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Many Virginia schools – primarily in rural areas and inner cities – are outdated. The governor said they were "crumbling" and there are examples of schools doing just that. This has been an issue The Roanoke Times has been calling attention to for years. In the past year, one state legislator took it on and crusaded for a bond issue to pay for school construction. Our editorials made the case for that. Unfortunately, the General Assembly defeated the proposal in a matter of minutes. For now. The issue, and our editorials, continue.

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August 15, 2018:

Our outdated schools

Stanley shines a statewide spotlight on the problem.

In Pulaski County, Pulaski Middle School has no air conditioning and only one electrical outlet per room, which might have been high technology when the school opened in 1928 but doesn't fit well with education today, when kids are doing schoolwork on computers.

In Lee County, students at Flatwoods Elementary last year were setting out buckets to catch the rain that dripped through the leaky roof. Meanwhile, at Jonesville Middle School, the roof was leaking there, as well, plus the cracked windows are held together by duct tape and some walls have separated from the foundation.

In Franklin County, the career and technical education center is so crowded that school turns away more students than it can accept – even though business leaders have complained that they need more graduates trained in some of those fields.

When Gov. Ralph Northam gave his inaugural address in January, he referenced "the children who are sitting in crowded and crumbling schools across this state." The word "crumbling" was no hyperbole. At George Washington Carver Elementary in Richmond, a fifth-grader was standing in line in 2016 when a five-pound piece of ceiling tile fell from the ceiling and hit the child on the head. That's not even the school Richmond considers in the worst shape. That's George Mason Elementary, where teachers begin their day by donning surgical masks to wipe away the rodent droppings — and the air quality is so bad that some wear the masks all day. Last year water fountains at George Mason and Ginter Park Elementary were shut down because of high levels of lead in the outdated plumbing.

These conditions may be shocking, but shouldn't be surprising. George Mason Elementary was built in 1922. Ginter Park and George Washington Carver in 1915. Those aren't even the oldest school buildings in the state. That distinction belongs to New London Academy, an elementary school in Bedford County. It was built in 1837 (although it was renovated in 2009).

In 2013, Gov. Robert McDonnell became interested in the age of Virginia's school buildings. He ordered his Secretary of Education to conduct an inventory. When the report came back, it showed that more than 60 percent of the state's school buildings were more than 40 years old. Of the 2,030 school buildings documented, 817 — more than 40 percent — were more than 50 years old. Some 212 opened before World War II. There were 17 that opened before the United States entered World War I. That was five years ago. Guess what? Those buildings haven't gotten any younger.

The report that McDonnell commissioned came out in November 2013, just two months before he left office, so nothing really came of it. But now it might. During the last General Assembly session, the legislature took up a bill to change Richmond's charter to require the mayor to present a plan to modernize the city's schools. There are some complicated local politics behind that move. We don't need to get into those. What matters is the issue caught the eye of state Sen. Bill Stanley, R-Franklin County, who chairs the Senate Local Government Committee. As someone who wields a gavel, he decided to use that authority to create a special subcommittee to look anew at the problem of Virginia's aging school buildings. Not just look, either. "We've had enough time to study the problem," he says. "It's time to find a solution." He has several in mind, too, which we'll look at tomorrow. Today, let's look at just why this problem is a problem. Does the age of a school building really matter, provided ceiling tiles aren't hitting kids on the head?

Here's why Stanley — and school officials — say the answer is an emphatic yes. First there's the philosophical answer. "You want school to be the safe haven," Stanley says. "You want it to be something that's encouraging the desire to learn." If the school building is duct-taped together, what signal does that send kids about whether the community values their education?

For those who find that too airy and high-minded, here's the more practical answer: Economic development. Here's where Stanley really gets fired up. "We talk about bringing jobs into our communities. We won't do that unless we have a workforce that is well-educated and that education starts at the elementary, middle school and high school." That's hard to do, though, if kids going to these old schools can't learn on modern technology. The GO Virginia economic development council issued reports last year on each of the state's nine economic regions. One of the loudest messages it delivered was that there's a huge skills gap in some regions between the skills that workers have and the skills that the economy now demands. That skills gap, it found, was the widest in Southside and Southwest Virginia. Outdated school buildings are one of the places that skills gap begins.

