

Virginia

State Roles and Responsibilities for PK-12 Public School Facilities



2025 State Profile



**National Center on
School Infrastructure**

Authors & Acknowledgements

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Disclaimers

This state profile represents our best understanding of state policies, standards, and laws governing public PK-12 educational facilities. Any errors or omissions are the responsibility of the authors. This document should not be considered an officially approved statement of state policy.

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**National Center on
School Infrastructure**

The National Center on School Infrastructure is a national resource hub that supports states and school districts in the stewardship of America's elementary and secondary public school facilities.



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Virginia Executive Summary

This document provides an overview of the state of Virginia's roles and responsibilities regarding public elementary and secondary (PK12) school facilities. It is part of a National Center on School Infrastructure technical assistance project to document public school facility policy and practice across all U.S. states and territories to help build state capacity for aiding districts in their efforts to provide students and staff with healthy, safe, resilient, and educationally adequate public school buildings and grounds.

The governance and management of PK-12 public school facilities are primarily managed at the local level.¹ Local Education Agencies (LEAs) have the authority and responsibility for the day-to-day operations and maintenance of public school facilities, as well as for long-term planning, design, financing, and construction. However, nationally, states assume a range of roles and responsibilities regarding the governance and management of school facilities. These include establishing and implementing state policies and practices to support local PK-12 public school facilities planning, facility data collection, capital and maintenance funding for buildings and grounds, facilities management, and facility standards and implementing systems for accountability.



Governance & Decision Making



Management



Data & Information



Planning



Funding



Accountability

Governance Virginia's school facility governance is shared between the state and 215 fiscally dependent school divisions. The General Assembly enacts statutes related to school construction, funding, and standards, and established the Joint Subcommittee on Elementary and Secondary Education Funding in 2024 to review funding formula equity and infrastructure needs. The Virginia Board of Education (VBOE) has statutory responsibilities under Title 22.1 to set minimum facility standards, administer the Literary Fund and construction grant programs, and make facility-related recommendations under the Standards of Quality. The Superintendent of Public Instruction, appointed under § 22.1-21, leads the Virginia Department of Education (VDOE) and serves as an ex officio member of the Commission on School Construction and Modernization. The Governor appoints members to the VBOE and the Commission,

¹ This is true in all states, except Hawaii, which is a unitary state and local education agency.



includes school construction in the biennial budget proposal under § 2.2-1509, and exercises emergency powers affecting schools under § 44-146.17. Judicial decisions, including *Scott v. Commonwealth* (1994), upheld the General Assembly's discretion in allocating education funding.

Management School divisions are responsible for the operation, maintenance, construction, and renovation of public school facilities. School boards exercise facility authority under § 22.1-79, while funding is appropriated by local governing bodies. Under § 22.1-134, some facility management responsibilities may be transferred to local governments to improve coordination. The Virginia Department of Education (VDOE) provides technical assistance through the Office of Support Services, including tools and guidance on general school facility issues. The Department of General Services (DGS) supports procurement, construction documentation, and energy-efficiency standards. In 2023, VDOE received a federal Supporting America's School Infrastructure (SASI) grant to assist schools in assessing their facility conditions, create a statewide facilities dashboard, and implement a train-the-trainer maintenance support model for high-need divisions.

Data School facility data is collected by multiple agencies in Virginia. DGS maintains inventory and building condition data for public schools and state-managed properties through the M-R FIX module of the COVA Trax system, as required by § 2.2-1136. School divisions report capital project costs and financial data to VDOE under §§ 22.1-175.3 and 22.1-175.4. The Weldon Cooper Center for Public Service produces school-age population estimates used to distribute 1.125% of sales and use tax revenue among school divisions under Title 58. Through the SASI grant, VDOE is developing a standardized, statewide dashboard to collect and report facility data across divisions, including building condition.

Planning Virginia does not require districts to complete long-range facility master plans but does require planning documentation, such as capital improvement plans and preventive maintenance plans, for eligibility in certain grant and loan programs. School divisions are responsible for enrollment forecasting, site planning, and project design, and may coordinate with local governments. VDOE supports project-level planning through its *Guidelines for School Facilities in Virginia's Public Schools*, last updated in 2021 which provide technical criteria for school design, space allocation, and infrastructure systems. While not legally binding, the guidelines are used widely for new construction and major renovations.



Funding Local governments provide most funding for maintenance and capital projects. In FY2022, Virginia school divisions reported \$1.8 billion in maintenance and operations spending and over \$1.4 billion in capital outlay. The Virginia Public School Authority (VPSA) provides pooled bond financing with state credit enhancement through an intercept mechanism. The Literary Fund provides low-interest construction loans and interest rate subsidies. The Virginia School Construction Fund, established under § 22.1-140.1, is supported by appropriations and gaming revenue. VDOE administers the School Construction Grant Assistance Program under § 22.1-175.3. In 2024, HB599 authorized school divisions to establish Local Maintenance Reserve Funds to retain unspent local funds for future facility use with local governing body approval.

