers. One copy shall be sent to the presiding officer and one copy shall be retained by the maker of the motion.

7) When a vote is in progress, the doors to the meeting room shall be closed and no one may enter or leave.

8) Each delegate representing a local League or MAL Unit shall be entitled to vote only if that League has met its per member payment responsibilities. Representative from Leagues not paid in full will not have the privilege of the floor, the right to vote or the right to make motions unless a special consideration is given by the Council. The Convention shall be the sole judge of whether a delegate is qualified to vote.

9) Thirty percent (30%) of the possible number of voting delegates, other than members of the state board, shall constitute a quorum provided that a majority of local Leagues are represented.

10) The minutes of the Council shall be approved by the LWV-VA board after review by a committee appointed by the chair to review and correct the minutes.

11) Voting procedures during Plenary Sessions: Each delegate receives vote cards at the credentials table. The red and green vote cards are numbered 1-4, with green=yes and red=no. Generally, the first vote on an issue is a voice vote, or sometimes a standing vote. If the outcome is not clear, then there be a vote where delegates count off person by person. If the outcome still remains unclear, then there will be a card vote. The Presiding Officer will indicate the number of the card to be used and will announce the instructions for the vote. The appropriately numbered card must be used or your vote will be invalidated. The Elections Committee appointed at the first Plenary Session is responsible for collecting the voting cards, counting them, and reporting the result to the Presiding Officer.

12) Only announcements that relate to the business of the Convention or the welfare of the participants shall be made. Announcements shall be made only by persons designated to do so.

13) Cell phones shall be turned off or muted during Plenary, workshops, caucuses and the banquet.
Basic Parliamentary Procedures

Putting a motion on the Floor

To make a motion or amend a motion, a delegate must go to a microphone, be recognized by the presiding officer, state her/his name and local League, then state the motion (or amendment to a motion). The motion (or amendment) is seconded from the floor. The presiding officer then places the motion before the assembly for discussion. The delegate may speak to the motion (or amendment) first. **Note:** Once a motion is placed before the assembly by the presiding officer, it is under the control of the assembly and does not belong to the delegate making the motion. For example, it cannot be withdrawn later without permission of the assembly.

Seconds to Motions

It is not necessary to agree with a motion to second it. A second only implies that there is more than one person who wishes to discuss the motion. **Therefore, if a motion is coming from the Board or committee, it does not need a second from the floor.**

Amendments to Motions

A motion that is on the floor may have two amendments pending at one time. However, the first amendment must relate to the main motion and the second amendment must relate to the first amendment to the motion.

Refer or Postpone

A motion to postpone or refer to a committee can be made while a main motion or an amendment to a main motion is pending.

Close Debate

A delegate must go to a microphone and move to close debate (call the previous question). The motion needs a second. There is no discussion, and it takes a two-thirds (2/3) vote of the delegates present and voting to pass. After the motion to close debate is approved, there will be an immediate vote on the pending motion.

Table a Motion

A motion to table (lay on the table) should not be used to kill the motion on the floor and should not be used to postpone consideration of the motion.

Point of Order

If a delegate believes there was a breach of parliamentary procedures, she/he may rise to a point of order. If the point or order refers to an action made by someone other than the presiding officer, the delegate should give the presiding officer time to correct the problem before interrupting with the point of order. If a delegate wishes to make a motion and is not sure how to proceed, the delegate should ask the presiding officer.

To Limit or Extend Debate

This motion is used when debate needs to be limited as to time or number who wish to be heard, or extended in tie, etc. It is debatable, and requires a two-thirds (2/3) vote. For example,
I move that debate: be limited to one minute per speaker (or) be limited to five speakers pro and five speakers con (or) be extended to ten more speakers with one minute each, etc.

**Miscellaneous Motions**

The following motions have no rank and are usually incidental to the business pending or to Convention operations. Some may interrupt other business. There is no debate or vote, and motions are usually ruled upon by the presiding officer.

- **Question of Privilege** – this motion relates to the comfort of delegates or operation of the assembly.

- **Parliamentary Inquiry** – this motion is used to ask for direction or procedure to accomplish a parliamentary maneuver.

- **Point of Information** – this motion is used to seek urgent information necessary before decisions can be made.

- **Division of the Assembly** – this requires a standing vote if the voice vote seems inconclusive. A single delegate “calls for a division” and does not need to use a microphone but must be heard. If a counted vote seems necessary, the delegate makes such a motion, which requires a second and a majority vote.

- **To Reconsider a Vote** – This motion can be made only by a delegate who voted on the prevailing side and on the same or next day as the vote it proposes to reconsider. The motion can be moved within the time limits, although the vote on the motion may be delayed until a more appropriate time if other business is pending. This motion is usually debatable and requires a majority vote. If the motion to reconsider is adopted, the original motion is again before the delegate body as though a decision had not been reached. A vote can only be reconsidered once. Approved bylaws amendments may not be reconsidered.
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06/23/2018
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**Notes:**
- 1. Income MAL unit Dues: 3 students @$25, 62 full @$48, 6 half @$24
- 2. Income LL PMP for 1543 total; 1275 primary @$16, 176 additional @$8, 65 life @$0, 27 student @$8
- 3. Non-incorporated LLs share of insurance costs
- 4. Transfer from Ed Fund: Based on 10% of Expenses for Office Operations and Board & Admin
- 5. Financial review/Audit, Nominating, Budget
- 6. Travel/support to local LWVs; reimbursed for fees when attending LL annual meeting
- 7. Program to reward LL for ALERT calls made

06/23/2018
<table>
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<tr>
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<th>2017-2018</th>
<th>estimate</th>
<th>End of year</th>
<th>2018-2019</th>
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<td>Travel in capacity as President, Discretionary expenditures</td>
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<td>Bank fees, discretionary expenditures</td>
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<td>D&amp;O Liability; Liability/Property (5% increase)</td>
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<td>rent $180 July-Oct, then 3% increase to $186</td>
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<td></td>
</tr>
<tr>
<td>89</td>
<td>includes, letter print, mail, postage</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>90</td>
<td>VA Council/Convention; includes registration fees for Board members</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>91</td>
<td>US Council/Convention includes expenses for 2 Delegates</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>92</td>
<td>Includes VPCC * VCOG dues, special events &amp; Meeting Travel</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93</td>
<td>includes Lobbyist-in-a-box ($600) and lobby badge ($50)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>94</td>
<td>6-wks legislative session. Includes member's local accommodations $1500</td>
<td></td>
<td></td>
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<tr>
<td>95</td>
<td>PMP for MAL members and individual MALs: 67 full MAL @$32 and 6 half @$16 student ($0 thru 2021)</td>
<td>$2,240</td>
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## LWV-VA Education Fund Budget 2018-19

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>2017-2018</th>
<th>2018-2019</th>
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<tbody>
<tr>
<td></td>
<td>Budget</td>
<td>Yr to Date</td>
</tr>
<tr>
<td>Bequests &amp; Memorials</td>
<td>50</td>
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<tr>
<td>Donations</td>
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<tr>
<td>Members</td>
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<td>Nonmembers</td>
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<td>Special Projects</td>
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<td>Grants</td>
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<td>Virginia G. Young Bequest Projects</td>
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<td>AVR Grant</td>
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<tr>
<td>Miscellaneous</td>
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<td>In-Kind Income</td>
<td>200</td>
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<tr>
<td>Transfers &amp; Prior Year Balances</td>
<td>12,559</td>
<td>10,910</td>
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<tr>
<td>Carryover funds from Checking Acct</td>
<td>6,103</td>
<td>7,108</td>
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<td>Transfer from LWV-VA Savings</td>
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<tr>
<td>TOTAL REVENUES &amp; TRANSFER</td>
<td>12,559</td>
<td>10,910</td>
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<table>
<thead>
<tr>
<th>EXPENSES</th>
<th>2017-2018</th>
<th>2018-2019</th>
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<tbody>
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<td></td>
<td>Budget</td>
<td>Yr to Date</td>
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<td>Administrative Expenses</td>
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<td>State Corp. Commission/Solicitation Fees</td>
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<td>Development</td>
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<tr>
<td>Grants</td>
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<td>0.00</td>
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<tr>
<td>AVR Grant Expenditures</td>
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<td>EMP Grant Expenditures</td>
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<td>Educational Activities</td>
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<td>LWV-VA Studies</td>
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<td>LWV-US Studies</td>
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<td>Other Projects</td>
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<td>Informational Voters Service Handouts/Online</td>
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<td>Candidate Debates</td>
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<td>Election Guides/Vote411</td>
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<td>Legislative Directory</td>
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<td>Voters Service Coordination</td>
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<td>Voter Protection Coordination</td>
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<tr>
<td>Miscellaneous</td>
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<tr>
<td>TOTAL EXPENSES</td>
<td>12,559</td>
<td>3,153</td>
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**Net Activity**

<table>
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<tr>
<th></th>
<th>2017-2018</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yr to Date</td>
<td>End of year</td>
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<tr>
<td>0.00</td>
<td>7,756.22</td>
<td>-1,645.76</td>
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</tbody>
</table>

**Note:** 2018-19 Budget

*1. VGY funds. Approved for Legislative Directory/inserts printing*

*2 Added Dec 2016; Automatic Voter Registration grant from NVMEF; zero funds remaining*

*3. EF reimburses OF for 10% of OF Office & Admin.*

*4. Includes videos produced*

*5. Vote411 state fees for fall 2018 election*

*6. Rlnserts & full printing can be paid with VGY funds*
DRAFT PROPOSED BEHAVIORAL HEALTH POSITION

February 2018

SUMMARY

Current - Support for a comprehensive state public mental health care system of quality, statewide and community-based services that meets the mental health needs of all Virginians, including long-range planning, coordination among agencies and established criteria for allocation of funds; adequate and appropriate housing; comprehensive and consistent service delivery in all local communities; and advocacy programs that ensure patients’ rights at all levels.

New - Support for comprehensive behavioral health care that includes both mental illness and substance use disorder.

- Access for all people to affordable, quality in- and out-patient behavioral health care, including needed medications and supportive services.
- Coordination of comprehensive and integrated care among Health and Human Services (specifically Behavioral Health) and other state departments such as Medical Assistance Services (Medicaid), Public Safety (re-entry planning, identification of behavioral health needs in jails/prisons, patient’s rights, substance abuse, and drug/mental health courts), Housing (Transitional and Permanent Supportive Housing), and Education (health education from early childhood through adult). These agencies must provide this care along with a focus on community based services such as Community Service Boards (CSBs).
- Realignment of the funding equation so that a higher proportion of funds to CSBs rather than state institutions. This will result in more cost-effective care that is more responsive to client’s needs.
- Adequate funds and other incentives to ensure sufficient trained staff at all levels of service.
- Continued efforts to decrease the stigmatization of behavioral health problems and care.