Brian Austin, the school superintendent in Lee County, talks about the challenge of creating a "21st century classroom" in school buildings that were built at a time when rural electrification was still a novelty. "When you have 25 Chromebooks in there demanding electricity and whatever projection advice you have, you're talking about needing not just electric plugs; you need increased electrical capacity."

In Loudoun County, three elementary schools are now "computer science immersion schools" that are teaching students how to write computer code — starting as early as kindergarten. In Lee County, on the opposite end of the state, the superintendent is worried about blowing a circuit breaker. "Surge protectors come in very handy," he says.

Of course, it might make a difference that St. Charles Elementary in Lee County was built in 1937 and Dryden Elementary was built in 1939, while the oldest of the three "computer science immersion schools" in Loudoun was built in 1979, and the newest in

2013. The kids in Loudoun aren't necessarily smarter than their counterparts in Lee County, but the buildings in which they attend school help give them a head start. It's also hard for Lee County to fix that problem on its own. In Loudoun County, the median household income is $125,672. In Lee County, it's $31,577. There's only so much there that can be taxed. And Lee isn't even the poorest county in the state.

Stanley, though, thinks he has a way to modernize school buildings across the state — without raising a penny of taxes. Tomorrow, we'll look at how.

August 16, 2018:

Stanley's school plan

He unveils a way to modernize schools without raising taxes.

In Halifax County, the school board faces a no-win situation. The county's high school has some serious structural issues. The cost of fixing them is put at $88 million. The cost of building an entirely new school is $100 million.

The $12 million difference might be worth debating, except it's hard for Halifax to afford either option. This is one of the poorest counties in the state (median household income $37,001), with population that is both shrinking and aging.

Halifax is hardly alone in being unable to afford to fix deteriorating schools. Lee County has schools where the roofs are leaking; the walls have separated from the foundation, and the cracked windows are duct-taped together. Last fall, voters were presented with a plan to renovate or replace many of them. Voters rejected it, overwhelmingly. Why? Probably not because they don't care about their kids, but because they can't afford the $47.2 million pricetag. This is a county where the median household income is $31,577, even lower than Halifax. The prospect of a 14-cent property tax increase for real estate tax and a 70-cent increase for personal property tax is just untenable.

This isn't simply a rural issue, either. Richmond, our capital city, has schools that are even older than the ones in Halifax or Lee counties. In fact, Richmond has some of the oldest school buildings in the state, with seven that pre-date America's involvement in World War I. The cost of modernizing the city's schools has been pegged at $800 million.

When Gov. Bob McDonnell ordered an inventory of the state's school buildings in 2013, the word came back that modernizing just the ones more than 30 years old would cost — are you ready for this — $18 *billion.*

How can localities afford to upgrade these schools? Many simply can't. In Bristol, Highland View Elementary (built in 1935) was declared "functionally obsolete" in 2011. The city also has been declared "fiscally distressed" by state auditors. The city can barely pay its bills, much less pay for a new school. And raising taxes to generate more revenue? Forget it: More than 42 percent of the city's residents qualify for some sort of government assistance.

To its credit, Pulaski County did a rare thing last fall when voters there approved a bond referendum that they knew would lead to a tax increase. That bond referendum will build a single middle school to replace two older ones, one of which dates to 1928 and has just

a single electrical outlet per room — high technology for the Roaring Twenties but laughingly inadequate today. Other localities, though, simply struggle along, ordering more duct tape and surge protectors. Meanwhile, Loudoun County offers computer science instruction to kindergartners, and Arlington County's high schools don't just have swimming pools, they have multi-pool "aquatic centers." Many Northern Virginia students go to school in high-tech palaces while students in Richmond are dodging pieces of tile falling from the ceiling and students in Lee County are fetching buckets to catch the rain dripping through the roof.