Accountability School facility accountability is established through building codes, environmental health laws, funding program requirements, and VDOE oversight. The Uniform Statewide Building Code (§ 36-97 et seq.), enforced locally and overseen by DGS under § 22.1-140, governs school construction and renovation. VDH enforces radon and lead testing requirements under §§ 22.1-138 and 22.1-135.1. Fire safety is regulated under the Statewide Fire Prevention Code (§ 27-97). New school buildings must meet energy-positive design criteria under § 22.1-141. VDOE requires districts to submit preventive maintenance plans when applying for school construction grants and supports implementation of the non-regulatory *Guidelines for School Facilities in Virginia's Public Schools* as part of its oversight responsibilities.



Constitutional Basis for Public Education

Public education is a state responsibility established in the [Virginia State Constitution](#)

Va. Const. Art. 8, § 1

The General Assembly shall provide for a system of free public elementary and secondary schools for all children of school age throughout the Commonwealth, and shall seek to ensure that an educational program of high quality is established and continually maintained.

Va. Const. Art. 8, § 3

The General Assembly shall provide for the compulsory elementary and secondary education of every eligible child of appropriate age, such eligibility and age to be determined by law. It shall ensure that textbooks are provided at no cost to each child attending public school whose parent or guardian is financially unable to furnish them.

Scale of School Public School Housing

Virginia's 215 local education agencies (LEAs) reported to the U.S. Census of Governments that they operated 2,134 PK through 12th grade (and adult education) schools in fiscal year 2022. These districts enroll about 1,249,815 students and are the workplace for about 135,921 staff. These



schools encompass a reported 266,383,847 gross square feet of building space statewide.

[1] U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), "Local Education Agency (School District) Universe Survey", FY2022; "State Nonfiscal Public Elementary/Secondary Education Survey", Fiscal Year 2022. State gross square feet of building space, provided by National Council on School Facilities state officials, or estimated by the 21st Century School Fund based on estimates of gross square feet by student, multiplied by 2021-2022 enrollments. **Data includes charter students, schools, and districts.**



The following sections describe Virginia’s state-level roles and responsibilities for public school facilities.

Virginia PK-12 Public Educational Facilities Governance

State-level engagement in PK-12 public school facilities is firmly embedded in state systems. State boards of education, state education agencies, state legislatures, governors, and in some cases, independent commissions and facilities authorities make decisions about state roles and responsibilities associated with the quality and delivery of public school facilities. These bodies govern through state codes, regulations, standards, and budgets, which direct and influence local policies and practices regarding public school buildings and grounds. In some states, education finance equity and adequacy court cases have also played a role in defining state responsibilities for public school facilities.

Legislative Committees Affecting Facilities

Through its legislative authority, the [Virginia General Assembly](#) establishes and oversees the framework for public education, which includes the development, maintenance, and modernization of educational infrastructure. Its responsibilities include enacting legislation that governs school facility standards and when construction or renovation funding is made available from the state, they must appropriate these funds as part of the state’s budget. . Within the General Assembly, several committees and subcommittees are directly involved in public school facilities.

Education Committees

The [House Education Committee](#) and the [Senate Committee on Education and Health](#) oversee educational policies, including those related to facility standards, safety, and operational regulations. Additionally, these committees evaluate proposed legislation related to the construction, maintenance, and standards of school buildings.

Appropriations and Finance Committees

The [House Appropriations Committee](#) and the [Senate Finance and Appropriations Committee](#) are responsible for allocating state funds. These committees play a role in determining how state resources are distributed to local school divisions, balancing immediate infrastructure needs with long-term educational priorities. Their funding decisions impact the ability of localities to address aging facilities and meet the demands of growing student populations.



Joint Subcommittee on Elementary and Secondary Education Funding

Established through the [2024 Special Session I Budget Bill - HB6001 \(Chapter 2\)](#), the [Joint Subcommittee on Elementary and Secondary Education Funding](#) was tasked with examining Virginia’s K-12 funding formulas to address inequities in education, including disparities in school facilities. The Joint Subcommittee members were appointed by the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. Under Item 1, Paragraph S, the subcommittee provides ongoing direction and oversight of the [Standards of Quality](#) funding cost policies, with a mandate to review and implement recommendations from the [Joint Legislative Audit and Review Commission’s](#) (JLARC) July 2023 report, “[Virginia's K-12 Funding Formula](#).” The subcommittee is responsible for determining the appropriateness of JLARC's recommendations, proposing amendments, and developing a long-range plan for phased implementation, with a focus on addressing long-term fiscal implications.

