

**City of Roanoke**  
**2009 Legislative Program**

**Legislation Requested**

**Federal Offset Program.** Some thirty-eight states participate to some extent in the Federal Offset Program, whereby taxes owed the participating states and their localities can be recouped from funds due citizens from the Federal government, such as Federal tax refunds, if not paid by the taxpayer. (Virginia currently has a state offset program, which benefits its local governments; the City participates in this.) Legislation should be adopted authorizing Virginia to participate in the Federal Offset Program. The Virginia Treasurers' Association estimates that participation could bring in \$65-70 million in revenue to Virginia localities. (Requested by Dana Long, Manager, Billings and Collections.)

**TransDominion Express Commission.** Sen. Edwards has proposed legislation which would establish the TransDominion Express Commission to be responsible, with the TransDominion Corridor, for identifying needed construction, reconstruction, improvements of or repaired to railroads and their facilities and equipment to provide enhanced passenger rail service coordinated with freight rail opportunities within the Corridor. The Commission may finance or assist in financing any rail transportation project. (Sen. Edwards co-patroned H.B. 2164 in 2007; it was left in committee. It would have repealed Chapter 1041 of the 2003 Acts of Assembly, which provided for the creation of a Rail Transportation Development Authority but never became effective because its "reenactment clause" was never satisfied)

**Passenger Rail Service.** The City of Roanoke supports the proposal to extend passenger rail service from Bristol through Roanoke and on to Lynchburg and then to Washington, D.C. and Richmond, Virginia (the "TransDominion Express"). Roanoke is the largest city in Virginia without passenger rail service. The 2000 General Assembly provided \$9 million in preliminary funding for this important economic development initiative. The City supports the additional State funding necessary to place the service into operation. Priority should be give to instituting passenger rail service between Roanoke and Lynchburg, to enable residents of this region access to passenger rail service.

**Hotel Roanoke Conference Center.** Amend Section 58.1-608.3, Code of Virginia, to permit bonds to be issued for the planned expansion of the Hotel Roanoke Conference Center Commission, the debt service for which would be funded in part by a return of the sales taxes generated by the expansion. Bonds were issued in 1994 pursuant to this statute to finance the construction of the Conference Center. As it currently provides, Section 58.1-608.3 does not apply to expansions of the size planned for the Conference Center, or to bonds issued after July 1, 2007. (Requested by Conference Center Commission.)

**Delinquent Real Estate Tax Sales.** Legislation should be adopted to permit the City, in its discretion, to take title to properties sold at a delinquent tax sale if the amount of the successful

bid at auction is not adequate to cover the amount owed the City in taxes and other liens. (Requested by Darlene Burcham, City Manager.)

**Business Licenses.** Section 58.1-3700, Code of Virginia, authorizes localities to adopt ordinances requiring that no business license be issued to an applicant who is delinquent in the payment of certain taxes, such as business license taxes, personal property taxes, etc. The statute does not, however, prohibit a delinquent taxpayer from obtaining licenses for new businesses (as opposed to renewing an existing business license). It should be amended to prohibit this.

**Rental Inspection.** Section 36-105.1:1, Code of Virginia, should be amended to permit localities with rental inspection programs to inspect rental units covered by such program to be inspected upon every change in occupancy, as was permitted prior to July 1, 2005, when this section was amended. [H.B. 174 introduced by Delegate Ware in 2008 Session; left in committee.]

### Other Legislative Priorities

#### Requests related to quality of life/public health, safety and welfare

**Rental Inspection.** Amend Section 36-105.1:1, Code of Virginia, to authorize localities that have rental inspection programs to require the owner of any multifamily development with more than ten dwelling units to erect a sign on the property identifying the name, address, and phone number of the person or entity that manages the development. (Proposed by informal blight study group of certain localities in which the City is participating.)

**Vacant Buildings.** Amend Section 15.2-906, Code of Virginia, which authorizes localities to take certain corrective actions to remove or repair buildings and structures which endanger the public health or safety, or provide that a building is presumed to endanger the public health and safety if, for a period of twelve months it has been vacant and has not been connected to lawful electric, or required water or sewer service. (Proposed by informal blight study group of certain localities in which the City is participating.)

**Zoning Complaints.** Amend Section 2.2-3705.3, Code of Virginia, which excludes from FOIA disclosure requirements the names, addresses, and telephone numbers of complainants furnishing in confidence to a locality information relating to a zoning enforcement complaint, to extend the exclusion to cover complaints relating to enforcement of the building code or fire prevention code. (Proposed by informal blight study group of certain localities in which the City is participating.)