Enter an odd couple of Virginia politics. From stage right comes Bill Stanley, a Republican state senator from Franklin County who represents a big swath of rural Southside. From stage left comes Paul Goldman, a Democratic lawyer and political strategist from Richmond best-known for masterminding Doug Wilder's historic victory for governor back in 1989. These are two people who would normally be found on opposite sides. But on the subject of school modernization, the Venn diagram of politics has found them in agreement.

Stanley chairs a legislative committee examining how to modernize Virginia's school buildings; the panel holds its first meeting today in Blacksburg. Goldman has been pushing this issue for more than a decade, button-holing Democrats and Republicans alike. In Stanley, he's found a receptive ear, which is why the Republican Stanley has installed the Democrat Goldman as the policy adviser on his school modernization committee. If they can find common cause, perhaps others can, as well?

Many issues before General Assembly split along partisan lines. Others split along regional lines. The examples we've cited above point to why school modernization might be different. This is an issue that unites both rural areas and inner cities, and potentially some suburbs, too. For example, Fort Lewis Elementary in Roanoke County was built in 1928.

So how to pay for all this? Stanley and Goldman have a plan, one that doesn't raise a penny of taxes.

First, Stanley plans to introduce legislation to allow businesses to qualify for historic tax credits if they donate money to renovate an old school. He hopes that will generate private donations from companies who have a vested interest in creating a better-trained workforce in their community.

Here's the big one, though, which he and Goldman outline in their commentary on the opposite page: Virginia's about to come into a windfall. The U.S. Supreme Court ruled this spring that states can collect taxes on internet sales. Technically, these sales have always been subject to taxation, but court rulings had blocked states from collecting much of it. Now they can. This could mean $250 million to $300 million in additional state revenue. Stanley and Goldman propose a bond issue to pay for school modernization — using half that windfall to pay off the bonds. Suddenly, here's up to $3 billion in construction money and not a single tax got raised.

Stanley pitches this as a once-in-a-lifetime opportunity. “If we let this get away from us, we’ll never solve the problem because the pot of money required is too great,” he says

Politically, this could unite rural areas, usually represented by Republicans, with cities, usually represented by Democrats. The wild card is politically powerful Northern Virginia. In 2013, the General Assembly passed a law that if Congress ever allowed taxation on internet sales, the money would go to transportation. Congress didn’t do this, though. The U.S. Supreme Court did. Stanley says this money is fair game and half of it should go to schools: “Do I want to save someone nine minutes on their commute, or give a child a chance when they’re learning in an outdated school? I’m going to choose the child every time.”

Stanley is about to embark on a great crusade, hoping to unite disparate political and regional factions to bring all the state’s schools into the 21 century. “I can’t see a conservative or a liberal who would be against this issue,” he says. We hope he’s right.

August 19, 2018:

The spirit of 1949

Stanley's bold school plan channels an old liberal icon.

Bill Stanley wants to turn the clock back to 1949. Normally, that would not be considered a good thing. Here's one time it might be. Let's explain.

The year 1949 saw the first major challenge to the Byrd Machine, the political organization of U.S. Sen. Harry F. Byrd Sr. that until then had run Virginia government with an iron grip. Francis Pickens Miller, a liberal Democrat who had grown up in Rockbridge County and came back from World War II with a crusader's zeal, challenged Byrd's candidate for governor. Miller's rallying cry: The state's schools were in bad shape, many of them dating from the previous century. Yet the state was sitting on a huge surplus. Miller vowed to create "the best public school system in America" by using some of that surplus to build new schools that could deliver modern instruction.

Miller's pitch was surprisingly effective, so much so that he *almost* won the Democratic nomination —which was all that mattered then in what amounted to a one-party state. Miller made his point, though. The Byrd-controlled General Assembly suddenly decided that, yes, maybe it could use some of that surplus to help build new schools, after all.

