

SENATE OF VIRGINIA

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8TH SENATORIAL DISTRICT
PART OF THE CITY OF VIRGINIA BEACH

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TRANSPORTATION

June 18, 2020

The Honorable Ralph S. Northam
Governor of Virginia
Patrick Henry Building
1111 East Broad Street
Richmond, VA 23218

Dear Governor Northam:

I am deeply concerned about your recently announced “Back to School” plan, and specifically, the staggered attendance schedule for students.

As the Senator representing the largest city in the Commonwealth, it is my duty to convey on behalf of my constituents their enormous disapproval of this plan. My office has been overwhelmed with calls and emails critical of this approach.

While I recognize your plan was crafted with good intentions and an abundance of caution, it is misguided and, more importantly, unconstitutional. Despite the emergency authority being executed by your office, it is the General Assembly, not the Governor, that is given the power and authority to formulate the policies in our educational system for school boards to apply. Your plan announced June 9th is best characterized as gubernatorial overreach.

Article VIII, Section 1 of the Constitution of Virginia explicitly states, “**The General Assembly shall** provide for a system of free public elementary and secondary schools for all children of school age throughout the Commonwealth....” In Section 7, it is quite clear that the supervision of the schools in each school district will be vested in the **school board**. The Constitution of Virginia does not grant the Governor the power or legal authority to intervene in the schedules of public school districts. The school board in each locality has the authority and is best-suited to make these decisions.

It is also worth noting that our public schools look to the Virginia Department of Education (VDOE) for guidance, not decree. We have received communications from both the VDOE and our local school division, Virginia Beach City Public Schools, that misrepresent the role and authority of the VDOE. Again, individual school boards are empowered with decision-making at the local level, not the Governor or the VDOE.

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As you know, beyond the educational benefits, schools deliver other important resources to our students. Sports, in-school instruction, and extracurricular activities all provide socialization that is imperative for young people to develop and grow. Access to school lunches, guidance counselors, and medical care, as well as the essential childcare school affords working families, require that students be returned to the classroom full-time and as quickly as possible. The staggered schedule proposed in your plan will impose a tremendous burden upon both parents and students.

Although you have not yet identified a specific date, you have suggested the General Assembly will reconvene for a special session in August. If there are policy decisions relating to our statewide educational system, they can and should be addressed by the members of the General Assembly at that time. I look forward to bringing the expressed thoughts and wishes of the 8th District to Richmond as the General Assembly works to enact legislation in the best interests of the Commonwealth and its citizens.

Warm regards,



Bill DeSteph