THE LEAGUE’S HISTORY

Current - At its 1985 convention, the LWV-VA adopted a two-year study of mental health services in Virginia. As a first step, in March 1986, the League prepared a document describing the public mental health care system in Virginia its history, organization, financing, and clients. A second resource document was distributed in December 1986 dealing with goals for the mental health system, who the system should serve, factors for use in allocating state funds to communities, and a statewide comprehensive management information system.

Additional issues warranting study, identified during the first two years, resulted in a two-year extension by the 1987 convention delegates. In March 1988 a resource document on involuntary civil commitment and patients’ rights was issued. Issues of the 1988 and 1989 Virginia Voter provided resource material on housing for the mentally ill and on organization, management, personnel and hospitalization issues.

New - At its 2017 convention, the LWV-Virginia adopted an update to its existing mental health position, adopted in 1987 and 1989, that would also integrate the current language of the LWVUS Behavioral Health Position adopted at the 2016 LWVUS Convention. “Behavioral health” is today’s nationally recognized terminology. It includes both mental illness and substance use disorder.

THE LEAGUE’S POSITION

Current - Organization and Management

The League of Women Voters of Virginia believes that the goals of the state's mental health care system should:

- Provide quality mental health care which utilized the most current knowledge and which respects the dignity and human rights of each individual;
Enable the mentally ill to attain their highest level of functioning to lead lives as normal as possible;
Meet mental health needs of all Virginians regardless of mental disorder, race, creed, age, sex, or ethnic origin;
Endeavor to prevent mental illness and to reduce its incidence and severity. (June 1987)

A public mental health care system should include:
• Commitment to quality community-based services;
• A long-range comprehensive plan for meeting clients’ needs;
• Clear lines of authority and accountability;
• Coordination among the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) and other agencies providing services to mental health clients;
• Evaluation of program effectiveness and administrative efficiency; and
• Sufficient number of qualified and well trained staff. (June 1989)

In allocating state funds among community services boards, it is essential to maintain current programs and fill identified service gaps. It is important to use additional factors in allocating state funds as follows:
• Total population of area served;
• Encouragement of local support;
• Economic resources of the community;
• Local tax effort; and
• Number of mental health clinics in the system

Clients
The League of Women Voters believes that it is essential that the state's mental health system serve:
• The chronically mentally ill--those suffering from a severe and persistent mental or emotional impairment that seriously impairs their functioning; and
• People suffering from an acute mental disturbance which produces serious impairment and distress in social relations and vocational functioning.

It is important to provide needed services to people under major stress and/or at risk of developing mental or emotional disorders. (June 1987)
The state's mental health care system should provide the specialized services and specially trained staff required to meet the mental health needs of special populations such as children and adolescents, the elderly, people under the purview of the courts, the dual diagnosed (mentally ill/mentally retarded and mentally ill/substance abusers), and immigrants. (June 1987)

NEW – THE LEAGUE’S POSITION
The League of Women Voters of Virginia believes that the goals of the state's behavioral health care system should provide:

A. ACCESS, DIAGNOSIS, AND INTEGRATION OF CARE
Access for all Virginians with behavioral health issues (including opioid abuse) to early, affordable and timely community-based in-patient and out-patient care and diagnosis including:
• Case management, counseling, care-coordination services and medication management
• Behavioral health care for Virginians that is integrated with, and achieves parity with, physical health care
• Community-based and family-focused behavioral health screening, diagnosis and treatment for children and adolescents in Virginia
Community Service Boards (CSBs) that reduce service time for services by adopting “same day access/assessment” statewide, sharing best practices and hiring more licensed behavioral health providers

An alternative transportation model to reduce demands on law enforcement for transporting patients to hospitals

Expansion of tele-mental health infrastructure, especially for rural counties

Vocational services to promote self-sufficiency and a positive self-image

B. DIVERSION FROM THE CRIMINAL JUSTICE SYSTEM

Current -

Patients' Rights
LWV-VA supports the rights of mentally ill persons as defined by the Supreme Court, federal and state court rulings, laws, rules and regulations; internal and external advocacy programs to ensure patients' rights, and the appointment of persons who are mentally ill to the State Human Rights Committee, to local human rights committees for facilities and for community services boards. (September 1988)

Civil Commitment
The League of Women Voters believes that the state's civil commitment procedures should provide:
- Counsel be appointed for the patient as soon as possible to allow time to confer and consider options;
- An individual detained pending commitment hearings should be offered non-emergency treatment; and
- Training about the nature and treatment of mental illness and related issues should be provided to justice system personnel involved in civil commitment in Virginia. (September 1988)

NEW - The League acknowledges that there is an intersection between of behavioral health and the criminal justice systems. Accordingly, we urge:
- Behavioral health screening of jail inmates
- Specialty behavioral health and drug courts and dockets in all judicial districts in an effort to decriminalize addiction related arrests
- Therapeutic drop-off centers
- Expansion of Crisis Intervention Teams (CIT) programs
- Decriminalizing the reporting of overdoses or drug abuse so friends and family do not fear retribution
- Civil commitment procedures that provide the client with legal counsel and treatment
- Training about the nature and treatment of mental illness and related issues for justice system personnel involved in civil commitment in Virginia
- Excluding those who suffer from serious mental illness at the time of their crime from the death penalty

C. HOUSING

Current - LWV-VA believes that in order to obtain adequate and appropriate housing for the mentally ill, the government of Virginia should:
- Provide funding; technical assistance to housing providers and public education;
- Enact statutes to affirm state responsibility;
- Encourage private/public sector cooperation to obtain housing for the mentally ill. (January 1989)

NEW-HOUSING
The League recognizes the need for affordable and permanent supportive community-based housing and residential services. These services would enable Virginians with a wide-range of behavioral health needs to live as independently as possible in their home communities. Some required initiatives are:

- Enhanced funds for the Virginia Housing Trust Fund
- Private/public partnerships to obtain housing for the mentally ill
- Consider a waiver for Medicaid to pay for counseling for housing options
- Establish tax credits or financial incentives for landlords and developers who build affordable housing, and local government policies that increase affordable housing stock
- Provide training in independent living skills
- Offer case management which will coordinate needs for food, clothing, and medical care for those in housing to include homeless shelters

**D. BEHAVIORAL HEALTH WORKFORCE DEVELOPMENT**

**Current** – In order to recruit and retain qualified staff in the mental health care system, the DMHMRAS should:

- Increase pay and improve work environment;
- Form linkages with universities;
- Provide stipends to students, in return for services, in fields for which there are demonstrated recruitment and retention difficulties; and

**NEW - BEHAVIORAL HEALTH WORKFORCE DEVELOPMENT**

The League urges the Commonwealth to adopt the following practices to correct, high turnover, insufficient staffing, and inadequate training:

- Sufficient qualified and well trained staff in public and private settings, at all levels, from certified peer specialists to psychiatrists
- Promotion of full use of internet technology for communications and secure information sharing
- Enhancement of pay scales for providers in state institutions to compensate for dealing with challenging patients

**E. NEW - OPIOID ABUSE**

The League recognizes that the resolution of the opioid crisis requires cooperation among community stakeholders such as CSBs, law enforcement (see Section B -Diversions from Criminal Justice), and non-profit organizations. We urge educational programs that de-stigmatize addiction. The league supports:

- Treatment and Recovery
  - Reducing overdose deaths by increasing access for first-responders and laypersons to medications that counteract opioids
  - Expanded use of research-based, medication-assisted treatments (MAT) as part of a recovery program to counteract addiction
  - Reduce the supply of both prescription and illicit opioids
- Prevention and Education
Encouraging non-pharmacological research and improved training for medical professionals in pain management

Promoting proper storage and disposal of prescription drugs

Monitoring the prescription and distribution of opioids

Establishing effective health education programs in schools and community organizations to educate students, parents and community leaders on the dangers of opioid abuse and recognizing the signs of addiction.

Health education from early childhood throughout life that integrates all aspects of social, emotional and physical health and wellness

**F. FINANCING**

**Current** - In allocating state funds among community services boards, it is essential to maintain current programs and fill identified service gaps. It is important to use additional factors in allocating state funds as follows:

- Total population of area served;
- Encouragement of local support;
- Economic resources of the community;
- Local tax effort; and
- Number of mental health clinics in the system.

The DMHMRSAS should study the characteristics and needs of clients in state hospitals, especially those who are either frequently readmitted or have long term hospital stays, and should institute suitable changes to deal with identified problems. (June 1989)

**NEW -FINANCING**

LWV-VA supports the continuing partnership between federal, state, and local governments in financing behavioral health as follows:

- Use Medicaid as an important component of funding along with money from the state’s general funds and from local communities
- Undertake a gradual fiscal realignment of the current behavioral health system so that a higher percentage of funds will be allocated to CSBs (STEP-VA)
- Provide full funding to enable all 40 CSBs to provide “same day access” and primary care screening
- Allocate funds for schools (K-12 and college) and public health departments to work with CSBs in coordinating diagnosis and treatment
- Provide additional resources for first-responders to better respond to an emergency situation that involves opioids
- Align DMAS and DBHDS so that services will be managed using standardized managed care practices and data reporting tools
...Did you know? Virginia’s public schools face fierce competition/challenge from the private/corporate sector?

...Did you know that Virginia taxpayers can get tax breaks for donating to private school scholarship foundations?

...Did you know that some private schools that receive the donations provide religious training?

The school choice task force that was formed per the 2017 resolution has done considerable research concluding that our LWV-VA Education Position does indeed need to be supplemented with specifics on Virginia school choice options. Public funds ARE going to private schools. We analyzed the parameters, funding, and administration of Virginia’s Tuition Tax Credit programs, private virtual schools, and proposals for Voucher programs that have a negative impact on public school funding.

Even though Virginia has been, in comparison to some states, conservative in authorizing tax credit and voucher programs, there is a strong interest from some legislators, private schools and profit-making companies to expand them. We have major concerns about the level of quality of the private schools and private resources that receive the public funds. Those schools, including for-profit online learning programs, may have inadequate oversight, accountability, accreditation, transparency student retention rates, achievement, curriculum, and protection of rights. Already some public funds go to private schools that include religious training thereby compromising the required separation of church and state.