**Recycling.** Seek legislation authorizing the City (or all localities which are required by the State to attain a 25% recycling rate) to require all of its citizens to recycle such materials as are

specified by the City. (Requested by Skip Decker, Division Manager, Solid Waste Management.)

**Smoking in Public Places Outdoors.** Enabling legislation should be enacted to authorize localities to regulate or prohibit smoking in defined areas outdoors, such as in proximity to the entrance to buildings, in recreational areas, and in areas where children's programs are being conducted.

**Vacant Building Registration.** Section 15.2-1127, Code of Virginia, authorizes cities, by ordinance, to require the owners of buildings that have been vacant for a continuous period of twelve months or more to register such buildings on an annual basis, and to impose an annual registration fee not to exceed \$25.00. This registration fee is inadequate, and should be increased to an amount "not to exceed \$250.00."

**Cigarette Butt Deposits.** Enabling legislation should be adopted authorizing localities to impose a refundable fee on each cigarette sold; the refund would be made up on the return of the cigarette "butt". (Suggested by Council member Gwen Mason.)

**Inspection Warrants.** Amend Section 36-105, Code of Virginia, to expand the types of building code violations for which an inspection warrant may be obtained (it currently applies only to residential structures) to include situations where the health or safety of the owner or occupant of a commercial or industrial building is threatened. (Proposed by informal blight study group of certain localities in which the City is participating.)

**Agents for Rental Units.** Section 55-218.1 of the Code of Virginia requires property owners who own four or more units in the Commonwealth of Virginia, but do not reside in the Commonwealth themselves, to maintain an agent who is a resident of the State. It is difficult to serve summons and other notices on property owners who do not live in the same locality, delaying action to address blight. The General Assembly is requested to amend this Code section to require that the property owner's leasing agent or representative operate in the same locality as the property or in an adjacent locality. The legislation could be limited to apply only in those localities, such as Roanoke, which have a significant percentage of houses that are rented. In 2000, only 52% of the housing in the City was owner-occupied. [H.B. 264 introduced by Delegate Ware in 2008 Session; substitute Bill passed.]

### **Requests related to law enforcement/domestic violence.**

**Domestic Violence Offense.** Legislation should be adopted establishing a requirement that prosecution of any domestic violence offense involving a knife or a gun be expedited. (Suggested by Roanoke Domestic Violence Task Force.)

**Sale of Spray Paint.** Legislation should be enacted that would prohibit the sale of spray paint to minors, unless accompanied by an adult. (Requested by Police Department.)

**Definition of Prostitution.** The definition of “prostitution” in Section 18.2-346, Code of Virginia, should be amended. To convict someone of prostitution, three elements of the crime must be established: an agreement to perform a sex act, an agreement to exchange money or its equivalent for such act, and then the performance of a “substantial act” in furtherance of the crime. According to the Police Department, the “substantial” requirement makes it difficult to convict those guilty of prostitution. It is suggested that either this word be deleted, or replaced with the word “intentional.” (Requested by Police Department.)

### **Revenue related requests.**

**Carilion/Virginia Tech Medical School.** Now that the State has funded construction of Carilion/Virginia Tech Medical School, the State should continue to support the operation of such school, which will be a terrific asset to the City and the Region.

**Drug Court.** State funding should be maintained for the City’s very successful drug court.

**Delinquent Parking Tickets.** Section 46.2-752.J, Code of Virginia, authorizes localities to enter into an agreement with the Commissioner of the Department of Motor Vehicles whereby the Commissioner agrees to refuse to issue or renew any vehicle registration for anyone who owes that locality local vehicle license fees or delinquent tangible personal property tax or parking citations. However, the provision relating to parking citations only applies to citations issued to residents of such locality. As a result, the City has difficulty collecting unpaid parking citations issued to non-residents, mostly from nearby localities. The City has approximately 1,500 unpaid accounts of this type. The limitation in Section 46.2-752.5 to parking citations issued to residents of the locality should be removed. [H.B. 133 introduced by Delegate Ware in 2008 Session; reported from committee, but did not pass in the House.]

