Committee Members Present: Brenda Sheridan, Eric Hornberger, Beth Huck
Other Board Member Present: Jeff Morse, Debbie Rose, Tom Marshall, Joy Maloney (late arrival)
Participating Staff and Others: Michael Richards, Stephen DeVita, Karen Dawson, Kevin Lewis, Legislative Consultants Ron Jordan and Johnna Cossaboon joined via telephone conference

Chair’s Comments. The Chair decided not to have Public Comment at this meeting since there was only one-hour to conduct committee business due to a hard stop at 6:30 p.m. for other Board meetings. The Chair encouraged the public to make use of other methods to contact school board members such as email, telephone or in person.

I. Approval of Minutes. The Committee reviewed minutes for the meeting held on November 6, 2018. The minutes were unanimously approved with no revisions or additions.

II. Legislative Matters.

1. Organization of the Legislative Breakfast. Discussion points as follows:

   • The Legislative Breakfast with the Loudoun delegation is scheduled for Friday, December 7th to discuss LCSB’s Legislative Program. The full School Board, Student School Board Representatives and Superintendent’s Cabinet will join the discussion with the Loudoun delegation.
   • Deadlines for filing bills were discussed.
   • This year the Chair and members of L&P Committee will advocate with the delegation the positions that were not already submitted by one of the delegates.

2. Discussion on the Matrix of Patrons for Legislative Action Items. Discussion points as follows (Legislative Consultants joined the meeting via telephone for this item only):

   • SCHOOL DIVISIONS OF INNOVATION – ENHANCED ASSESSMENT AND ACCOUNTABILITY – Senator Favola submitted as a placeholder. Delegate LaRock worked on this last year.
   • LOCAL CONTROL OF ACADEMIC CALENDAR – Senator Favola submitted for drafting.
   • RETAIN UNSPENT APPROPRIATIONS – Contacted Delegate Delaney, awaiting confirmation.
   • EFFICIENCY AND CONFLICT OF INTEREST – Contacted Delegate Murphy, awaiting confirmation.
   • SUPPORTS PERFORMANCE BASED ASSESSMENTS – Will be submitted as a budget amendment after the Governor’s budget is released in mid-December.
   • SUPPORTS CHANGING VOTING ACTIVITIES FROM WEEKDAYS TO WEEKENDS – Contacted Senator Vogel and Delegate Delaney, awaiting confirmation.
   • SUPPORTS GUN-FREE SCHOOL BOARD OWNED PROPERTY – Delegate Reid submitted for drafting.
   • SUPPORTS COMPULSORY EDUCATION FOR ALL VIRGINIA SCHOOL-AGE CHILDREN. Contacted Delegate Murphy, awaiting confirmation.
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- SUPPORTS NON-DISCRIMINATION IN PUBLIC EMPLOYMENT – Delegate John Bell was contacted, awaiting confirmation. If our local delegation does not pick up this bill, the Legislative Consultants believe it will be picked up by many other patrons.

3. Further Discussion on Legislative Action Item – Compulsory Education for all Virginia School-Age Children. Discussion points as follows:

- This item is in the adopted School Board Legislative Program but was referred back to the L&P Committee at the last School Board meeting for further discussion.

- Highlighted comments from Mr. Hornberger are as follows:
  - In light of specific feedback from the public he feels the issue of placing the word approved (“…approved home instruction setting”) could be misconstrued to eliminate the religious exemption in the law, which was not the intent of the Committee or School Board.
  - Alternative language would be to require a parent or legal guardian who is seeking a religious exemption acknowledge their responsibility to provide an adequate education to their child.
  - The School Board is required to grant “Religious Exemptions” and it is their inherent responsibility. The problem is that the law does not provide for an education creating ambiguity in the law.

- Highlighted comments from Ms. Huck are as follows:
  - The word “approved” is bothersome and would be more comfortable with alternative language acknowledging some form of education is being provided by the parent and/or guardian.

- Highlighted comments from Ms. Rose are as follows:
  - It was a mistake not to allow Public Comment at the committee meeting.
  - There was a lack of research on this legislative action item and constitutional law experts were not consulted.
  - Problem with the wording “…fundamental right to an education.”
  - Why are we doing this, who bears the risk? What liability are we fixing? Parents are legally responsible for their child’s education.
  - Small minority using the religious exemption.

- Highlighted comments from Division Counsel, Stephen DeVita are as follows:
  - Addressed comments about what problem we are trying to solve. Division Counsel read an excerpt from an article from The Washington Post, dated July 28, 2013; Student’s Home-Schooling Highlights Debate Over Va. Religious Exemption Law; he also cited a Report from the University of Virginia School of Law 7,000 Children and Counting, An Analysis of Religious Exemptions from Compulsory School Attendance in Virginia, and several Attorney General Opinion Letters.
  - Virginia is one in four states that has an explicit religious exemption portion of our legislation, but Virginia is the only state that does not require the child to be educated.
Highlighted comments from Jeff Morse are as follows:
  o Has a problem with the word “approved and/or oversight” and would rather use the terminology “acknowledgment and/or affirmation” which leaves the responsibility to the parent to allow them to do as they see fit under the religious exemption.
  o When speaking to the delegation he is in favor of pulling out the directive language.

Highlighted comments from Tom Marshall are as follows:
  o A member of the delegation sent a misconstrued message in a newsletter to his constituency which stated in part “…repeal of the religious exemption, this would force homeschoolers to have their curriculum approved by the public school.”
  o The proposed legislative action leaves the religious exemption intact. We are trying to add a qualification to add language that would require a child receive an education correcting the loophole in the law.

Chair Sheridan concluded the conversation by saying the intention and recommendation of the Committee has been clarified, and we will be better able to speak with the delegation in the future.

4. Ms. Maloney’s Proposed Position Regarding Construction Funding. This proposed position by Ms. Maloney was referred back to Committee when the Legislative Program was adopted. Chair Sheridan pointed out page 16 of the 2018 VSBA Position Proposals which is highlighted in yellow was adopted at the November 13th School Board meeting incorporating Ms. Maloney’s position into their Legislative Program. Ms. Maloney agreed that this position encompasses her concerns and will highlight at the Legislative Breakfast and/or Capital Conference.

ACTION: None – discussion items only.

III. Adjourn. The meeting was adjourned at 6:30 p.m.