

Virginia Association of Counties

Connecting County Governments since 1934

**President**

Stephen W. Bowen
Nottoway County

President-Elect

Jeff C. McKay
Fairfax County

First Vice President

Meg Bohmke
Stafford County

Second Vice President

Jason D. Bellows
Lancaster County

Secretary-Treasurer

Donald L. Hart, Jr.
Accomack County

Immediate Past

President
Sherrin C. Alsop
King and Queen County

Executive Director

Dean A. Lynch, CAE

General Counsel

Phyllis A. Errico, Esq.,
CAE

1207 E. Main Street
Suite 300
Richmond, VA 23219

Phone: 804.788.6652
Fax: 804.788.0083

Email: mail@vaco.org
Website: www.vaco.org

VIA ELECTRONIC MAIL

June 23, 2020

The Honorable Ralph Northam
Governor of Virginia
P.O. Box 1475
Richmond, VA 23218

Dear Governor Northam:

I write to you on behalf of the Virginia Association of Counties (VACo) to express appreciation for your efforts to strengthen communication and partnership between your Administration and local governments as we respond to the impacts of COVID-19 and to respectfully submit comments on the phased reopening of K-12 schools guidance released on June 15, 2020 and the “Recover, Redesign, Restart 2020” comprehensive plan released by the Virginia Department of Education (VDOE). We thank you and Secretary of Education Qarni for discussing this issue with our Board of Directors and for your work with the joint Local Government Recovery Task Force. We understand the difficulties in creating guidance applicable to the diverse localities of the Commonwealth that prioritizes the health and safety of K-12 students and staff while also providing a framework for local school divisions to resume instructional learning for the 2020-2021 school year.

We are appreciative that the guidelines for K-12 reopening give local school divisions flexibility to decide at which phase to resume student instruction provided they obtain approval from VDOE and the way in which they may implement phased reopening following the VDOE and Centers for Disease Control guidelines. We also support the ability of VDOE to consider requests to grant length of school term requirement waivers and that the State Superintendent of Instruction may consider variances for other in-person instruction on a case by case basis. Furthermore, in addition to the disbursement of CARES Act federal funding directly to local school divisions through the Elementary and Secondary School Emergency Relief (ESSER) Fund, we are appreciative of your commitment to allocating approximately \$43.2 million in funding through the Governor’s Emergency Education Relief (GEER) Fund to help offset additional local K-12 costs related to COVID-19 mitigation.

Though multiple funding streams are available through the CARES Act to help local school divisions with reopening costs, we have some apprehensions that adhering to the guidelines for reopening will be cost prohibitive to many counties. Our concern is that many of the social distancing and risk mitigation components of both the VDOE and CDC guidelines may impact school operations and capacity limits, thus requiring a multi-faceted instructional approach for phase III reopening or limiting some school divisions to lower phases. For instance, social distancing guidelines for school buses may significantly reduce a school division’s student transportation capacity and necessitate tiered learning in which different cohorts of students attend in-person classes on certain days and use remote learning for others. This issue then has the potential to impact childcare capacity within a community as well as learning capacity for students without adequate broadband connections. Such

challenges are likely to require investment of resources that would not otherwise be required under normal school operations to ensure adequate coverage and continuity of learning.

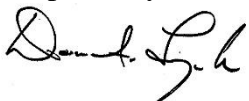
Some additional issues raised by our members include:

- **Procurement Assistance** – We recognize that reopening will likely require large purchases of face coverings, cleaning materials, personal protective equipment, and other items not normally needed. Given that individual school divisions and local governments will be competing to obtain these items, any assistance the Commonwealth can provide using its procurement powers to obtain and distribute these items to prevent competition and improve cost-effectiveness would be greatly appreciated.
- **Distance Learning / Broadband Access** – VACo is supportive of efforts that provide additional tools and flexibility for counties to finance, build, and operate open access networks in partnership with commercial internet service providers. The reopening guidelines effectively require local school divisions to provide continued distance learning and telework to high-risk individuals. Current state code effectively limits county governments and public-school systems from providing Internet directly to families. Any assistance your Administration can provide to grant flexibility to localities to expand broadband services would go a long way towards addressing immediate needs as well as your goal of universal broadband coverage.
- **Protecting Existing State Aid to Localities and Providing Additional Support** – VACo is supportive of existing state aid for K-12 education and urges against any structural changes to funding formulas such as the cap on recognition of support positions in the Standards of Quality or reductions in rebenchmarking funds.

As key funding partners for K-12 education, local governments will play a critical role in supporting schools in their reopening plans. Given the damage inflicted by the pandemic on local revenues, the support of the state will be essential in ensuring that students' instructional needs can be met while also protecting the health and safety of students and staff. According to the American Association of School Administrators (AASA) and the Association of School Business Officials (ASBO) International, nationwide, the total additional expenses an average school division may incur to reopen is \$1.8 million. This figure exceeds many of the CARES Act disbursement amounts to local school divisions. VACo stands ready to assist in determining the overall potential fiscal impact of K-12 reopening and whether CARES Act funds would be sufficient for K-12 reopening proposed via the guidelines and appreciates any efforts made to assist local governments.

Thank you for your consideration of these comments. We look forward to continuing to work with you and your Administration on ways in which to support the safe reopening of K-12 instruction in Virginia.

Respectfully,

A handwritten signature in black ink, appearing to read 'Dean A. Lynch'.

Dean A. Lynch, CAE
Executive Director
Virginia Association of Counties

cc: The Honorable Atif Qarni, Secretary of Education
Dr. James F. Lane, State Superintendent of Public Instruction
Members, Virginia Board of Education
Members, VACo Board of Directors