**Sales Tax Payments by State.** Section 58.1-605.F, Code of Virginia, gives the State Department of Taxation a six month time period in which to distribute to localities sales taxes that are incorrectly paid to another locality, after an audit reveals that an incorrect distribution of such taxes has been made. Localities owed such taxes lose interest on such payments if not paid promptly to the correct locality. It is proposed that the six month time period permitted for such payments be reduced to thirty days. (Requested by Dana Long, Manager, Billings and Collections.)

**Penalty for Untaxed Cigarettes.** Section 58.1-3832.5, Code of Virginia, provides that localities may impose a penalty for fraud or evasion of payment of a cigarette tax, but limits the penalty to an amount not to exceed fifty percent of the tax owed. At the current tax rate of \$.57 per carton, the maximum penalty which may be imposed is \$.27 per carton. This limit should be increased, or a penalty in a stated dollar amount authorized. (Requested by Dana Long, Manager, Billings and Collections.)

**Fee for Domestic Violence and Domestic Related Offences.** Adopting enabling legislation authorizing localities to impose a fee of \$50.00 on those convicted of domestic violence and domestic related offenses would help offset the expense of domestic violence investigations and provide services to victims. This fee would be separate from and in addition to any fine and/or costs otherwise imposed by the courts. (Suggested by the Roanoke Domestic Violence Task Force.)

**Restore State Budget Cuts.** The State should restore the funding reductions on local aid made during the last legislative session, and not make any further reductions in local funding. Last year's reductions totaled approximately \$1.4 million, including \$.3 million in reductions during FY 2008 that were carried over to FY 2009, and \$1.1 million in reductions in FY 2009. (Requested by Sherman Stovall, Department of Management and Budgeting.)

**Fee for "Stop Payment Checks".** Section 8.01-27.1, Code of Virginia, authorizes localities to charge a "bad check return fee" to citizens who write checks to the localities with insufficient funds in their accounts to cover them. Some citizens write checks to localities, then have their bank "stop payment" on the checks. Section 8.01-27.1 should be amended to authorize localities to impose a similar fee on citizens who write checks, then stop payment on them. (Requested by Evelyn Powers, City Treasurer.)

**Untaxed Cigarettes.** Section 58.1-3832.5, Code of Virginia, authorizes localities to adopt ordinances making it a misdemeanor for persons to possess more than six cartons of untaxed cigarettes. This should be amended to make it a misdemeanor to possess any amount of untaxed cigarettes. (Requested by Dana Long, Manager, Billings and Collections.)

**Reimbursement of Cost of Responding to Accidents.** Section 15.2-1716, Code of Virginia, authorizes localities to provide by ordinance that those convicted of certain crimes (certain DUI offenses and reckless driving) which result in accidents must reimburse, up to \$1,000, a locality for the expense of having to respond to such an emergency call. This section should be amended to include accidents in which the driver is convicted of driving without a license, or of driving with a suspended or revoked license. (Requested by Roanoke City Police Department.)

**Fee for Transporting Arrestees.** Legislation should be adopted authorizing localities to impose a fee (\$5.00 is suggested) for each time an arrestee must be transported by local law

enforcement, such as transporting them to a holding facility, such fee to be imposed upon the person if convicted of the crime for which he or she was arrested. Such fee would be used to offset the cost of transporting arrestees. (Requested by Roanoke City Police Department.)

**Conservation Easements.** The State should provide some incentive, financial or otherwise, for localities which place land owned by them under a conservation easement.

### **Requests related to general government.**

**Advisory Referenda.** The City Charter should be amended to permit non-binding advisory referenda. In 2004, Sen. Edwards introduced S.B. 133, which would have amended the City's Charter to permit such referenda, if initiated by Council "on any proposed question or group of questions relating to the affairs of the City" or initiated by a petition signed by a number of voters equal to ten percent of the number of the largest number of votes cast in any general or primary election held in the City during the preceding five years. (The bill was left in committee).

**FOIA.** An exemption should be added to Section 2.2-3711 of the Freedom of Information Act to permit governing bodies to discuss in closed meetings the granting of economic development incentives for projects which already have been announced publicly.

## **VIRGINIA FIRST CITIES**

The City supports the Virginia First Cities 2009 Legislative Agenda:

### **PRESERVE EXISTING STATE AID TO LOCALITIES**

Preserving state funds for programs directed primarily to urban populations should be a VFC priority. Any state cuts should minimize and not have a disproportionate impact on localities with high fiscal stress, high poverty concentrations, and aging urban infrastructure. VFC should resist state budget cuts in at risk education incentive programs, law enforcement funding, CSA, local jails and per diems, juvenile justice assistance, street maintenance payments, public transit, and the enterprise zone program.

