



To: Local Unit Presidents, Council Presidents, and Board of Managers
From: Kathy Burcher, Chairman, Legislation Committee
Subject: Proposed Legislation Program for 2011
Date: May 21, 2010

Enclosed is the Proposed Legislation Program (PLP) for 2011. The PLP packet with ballots and tally sheets will be mailed to all PTA leaders in August. While voting takes place in the fall, feel free to get this information out to your members now. You may post on your PTA web site, encourage members to read it on the Virginia PTA web site, or use whatever communication method works for your PTA. It is the right of every Virginia PTA member to have access to the PLP and to vote on its contents. District directors will bring their results to the Board of Managers meeting prior to Convention where the results will be presented.

LEGISLATION ACTION ITEMS (LAI): are requests for the introduction, passage, or defeat of specific legislation by the General Assembly and/or regulations by the Virginia Board of Education or other appropriate agencies.

POLICY STATEMENTS (PS): are statements of Virginia PTA on general issues and may be used as the basis for addressing issues before the General Assembly, Virginia Board of Education or other appropriate agencies.

LEGISLATION ACTION ITEM #1:

Virginia PTA supports state funding for school districts to implement the *Bike Smart Virginia Schools* program into curriculum as part of the federally mandated Local Wellness Policy required by the Federal School Meal Program under the Child Nutrition and WIC Reauthorization Act.

Rationale:

The *Bike Smart Virginia Schools* program as a curriculum works to instill lifelong healthy habits while learning bicycle and pedestrian safety education and as an important first step in drivers' education.

Statistics bear out that the younger the rider, the more likely they are to have problems controlling their bicycles and understanding how traffic operates. In fact, 80 percent of childhood bike-related fatalities are due to the rider's error. An effective bike education program has significant potential to reduce childhood injuries and fatalities from bicycle crashes. *Bike Smart Virginia Schools* is a Virginia-specific bicycle education curriculum designed to teach children safe biking behavior in an effort to reduce the numbers for injuries and fatalities. This is accomplished by having a unit of on-the bike instruction (including: helmet safety, crash avoidance, bike handling skills, rules of the road etc.) as part of a school's Health and P.E. curriculum. The curriculum is designed to meet criteria for the Standards of Learning (SOL). *Bike Smart Virginia Schools* is a collaborative project with the Virginia Departments of Education, Health and Motor Vehicles and the non-profit organization, BikeWalk Virginia.

Bicycle safety programs have been adopted as part of the Health and Physical Education curriculum in school districts throughout Virginia (<http://www.vahealth.org/injury/bike/BikeSmartVaSchools.htm>), and we see benefits to more school districts incorporating the *Bike Smart Virginia Schools* curriculum into their physical education program.

Effective bicycle and pedestrian safety curriculums include at least the following basics:

- how to cross the street safely –stop, look and listen
- basic bike and helmet fitting – especially important for parents
- how to position yourself properly on the road – the three positions
- how to let drivers know your intentions – be predictable
- how to safely negotiate turns and intersections – hand signals, signs, traffic awareness
- the basics of traffic law – right of way and rules of the road
- skills practice – 3-6 adult-led hours on a bike; one hour walking in a neighborhood

LEGISLATION ACTION ITEM #2:

VA PTA seeks legislation that would expand gang-free zones to include any school bus stop or publicly owned or operated community center, park, library, or hospital.

Rationale:

In 2006, because of increased evidence of gang-related activity including recruitment of elementary, middle and high school students, VA PTA adopted a position that would make school property gang-free zones. Current law stipulates higher penalties for participating in prohibited gang activity in these gang-free zones. Participating in gang activity in those locations is subject to a mandatory minimum sentence of two years. Likewise, gang recruitment or using force to get a person to join a gang or remain in a gang in those locations are offenses subject to higher penalties. The law sets out the following definitions:

“Criminal street gang”—a group of three or more persons who meet the following criteria:

- Have as one of its primary objectives or activities the commission of criminal activities;
- Have an identifying name or symbol; and
- Engage in the commission of two or more “predicate criminal acts” of which at least one is an act of violence.

In the 2010 General Assembly session legislation was introduced that would expand the definition of these “gang-free” zones to include any school bus stop or property that is within 1,000 feet of a school bus stop during the time when school children are waiting for the bus or are being dropped off and the property of any publicly owned community center, park, library, or hospital. This legislation was carried over into the 2011 when it will again be considered.