The eight Charter schools in Virginia are public, are authorized and monitored by the local school board, and must abide by extensive Virginia Code requirements.

Our Virginia public school funding needs continued protection.

Thus, we recommend the adoption of the proposed expansion of the LWV-VA Position to provide for effective advocacy and background for specific lobbying efforts. This position will support “Public Funds for Public Schools.”
1. **Tuition Tax Credits** (Educational Improvement Scholarship Tax Credits) (EISTC)
   Several bills to expand the EISTC program were proposed. Currently the program targets families with incomes at or below the 300% Federal Poverty Level, or 400% of the Federal Poverty for families with children with disabilities. The scholarship amounts cannot exceed the SOQ amount provided for the school division where the student resides. The average is about $4,600 to $4,700.

   **SB869:** Senator DeSteph’s bill would expand eligibility to students with an IIP that are attending a school for students with disabilities, and significantly increase the scholarship amount 300% for those students. Thus, an average state fund amount of $5,000 would be increased to $15,000. Passed in the Senate 21-19. Must go to House Appropriations because there must be specific appropriations passed by the General Assembly first. *(Was left in House Appropriations)*

   **SB172:** Senator Stanley’s bill would expand eligibility to Pre-K children in a nonpublic pre-K program. The grant would not exceed the state share of the local Virginia Preschool Initiative (VPI). The bill must survive the House Finance Committee before it can proceed. *(Did not survive – defeated 11 to 11.)*

   EISTC bills that were withdrawn or failed:
   - **HB221** (Miyares) (Similar to SB869) Withdrawn by Del. Miyares.
   - **HB395** (Davis) Would increase the scholarship amount 400% and to $26,000 for a student with an autism spectrum disorder. Withdrawn by Del. Davis.
   - **HB1165** (Landes) Would expand eligibility to Pre-K as in SB172. **Failed** in House Finance by a vote of 11 to 11.

2. **Vouchers:** “Parental Choice Education Savings Accounts”
   **HB1286:** Delegate LaRock’s bill would allow parents to apply for local school division per pupil SOQ funds to be used for education-related expenses outside of the public school system. [DOE estimates a state fiscal impact of $394,200 in the first year of enactment.] **Failed** in Education Subcommittee #1 with a vote of 4-4. The 2017 bill was vetoed by the Governor.

3. **Virtual Schools (Online Learning Programs):**
   **HB1504:** Delegate Cline’s bill provides for all public and home-schooled high school students to enroll in **Virtual Virginia** (public online learning program) free of charge. The bill was amended by striking the free of charge portion. Passed in Appropriations 13-9. Passed in the House but failed after the Senate’s proposed amendments requiring payments was unacceptable to the House.

   **HB521:** Delegate Robert B. Bell’s bill is identical and was stricken from consideration.

   **HB831:** Delegate Lamont Bagby’s bill would add Virtual Virginia access to public elementary and middle schools. Passed in House Education Committee but **Failed** in House Appropriations Subcommittee: 5 to 3.

4. **Charter Schools**
   **SB 516:** **Failed:** Senator Obenshain’s bill proposed Regional Charter School Divisions and board that could approve applications for charter schools without approval from the Virginia Board of Education or local School Boards. Senate Education Committee passed it 8 to 7, but Senate Finance voted 16 to 0 not to approve it this year.
SCHOOL CHOICE OPTIONS
[Kudos to Gerry Kruger]

1. CHARTER

PUBLIC $ to PUBLIC CHARTER SCHOOLS

(8 Charter schools in Virginia)

Examples
Albemarle County:
--Murray (grades 9-12)
--Community Public Charter School (grades 6-8)

... Robust Approval process.
...Parameters and reporting requirements extensive.
...Thorough VDOE regulations and oversight.

SOQ $= local districts share of state funds per pupil (based on property values, FAGI, and local sales tax)

Parent applies to school division for a one-year renewable savings account. Can be used for education-related expenses.

Direct loss of public school funding to private schools

2. VOUCHERS (ESA’s)

(Education Savings Accounts)

SOQ $ to STUDENT LEAVING PUBLIC SCHOOL

PRIVATE & CORP $ to approved FOUNDATIONS to PRIVATE SCHOOLS to STUDENT

Results in fewer tax dollars to public schools

Presently allows a 65% tax credit plus donors may take a state tax deduction and federal tax deduction for charitable donations.

$25,000,000 cap for total donations.

3. EISTC’s

(Education Improvement Scholarship Tax Credits)

PRIVATE & CORP $ to approved FOUNDATIONS to PRIVATE SCHOOLS to STUDENT

Results in fewer tax dollars to public schools

Presently allows a 65% tax credit plus donors may take a state tax deduction and federal tax deduction for charitable donations.

$25,000,000 cap for total donations.

4. VIRTUAL (online learning)

(Varies from one course to full curriculum and used for long-term illness, out-of-school suspension, homeschooling, or for courses that cannot be offered in the local school division)

A. PUBLIC ONLINE LEARNING:

Virtual Virginia (VVA) Public web-based courses built by teams of content area, online learning experts.

B. PRIVATE ONLINE LEARNING (SOQ $ to PRIVATE COMPANIES)

-Corporations such as K12Inc (VAVA) Virginia Virtual Academy

CONCERNS:
-Pressure for expansion by corporations for profit
-Pressure from legislators.
-Teacher-student ratio poor
-In-person monitoring lacking
-Meeting Virginia's SOLs
-Lack of internet service in some areas
-Reporting of completion and passing rates
-Ensuring of integrity of student’s work and testing
-Money coming from public school funds based on SOQ funding could be a “cash cow” for private corporations.
The League of Women Voters of Virginia Supports Public Funds for our Public Schools

“Public schools should prevail as the highest priority for school choice in Virginia based on their role and responsibility in sustaining democracy.”

Virginia’s Constitution REQUIRES a system of free public elementary and secondary schools for all children of school age throughout the Commonwealth, and shall seek to ensure that an educational program of high quality is established and continually maintained. (VA Constitution Article VIII, Section 1.)

We oppose expansion of the Tuition Tax Credit Program: Educational Improvement Tax Credit Program (EISTCP) and oppose establishing “Vouchers” (Educational Savings Accounts) for the reasons below.

A. Regarding the EISTC Program:

1. Tuition Tax Credits reduce revenue for public schools.
2. At least $25 million can go to private schools each year.
3. $25 million should not be diverted from Virginia’s public schools. ($7,395,530 in 2016)
4. Public schools are already underfunded.
5. Private school curriculum may include religious bias and religious training.
6. Private school policy may include gender discrimination. Title IX compliance is not required.
7. Transferring a student to a private school does not reduce a local school’s operating expenses.
8. VDOE has to employ personnel to administer the program; thus, funds diverted from classrooms
9. Better education at these private schools has not been shown.
10. Donors benefit by taking both Federal and State charitable tax deductions
11. But the donation may not fully cover the student’s tuition.
12. Wealthy donors benefit more than the students do.
13. Parents are not always advised of the loss of protection of federal rights for disabled students
14. Desirable diversity in the public school may be decreased.
15. Tax shelters undermine our public education.
16. Legislative changes can be proposed including these:
    ...Reduce the allowable tax credit of 65%
    ...Reduce the annual $25 million cap of donations

B. Regarding Vouchers (aka Educational Savings Accounts or ESA)

1. The Virginia Constitution prohibits public funding of private schools. (Article VIII, Section 10)
2. Payment would go directly from the local school district to a family.
3. ESAs have high startup and administration costs such as reported in the 2017 proposal HB1605.
4. ESAs are not targeted to families in need of financial assistance.
5. Vouchers may not cover full tuition or expenses
6. Low-income families may have limited participation.
7. No specific income level is required for eligibility.
8. High income families can already afford private school tuition
9. Payment is based on the local school district SOQ, not the need of the family or the cost.
10. Few limits are placed on how payments can be used – including transportation, home-schooling, and college tuition
11. Teacher qualification standards may be minimal.
12. Limited educational improvement with ESAs is reported by other states.
13. Nondiscrimination policies may not be in place in a private school.
Private school vouchers take many names, including “scholarship” programs, tuition tax credits, education savings accounts, and portability schemes. Regardless of what they are called, they use public dollars to fund private schools and divert scarce resources away from the education system that serves 90% of American children.

1. Private school vouchers undermine public schools by diverting desperately needed resources away from the public school system, which accepts all students, to fund the education of a few, select voucher students. Given the fiscal constraints at the federal, state and local level we simply cannot afford to fund two different education systems—public and private—on our taxpayers’ dime.

2. Private school vouchers do not save taxpayer money. In voucher programs, the public schools from which students leave for private voucher schools are spread throughout a school district. The reduction in students from each public school, therefore, is usually negligible and does not decrease operating costs of those public schools. That is one of the reasons why some voucher programs have resulted in multi-million dollar deficits and tax increases.

3. Private school vouchers do not improve academic achievement.

4. Private school vouchers do not lead to improvements in public schools.

   There are many, proven ways to improve public schools such as reducing class sizes, offering a well-rounded curriculum and increasing parental engagement.

5. Private school vouchers do not offer real choice.

   ...most states allow private schools to accept taxpayer dollars but still reject students...for a variety of reasons. And, even with vouchers, most parents still would not have the money to pay for private schools.

6. Private vouchers fail to provide accountability to taxpayers. Most voucher programs lack accountability measures, and according to studies of voucher programs, many also lack proper oversight to ensure they meet the minimal standards that do exist.

7. Private school vouchers do not provide students with the same rights and protections they would otherwise have in public schools, such as those with Title VI, Title IX, the IDEA, Title II of the American Disabilities Act, and Every Student Succeeds Act.

8. Private school vouchers violate the fundamental principle of religious freedom because they fund religious education with taxpayer funds.

9. Private voucher schools do not adequately serve students with disabilities, often failing to admit them or provide them the same quality and quantity of services available to students in public schools, including those mandated under each student’s individualized plan (IEP)

10. Private school vouchers do not adequately serve low-income students because the cost of tuition and fees at schools that accept vouchers generally exceeds the amount of the voucher, making voucher schools unaffordable for most low-income families.

11. Private school vouchers often fund poor quality schools.

*The missions of NCPE’s member organizations greatly vary, yet we are united in our position that Congress should not expand existing or create new federal voucher programs.*
Principles of Public Schools

What is Public?