On November 1, 2024, the subcommittee released its [Initial Recommendations and Work Plan](#), prioritizing JLARC’s near-term proposals to refine funding formulas and improve the scalability and equity of resource allocation. A key recommendation included improvement to data with which to inform resource allocation decisions. Additionally, the subcommittee addressed enhancements to special education funding methodologies, proposing reforms to align resources with student needs. The recommendations emphasized integrating national best practices to establish a more equitable and sustainable funding framework for Virginia’s public schools, but did not address facility issues directly.

Virginia State Board of Education

The [Virginia Board of Education](#) (VBOE) has statutory responsibilities related to public school facilities.

Virginia Administrative Code - Title 8. Education - Agency 20 summarizes the State Board of Education Agency roles and responsibilities as follows:

Chapter 9 (§ [22.1-125](#) et seq.) of Title 22.1 of the Code of Virginia provides that the Board of Education shall prescribe by regulation minimum standards for the erection of or addition to public school buildings governing instructional, operational, health, and maintenance facilities where these are not specifically addressed in the Uniform Statewide Building Code ([13VAC5-63](#)), and provides guidelines concerning the management and use of school property. This chapter includes multiple articles that address various aspects of school property management, thereby



ensuring school properties are effectively managed, are safe, and meet modern standards to support the educational environment.

Chapter 10 (§ [22.1-142](#) et seq.) of Title 22.1 of the Code of Virginia provides that the Board of Education may make loans and, subject to approval from the General Assembly, loan interest subsidy payments to school divisions for the construction or renovation of schools and for technology and outlines the structure, management, and utilization of the Literary Fund, which is a dedicated resource for financing public education facilities in the Commonwealth, thereby ensuring that the Literary Fund is effectively utilized and managed to support the construction and modernization of school facilities across the Commonwealth, providing a financial mechanism to enhance educational infrastructure.

Chapter 11.1 (§ [22.1-175.1](#) et seq.) of Title 22.1 of the Code of Virginia authorizes the establishment and administration of a grants program aimed at supporting public school construction projects in Virginia.

Under [Code of Virginia § 22.1-175.3](#), the VBOE develops guidelines for the [School Construction Grant Assistance Program](#). These guidelines include evaluation criteria for grant applications, such as fiscal stress, local ability to pay, and the physical condition of school facilities. These statutory measures aim to allocate funding to school divisions based on prioritized needs and project readiness. Under [Code of Virginia § 22.1-146](#), the Board is also responsible for administering loans from the Literary Fund to school divisions. This includes providing loans for the construction, alteration, or expansion of school buildings, as well as the installation of educational technology, the conversion of school buses to alternative fuels, and the construction of fueling facilities for these buses. Additionally, the VBOE can offer loan interest rate subsidies, subject to General Assembly approval, to reduce costs for eligible school divisions.

The VBOE's role in public school infrastructure oversight was expanded under [Chapter 752 of the Acts of Assembly](#), enacted on April 12, 2023, with the legislation taking effect on July 1, 2023. This legislation directs the VBOE to submit recommendations to the General Assembly for amendments to the [Standards of Quality](#) (SOQ), specifically related to public school facilities. The enactment of Chapter 752 formalized the VBOE's responsibility to provide recommendations aimed at improving school facility oversight, planning, and data management.



Superintendent of Public Instruction

The [Superintendent of Public Instruction in Virginia](#) serves as the chief executive officer of the [Virginia Department of Education](#) (VDOE). In this capacity, the Superintendent implements state policies and programs related to public education, including school facilities, construction, and safety standards. The Superintendent serves as an ex officio member of the [Commission on School Construction and Modernization](#), established under [Code of Virginia § 30-384](#). In this role, the Superintendent participates in developing funding recommendations and supports the Commission's work in identifying best practices for school facility management.

Gubernatorial Role in School Facilities

The Governor appoints the Superintendent of Public Instruction under [Code of Virginia § 22.1-21](#) and members of the Virginia Board of Education under [Code of Virginia § 22.1-9](#). Additionally, the Governor appoints one member to the Commission on School Construction and Modernization, as established under [Code of Virginia § 30-384](#). In emergencies, the Governor is granted authority under [Code of Virginia § 44-146.17](#) to allocate resources and direct recovery efforts, including addressing damages to school facilities caused by natural disasters or other crises.

The Governor of Virginia's roles in school facilities governance are derived from statutory responsibilities, primarily through budgeting, appointments, legislative oversight, and emergency management. [Code of Virginia § 2.2-1509](#) requires the Governor to prepare and submit a biennial budget to the General Assembly, which includes funding allocations for school construction, renovation, and modernization projects. [Va. Const. Art. V, § 6](#) grants the Governor the authority to approve or veto legislation, including bills related to school infrastructure funding.