That set off a wave of school construction across Virginia in the 1950s and the creation of many of the high schools we still have today, consolidated out of smaller ones. In the space of about a decade, Virginia's schools — well, at least the ones serving white students in those segregated days — made a great leap forward from the agricultural age into the space age. Now here we are nearly 70 years after Miller's campaign set that school-building program in motion and where do we stand? In his inaugural address in January, Gov. Ralph Northam talked about "crumbling schools." Some of those "crumbling schools" are ones that were still fairly new in Miller's day. Others are ones that were built as a result of that Miller-inspired spending. Time flies.

At Flatwoods Elementary in Lee County, students and teachers last year had to set out buckets to catch the rain dripping through the roof (the roof has since been repaired). At Jonesville Middle School just up the road, there's another leaking roof plus walls that have separated from the foundation. Flatwoods was built in 1950; Jonesville in 1957. Lee County was a prime beneficiary of that school construction binge in the 1950s. Of its 11 schools, three pre-date World War II; an astonishing seven others were built in the 1950s; only one since then. Unfortunately, that also means Lee County is today often cited as the poster child for those "crumbling schools." In Loudoun County, some of their shiny elementary schools are offering classes in how to write computer code as early as

kindergarten. In Lee County and lots of other places, students are trying to use computers in classrooms with just a single electrical outlet.

Now Stanley, a Republican state senator from Franklin County, is trying to once again put the state in the business of paying for a statewide upgrade of school facilities. As chairman of the state Senate Local Government Committee, he's formed a subcommittee to address the issue. Last week, he held the first meeting in Blacksburg. Stanley also unveiled his preferred way to pay for most of this: By using an unexpected state windfall to finance a bond issue. In a commentary in The Roanoke Times, he suggested it could be $3 billion. At the Blacksburg meeting, he mused maybe it should be $5 billion. Either way, that's a lot of money but may still not be enough. Five years ago a state study estimated the cost of modernizing the state's schools at $18 billion. It's probably higher now.

The politics of this are fascinating, to say the least. It's safe to say that we don't usually see conservatives from rural Virginia proposing to spend multiple billions of dollars. On the other hand, it's rural districts such as Stanley's that have a hard time paying for even basic school maintenance, much less school construction. So do cities and even some affluent suburbs. This is an issue that potentially unites all regions and all ideologies.

And, let's face it, this level of spending looks completely different coming from a Republican. In North Carolina, Democrats this year proposed a $1.9 billion bond issue to upgrade schools and the Republican-controlled legislature blanched. In Virginia, a Republican is now proposing something even bigger, and might just pull it off.

The main objectors are likely to be road contractors, and perhaps some Northern Virginia legislators. Back in 2013, the General Assembly voted that if Congress ever allowed states to collect the taxes that consumers have always owed on internet sales, that money would go to transportation. Congress never has, but this spring the U.S. Supreme Court said states could proceed to collect those taxes — a key difference that Stanley has seized upon. He now wants to use half that windfall — estimated as much as $300 million a year — to finance a bond issue for school construction.

At last week's meeting, it was clear that taking money once slated for roads gives pause to some Northern Virginia legislators, whose roads are jammed and schools are among the newest in the state. Schools that have tiles falling from the ceiling aren't really a problem they hear about from their constituents. It's no accident that Stanley's first committee hearing was in Southwest Virginia and included tours of deteriorating schools in Danville, Christiansburg and New Castle. He's trying to impress his Northern Virginia colleagues with the poor condition of some schools.

History suggests that if Stanley can get a bond issue on the ballot, it will pass — overwhelmingly. Every bond issue put before Virginia voters since World War II has passed, with at least 60 percent support. Some have topped 70 percent. None of those were for public schools, which you'd think would generate more support. That means the trick is navigating this through the General Assembly, where other legislators may have

their own designs on this new revenue stream. Stanley's policy adviser on this is, curiously, a former chairman of the Virginia Democratic Party. Paul Goldman presents this as a historic opportunity that won't come again. "For the western and Southside part of the state, this is it," Goldman says. "Let's be realistic. If the General Assembly won't give you what amounts to free money to start the process, there is no chance they will raise a tax to start the process."

This isn't just about schools. It's about whether we're all really in the same state.

Sept. 25, 2018

Virginia's oldest schools

Just where are they? You might be surprised.

