



COMMONWEALTH of VIRGINIA
Department of Education

September 30, 2016

TO: Division Superintendents

FROM: Steven R. Staples, Superintendent of Public Instruction

SUBJECT: Transmittal of the "Statement of Administrative Impact and Projected Costs of Implementation" for the Promulgation of Amendments to the *Regulations Governing Reduction of State Aid When Length of School Term Below 180 Teaching Days or 990 Teaching Hours*

As part of its responsibility for promulgating new regulations or revisions to existing regulations, pursuant to [§ 22.1-17](#) of the *Code of Virginia*, the Board of Education (the Board) is required to develop a statement of the administrative impact and projected cost to school divisions related to implementing and complying with such regulations. In addition, the Board and the Department of Education are required to send a copy of the statement to each division superintendent.

The Board is in the process of revising the *Regulations Governing Reduction of State Aid When Length of School Term Below 180 Teaching Days or 990 Teaching Hours*, [8VAC20-521 et seq.](#)

The [2015 General Assembly](#) adopted amendments to [§ 22.1-98](#) of the *Code of Virginia* which authorized the Board to grant a waiver to a school division that is unable to meet the required 990 instructional hours in a school year because of severe weather conditions or other emergency situations.

This proposed amendment to the *Regulations Governing Reduction of State Aid When Length of School Term Below 180 Teaching Days or 990 Teaching Hours* expands the Board's waiver authority to include school closings resulting from severe weather conditions or other emergency situations in addition to a declared state of emergency. Additionally, the amendment provides that there will be no proportionate reduction in the amount paid by the Commonwealth from the Basic School Aid Fund if a local school division obtains a waiver for closings resulting from severe weather conditions or other emergency situations.

ADMINISTRATIVE IMPACT

There will be minimal fiscal or administrative impact based on the proposed changes to the *Regulations Governing Reduction of State Aid When Length of School Term Below 180 Teaching Days or 990 Teaching Hours*. The proposed amendments to this regulation simply extend the Board's waiver authority with respect to the length of the school term to include school closings resulting from severe weather conditions or other emergency situations.

School divisions must still provide evidence of efforts to reschedule as many days as possible and certification by the division superintendent and chairman of the local school board that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver. If the waiver is approved, the regulations authorize the Superintendent of Public Instruction to approve reductions in the school term without a proportionate reduction in the amount paid by the Commonwealth from the Basic School Aid Fund; therefore, school divisions that secure a waiver from the Board will not be penalized when their schools are closed as a result of severe weather conditions or other emergency situations.

Please contact the Office of Policy at (804) 225-2092 or policy@doe.virginia.gov if you have any questions.

SRS/EMM/bj