

**LWV-VA EDUCATION POSITION**  
**2018 Proposal**  
**Approved by the June 16, 2018 LWV-VA Council**

**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:

1. Charter Schools: Support the current (2018) extensive regulations in the Virginia Code for establishment and administration of these Public schools.
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)
4. Virtual Schools: Support public school providers with the current (2018) regulations and oversight by the Department of Education and local public school administrators. Oppose profit-making providers.

**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.*]
- b. Require local monitoring of administration and management as in current (2018) Virginia Code.

**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](#)))*

[ Brookings: <https://www.brookings.edu/blog/brown-center-chalkboard/2017/06/23/integrating-charter-schools-and-choice-based-education-systems/>]

**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

- a. Require robust Virginia Department of Education oversight, accreditation, and accountability Follow current (2018) **M**ultidivision **O**nline **P**rovider Guidelines. ([MOP Guidelines at VDOE](#))
- 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.