State Sen. Bill Stanley, R-Franklin County, is leading a legislative subcommittee that is looking at how to modernize Virginia's aging school buildings. He's often pointed out that there are outdated schools in every part of the state.

Today, let's take a deeper look at just where those schools are.

Toward the end of his term in 2013, Gov. Bob McDonnell ordered an inventory of every school in state to see how old they were. That report is often used as the baseline for discussing the age of Virginia's schools. However, the state conducted a lesser-known inventory in 2017, so let's use that more updated report.

First, the basics. That report counted 2,068 schools. That number may have changed a bit since then, with a few closures in Southwest Virginia and new ones in the urban crescent, but the numbers won't have changed that much.

Of those 2,068 schools, more than half are 50 years or older: 1,077, or 52 percent. That means they were built in 1968 or earlier.

Some 614 — or 29.6 percent — are 60 or more years old. That takes us back to 1958 or earlier.

Some of these buildings are, quite literally, falling apart. In Richmond, ceiling tiles have fallen on students. In Lee County, walls at one school have separated from the foundation. Even if other schools are still in good physical condition, though, they weren't built for the technology demands of a 21st century education. In Lee County, schools now teach cybersecurity, but school staff struggles to keep the circuits from blowing out.

To get a better sense of the problem, let's go back even further than 50 or even 60 years. Let's go back 69 years, to 1949. We pick that year for a reason. That year saw a legendary political campaign — the first serious challenge to the Byrd Machine that controlled state politics. In those years, Democrats were a conservative party, and Republicans hardly counted. The Democratic nomination was tantamount to election in what amounted to a one-party state. That year, John Battle was U.S. Sen. Harry Byrd's

preferred candidate for governor. Battle, though, faced an unexpectedly strong primary challenge from his left in the form of retired Army colonel named Francis Pickens Miller.

Miller's big campaign issue: Virginia's schools were in bad shape. The state had a budget surplus. Miller wanted to use that to pay for new schools. He came close to pulling off an upset, but had to settle for a moral victory instead. The state's political establishment was so spooked by Miller's unexpectedly strong showing that the next year it decided that, yes, it could embark on upgrading Virginia's schools. Gov. John Battle got the formal credit for that plan, but it was really Miller who inspired it. Regardless of who should get the political credit, by the time Battle left office in early 1954, some 400 new schools had been constructed — and more were on the way. The 1950s saw a school building boom of unprecedented proportions — most of it paid for by the state. There hasn't been anything like it since, and now some of those buildings constructed during that great era of school construction are the ones often cited as examples of what Gov. Ralph Northam called "crumbling schools" in his inaugural address.

But the state still has lots of schools in use that were built before that 1950s building boom. So let's go back before the 1950s and use 1949 as our reference point. Virginia has 264 schools that were in operation during the Battle-Miller campaign of 1949. The oldest dates from 1837 — New London Academy Elementary in Bedford County. It's been remodeled many times, so it doesn't look like a 19th century building, yet it is. The second oldest is Appomattox Middle School, built in 1908. In all, 13 percent of the state's schools are so old that the great-grandparents or even great-great-grandparents of today's students could have attended them.

Where are these 264 schools that, with the one exception we cited, were built between 1908 and 1949? They are all over. They are in 87 of the state's 133 localities, which means 65 percent of the state's counties and cities have at least one school that pre-dates the Battle School Plan. If you're looking to put together a political coalition to make the case that upgrading old schools is a statewide issue, that's a pretty good number to cite.

Let's look even further. Who has the most old schools? Richmond, with an astounding 16 schools that pre-date 1950. No wonder the issue of school modernization has roiled the city's politics. In fact, seven of those schools pre-date America's involvement in World War I. Who has the second most number of pre-1950 schools? Probably not who you think. Fairfax County, with 13.

This really is an issue that touches all parts of Virginia. Still, it's one that hits rural areas the most, because they have the least ability to pay for upgrading school buildings. Metro areas may have the most number of old schools, but many rural localities have a disproportionately higher share of old schools. For instance:

- In Patrick County, five of the county's seven schools pre-date the 1950s. Those five were all built in the 1930s; the two others were built in 1952 and 1970.
- In Page County, five of the county's nine schools pre-date the 1950s. The oldest of those was built in 1928.