Why Public Schools?

Criteria:
- Equal opportunity/availability for all
- Serve democracy through the common good rather than just for the individual
- Receive Community support and are community-driven
- Provide a Civic institution in the community

Civic responsibility of schools is to prepare children for citizenship and work in a country that celebrates diversity and freedom of opinion.

Susan M. Stitzlein:
Sarah Stitzlein is associate professor of education at the University of Cincinnati.

A school is Truly public if
- ...it is open to the public – all children
- ...it serves the public (prepares citizens to maintain government)
- ...it is responsive to the public (who can vote on school governance, can change policies)
- ...it is a creator of the public
  Cultivates citizens, prepares for discourse, responds to ideas, works across differences,
- ...it sustains democracy by developing skills for participating and enacting freedom-oriented decision-making.

Stitzlein asks:
Which types of schools deserve public tax dollars?
Paraphrasing: Public schools and private schools may operate with the same form, but the function of a public school as a place of citizenship development should not be glossed over.

Vouchers

Stitzlein:
The results of decisions like these are far-reaching. Our communities become even more divided along lines of race and economics. Our children are less prepared for an integrated workforce and life in an increasingly diverse America. Our taxpayers are forced to support the religious teachings preferred by individual citizens and to shore up private schools that may be subpar.

https://www.cincinnati.com/story/opinion/contributors/2017/04/13/school-voucher-programs-place-individual-interests-over-common-good/100297278/
“Public schools are where children learn to be public.” Benjamin Barber

Democracy’s Future

The lesson seems obvious: We cannot do without public schools. A nation of fractious individuals schooled in avoidance ceases to be a nation. A democracy of consumers focused on their private interests ceases to be a democracy. A community of multicultural fragments celebrating only difference ceases to be a community. A republic of privately schooled narcissists blind to what they share ceases to have res publica and hence is no longer a republic.

Public education is redundant: To be civilized is to understand the nature of commonality, to be learned is to grasp the rights and responsibilities of liberty, to be educated is to comprehend the meaning of citizenship. If liberal education is education in the arts of liberty, then there can be no liberal education without public education.

Finally, the future of liberal education is the same thing as the future of public education, which is, in turn, the same thing as the future of democracy. [America as a commercial society of individual consumers may survive the destruction of public schooling. America as a democratic republic cannot.]

Vouchers in Supreme court.

Charter Schools

Private or for-profit charter schools:

- Their mission, student bodies, ideologies, and closed-door governance is too constrained to be aligned with democratic aims. The guiding value for public schools is equality and justice, but the guiding value of the free market is profit. (Hannah-Jones)

Principles for approving Charter Schools:

- In the community
- Students are in the community (Students need to be in their community.)
- Charter must improve the local public school system
- High quality, certified teachers and administration
- Accountable
- Assure open meetings and records
- Not for profiteering
- Communal ownership
- Common good has priority over individual
- Population has both wealthy and working members providing a common sense of citizenship
- National identity
- Include haves and have-nots
- Share spoils and burdens
- Can be laboratories of innovation

Goals:

- Competency-based?
- Achieve mastery?
...Student-centered?
...Enable innovation zones

**Charters** in D.C.
National Research Council said:
Voucher schools heightened the segregation.

Orfield: solutions: “You need recruitment across racial and ethnic lines, free transportation, strongly appealing and distinctive curriculum, admission to all groups of students, integrated faculties, etc.”
Create a sense of opportunity for all students. Economic opportunity must be real for all students...

Notes:
1. Susan Stitzlein, University of Cincinnati
   Philosophy re Public Schools
   “How to Define Public Schooling in the Age of Choice?” 9/5/17
   “FOR-PROFIT CHARTER SCHOOLS AND THREATS TO THE PUBLICNESS OF PUBLIC SCHOOLS”

2. Nikole Hannah-Jones, staff writer for New York Times
   “Have We Lost Sight of the Promise of Public Schools?”


4. The Nation, 10/13/14  “Our Public Education System Needs Transformation, Not ‘Reform’”
   “A truly progressive vision for public education... should focus on taking back that stream of money going to charter chains and corporate tax cuts and redirecting it toward schools anchored in strong communities and using proven methods for teaching kids....”

5. Bob Herbert, “The Plot Against Public Education”, POLITICO Magazine; 10/6/14
   “How millionaires and billionaires are ruining our schools.”

6. Voucher proposals in New Hampshire
   [http://www.dnhpe.org/testimony-1/exchangepromptedbyemailssubmissionofdrssarahstitzleintestimonytothehousewaysandmeanscommitteete22312](http://www.dnhpe.org/testimony-1/exchangepromptedbyemailssubmissionofdrssarahstitzleintestimonytothehousewaysandmeanscommitteete22312)

7. Benjamin Barber
Support for state funding for public schools that insures a high quality education with equal educational opportunities for all children, including:

- Full funding for the Standards of Quality and state mandates
- Increasing the state’s share of education costs;
- Funding for half-day pre-kindergarten programs for at-risk children, and full-day kindergarten programs;
- Funding some portion of capital costs; and
- Improving the funding formula for determining local ability to pay, using it as a basis for distribution of state education funds.
- Support a challenging curriculum, high expectations of students and teachers in mastering that curriculum, and appropriate assessments of student achievement for a quality education in the public school system K-12.

Essential curriculum elements include:

- Core disciplines (English, Math, Science, History and Social Studies);
- Art, Music, Physical Education, Health, and Foreign Languages;
- Analytical skills;
- Integrated technology; strong remedial programs;
- Programs for at-risk, gifted and special needs students;
- Education for students with limited English proficiency, in which emphasis is placed on teaching English; and
- Career and technical education.

Support professional education for principals and teachers and on-going staff development; class size appropriate to instructional goals; a safe environment for students and staff; and discipline, preventative programs and a consistently enforced, well-defined system of rules; guidance counseling for academics and support services; and parental and community support and involvement. Support opportunities to select a specific program or school. These opportunities should be based on a system of equity so that all qualified students have equal access. Elements of a quality education also include: school-based teamwork, goal setting and decision-making, and application of learning to life experiences.

The League’s History
According to the 1970 Virginia Constitution, the state must provide quality public school (K-12) education, set Standards of Quality (SOQ), and share the cost with the local governments. As local Leagues studied their own school systems, they questioned whether the formulas to distribute the state monies were fair. In 1979, a state study of financing education in Virginia was adopted. The 1991 Convention adopted a new statewide study on Financing Public Education.

The 1997 Convention approved a study “of the essentials of quality education, including alternatives, initiatives, vouchers, charters, contracts, etc., in the public schools.” The study coincided with new state legislative and administrative initiatives to improve the quality of public schools in Virginia.

In the 1999-2001 biennia, the LWV-VA Board recommended a review of current state positions. The following position was derived from combining Financing Public Education and the Education positions.

The League’s Position
The League of Women Voters of Virginia believes that state funding for elementary and secondary public schools should ensure a high quality education with equal educational opportunities for all children.

PART I: Funding
In order to accomplish this goal, the League supports the following:

- Funding for Standards of Quality (SOQ)
- Funding the SOQ by including all actual costs to localities;
- Establishing the SOQ to exceed the average level of practices in school divisions when evidence exists that the average level is inadequate; and
• Adopting a per-pupil cost figure which represents actual costs per pupil for school systems in Virginia.

Local Effort
• Improving the formula for determining the measure of local ability to pay and using it in the distribution of all state school funds;
• Increasing the state's share of the costs of education;
• Providing state funds to local school divisions for capital outlay, using an improved measure of local ability to pay and priorities of educational need; and
• Requiring at least a minimum local effort in funding school costs.

Kindergarten and Pre-Kindergarten Funding
• Providing state funding for half-day pre-kindergarten programs for all at-risk-children; and
• Providing funding for full-day kindergarten programs provided at the option of localities.

Other Funding
• Funding fully the actual costs to local school division of state and federal mandates which are not included in the SOQ;
• Continuing the current methods of financing capital costs by low-interest loans and bonds;
• Continuing state funding of a share of the employer costs in local school budgets for Social Security, retirement, and group life insurance.

We oppose placing a limit on the amount of local education funding which exceeds the cost of state requirements. (1993)

PART II: Quality Education
The League of Women Voters of Virginia believes the following elements are essential to quality education in the public school system, K-12:

A challenging curriculum, high expectations of students and teachers in mastering that curriculum, and appropriate assessments of student achievement. The following elements of the curriculum are essential:
• Four core disciplines: English, Mathematics, Science, History and Social Studies;
• Art, Music, Physical Education, Health and Foreign Languages;
• Analytical skills, application of knowledge and decision-making;
• Technology integrated throughout the curriculum;
• Strong remedial programs implemented at the earliest indication of a student’s academic weakness;
• Special offerings for at-risk and gifted students and educational programs for students with special needs, using specified minimum standards;
• Education for students with limited English proficiency, in which emphasis is placed on teaching English, while other course content is presented in English;
• Career and Technical Education.
• Professional education of principals and teachers, and on-going staff development; Class size appropriate to instructional goals; A safe environment for students and staff; and discipline, providing preventative programs and a well-defined system of rules, consistently enforced;
• Guidance Counselors for academics and support services; and
• Parental and community support and involvement.
• Opportunities to select a specific program or school. These opportunities should be based on a system of equity so that all qualified students have equal access. (2003)

The LWV-VA believes that the following are important elements of quality education in the public system, K-12:
• School-based teamwork, goal-setting and decision-making;
• Application of learning to life experiences in further education, work, and leisure activities; and
• Incentives, recognition, and awards for both students and teachers. (1999)
PART III: School Choice Options: Standards and Criteria

A. The League of Women Voters believes that K-12 public schools should prevail as the highest priority for school choice in Virginia because public schools
   - Sustain democracy by being open to all children,
   - Serve the public and prepare citizens to maintain our government,
   - Allow the public to vote on school governance and school policy, and
   - Allow the exchange of ideas and participation in decision-making. (2018)

B. The League of Women Voters believes that Public Funds should go to Public Schools, not to Private Schools.

C. The League of Women Voters of Virginia believes that any programs that may provide public funds for school choice options should be required to meet certain standards and criteria for approval, funding, and operations.

   The status, in 2018, of the League’s approval for current school choice options or proposals are these:
   2. Tuition Tax Credit Programs: Oppose this type of program, oppose any expansion from the current parameters (2018), and support limits to decrease the loss of revenue for public schools.
   3. Vouchers: Oppose vouchers aka “Parental Choice Education Savings Accounts” (ESAs)

D. Standards and Approval Criteria for School Choice Options

   The League of Women Voters of Virginia believes that these standards and criteria should be required for school choice options.