Ad Hoc Committees, Boards, and Commissions

Commission on School Construction and Modernization (2020-present)

The [Commission on School Construction and Modernization](#) was established by the Virginia Legislature ([Section 30-384, Code of Virginia](#)) to evaluate the condition of Virginia's public school infrastructure and propose solutions to address deficiencies. Operating within the legislative branch, the Commission is tasked with assessing school facility needs, identifying funding gaps, and developing strategies for modernization and renovation projects, particularly finding ways to make facilities projects more



affordable. It informs policy decisions through findings reported to the General Assembly and the Governor.

The Commission is composed of 17 members, including legislative representatives, non-legislative citizen members, and ex officio members such as the Superintendent of Public Instruction and the Director of the Department of General Services.

The Commission's findings inform the allocation of competitive grants to school divisions, with funding decisions based on criteria such as fiscal stress, facility condition, and project readiness. The Commission's work continues to address school facility needs across Virginia, reporting annually. Under its enabling statute, the Commission is set to expire on July 1, 2026, unless its term is extended by the General Assembly.

Virginia PK-12 Public Educational Facilities Management

Local Education Agencies (LEAs) have authority and responsibility for the day-to-day operations and maintenance of public school facilities, as well as for long-term facilities planning, design, financing, and construction. Although PK-12 public school facilities are managed locally, there are state facilities management roles and responsibilities that may involve strategic planning, data collection, state funding programs, standards and systems for accountability. State agencies may also include programs for technical assistance and training that help districts meet standards, mitigate risk, and increase the quality of local district stewardship of public school buildings and grounds. State roles and responsibilities related to elementary and secondary public school facilities vary widely across the U.S. states, with unitary districts in Hawaii and U.S. Territories, where the state agency and the local agency are combined.

Virginia operates a system of dependent school divisions, which align with counties, independent cities, and some towns, as defined in [Code of Virginia § 22.1-25](#). These divisions are not fiscally independent entities but are considered fiscally dependent public school systems, with local county and municipal governments responsible for funding and supporting public education and school divisions without their own taxing authority, as is the case in the majority of school districts across the U.S.

School boards, governed by [Code of Virginia § 22.1-79](#), are responsible for the operation, maintenance, planning, construction, and control of school property. School Divisions appoint a Division



Superintendent to oversee daily operations and ensure compliance with any state facilities laws and standards.

Each school board “shall operate and maintain the public schools in the school division” as defined in Code of Virginia § 22.1-79

3. Care for, manage, and control the property of the school division and provide for the erecting, furnishing, equipping, and noninstructional operating of necessary school buildings and appurtenances and the maintenance thereof by purchase, lease, or other contracts;

4. Provide for the consolidation of schools or redistricting of school boundaries or adopt pupil assignment plans whenever such procedure will contribute to the efficiency of the school division;

In some counties, responsibilities for school facility management can be transferred to the county’s public works department, as allowed under [Code of Virginia § 22.1-134](#), improving operational efficiency.

Virginia Department of Education, Office of Support Services

Local school boards are responsible for the direct operation, upkeep, planning, design, and construction of school buildings. The [Virginia Department of Education](#) (VDOE) [School Operations and Support Services](#) programs provide model maintenance plans and operational guidelines to help LEAs meet state-mandated health and safety standards. The VDOE coordinates with the Virginia Department of General Services (DGS), to support LEAs in areas like energy efficiency, procurement practices, and adherence to construction standards.

Supporting America’s School Infrastructure (SASI) Initiative

The Virginia Department of Education, Office of Support Services secured a \$5 million grant from the U.S. Department of Education’s [Supporting America’s School Infrastructure](#) (SASI) program to enable Virginia to further support high-need Local Education Agencies (LEAs). The purpose of the SASI grant is to enable state agencies to assist high-need LEAs with their elementary and secondary public school facility assessments. With these funds, the VDOE will pursue facility condition assessments in high need LEA’s as well as create a dashboard depicting and housing the data collected. The grant will also help develop protocols for building condition assessment tools and training modules. In the implementation of the SASI grant, VDOE will facilitate communication between members of the LEA cohort and ultimately between the districts in the Commonwealth. The grant cannot be used for construction but will strengthen the VDOE’s capacity to support LEAs in addressing critical infrastructure needs.



Virginia Department of General Services

The [Virginia Department of General Services](#) (DGS) provides technical expertise and operational guidance for public construction projects, including school facilities, by supporting compliance with state construction standards, procurement laws, and best practices. While DGS does not manage school construction, it provides standardized resources, templates, and procurement tools to assist districts with the design and construction procurement and contracting documents and processes. Additionally, DGS collaborates with other state agencies to promote energy efficiency, sustainability, and cost-effective building management practices. It provides advice on implementing sustainable building strategies and energy-efficient solutions for public school facilities, facilitating access to best practices and technologies for long-term operational success.