- In Floyd County, three of the county's five schools pre-date the 1950s. Somehow in 1939, the county managed to build three schools all at once. The other two were built in 1952, and 1962, which means that every school in the county is more than a half-century old.

Small cities share the same characteristics. In Martinsville, three of the city's five schools pre-date 1950. The oldest was built in 1921. In Bristol, the figure is three of six, with the oldest dating from 1914.

That school — Virginia Middle School — is one of 19 in the state that are a century or more old. Of those 19, seven are in Richmond, two are in Bedford County, and one apiece in Appomattox County, Bristol, Chesapeake, Hampton, Harrisonburg, Hopewell, Loudoun County, Norfolk, Prince William County and Russell County. In other words, in every part of the state.

Stanley wants a statewide referendum on whether to issue several billion dollars' worth of bonds to fix up old schools. Every bond referendum on the Virginia ballot since World War II has passed overwhelmingly, and with a "yes" vote in virtually every locality. Given the geography of Virginia's oldest schools, history suggests a referendum for school bonds would have the same broad support.

Dec. 12, 2018:

Why the silence?

Why won't either party speak to Stanley's bond proposal?

If you've come here today looking for answers, you've come to the wrong place. Instead, we have questions, lots of them. Specifically, questions about the proposal by state Sen. Bill Stanley, R-Franklin County, to issue $4 billion or so in bonds to modernize outdated school buildings across the state.

Why has there been such a deafening silence in response? This would seem an issue that could unite all parts of the state. Half the state's schools are 50 more years old; nearly 30 percent are more than 60 years old. These are disproportionately in the two parts of the state that are least able to pay for upgrades — rural areas that usually vote Republican and urban areas that usually vote Democratic, although a surprising number are in suburbs, as well. Fairfax County has the second-highest number of schools that pre-date 1950. Why isn't this a grand coalition that unites everybody? Are Republicans afraid of this issue because it involves spending money? Are Democrats staying away because they're jealous that a Republican proposed this? Are Republicans wary because this involves a warm embrace of public schools and not the usual talking points about school choice? Do Democrats simply not care about helping rural areas and figure that urban voters will vote for them regardless? Do Republicans not care for the opposite reasons — that they figure there's no advantage for them in urban areas and that rural voters will stick with them no matter what? Are Democrats uninterested in modernizing school buildings because their idea of education policy is built around raising teacher salaries? We don't know, but these are all interpretations that spring to mind. If we're wrong, change our mind. In the meantime, we have more questions.

The first one is for Gov. Ralph Northam. In his inaugural address he spoke of "crumbling schools across this state." That was not a poetic touch; it was a statement of fact. In Richmond, a five-pound piece of ceiling tile fell from the ceiling at George Mason Elementary a few years ago and hit a child on the head. That's not even the school Richmond considers in the worst shape. It's not even the most egregious example. In Norfolk, a 750-pound chunk of ceiling collapsed during a band concert at Maury High School. Luckily, only one person was hit. The list of schools with a roof that leaks is too long to mention. So why hasn't Northam embraced this issue? This could be a career-defining legacy for him, just as it was for John Battle, a governor in the early 1950s who oversaw the state's last big push to modernize old schools. Or was Northam's reference to "crumbling schools" simply rhetoric? To be fair, Northam proposed Tuesday using $80 million for low-interest loans for school construction. However, the cost of building a single new school in Halifax County is put at $88 million. Northam has proposed just 2 percent of the solution that Stanley has.

Last week, Lt. Gov. Justin Fairfax — a Democrat — said that the physical condition of some of Virginia's schools is a problem and says the growing economy positions the state to address this. "It's a big lift, but one worth making," he said. So does that mean he will now join Stanley in pushing for a bond issue? House Speaker Kirk Cox — a Republican — said that Stanley has "hit on a very important issue" and that "it is something we're going to have to look at in the future." Why isn't the future now?