   1. Charter and Virtual Schools
      [NOTE: All Virginia Charter Schools ARE Public Schools.]
      a. Require (the elected) Local School Board authorization for establishing a Charter School as required and stated in the current (2018) Virginia Code. [This includes provisions for public input.]

   2. All School Choice Option Requirements
      a. Fair and legal funding. No public funds shall go to sectarian schools.
         i. Require Separation of church and state. (See U.S. and VA Constitutions)
         ii. Oppose unconstitutional “Educational Savings Accounts” aka ESAs aka Vouchers that would allow public funds for private schools and schooling, especially sectarian schools. (See VA Constitution Article VIII, Section 10)
         iii. Prohibit for-profit operations and profiteering.
b. **Nondiscrimination**
   i. Uphold Federal Civil Rights law.
   ii. Uphold Virginia non-discrimination law:
         *Shall not discriminate against any individual on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services.*
         *(Virginia Charter School Law (current in 2018)*
   iii. Ensure equity in choices
         *(e.g. Transportation problems can limit participation by low-income students).*
   iv. Require a non-biased student selection process such as,
         (a) by lottery,
         (b) by criteria (for a special purpose school option)
            (i) need
            (ii) ability
            (iii) being at or below a certain Federal Poverty Level (FPL) percentage.
   v. Prevent re-segregation.
      *(Analysis available; see “Controlled choice” (Brookings, TCI.2)*

   c. **Standards for School Climate**
   i. Require proper and effective student retention processes in order to prevent easy removal of problem students that would return a student to public school.
   ii. Require a proper and fair discipline policy. (e.g. “Classrooms not Courtrooms”)
   iii. Provide health and safety measures by following Virginia laws.
   iv. Provide a “positive”, “proactive” role in meeting the needs of children.

d. **Accountability, oversight and transparency**
   (See NCSL National Conference of State Legislatures.)
   i. Require proof of a well-maintained, monitored financial/fiscal management system.
   Show proof of fiscal soundness and budget accountability with these procedures:
      (a) Annual audit by an independent licensed accounting firm with no personnel from the receiving agency/individual,
      (b) Tracking in the budget of designated gifts,
      (c) Tracking of public money in the budget by line item,
      (d) Require Board of Directors of agency receiving funds to be legally responsible for ensuring that all funds are used as designated.
   ii. Require open meetings and public access to records.
   iii. Evaluate periodically with minimum frequency established.
   iv. Report attendance often, track students’ participation and their completion of the program.
   v. Assess student achievement in all schools and report to the Virginia Department of Education.
   vi. Establish methods and parameters for closing, discontinuing or denying recertification.
   vii. Comply with Federal requirements including the ADA, IDEA, Titles I, VI, IX, FAPE, ESSA.
      *[FAPE: 2010 https://www2.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html]*
   viii. Notify parents, prior to enrollment, of any loss of rights protection, particularly for students with disabilities. (See GAO report and COPAA.)

e. **Credentialed and qualified teachers; personnel support**
   i. Maintain adequate number of personnel -- in both “brick-and-mortar” and virtual
schools.
ii. Provide Human Resource quality for employee pay, benefits, and grievance processes.
iii. Provide a fair pay scale with incentives to succeed that are not based on a monetary bonus.
iv. Require continuing professional education and re-certification.
v. Require substantial initial mentoring of teachers.
vi. Require background checks (of all personnel).

3. Virtual Schools – Public, charter, and private
   b. Require best student to teacher ratio. (Currently at least 150:1 or better for high schools.)
   c. Require in-person monitoring of testing for validation, accountability, and reporting.
   d. Require method to determine actual time at computer, to prevent signing-in and leaving.
   e. Assure integrity and purpose of providers. Motive must not be for profit.
   f. Require counseling that meets the Virginia Standards for Academic, Career, and Personal/social School Counseling:
      i. Academic counseling, that assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing, and to seek post-secondary academic opportunities;
      ii. Career counseling, that helps students to acquire information and plan action about work, jobs, apprenticeships, and post-secondary educational, and career opportunities;
      iii. Personal/social counseling, that assists students to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities and aptitudes.
   g. Require records and reports of the amount of teachers’ instruction and assessment time.
   h. Assure fair funding statewide.
      Payment to the MOP should be based on the per pupil Standard of Quality (SOQ) of the student’s resident jurisdiction; not the current (2018) practice that pays the MOP based on the per pupil SOQ of the school jurisdiction where the MOP has been established.

4. Non-Public schools that receive specific public funds
   a. Assure that a “tuition tax credit” program, if established, is well-managed.
      (Virginia currently has a tax credit scholarship program: Education Improvement Scholarship Credit Program (EISTCP)). (LWVUS opposes Tuition Tax Credits.)
   b. Assure that a Tuition Tax Credit program is not a fiscal detriment to public schools
   c. Limit or oppose the Virginia Education Improvement Scholarship Tax Credit Program (EISTCP) (Maximum scholarship amount per SOQ available online at VDOE.)
   d. Support lowering the EISTCP annual donation cap and/or lowering the per cent credit allowed.
   e. Prohibit private schools that may receive public funds from using the funds for religious training.
   f. Prohibit establishing Educational Savings Accounts (ESAs) or other voucher-like programs where families receive local school funds for private education purposes.

4/3/18 Recommendation approved by a majority of the LWV-VA Board.
Acronyms and Resources for Education Position Proposal 2018

ADA: American Disability Act
https://www.ada.gov/ada_title_III.htm

ADM: Average Daily Membership. Reported by school divisions at different times of the year to the Virginia Department of Education to determine ADM-based state general fund payments.

CMO: Charter Management Organization (nonprofit) (See EMO – profit management)

COPAA: Council of Parent Attorneys and Advocates (Protecting the Legal and Civil Rights of Students with Disabilities.)
http://www.copaa.org/

EISTCP: Education Improvement Scholarship Tax Credit Program in Virginia
http://www.doe.virginia.gov/school_finance/scholarships_tax_credits/
Discrimination policy at school receiving EISTCP scholarship funds:
https://www.huffingtonpost.com/entry/discrimination-lgbt-private-religious-schools_us_5a32a45de4b00dbcb5ba0be?ncid=APPLENEWS00001

EMO: Educational Charter School Management (profit managers) (See CMO – nonprofit management.)
These two types of organizations (EMO and CMO) manage charter schools -- one is nonprofit, the other operates for profit: EMO Education Management Organization (profit)

ESA: Educational Savings Account (voucher) “Parental Choice Education Savings Account”
2017 Virginia Legislation: HB1605 was vetoed with this explanation:

ESSA: Every Student Succeeds Act. The new national education law signed by former President Obama in 2015; makes changes in the previous laws -- ESEA and NCLB
https://www.ed.gov/esea

FAPE (Free Appropriate Public Education) 2010 https://www2.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html
2017 https://www.concordlawschool.edu/blog/fape-requirements-for-special-education/

FPL: Federal Poverty Level
https://aspe.hhs.gov/poverty-guidelines

GAO: Government Accountability Office
GAO reported on problems of notifying parents who sent their children with disabilities to private school so the parents know what rights they may lose. https://www.gao.gov/products/GAO-18-94
6/27/18  Page 1  of 3
IDEA: The Individuals with Disabilities Education Act (IDEA) is a four-part (A-D) piece of American legislation that ensures students with a disability are provided with Free Appropriate Public Education (FAPE) that is tailored to their individual needs. 
https://www.washington.edu/doit/what-individuals-disabilities-education-act

Concerns about changes for IDEA:

LCI: Local Composite index: composite index of local ability to pay education costs fundamental to the Commonwealth’s SOQ
http://www.doe.virginia.gov/school_finance/budget/compositeindex_local_abilipay/

LEA: Local Educational Agencies

MOP Multidivision Online Provider (in Virginia)
See VDOE website: http://www.doe.virginia.gov/instruction/virtual_learning/virtual_schools/
Providers are listed on the website above. Stakeholder responsibilities are also available.

NCPE: National Coalition for Public Education https://www.ncpecoalition.org/

NCSL: National Conference of State Legislatures

SOQ: Virginia Standards of Quality for Public Schools
The Constitution of Virginia (Article VIII, § 2) requires the Board of Education to prescribe standards of quality for the public schools of Virginia, subject to revision only by the General Assembly. These standards, found in the Code of Virginia at §§ 22.1-253.13:1 through 22.1-253.13:10, are known as the Standards of Quality (SOQ) and encompass the requirements that must be met by all Virginia public schools and school divisions.

TCI: The Commonwealth Institute for Fiscal Analysis
http://www.thecommonwealthinstitute.org/research/education/
http://www.thecommonwealthinstitute.org/2017/12/11/unequal-opportunities-sample-of-new-format-for-online-reports/

Description of “worse outcomes in high poverty schools” in Virginia. This includes a discussion of “How to Level the Playing Field” including certain state funding and local enrollment policies that encourage balanced and diverse public schools such as “controlled-choice.” TCI also states skepticism regarding directing public education funds to private schools using vouchers or educational savings accounts.

Title I Title I, Part A of the Elementary and Secondary Education Act, as amended (ESEA) provides financial assistance to local educational agencies (LEAs) and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards.
**Title VI:** TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 prohibits discrimination based on race, color or national origin in programs or activities which receive federal financial assistance.

https://www2.ed.gov/about/offices/list/ocr/docs/hq43e4.html

**Title IX:** https://www.dol.gov/oasam/regs/statutes/titleix.htm
from U.S. DOE: https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html

Educational programs and activities that receive ED funds must operate in a nondiscriminatory manner. Some key issue areas in which recipients have Title IX obligations are: recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment.

**Virginia Code** regarding establishment of Charter Schools
https://vacode.org/2016/22.1/13/1.2/
PW County Regulation 155-1

**Virginia Code** regarding corporal punishment, restraints and background checks
https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.2/

**Virginia Constitution**
Article VIII, Education https://law.lis.virginia.gov/constitution/article8/
Article VIII, Section 10: https://law.lis.virginia.gov/constitution/article8/section10/

**VDOE:** Virginia Department of Education
Current Charter Schools:
http://www.doe.virginia.gov/instruction/charter_schools/charter_schools.shtml
§ 22.1-212.5. Objectives; definitions.
A. In order to:
1. stimulate the development of innovative programs within public education;
2. provide opportunities for innovative instruction and assessment;
3. provide parents and students with more options within their school divisions;
4. provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management and structure;
5. encourage the use of performance-based educational programs;
6. establish high standards for both teachers and administrators; and
7. develop models for replication in other public schools, public charter schools may be established in Virginia as provided in this article.