Virginia PK – 12 School Facilities Data Management

Extensive data and information are needed for educational facility planning, decision making, and oversight. Relevant data helps stakeholders understand the broad impacts of their PK -12 infrastructure spending and investments on health, education, community and beyond. Facilities data falls into five major categories: ([NCES Forum Guide to Facilities Information Management](#)).

Inventory: Data include addresses, geo-codes, building areas, site acreage, and year of construction.

Design: Data include space descriptions, number of stories, designed-for purposes (i.e., elementary school, performance center).

Utilization: Data includes school capacity for enrollment based on the educational programs provided, spaces that are shared, and the gross square footage per enrolled student.

Condition: Data includes facility condition assessment data on the age and condition of major components, systems, and finishes.

Budget and Finance: Data elements include the district expenditures for maintenance, operations, and capital improvements.



Beyond these standard data sets, an increasing amount of data is also being collected and analyzed on building performance. This includes data on building performance metrics for energy efficiency, indoor air quality, lead levels in water, and the presence of hazardous materials like asbestos, mold, or PCBs.

Virginia public education facilities data is spread across different agencies.

Facility Condition Data

In accordance with [Code of Virginia § 2.2-1136](#), DGS is tasked with maintaining records of all state-owned properties, including schools. M-R FIX is central to maintaining an up-to-date inventory, tracking building conditions, and ensuring that maintenance needs are documented and reviewed regularly. These data are included in the [COVA Trax system](#), specifically the M-R FIX module, which tracks the maintenance needs and condition assessments for public school facilities. This system allows the [Department of General Services](#) (DGS) to maintain detailed records on publicly-owned properties, including schools, by tracking the lifecycle of major building systems.

The M-R FIX system stores key data related to property identification, location, construction details, and building systems. It also tracks property location and construction details such as Gross Property Area, construction type, and the number of floors. Additionally, the system records the original construction date and the date of the last major building update to provide insight into the building's age and maintenance history.

The M-R FIX system also includes data on building systems, including structural components, roofing, plumbing, HVAC systems, electrical systems, and fire safety features. Each system is tracked with a "Restored to New Date," indicating the last major update or repair, which helps determine when additional work is needed. Building age and maintenance needs are tracked through the Building Relative Age, which reflects the overall condition of the building, factoring in the age and condition of its systems.

Construction Cost Data

The VDOE collects [school construction cost data](#) on an annual basis. It tracks costs for construction on a per square foot basis for elementary schools, middle schools, and high schools and maintains this on an annual basis.



Enrollment Data

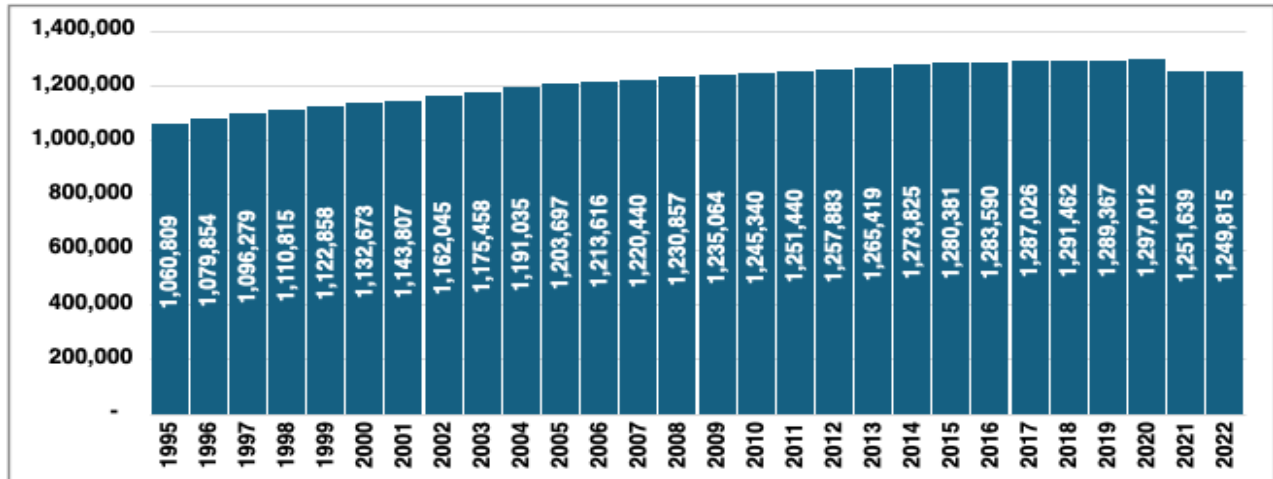
Virginia Department of Education maintains detailed records on student enrollments. This is essential for planning and budgeting. [Code of Virginia, Title 58, Chapter 6 on the Disposition of state sales and use tax revenue](#) requires the development of school-age population estimates to distribute sales and use tax among the school divisions of Virginia. The Weldon Cooper Center for Public Service at the University of Virginia is designated, in code, to provide enrollment projections for Virginia school divisions. These data estimate the current 5- to 19-year-old population of each school division and town in Virginia. Each year, 1.125% of the state sales and use taxes is distributed to Virginia's 135 school divisions according to these data.