In September, Stanley asked Attorney General Mark Herring for a formal opinion on a curious legal question: Do Virginia's older schools violate the U.S. Supreme Court's landmark Brown v. Board of Education decision that ruled school segregation was unconstitutional? Stanley noted that back in 1955 the court laid out several criteria to determine whether school systems were denying equal opportunity to students, regardless of race. One of those criteria was "the physical condition of the school plant." The court made that in the context of race, but Stanley asked whether that criteria could be applied more broadly in 2018, even in localities that are so overwhelmingly white that some schools west of the Blue Ridge have no black students. Three months later, Herring has yet to answer but has said he has his best lawyers researching the question. Maybe so, but one also wonders whether Herring isn't simply afraid this is some kind of political trick. Is Herring afraid that it looks bad for a Democrat if he says the Brown decision doesn't apply? Or is he afraid that if he says it does apply that would put the state on the hook for a lot of money? A study in 2013 found that the cost of updating all of Virginia's old schools would cost $18 billion (which means Northam's $80 million proposal really just addresses 0.44 percent of the problem).

Since Stanley posed the question about the Brown case, two legal scholars have come forward to advance other arguments. The Virginia Supreme Court ruled in 1994 that the state constitution doesn't require equal funding for schools. Since then, it's been assumed there's no legal remedy to school disparities under the Virginia Constitution. However, David Sciarra, executive director of the Education Law Center at Rutgers University, says that ruling actually telegraphed another way for rural districts to sue the state — by arguing they fail to meet the state's standards of quality. Meanwhile, Derek Black, a law professor at the University of South Carolina, makes the case that Virginia students have an argument to present in federal court that the poor condition of some schools violates their rights under 14th Amendment.

These are three novel arguments that may not fly in court. On the other hand, is Virginia willing to risk that? All we're lacking is someone willing to file a lawsuit — and perhaps some law firm willing to take the case pro bono as a social justice case. Why isn't Herring warning the General Assembly that unless it takes some action to deal with deteriorating school buildings, the state could find itself in some legal jeopardy? Those are high-minded legal concepts, but there are also more pedestrian political concerns, and questions. Republicans are in danger of losing the General Assembly in next year's elections. Why don't they see school modernization as an issue that could help them win votes in the suburbs, which have been trending Democratic? By the same token, Democrats don't control the legislature yet. Why don't they see this as a winning issue in rural areas? Or there's this: If Democrats don't embrace school modernization, are they

simply handing Republicans an unintentional issue to run on? As you can see, we have lots of questions. Now, who has the answers?

Feb 1, 2019:

Time to name names

These are the 14 senators who voted against schools.

Six months of making a public case for Virginia to modernize its most outdated schools ended in about three minutes — with only a single comment from any of the legislators who then killed it.

On Wednesday, a state Senate committee voted 14-2 to kill a proposal by state Sen. Bill Stanley, R-Franklin County, to hold a referendum on whether to issue $3 billion in state bonds. We can't say we're surprised. In theory, this proposal should have gained bipartisan support — the localities least able to pay to fix dilapidated schools tend to be rural areas (represented by Republicans) and urban ones (represented by Democrats). In reality, Stanley's proposal was too big and too bold for either party. Democrats were skeptical of something proposed by a Republican. And Republicans likely were put off by the pricetag. Here's irony for both sides: In North Carolina, it's Democrats who have been pushing a bond issue for school construction. In Maryland, it's a Republican governor who's done the same. In Virginia, both parties reached a bipartisan solution — to kill the idea at the earliest opportunity. This is an illustrative moment.

Gov. Ralph Northam used his inaugural address to decry "crumbling schools" but did not back an actual proposal to fix them. He has proposed adding $80 million to the state's Literary Fund for school construction loans but that figure is a pittance compared to the $18 billion in needs that a previous administration computed. Lt. Gov. Justin Fairfax called modernizing schools "it's a big lift, but one worth making" yet didn't expend any political capital on this, either. Neither did Attorney General Mark Herring. Their pro-education credentials lose some sheen as a result.