B. As used in this article (Definitions):
1. "At-risk pupil" means a student having a physical, emotional, intellectual, socioeconomic, or cultural risk factor, as defined in Board of Education criteria, which research indicates may negatively influence educational success.
2. "Public charter school" means a public, nonreligious, or non-home-based alternative school located within a public school division. A public charter school may be created as a new public school or through the conversion of all or part of an existing public school; however, no public charter school shall be established through the conversion of a private school or a nonpublic home-based educational program. A charter school for at-risk pupils may be established as a residential school.
3. "Regional public charter school" means a public charter school operated by two or more school boards and chartered directly by the participating school boards.

2004, c. 530; 2005, c. 928.

§ 22.1-212.5:1. Public Charter School Fund established.
There is hereby created in the state treasury a special nonreverting fund to be known as the Public Charter School Fund, hereafter referred to as "the Fund". The Fund shall be established on the books of the Comptroller. Any gifts, grants, bequests, or donations from public or private sources shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to the Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of establishing or supporting public charter schools in the Commonwealth that stimulate the development of alternative public education programs. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent of Public Instruction. The Board of Education shall establish criteria for making distributions from the Fund to a public charter school requesting moneys from the Fund and may issue guidelines governing the Fund, as it deems necessary and appropriate.
2007, c. 118.

§ 22.1-212.6. Establishment and operation of public charter schools; requirements.
A. Enrollment in a public charter school shall be open to any child who is deemed to reside within the relevant school division or, in the case of a regional public charter school, within any of the relevant school divisions, as set forth in § 22.1-3, through a lottery process on a space-available basis, except that in the case of the conversion of an existing public school, students who attend the school and the siblings of such students shall be given the opportunity to enroll in advance of the lottery process. A waiting list shall be established if adequate space is not available to accommodate all students whose parents have requested to be entered in the lottery process. Such waiting list shall also be prioritized through a lottery process and parents shall be informed of their student's position on the list.

B. A public charter school shall be administered and managed by a management committee, composed of parents of students enrolled in the school, teachers, and administrators working in the school, and representatives of any community sponsors, in a manner agreed to by the public charter school applicant and the local school board. Pursuant to a charter contract, a public charter school may operate free from specified school division policies and state regulations, and, as public schools, shall be subject to the requirements of the Standards of Quality, including the Standards of Learning and the Standards of Accreditation.

C. Pursuant to a charter agreement, a public charter school shall be responsible for its own operations, including, but not limited to, such budget preparation, contracts for services, and personnel matters as are specified in the charter agreement. A public charter school may negotiate and contract with a school division, the governing body of a public institution of higher education, or any third party for the use of a school building and grounds, the operation and maintenance thereof, and the provision of any service, activity, or undertaking which the public charter school is required to perform in order to carry out the educational program described in its charter. Any services for which a public charter school contracts with a school division shall not exceed the division's costs to provide such services.

D. As negotiated by contract, the local school board or the relevant school boards, in the case of regional public charter schools, may allow a public charter school to use vacant or unused properties or real estate owned by the school board. In no event shall a public charter school be required to pay rent for space, which is deemed available, as negotiated by contract, in school division facilities. All other costs for the operation and maintenance of the facilities used by the public charter school shall be subject to negotiation between the public charter school and the school division or, in the case of a regional public charter school, between the regional public charter school and the relevant school divisions.

E. A public charter school shall not charge tuition.

§ 22.1-212.6:1. Applicability of other laws, regulations, policies, and procedures.
A. Public charter schools are subject to all federal laws and authorities as set forth in this article and the charter contract with the local school board.
B. Public charter schools are subject to the same civil rights, health, and safety requirements applicable to other public schools in the Commonwealth, except as otherwise provided in this article.
C. Public charter schools are subject to the student assessment and accountability requirements applicable to other public schools in the Commonwealth, but nothing in this article precludes a public charter school from establishing additional student assessment measures that go beyond state requirements if the school's authorizer approves such measures.
D. Management committees of public charter schools are subject to and shall comply with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).
E. No public charter school shall discriminate against any individual on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services or any other unlawful basis, and each public charter school shall be subject to any court-ordered desegregation plan in effect for the school division.
F. No public charter school shall discriminate against any student on the basis of limited proficiency in English, and each public charter school shall provide students who have limited proficiency in English with appropriate services designed to teach such students English and the general curriculum, consistent with federal civil rights laws.
G. No public charter school shall engage in any sectarian practices in its educational program, admissions or employment policies, or operations.
2016, c. 770.

§ 22.1-212.7. Contracts for public charter schools.
A. Within 90 days of approval of a charter application, the local school board and the management committee of the approved public charter school shall execute a charter contract that clearly sets forth:
   1. the academic and operational performance expectations and measures by which the public charter school will be judged; and
   2. the administrative relationship between the local school board and public charter school, including each party's rights and duties. Such 90-day period may be extended by a period not to exceed 30 days by mutual agreement of the parties. Such performance expectations and measures shall include applicable federal and state accountability requirements and may be refined or amended by mutual agreement after the public charter school has collected baseline achievement data for its enrolled students.
B. The academic and operational performance expectations and measures in the charter contract shall be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide the local school board's evaluations of each public charter school. The performance framework shall include indicators, measures, and metrics for:
   1. Student academic proficiency;
   2. Student academic growth;
3. Achievement gaps in both proficiency and growth between the major student subgroups based on gender, race, poverty status, special education status, English language learner status, and gifted status;
4. Attendance;
5. Recurrent annual enrollment;
6. Postsecondary education readiness of high school students;
7. Financial performance and sustainability; and
8. The performance and stewardship of the management committee, including compliance with all applicable laws, regulations, and terms of the charter contract.

C. The performance framework shall allow the inclusion of additional rigorous, valid, and reliable indicators proposed by a public charter school to augment external evaluations of its performance, provided that the local school board approves the quality and rigor of such indicators and such indicators are consistent with the purposes of this article.

D. The performance framework shall require the disaggregation of all student performance data by major student subgroups based on gender, race, poverty status, special education status, English language learner status, and gifted status.

E. Annual performance targets shall be set by each public charter school and the local school board and shall be designed to help each school meet applicable federal, state, and local school board expectations.

F. The charter contract shall be signed by the chairman of the local school board and the president or chairman of the public charter school's management committee. Within 10 days of executing a charter contract, the local school board shall submit to the Board written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

G. No public charter school shall commence operations without a charter contract executed in accordance with this section and approved in an open meeting of the local school board.

H. If the charter application proposes a program to increase the educational opportunities for at-risk students, including those proposals for residential charter schools for at-risk students, the local school board or relevant school boards, as the case may be, on behalf of the public charter school, shall also request that the Board approve an Individual School Accreditation Plan for the evaluation of the performance of the school as authorized by the Standards of Accreditation pursuant to 8VAC20-131-280 C of the Virginia Administrative Code.

I. Any material revision of the terms of the contract may be made only with the approval of the local school board or relevant school boards and the management committee of the public charter school.

A. Any person, group, or organization, including any institution of higher education, may submit an application for the formation of a public charter school.
B. The public charter school application shall be a proposed agreement and shall include:
   1. An executive summary.
   2. A mission statement of the public charter school that is consistent with the principles of the Standards of Quality, including identification of the targeted academic program of study.
   3. A plan for the displacement of pupils, teachers, and other employees who will not attend or be employed in the public charter school, in instances of the conversion of an existing public school to a public charter school, and for the placement of public charter school pupils, teachers, and employees upon termination or revocation of the charter.
   4. The location or geographic area proposed for the public charter school.
   5. The grades to be served each year for the full term of the charter contract.
   6. Minimum, planned, and maximum enrollment per grade level per year for the term of the charter contract.
   7. Evidence of need and community support for the proposed public charter school.
   8. Background information on the proposed founding management committee members and, if identified, the proposed public charter school leadership and management team.
   9. The public charter school's proposed calendar and a sample daily schedule.
  10. A description of the academic program that is aligned with the Standards of Learning.
  11. A description of the public charter school's instructional design, including the type of learning environment, such as classroom-based or independent study; class size and structure; curriculum overview; and teaching methods.
  12. The public charter school's plans for identifying and successfully serving students with disabilities, students who are English language learners, students who lag behind academically, and gifted students, including compliance with applicable laws and regulations.
  13. A description of cocurricular or extracurricular programs and how such programs will be funded and delivered.
  14. Plans and timelines for student recruitment and enrollment, including lottery procedures.
  15. The public charter school's student discipline policies, including discipline policies for special education students.
  16. An organization chart that clearly presents the public charter school's organizational structure, including lines of authority and reporting between the management committee; staff; any related bodies, such as advisory bodies or parent and teacher councils; and any external organizations that will play a role in managing the public charter school.
  17. A clear description of the roles and responsibilities for the management committee, the public charter school's leadership and management team, and any other entities shown in the organization chart.
  18. A staffing chart for the public charter school's first year and a staffing plan for the term of the charter contract.
  19. Plans for recruiting and developing the public charter school's leadership and staff.
  20. The public charter school's leadership and teacher employment policies.
  22. Explanations of any partnerships or contractual relationships central to the public charter school's operations or mission.
23. The public charter school's plans for providing transportation, food service, and all other significant operational and ancillary services.


25. A detailed public charter school start-up plan that identifies tasks, timelines, and responsible individuals.

26. A description of the public charter school's financial plan and policies, including financial controls and audit requirements.

27. A description of the insurance coverage that the public charter school will obtain.

28. Start-up and five-year budgets with clearly stated assumptions.

29. Start-up and first-year cash-flow projections with clearly stated assumptions.

30. Evidence of anticipated fundraising contributions, if claimed in the application.

31. A sound facilities plan, including backup or contingency plans, if appropriate.

32. Assurances that the public charter school:
   a. is nonreligious in its programs, admission policies, employment practices, and all other operations; and
   b. does not charge tuition.

33. Disclosure of any ownership or financial interest in the public charter school, by the charter applicant and the governing body, administrators, and other personnel of the proposed public charter school, and a requirement that the successful applicant and the governing body, administrators, and other personnel of the public charter school shall have a continuing duty to disclose such interests during the term of any charter.