### **EDUCATION/PREVENTION**

At risk education and other dropout prevention programs is a VFC priority. They are crucial to preventing unemployment and crime, which have high costs for the state, localities and their citizens.

The At-Risk Add-On, K-3 Class Size Reduction, and Virginia Preschool Initiative and other education incentive fund programs are responsible for improving SOL and NCLB test scores and standards of achievement and reducing student dropout rates.

- Evidence from other states suggests more, not less funding, is needed for prevention

programs to boost graduation rates and ensure an employable workforce.

- Maintain access to the “Smart Beginnings” initiative and the successful “Healthy Families” program.

## **URBAN REVITALIZATION**

- Derelict Structures, Vacant and Abandoned Property Legislation: Support Housing Commission Legislation that strengthens tools for localities to remediate derelict structures, and vacant or abandoned properties.
- Brownfields Assessment: Enhance program effectiveness that facilitate reuse and redevelopment of brownfield sites. Each brownfield site brought into re-use leverages an average of \$16 million in private investment and creates an average of 31 full-time and 44 part-time jobs.
- Eminent Domain: Oppose an Eminent Domain Constitutional Amendment. Eminent domain laws were changed substantially in 2007 making a constitutional amendment unnecessary.

## **TRANSPORTATION/LAND USE**

- Exempt street maintenance payments from VDOT reductions
- Maximize state funding for public transportation and provide strong incentives for participation by all localities in the provision of regional public transportation service.
- Expand intercity passenger rail operation with state funds.
- Enact state transportation revenue increases to adequately support the transportation network
- Support state transportation land use policy initiatives that encourage city redevelopment, and discourage dispersed development.

**Roanoke City Public Schools**  
**Legislative Program**  
Executive Summary

The Virginia Association of School Superintendents (VASS) held its annual legislative conference in Lynchburg, Virginia October 14-16, 2008. Superintendents from across the state attended the conference. During the conference, superintendents examined issues that were deemed critical to the continuous improvement efforts established within the Commonwealth.

The main body of this document sets forth the perspectives of RCPS with regard to the VASS agenda. Priorities from the conference were evaluated for their specific relevance to the needs of this Division.

It is recognized that the list of priorities is long. Four stand out as being of particular significance to this Division. They are:

- RCPS is concerned about possible revisions to the state budget that might affect education. RCPS opposes any changes which would reduce any funds to local school divisions.

In the event funding for local school divisions is reduced by the General Assembly, RCPS believes that funding cuts should be on a “percentage of total” basis, thus permitting local school divisions to determine where the corresponding expenditure reductions should be made. Additionally, school divisions should be permitted to apply for waivers from the Standards of Accreditation (SOA) and the Standards of Quality (SOQ), as appropriate, in those areas impacted by the funding cuts.

- RCPS supports efforts to provide competitive salaries and benefits which will retain quality education employees in the profession and which will attract and retain new personnel of high caliber.
- RCPS encourages the state to recognize the burden that school construction and debt service costs place on local budgets. Accordingly, the state is urged to provide localities with recurring money for school facility debt service, on a per pupil basis, and in addition to the SOQ funding, and to establish a permanent revenue source and formula for distributing school construction and debt service funding to localities. In the alternative, the state should increase the current level of school construction funding, funding for the Literary Loan program, and funding for the Virginia Public School Authority Interest Rate subsidy program. These funds should be protected from other use or allocations.
- RCPS supports efforts to increase graduation rates. Thus, the state is encouraged to require that students be on track for or making acceptable progress towards graduation to receive and retain a Virginia drivers’ license.

## Legislative Program

### **Preface**

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### **Education Funding**

Roanoke City Public Schools (RCPS) supports full funding for the General Assembly’s minimum foundation school finance program for K-12 public education.