Virginia PK – 12 School Facilities Planning

School facilities require planning at many different levels to meet educational and community purposes. Educational facilities planning is needed for facilities operations, maintenance, and capital projects. Planning PK- 12 public school facilities enables states, districts, and communities to align their resources to their needs, ensure that priorities are met fairly, and that facilities are operated, managed, and built to modern health, safety, educational, and environmental standards.

School divisions are not required by state code to do educational facilities master planning, capital planning, or maintenance and operations planning. As an enrollment growth state, with nearly 20% increase in enrollment since 1995, planning for enrollment change is a critical responsibility for school divisions.

Chart 1: Student Enrollment School Years 1994-1995 through 2021-2022



Source: Data from the U.S. Census of Governments Fiscal Survey; www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCI).

VDOE and school divisions worked collaboratively to prepare [*Guidelines for School Facilities in Virginia's Public Schools*](#). The Guidelines are almost exclusively focused on planning for an individual new school construction or major modernization project. These guidelines, initially developed in 1994, and updated in 2021, detail design requirements and considerations to support educational, health, and safety standards for elementary and secondary school facilities. The Guide is extensive—124 pages—and include the following sections:

Acknowledgements
Foreword
Legal Authority
Definitions
Net Zero Schools
Planning A Construction Project
Safety & Security
School Site
Classrooms
Administrative Unit & Health
Science Music
Visual Arts
Theatre Arts and Dance Arts
Career and Technical Education

Health and Physical Education
Library Media Center
School Cafeteria
Circulation & Hardware
Acoustics
Ventilation
Toilet and Plumbing Fixtures
Lighting
Technology
Electronic Room Partitions
Maintenance & Custodial
Facilities
Universal Waste Management
Supplemental Classrooms

Outdoor School Facilities
Final Drawings & Specifications
Construction Supervision
School Construction Cost Data
Acronyms
Equipment Mounting Heights
Prototypical ES Space
Prototypical MS Space
Prototypical HS Space
ES Capacity Worksheet
MS Capacity Worksheet
HS Capacity Worksheet
Web links

Virginia PK-12 Educational Facilities Funding



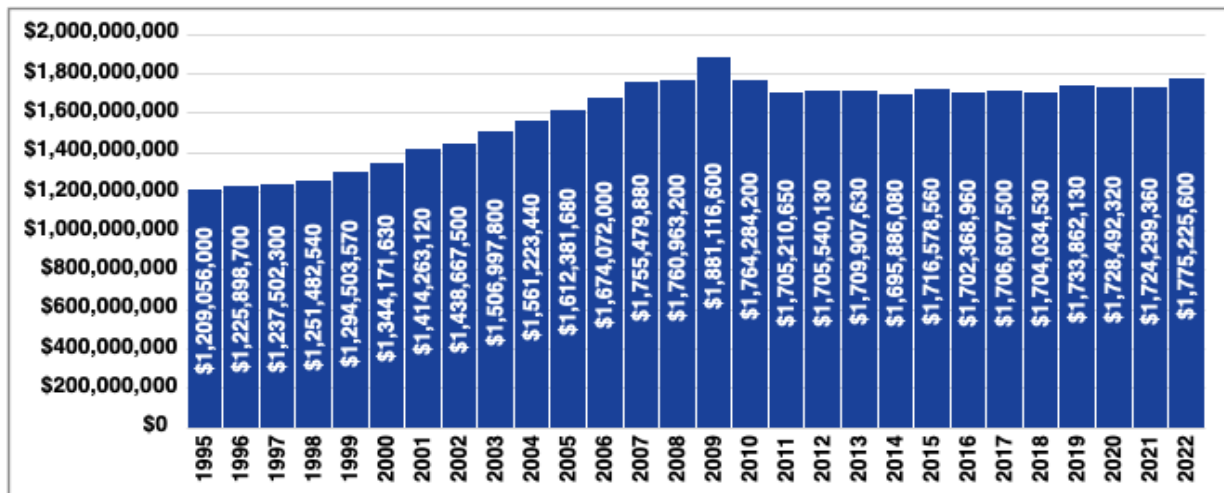
School facilities are funded with annually budgeted operating funds for utilities, cleaning, groundskeeping, maintenance and repairs; and periodically budgeted, and usually bond financed, capital funds, for school design, construction, renovation and major repair projects. State laws define how districts get access to local financing for school construction capital projects and whether or how states distribute state school construction funding. Federal funding for school construction is minimal—before pandemic funding—it was less than 2% of what districts paid for school construction capital outlay, with a major share of federal funding for rebuilding schools post weather-related disasters.