C. The charter applicant shall include in the proposed agreement the results of any Board review of the public charter school application that may have been conducted as provided in subsection C of § 22.1-212.9.

§ 22.1-212.8:1. Innovation Technical Advisory Group.
The Department of Education may establish an Innovation Technical Advisory Group, comprised of individuals with experience in the establishment and operation of charter schools, college partnership laboratory schools, and virtual school programs, or it may retain the services of individuals with such experience to provide technical assistance and advice to the Board in carrying out its duties relating to charter schools, college partnership laboratory schools, and virtual school programs.

2012, c. 381.
§ 22.1-212.9. Review of public charter school applications.
A. Public charter school applications shall be received and reviewed by the Board of Education and local school boards or, in the case of a regional public charter school, by all of the relevant school boards, as provided in subsection C. However, no charter school application that is initiated by one or more local school boards shall be subject to the provisions of subsection C. The Board of Education and each local school board shall establish procedures for receiving, reviewing, and, in the case of local school boards, ruling upon applications. The Board of Education and local school boards shall post their procedures on their websites and make a copy of the procedures available to all interested parties upon request. If any such board finds the public charter school application is incomplete, the board shall request the necessary information from the charter applicant.

B. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist local school boards in their decisions to grant or deny a public charter school application, local school boards shall establish a procedure for public notice and to receive comment on public charter school applications. A local school board shall give at least 14 days' notice of its intent to receive public comment on an application.

C. Prior to submission of an application to a local school board for review, the public charter school applicant shall submit its proposed charter application to the Board of Education for its review, comment, and a determination as to whether the application meets the approval criteria developed by the Board. The Board's review shall examine such applications for feasibility, curriculum, financial soundness, and other objective criteria as the Board may establish, consistent with existing state law. The Board's review and comment shall be for the purpose of ensuring that the application conforms with such criteria, and the Board shall make a determination as to whether the application meets the approval criteria developed by the Board. Nothing in this section shall prevent a local school division from working with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.


§ 22.1-212.10. Reconsideration and technical assistance; decision of local board final.
A. If a local school board denies a public charter school application or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, shall be entitled to petition the local school board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked, or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.

B. Each local school board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the local school board for such decision.

C. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation, or non-renewal.

D. Upon reconsideration, the decision of a local school board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement shall be final and not subject to appeal. Following a local school board decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the local school board shall submit documentation to the Board of Education as to the rationale for the local school board's denial or revocation of the charter school application.

E. The Board of Education shall have no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement.

F. Nothing in this section shall prohibit an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application, pursuant to §22.1-212.9.

§ 22.1-212.11. Public charter school restrictions.
A. Local school boards may establish public charter schools within the school division. Priority shall be given to public charter school applications designed to increase the educational opportunities of at-risk students, and at least one-half of the public charter schools per division shall be designed for at-risk students; however, the one-half requirement shall not apply in cases in which an existing public school is converted into a public charter school that serves the same community as the existing public school, nor shall such public charter school conversions be counted in the determination of school division compliance with the one-half requirement.

B. Local school boards shall report the grant or denial of public charter school applications to the Board and shall specify the maximum number of charters that may be authorized, if any; the number of charters granted or denied; and whether a public charter school is designed to increase the educational opportunities of at-risk students.

C. Nothing in this article shall be construed to prevent a school that is the only school in the division from applying to become a public charter school.

A. A charter may be approved or renewed for a period not to exceed five school years. A public charter school renewal application submitted to the local school board or, in the case of a regional public charter school, to the relevant school boards shall contain:
   1. A report on the progress of the public charter school in achieving the goals, objectives, program and performance standards for students, and such other conditions and terms as the school board or boards may require upon granting initial approval of the charter application.
   2. A financial statement, on forms prescribed by the Board, that discloses the costs of administration, instruction, and other spending categories for the public charter school and that has been concisely and clearly written to enable the school board or boards and the public to compare such costs to those of other schools or comparable organizations.
B. Local school boards may revoke a charter if the public charter school:
   1. Violates the conditions, standards, or procedures established in the public charter school application;
   2. Fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
   3. Fails to meet generally accepted standards of fiscal management; or
   4. Violates any provision of law from which the public charter school was not specifically exempted.

C. Nothing in this section shall be construed to restrict the authority of local school boards to decline to renew a charter agreement.


§ 22.1-212.13. Employment of professional, licensed personnel.
A. At the discretion of the local school board, charter school personnel may be employees of the local school board, or boards, granting the charter. Any personnel not employed by the local school board shall remain subject to the provisions of §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4.

B. Professional, licensed education personnel may volunteer for assignment to a public charter school. Assignment in a public charter school shall be for one contract year. Upon request of the employee and the recommendation of the management committee of the public charter school, reassignment to the public charter school shall occur on an annual basis.

C. At the completion of each contract year, professional, licensed education personnel who request assignment to a public noncharter school in the relevant school division or who are not recommended for reassignment in the public charter school, other than for the grounds cited in § 22.1-307, shall be guaranteed an involuntary transfer to a public noncharter school in the school division according to the employment policies of the school division.

D. Professional, licensed personnel of a public charter school shall be granted the same employment benefits given to professional, licensed personnel in public noncharter schools in accordance with the policies of the relevant school board or boards.

E. School boards may employ such health, mental health, social services, and other related personnel to serve in residential charter schools for at-risk pupils as set forth in the charter agreement between such school board and the charter school; however, nothing herein shall require a school board to fund the residential or other services provided by a residential charter school.


§ 22.1-212.14. Funding of public charter schools; services provided.
A. For the purposes of this article, students enrolled in a public charter school shall be included in the average daily membership of the relevant school division and shall be reported in fall membership for purposes of calculating the state and local shares required to fund the Standards of Quality.

B. Insofar as constitutionally valid, a local school board or, in the case of a regional public charter school, the relevant school boards may establish by contract an agreement stating the conditions for funding the public charter school, including funding for the educational program to be provided by a residential charter school for at-risk students. In accordance...
with subsection D, the per pupil funding provided to the charter school by the local school board or, in the case of a regional public charter school, the relevant school boards, shall be negotiated in the charter agreement and shall be commensurate with the average school-based costs of educating the students in the existing schools in the division or divisions unless the cost of operating the charter school is less than that average school-based cost.

C. Services provided the public charter school by the local school board or the relevant school boards, in the case of regional public charter schools, may include food services; custodial and maintenance services; curriculum, media, and library services; warehousing and merchandising; and such other services not prohibited by the provisions of this article or state and federal laws.

D. Funding and service agreements between local school boards and public charter schools shall not provide a financial incentive or constitute a financial disincentive to the establishment of a public charter school, including any regional public charter school.

E. Any educational and related fees collected from students enrolled at a public charter school shall be credited to the account of such public charter school established by the relevant local school board.

F. Notwithstanding any other provision of law, the proportionate share of state and federal resources allocated for students with disabilities and school personnel assigned to special education programs shall be directed to public charter schools enrolling such students. The proportionate share of moneys allocated under other federal or state categorical aid programs shall be directed to public charter schools serving students eligible for such aid.

G. The management committee of a public charter school is authorized to accept gifts, donations, or grants of any kind made to the public charter school and to spend such funds in accordance with the conditions prescribed by the donor. However, no gift, donation, or grant shall be accepted by the management committee of a public charter school if the conditions for such funds are contrary to law or the terms of the agreement between the local school board and the public charter school or, in the case of a regional public charter school, the relevant school boards and the regional public charter school.

H. The Department of Education shall provide technical assistance to local school boards relating to receipt, review, and ruling upon applications for public charter schools.


The Board shall report the number of public charter schools established in the Commonwealth, as well as the number of charters denied, in its annual report to the Governor and the General Assembly pursuant to § 22.1-18.

§ 22.1-212.16. Immunity.
Public charter schools shall be immune from liability to the same extent as all other public schools in the Commonwealth, and the employees and volunteers in a public charter school are immune from liability to the same extent as the employees and volunteers in a public school.
2002, c. 874.
Guest Speaker: Dr. Rachel Bitecofer

Rachel Bitecofer is Assistant Director of the Wason Center for Public Policy at Christopher Newport University, VA where she teaches classes on political behavior, campaigns, elections, and political analysis. In her position with the Wason Center she conducts survey research on public policy issues and election campaigns. Her research has been featured in many media outlets including national outlets such as the Washington Post, Huffington Post, and NPR and she is a regular contributor on CBC Radio.

Book: *The Unprecedented 2016 Presidential Election*
Is it true that in 2018 Americans don’t need the Equal Rights Amendment?

• Only the Constitution is the Constitution and only the Constitution guarantees rights. Currently, the only right guaranteed to women in the Constitution is the right to vote.

• Only with Constitutional protection of gender equality will gender discrimination cases be subject to “strict scrutiny” (a legal term) versus the current standard of “intermediate scrutiny.”

• Without this Amendment the Supreme Court has refused to hear cases of gender discrimination. According to Justice Scalia the Constitution does not prohibit gender discrimination.

• Amendments provide greater security for gender equality than laws, like the Lilly Ledbetter Equal Pay Act, which can be easily repealed by a simple majority vote in Congress

But, the ratification deadline has already passed!

• The deadline is in a superficial clause and not included in the wording of the amendment itself.

• The original deadline was 1979 and was previously extended (to 1982) and could be extended again. There is currently a proposed bill in Congress to extend the deadline. The Congressional Research Service has a report that indicates there are two primary paths forward to complete ratification of the Equal Rights Amendment: Congress can pass bills to remove/extend the deadline -OR- Congress can accept ratification by the 38th state (there are currently 36 states that have ratified).

Nevada *JUST* ratified on March 22, 2017 - if they can do it so can Virginia.

• Virginia has previously voted to ratify an amendment after a deadline: Virginia ratified the 24th Amendment (Poll Tax) 7 years after the deadline for ratification had expired and also after it had been fully ratified. A purely symbolic gesture. Virginia also ratified the 19th Amendment (Women’s Suffrage) 32 years after it had been fully ratified by the nation. Again, a purely symbolic gesture.

• The 27th Amendment (Congressional Raises) took over 202 years to become fully ratified / added to the U.S. Constitution so there is precedent for a lengthy ratification process.

If the Equal Rights Amendment is passed women will be included in the draft?

• Congress has always had the authority to draft women into service, it has just never been exercised.