- RCPS supports the General Assembly fully funding the rebenchmarking of the SOQ so the standards are “realistic in relation to the Commonwealth’s current education needs and practices.”
- RCPS supports the General Assembly funding 12-month raises using the linear weighted average and real inflation figures derived from annual reports from the divisions.
- RCPS opposes the continued use of the Literary Fund for purposes other than school construction.
- RCPS opposes any changes in the Standards of Quality Funding Formula which would reduce any funds to local school divisions.
- RCPS supports the position that public tax dollars for K-12 public education should be spent only on K-12 public schools. RCPS opposes tuition tax credits, scholarships, vouchers, and other like attempts to divert funds from K-12 public education.
- RCPS supports increased funding for at-risk programs in order to reduce the dropout rate, increase graduation rates, lessen the burden on local governments to incur the costs of such programs.
- RCPS supports appropriation of school funds by local governing bodies on a lump sum basis over categorical basis.
- RCPS opposes local government boards using K-12 appropriations for any purpose other than education.
- RCPS supports additional funding for alternative education and maintains that such funding should be the joint responsibility of the local school division and the state-funded alternative education programs.
- Local school divisions should receive funding for elementary alternative education programs.
- RCPS opposes transportation services for private school students by public school buses and believes it is an inappropriate use of public funds.
- RCPS supports current practices and funding for students whose disabilities require special transportation.

- RCPS supports efforts to change funding for elementary and secondary education in the Commonwealth to reflect true costs incurred by school divisions in meeting the requirements of the SOQ, SOA, and the SOL.
- RCPS supports efforts to ensure that the funding formula reflects current costs to meet state requirements that have been added since the formula was last revised.
- RCPS supports efforts to ensure that the funding formula reflects educational practices that go beyond the requirements of the SOQ but are needed because they constitute best practices that benefit all children.
- RCPS supports efforts to expand positions and funding under the SOQ to reflect actual education practices in school divisions.
- RCPS supports efforts to expand state and federal revenue to fully fund mandates.
- RCPS supports efforts to grant localities the authority to utilize additional revenue sources other than property taxes.
- RCPS supports exclusion of all federal deduct funds in the re-benchmarking of the SOQ process.
- RCPS supports the revision of the current transportation reimbursement in Basic Aid to reflect the current cost of fuel.
- RCPS opposes any changes in the Standards of Quality Funding Formula which would reduce any funds to local school divisions.

## **Academic Achievement**

RCPS is committed to increasing the performance of all of its students and to closing achievement gaps, with particular emphasis on the lower performing subgroups of students as defined by the No Child Left Behind (NCLB) Act.

- RCPS supports continuation of local initiatives to raise graduation requirements.
- RCPS supports the development of a Career Technical Diploma to recognize students whose achievement is in the area of technical education.
- RCPS opposes the concept of Standards of Learning (SOL) becoming regulations.
- RCPS supports the idea of the Standards of Accreditation (SOA) being approved only when funded by the General Assembly.
- RCPS believes that the state should assume a role of support and direction rather than one of punitive enforcement in accountability and accreditation.
- RCPS supports legislation that enhances the ability of local school boards and administrators to conduct school business in an environment that protects the privacy of students and personnel records and other sensitive information.
- RCPS supports allowing local school division policies to control student access to the Internet and the use of software to filter certain information.
- RCPS supports efforts to review the SOQ to reflect the actual educational practices of local school divisions.
- RCPS supports continued funding for dropout programs.
- RCPS supports continued and additional funding for at-risk students, to include remedial education SOQ funding, at-risk SOQ funding, funding for reduced K-3 class size, at-risk 4-year-old funding, and technology funding.

- RCPS supports continued funding for alternative education
- RCPS requests the General Assembly provide funding to local school divisions to employ the additional personnel necessary to coordinate the testing that will be required as a result of the revisions to the SOA.

### **School Construction, Maintenance and Debt Service**

RCPS is committed to ensuring the effective and efficient use of division facilities and infrastructure.

RCPS encourages the state to recognize the burden that school construction and debt service costs place on local budgets. Accordingly, the state is urged to provide localities with recurring money for school facility debt service, on a per pupil basis, and in addition to the SOQ funding, and to establish a permanent revenue source and formula for distributing school construction and debt service funding to localities. In the alternative, the state should increase the current level of school construction funding, funding for the Literary Loan program, and funding for the Virginia Public School Authority Interest Rate subsidy program. These funds should be protected from other use or allocations.

- A program of state participation in school construction and renovation projects should be implemented in addition to current Literary Fund and VPSA programs, school construction grants, and lottery proceeds programs.
- Sufficient funding should be provided for the Literary Loan program to meet construction requests within one year.
- The state should address the financial condition of the Literary Fund and should balance the general fund without using the proceeds of the Literary Fund to balance the budget.
- The state should continue the VPSA subsidy sales until the Literary Fund is available to meet school construction needs.
- The General Assembly should expand the ability of school divisions to borrow through expanding the capacity of the VPSA.
- The state should share debt service as ongoing, unfunded operational expenses.
- Debt service should not be part of the state-funding match.
- The state should fund construction and renovation costs associated with state mandates (e.g. reduced class sizes, 4-year-old programs, etc.).