Maintenance and Operations Funding

Maintenance and Operations expenditures include payment for utilities, custodial staff and services, groundskeeping, related custodial and repair materials, equipment, and maintenance contracts, as well as spending for security personnel, materials, and services.

Virginia school divisions reported nearly \$1.8 billion of M&O annual operating-budget expenditures to the U.S. Census of Governments for FY2022. Adjusting district annual expenditures with the Consumer Price Index for inflation for years 1995-2022—shown in Chart 2, this was an average of \$4,183 per FY2022 student for the last three years.

Chart 2: M&O Spending, FY1995-FY2022 (inflation-adjusted 2024 dollars)



Source: Data from the U.S. Census of Governments Fiscal Survey; actual M&O spending data available at www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCSI).

In Virginia, the primary responsibility for funding the annual maintenance and operations of school facilities—such as utilities, cleaning, groundskeeping, and routine maintenance—lies with local school



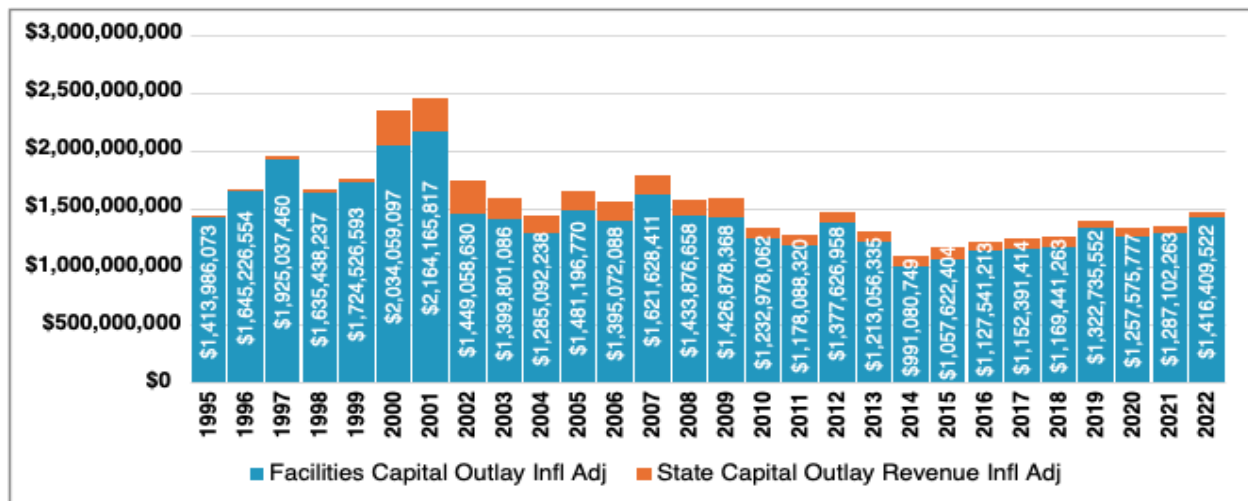
divisions, not the state. Localities appropriate funds for these activities through their general budgets, which are primarily supported by property taxes.

Facilities Capital Funding

In addition to annual operating funds for facilities, school districts are responsible for capital expenditures for the long-range planning, design, financing, construction, and major renovation and systems renewals of public school buildings and grounds. These capital expenditures are used for new school construction, as well as for such items as roof replacements and upgrades to mechanical systems.

In 2022, the facilities capital outlay for school construction and other equipment expended by Virginia local school divisions was slightly over \$1.4 billion in (2024\$ inflation-adjusted dollars). This excludes the cost of land, existing structures, and instructional equipment reported as part of the total capital outlay by school districts to the U.S. Census of Governments. Chart 3 shows inflation-adjusted school construction and other equipment capital expenditures from 1995 through fiscal year 2022 and State Capital Outlay Revenue that the divisions reported getting from the state for their school construction and renovation projects.

Chart 3: Capital Outlay for School Construction and Other Equipment FY 1995 – FY 2022 (in 2024)



Source: Data from the U.S. Census of Governments Fiscal Survey; actual Capital Outlay spending data available at www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCIS).

Local governments are responsible for the bulk of capital funding, the state supplements this effort through grants, loan programs, and guidelines to ensure equitable access to safe and modern learning environments. The Virginia Department of Education (VDOE) oversees the distribution of these funds.