• The Pentagon has already made the recommendation that women be included in the Selective Services Registration which is currently only required of men, ages 18-25. (http://thehill.com/policy/defense/357055-pentagon-recommends-requiring-women-to-register-for-the-draft)
The Changing “Democracy Space”  
Guidance on Opportunities  
January 2017

The results of the 2016 election have inspired many Americans to ramp up their political activism. The League has experienced this with an influx of members and potential members and spiked interest in our mission. With this heightened passion for civic activism, a new generation of advocacy groups have emerged to play a formidable political role in communities across the country.

With many new groups entering the political advocacy circle, League members may be feeling unsettled about how to handle so many groups entering “our space.” However, this influx of new groups presents an excellent opportunity for potential partnerships and spreading the League’s mission and message to a wider audience. In short, it means that more people than ever are declaring their interest in our impact work.

It is important to remind ourselves that the League does have several competitive advantages:

- The League of Women Voters is a long standing, highly trusted, non-partisan organization.
- The League has a long history of effective citizen advocacy.
- League members have successfully influenced policy at the local, state, and national levels by sharing our positions on important issues that affect our democracy.

While there are more groups entering “our space”, it’s important to remember the weight of the League’s mission and the more people committed to making democracy work is a good thing. The sum of each groups work is much bigger than our many parts.

Ways to Partner:

- Co-Sponsor events
  - Lobby Days
  - Panel Discussions
  - Happy Hours/Networking Events
  - Voter Registration Drives
  - Candidate Forums/ Education Forums
- Invite speakers from local activist groups to discuss their work with your members
- Encourage members to attend and advertise on social media events in the area sponsored by other groups and reach out to local groups to do the same for the League.

This month in the League Spotlight, we’ve highlighted two Leagues that have done excellent jobs of partnering with local organizations to create events that highlight the League’s mission. These events serve as excellent examples of ways to engage with groups outside of the League that share a similar message.
LEAGUE SPOTLIGHT

LWV Los Angeles

During the month of November LWVLA has held two great co-sponsored events with local civic engagement groups!

**Constitution Happy Hour:** LWVLA recently held a Constitution Happy Hour with My Daily Constitution, a project that inserts candid public conversation about the U.S. Constitution in spaces around cities and towns. This happy hour served as a guided conversation about Voting Rights, the US Constitution and its role in our democracy with drinks!

**Night of Action:** The LWVLA Gun Safety Committee teamed up with Women Against Gun Violence for a Night of Action on Nov. 15th at Angel City Brewery in downtown LA. These individuals came together to contact their congress people and create petitions focused on gun safety legislation.

LWV Minneapolis

On the first Tuesday of every month, the League of Women Voters Minneapolis, with the Whittier Alliance, hosts The Civic Buzz. Each month this group hosts a new speaker followed by a discussion where all voices are heard and opinions taken seriously. There have been a wide range of topic covered at the Civic Buzz including: Affordable Housing in Minneapolis, Caucus Information and Equity in Minneapolis Parks.

ACTION Kits

The League has prepared ACTION Kits on relevant topics. These kits contain tools including planning lists, Letter templates, and links to additional information on that topic. They’re a great way to engage other groups.

**Redistricting:** This Action Kit provides tools for League members to take action in your community or state related to redistricting. More information can be found at [http://forum.lwv.org/document/redistricting-action-kit](http://forum.lwv.org/document/redistricting-action-kit).

**Money In Politics:** This Action Kit provides tools for League members to take action in your community or state related to reforming money in politics. More information can be found at [http://forum.lwv.org/document/money-politics-action-kit](http://forum.lwv.org/document/money-politics-action-kit).
Strategy Screen Guidance on Opportunities February 2018

We are in a moment of renewed political activism and, as we noted in the last guidance, we are seeing more and more groups and events working in the democracy space. While partnering with other organizations is good in principle, determining what opportunities are most beneficial and most impactful in achieving our mission may not always be easy.

Below is a simple tool that the LWVUS board brainstormed to help guide their decision making around evaluating opportunities – new and ongoing – to ensure that we remain focused on our mission and impact. It is similar to the criteria developed and shared with Leagues around participation in marches and rallies earlier this year.

Strategy Screen
A strategy screen is a valuable tool to challenge thinking, weigh choices, and facilitate decision-making. Rather than a checklist, a strategy screen should guide discussion of new opportunities or be used to evaluate ongoing work. It is also useful in the context of a network to ensure that the League, at all levels, is making decisions aligned to the same criteria. The following criteria have been developed to consider how strategies within our mantle of being “Defenders of Democracy” will be selected and regularly evaluated.

Is this opportunity, initiative, or strategy:

- The best way to achieve our mission of Empowering Voters: Defending Democracy?
- Leveraging and/or supporting our competitive advantages: non-partisan, highly trusted, on-the-ground network?
- Achievable through human and financial resources we have or can obtain?
- Based on a clearly defined purpose and explicit about outcomes that can be measured?
- Financially sound? Does it leverage funds for greater impact? Does it contribute to financial sustainability?
- Consistent with the needs and expectations of those who are stakeholders in this effort (partners, the public, engagers, members)?
- Allow us to better live our values of diversity, equity, and inclusion?
- Better suited to be achieved through a strategic partnership?
- Achievable in a desired timeframe?
- Considerate of trade-offs?
- Clear on specific benefits (i.e. growth, fundraising, or visibility)?
In a recent guidance we talked about the changing “democracy space” and how the League can partner with other organizations on shared interests. We also talked about how the League can bring its history and knowledge to newer organizations. As a nonpartisan organization, it can sometimes be difficult to navigate relationships with activist organizations that have a perceived partisan agenda. It is important to consider the risks but to also examine and embrace the opportunities present for partnerships (one-time or longer term) to spread the League’s mission and impact to a wider audience.

As we enter what promises to very a busy mid-term election year, these opportunities are likely to become more abundant. How do we navigate this increasingly busy and crowded democracy space? How do we maintain our nonpartisanship and engage the new activists? How do we maintain our brand while ensuring that we are not crowded out of the democracy space?

During the discernment over the League’s participation in the 2017 Women’s March, we developed a series of questions that Leagues should ask themselves when asked to participate in events. These questions can be a companion to the strategy screen that was shared last month. These are meant to be a discussion or facilitation tool when a board is examining opportunities.

- Does the event truly align with the core Making Democracy Work™ issues?
- Are the organizers of the event transparent in their planning and is the event nonpartisan?
- Does the event advance one or more of the League’s strategic goals?
- What risks are associated with participation and can League secure the appropriate insurance?
- Is inclusive and diverse participation a core focus on the event planning?
- Do League volunteers and/or staff have the bandwidth for supporting the needs of participation?
- What is the potential for earned media and other visibility?
- What access would the League have to names and emails of event attendees?
- Should the League seek speaking opportunities or take other leadership to shape the event?
One of the important things about these questions is that in some cases the answers do not need to be “zero sum.” In other words, a negative response does not have to be the end of a partnership or opportunity. What other opportunities exist that do fit with our nonpartisan values? How do we turn a “but” into an “and”? Alternatives might include --

• Can the League register people to vote?
• Can the League provide information about polling place logistics or ID requirements?
• Can the group advertise the League’s candidate forum?
• Can the group direct people to Vote411.org (for any of the above and/or candidate information)?

Another “and” opportunity might be in the other areas of our Campaign for Making Democracy Work™. Redistricting, voter access, and money in politics affect all ends of the political spectrum. What opportunities exist in those areas for education and for advocacy?

The external interviews (those with partner organizations, funders, institutions and others) conducted as part of the transformation work underscored the value of our nonpartisanship. And, they also underscored the lack of clarity of our impact. Making our voice heard for the good of our democracy and for the good of the League will be more important than ever this election cycle. The opportunities will be plentiful, and hopefully, using the framework here will help Leagues to maintain or even increase their role in a very full democracy space.
LWV-VA Specialty Facebook Groups -- Please join to share up-to-date information

These groups are open only to LWV-VA members and coalition members

- LWV-VA Social
- LWV-VA Advocacy
- LWV-VA Behavioral Health
- LWV-VA Fracking, Uranium, and other Extractive Industries
- LWV-VA Communications Team
- LWV-VA Transportation
- LWV-VA Redistricting Group
- LWV-VA Climate Change
- LWV-VA Health Care
- LWV-VA Women’s Rights & the VA Code
- LWV-VA Women’s Rights & the VA Code
- LWV-VA Voting & Elections

Other Important Facebook Groups You May Find Useful (Not Sponsored by LWV-VA

- Sips & Civility – for planning League social events
- League Leaders Today – for sharing information and discussing League
- LWV New Media – for keeping up with changes in online media sources, exchanging ideas, and getting help
- Vote411 Team – for getting information and help with Vote 411
- League of Women Voters of WordPress – for those Leagues looking at moving to WordPress or other sources rather than LEW for their websites.
Mark Your Calendars for 2019

LWV-VA 39th Biennial Convention
Saturday, May 18 – Sunday, May 19, 2019

Norfolk, Virginia

Hosted by the League of Women Voters® of South Hampton Roads

League of Women Voters® of Virginia
1011 East Main Street, Suite 214A
Richmond, VA 23219
Email: league@lwv-va.org
Website: www.lwv-va.org
Telephone: (804) 447-8494

Making Democracy Work
Please complete this form and deposit in the designated boxes as you leave. Or, you may mail it to the LWV-VA office: 1011 E. Main St, Suite 214A, Richmond, VA 23219. Your comments will aid in planning for the 2019 Convention as well as for other LWV-VA sponsored meetings. Additional comments are welcomed and may be attached to this form. Thank you, and have a safe journey home!

1. This is my _____ time attending a LWV-VA Council

2. Please rate information and discussion during the Plenary Sessions
   - 1= least helpful/interesting to 5= most helpful/interesting _____
   - 1=too short/rushed to 5=too long, slow __________

Other Comments ______________________________________________________

3. Please rate breakout sessions
   - Convention Prep __________
   - Working with Activist Groups __________

Other Comments ______________________________________________________

4. Did you feel you learned something new that you can implement in your own League?
   - Yes ( )  No ( )  Undecided ( )

5. Please suggest topics for LWV-VA Fall Workshops:

6. Please rate facilities ________________
   - 1 = I won’t attend if held here again
   - 5 = I love this location, please hold as many meetings here as possible

Other Comments ____________________________________________________________________

Thank you for sharing your ideas and suggestions.
Thank you for being an active League member.