### **Attracting, Training, and Retaining Division Staff**

RCPS is committed to attracting, training, and retaining the best staff for our urban Division.

- a. RCPS supports legislation to address the teacher and administrator shortage crisis. This legislation should include providing financial assistance to school divisions for recruiting and retaining qualified teachers and administrators.
- b. RCPS supports additional teacher education scholarships
- c. RCPS supports funding stipends for mentors to meet their mentor program requirements
- d. RCPS supports increased funding for comprehensive staff development programs for teachers and administrators including full funding for national board certification.
- e. RCPS supports increasing salaries and benefits of all teachers, administrators, and superintendents so that Virginia will be in the top 10% in the nation.

- f. RCPS supports efforts to provide competitive salaries and benefits which will retain quality education employees in the profession and which will attract and retain new personnel of high caliber.
- g. RCPS supports state funding for ongoing technology training in order to comply with the State licensure requirements and the rapidly changing technology advancements and needs in schools.
- h. RCPS supports current law which vests final authority in any case involving the grievance procedure with local school boards.
- i. RCPS supports the idea of term contracts for teachers and administrators
- j. RCPS supports enabling school divisions to re-hire retired licensed personnel with no waiting period on a full-time basis with no loss of retirement benefits.
- k. RCPS supports the concept that local school divisions are capable of setting, monitoring, and evaluating instructional schedules for school personnel. Planning time for teachers should be a local decision based on the local requirement and specific local schedule.
- l. RCPS supports initiatives to add teaching personnel to elementary schools and requests that nay such initiative be made flexible so that additional teachers can be employed in accordance with the needs of the local school divisions.
- m. RCPS supports Standards of Quality that define and require certain administrative, support, and instructional staffing levels.
- n. RCPS believes that minimum staffing requirements should be set in the Standards of Quality.
- o. RCPS supports increasing the minimum staffing requirements in the Standards of Quality through additional funding.
- p. RCPS supports permanent funding for educational technology in the Standards of Quality

### **Ensuring School Safety**

RCPS is committed to ensuring the safest schools for our students and staff as part of its broader effort to facilitate a productive learning environment in all schools. RCPS urges the continuation of grants and enhanced funding for School Resource Officers and other school safety programs and initiatives.

- RCPS supports the authority of local school boards granted in the Constitution to regulate firearms on school property and at school events.

### **School Calendars**

RCPS supports returning control of the public school calendar to local school boards and supports local flexibility and control over opening dates to allow local school boards to have time to provide for required remediation and teacher training.

### **No Child Left Behind**

RCPS supports NCLB's general goal of having all children learn to high standards, but is deeply concerned about the Act's major expansion of federal authority over state and local educational programs as well as the huge costs required for non-Title I students to be carried by local funds in this program. RCPS supports return of accountability to state and local authorities. RCPS also supports full

funding by the federal government for the implementation of NCLB. In the absence of the return of accountability, RCPS supports the following changes:

- a. Add both a clear promise to fully fund Title I and Part B or IDEA and a clear path to full funding for Title I and IDEA
- b. Add real, valid, reliable and standards-based measures that accurately measure each student's actual starting point and growth over time.
- c. Settle the continuing conflict between IDEA and Title I in favor of the individualized instruction and assessment required by IDEA by (a) eliminating the arbitrary caps on student assessment and add developmentally appropriate measures and assessments called for in the student's IEP; and (b) include the IDEA mandate for services to high school graduation or age 21 in the calculation of graduation rates.
- d. Permit states to determine appropriate measures and assessments for English Language Learners based on state approved tests and the professional judgment of teachers and administrators.
- e. Count in AYP a student's passing score on all test retakes.
- f. Eliminate all plans, reports, audits and staffing mandates that research does not show improved achievement for low-income children.
- g. Sharpen the targeting of funds to school districts and schools where poverty is concentrated based on the percentage of such students
- h. Eliminate the comparability requirement of equal per-pupil spending on teachers since the calculation mistakenly equates salary with teacher quality.
- i. Clarify the high school graduation rate calculation.