

**BOARD OF SUPERVISORS
COUNTY OF LOUISA
RESOLUTION**

At a regular meeting of the Board of Supervisors of the County of Louisa held in the Louisa County Public Meeting Room at 5:00 PM on the 5th day of September 2023, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

RESULT:	
MOVER:	None
SECONDER:	None
AYES:	None

**A RESOLUTION EXPRESSING CONCERN WITH THE IMPLEMENTATION OF
BUDGET LANGUAGE ON STATEWIDE RATE SETTING FOR PRIVATE DAY
SPECIAL EDUCATION FUNDED THROUGH THE CHILDREN’S SERVICES ACT**

WHEREAS, the Louisa County Board of Supervisors wishes to express its concern with the challenging situation that has arisen regarding the implementation of budget language on statewide rate setting for private day special education funded through the Children’s Services Act; and

WHEREAS, language in the 2022 Appropriation Act requires the Office of Children's Services to implement statewide rates for private day special education services, effective July 1, 2023; and

WHEREAS, although both the House and Senate proposed to eliminate this language in their respective budgets during the 2023 General Assembly session, these amendments were not included in the “skinny budget,” leaving the language from the 2022 Appropriation Act in place; and

WHEREAS, the Office of Children’s Services (OCS) recently issued administrative memorandum 23-06 dated July 24, 2023, which outlines how these provisions will be implemented for the 2023-2024 school year and announces that the state will not reimburse localities for private day costs in excess of a 2 percent increase from rates established for the 2022-2023 school year; and

WHEREAS, it is understood that OCS is in a difficult position -- faced with a requirement to implement the 2022 directive despite a demonstration of legislative intent to eliminate this language -- there is a concern that the 2 percent cap will require localities to shoulder the entire cost of rate increases beyond this cap that may be demanded by providers, rather than these costs being shared by the state and local governments in keeping with the tradition of CSA as a state-local partnership; and

WHEREAS, Louisa County currently uses fourteen (14) private day facilities and eleven (11) of those are increasing their rates between five to twelve percent for the 2023-2024 school year; and

WHEREAS, action by the General Assembly in 2021 to authorize CSA funds to be used on a time-limited basis to support students' transition back to public school from private placements was an important step in these efforts; however, in the near term, the state must continue to be a partner in sharing costs with localities for those children who are served in private special education placements.

NOW, THEREFORE, BE IT RESOLVED, on this 5th day of September 2023, that the Louisa County Board of Supervisors hereby requests that the state continue to be a partner in sharing costs with localities for those children who are served in private special education placements and remove the 2 percent cap that will require localities to shoulder the entire cost of rate increases beyond this cap .

A Copy, teste:

Christian R. Goodwin, Clerk
Board of Supervisors
Louisa County, Virginia