POLICY STATEMENT #1:

VA PTA supports charter school plans that are initiated, operated and evaluated by the local school division. These charter schools should meet the following criteria:

- **No negative impact on the regular public school programs, including no diversion of funds**
- **Parental and school staff involvement in the charter’s design, implementation, and governance**
- **Meet the same state regulations as other public schools including required testing (SOLs), reporting and other requirements in the Standards of Accreditation unless these regulations are also waived for all public schools**
- **Provide adequate procedures for assessment and evaluation as required by the local school division**
- **Staffed by licensed professionals with adequate safeguards covering contract and employment provisions**
- **Maintain health and safety standards for all students**
- **Offer equal educational opportunity and be non-discriminatory**

Rationale:

The Constitution of Virginia grants the local school boards the power to operate, maintain and supervise public schools in Virginia. In 1994, Virginia PTA members passed a Resolution in favor of local school boards initiating and nurturing charter schools. Given the changes in public school requirements since this position passed, VA PTA believes that strengthening our position is important.

VA PTA supports education reform that would allow all children to learn at their greatest potential. We further support educational methods within the public schools that promote rigorous learning standards and shared decision-making.

We oppose any state or federal regulations that impede this educational reform. However, we must insure that all schools, including charter schools, which use public school funding are required to meet state standards including, but not limited to, required testing, reporting and other requirements in the Standards of Accreditation unless waivers of these requirements are granted to all public schools.

Charter school plans must not negatively impact the regular public school programs through diversion of funding. They must include health and safety standards for all students. They must be nondiscriminatory and offer equal educational opportunities for all enrolled students.

POLICY STATEMENT #2:

Virginia PTA supports the selection of materials utilized to teach gun safety education in public schools to be decided at the local school district level. Further, the Virginia PTA supports the inclusion of the National Crime Prevention Councils materials in those suggested for use by local districts.

Rationale:

By requiring the Virginia Board of Education to establish a standardized program of gun safety education for students in schools, they must also establish SOLs for such a curriculum. Such curriculum and the associated SOLs are taught consistently across the state. However, depending on where you live in Virginia, the most effective and appropriate gun safety message to deliver to children may vary. Offering the flexibility for the local districts to make the decision on what materials suit the needs of their community is the most effective way to address this area of the school curriculum.

With the rise in popularity and availability of violent video games, movies, music and music videos it is important to teach children that guns can kill if handled inappropriately. Furthermore, all children will experience some struggles and conflict in their daily lives. Children should be taught to resolve conflict without the use of weapons. The Crime Prevention Program has been successfully conveying these messages for over 30 years. McGruff the Crimefighting Dog has an established resonance with children after being the nationally recognized spokesperson for Crime Prevention and Safety. The NCPC has found that 76% of all children ages 9-11 recognize McGruff. An unbiased characterization of gun safety and handling is critical and the proven effective content provided by the NCPC provides an exceptional program that is used in schools across the country.

POLICY STATEMENT #3:

Virginia PTA supports local school districts' efforts to implement the Safe Routes to School program to encourage and enable students walking and bicycling to and from school where feasible.

Rationale:

In 1969, approximately 42 percent of U.S. children walked or bicycled to school, and 87 percent of children who lived within one mile of their schools walked or bicycled. By 2001, those percentages had plummeted to 16 and 48 percent, respectively.

Meanwhile, childhood obesity rates have increased dramatically. In Virginia, one in three children are obese or overweight. According to the 2007 National Survey of Children's Health, more than 70 percent of Virginia children are not getting the Center for Disease Control's recommended level of 60 minutes of vigorous physical activity daily.

Evidence shows that Safe Routes to School programs make the trip to and from school safer, increase the number of children who get to school by walking and bicycling, and promote the health of children and their communities. Specifically, children who walk to school are significantly more physically active throughout the day as compared to children who travel to school by car (*American Journal of Preventive Medicine*, 25 (4): 273-6, November 2003). And children who walk or bicycle to school have better cardiovascular fitness compared with children who do not actively commute to school (*Preventing Chronic Diseases* 5(3): A100, July 2008).

Safe Routes to School is a federally funded program through the Federal Highway Administration to the Virginia Department of Transportation. Funding grants are available to local schools wishing to implement Safe Routes to School program.