The bill called for a purely advisory referendum, but Senate Finance Committee members who voted it down knew exactly what they were doing. Since World War II, every bond referendum put before Virginia voters has passed overwhelmingly. This one likely would have passed by a wide margin —which then would have put pressure on Richmond to do something. It's a lot easier for senators content with the status quo to strangle this now.

It's also easy to theorize another reason why some Senate Finance members may have voted against this proposal. Many of them represent suburban districts where deteriorating schools simply aren't an issue. Northern Virginia is building educational palaces with its own money; it's hard for legislators there to comprehend schools downstate where teachers set out buckets to catch the rain leaking through the roof. On the other hand, while it's true that affluent Northern Virginia has an easier time paying for schools than lower-income rural areas and central cities, Northern Virginia still has plenty of old schools. Richmond has the most number of schools that pre-date 1950,

when the state's previous big school construction boom began — but Fairfax County has the second most.

Simply because a school is old doesn't mean it's falling apart, of course. Some of the worst examples of deteriorating buildings are actually ones built as part of that 1950s construction spree. However, the state has no formal standards for school buildings — a curiosity in and of itself — so we're using age as a metric to get at least a rough sense of conditions. When we look at the 14 legislators who voted down the proposal, we find that *all of them* have pre-1950 schools in their districts — often in large numbers:

• **Rosalyn Dance, D-Petersburg:** Her district includes part of Richmond, which is ground zero for the state's most outdated schools. Seven Richmond schools are so old that they pre-date America's involvement in World War I. That includes George Washington Carver Elementary, where in 2016 a five-pound piece of ceiling tile fell from the ceiling and hit a fifth-grader on the head. In all, Richmond has 17 schools that pre-date World War II. Given that, you'd think a legislator representing Richmond would be leading this effort, not trying to defeat it. When we look at the rest of her district — using a list of schools compiled by the state Department of Education — we find nine others. That's 26 schools in her district that pre-date 1950. You'd think that would mean 26 reasons to vote for this measure — more than any other legislator on the panel. Her vote is the most inexplicable of all, especially given how poor much of her district is.

• **George Barker, Janet Howell and Richard Saslaw, all D-Fairfax County:** Each represents pieces of the same localities, and it's hard to tell from a distance which schools are in which district. Bottom line: Fairfax has 13 old schools, Alexandria has six. Add in the rest of their districts and Barker's district includes localities with 22 old schools; Howell's includes 21 and Saslaw's district includes 20.

• **Frank Ruff, R-Mecklenburg County:** His district includes localities with 18 old schools. Northern Virginia can better afford school construction, but Southside can't, so Ruff's vote is as inexplicable as Dance's. In a way, though, all these votes seem at odds with the interests of their district.

• **Steve Newman, R-Lynchburg:** Another 18 old schools here.

• **Siobhan Dunnavant, R-Henrico County:** 17 old schools.

• **Thomas Norment, R-James City County:** 11 old schools.

• **Mark Obenshain, R-Rockingham County:** 11 old schools.

• **Frank Wagner, R-Virginia Beach:** 11 old schools. Ten of those are in Norfolk, where he only represents part of the city, so none of those schools may be "his," specifically. Still, one of those 10 schools is 109-year-old Maury High School, where a 750-pound chunk of ceiling tile once came down during a band concert. You'd think he might be interested in this issue, but apparently not.

• **Jill Vogel, R-Fauquier County:** 10 old schools.

• **Emmett Hanger, R-Augusta County:** 9 old schools.

• **Richard Stuart, R-Stafford County:** 7 old schools.

• **Louise Lucas, D-Portsmouth:** 5 old schools, including one that pre-dates World War I. She's been a big champion of a casino in Portsmouth; why isn't she an equal champion for better schools for her district?

Parents in all these districts have a vested interest in asking these legislators why they voted against modern buildings for their children. But we'd pose the question in a way legislators might find more discomforting: Business leaders ought to ask whether these outdated buildings are truly sufficient for training tomorrow's workforce. The longer this goes on, the more expensive this problem is going to be to fix.