Local Capital Maintenance Reserve Funds

School divisions in Virginia may create Local Maintenance Reserve Funds. These allow school divisions to carry over unspent local operating funds for future facility-related expenditures. These funds, authorized under [Virginia House Bill 599](#) (2024), provide school boards with the ability to create dedicated reserve accounts for maintenance and capital projects, with the approval of their local governing bodies. While the funds are controlled by the school divisions, they must be used exclusively for facility maintenance, repairs, and capital improvements, ensuring that resources are allocated for long-term infrastructure sustainability.

School Construction Assistance Program

The Virginia Department of Education (VDOE) administers the [School Construction Grant Assistance Program](#), under Code of Virginia § 22.1-175.1. Virginia Public School Construction Grants Program established. The VDOE allocates grants to local school divisions based on competitive criteria. These criteria assess factors such as financial need, fiscal stress, project readiness, and the condition of existing school facilities. The [Local Composite Index](#) (LCI) and fiscal stress score is used to determine the percentage of project costs covered by state grants, prioritizing divisions with lower fiscal capacity or higher fiscal stress.

The VDOE develops and implements comprehensive guidelines for the program's administration. These guidelines outline the requirements for school divisions to apply for grants, including the need for documentation in a local Capital Improvement Plan (CIP), , and certification that projects have not commenced prior to application. Additionally, the VDOE requires school divisions to submit preventive maintenance plans and demonstrate their ability to obligate funds within six months of receiving the grant.

The VDOE is responsible for reviewing, scoring, and recommending grant applications to the Virginia Board of Education (VBOE), which has the final authority to approve grant awards. The VDOE also manages the distribution of funds, ensuring that grants are disbursed quarterly based on qualifying project costs that have been incurred or are due and payable. The program requires school divisions to submit applications documenting project scope, , and long-term maintenance plans. Grants are limited to 30% of approved project costs, not to exceed \$100 million in project costs, and are disbursed in alignment with project timelines. The VBOE oversees grant administration, monitors compliance, and submits annual reports to the General Assembly on project outcomes and fund utilization.



Governor Glenn Youngkin has proposed an additional \$290 million in funding for school construction and modernization projects, bringing the total state investment in the School Construction Grant Assistance Program to \$700 million for the [2024-2026 biennium](#). This funding aims to address critical infrastructure needs in Virginia’s public schools, focusing on improving the condition and safety of school buildings across the state.

■ Virginia Public School Educational Technology Grant Program

The Virginia Public School Educational Technology Grant Program, administered by the Virginia Public School Authority (VPSA) under [Code of Virginia§ 22.1-175.7](#), supports school facility capital funding by providing resources for technology-related infrastructure improvements. The program issues Educational Technology Notes, which finance technology upgrades in public schools, including broadband infrastructure, computer systems, and classroom technology integration. While the program primarily enhances educational delivery, it also addresses facility needs by funding necessary infrastructure improvements such as wiring, network installations, and other physical upgrades essential for technology deployment. Funds are allocated to local school divisions based on enrollment and need, with a focus on ensuring equitable access to modern educational tools.

■ School Security Equipment Grants

The [School Security Equipment Grants](#) program provides targeted capital outlay funding for the purchase and installation of safety equipment in Virginia public schools. Administered by the Virginia Department of Education (VDOE) and funded through the Virginia Public School Authority (VPSA) Educational Technology Notes and state appropriations, the program supports infrastructure improvements such as surveillance cameras, access control systems, mass notification systems, and visitor management systems. Grants are allocated on a competitive basis, prioritizing schools with demonstrated safety needs, such as, high incidents of security concerns, or findings from required safety audits, and considering the fiscal capacity of localities to ensure equitable distribution of funds.

Facilities Financing

Virginia county school divisions are fiscally dependent on their County for funding, including for their capital budgets and expenditures. Local division capital budgets are voted on by municipal county councils or boards and the capital programs are implemented by the County school divisions. The school division is responsible for debt for its public school facilities. The level of debt per student varies widely



across states and districts. In Virginia there was \$8,304,069,000 of school division long term debt outstanding at the end of FY2022 --\$6,644 per student--and a total of \$306 million in interest was paid in FY2022 for this debt. The level of debt, and how districts can access the bond markets is defined in state law.

■ Virginia Public School Authority (VPSA)

Credit enhancement is a tool states use to assist school districts borrow capital funds at lower interest rates because the state has assumed some level of risk for the district's debt repayment. Code of Virginia provides school districts credit enhancement through the [Virginia Public School Authority](#) (VPSA). The VPSA operates several financing programs for public primary and secondary education. The goals of the VPSA's financing programs are to: provide market access to those communities which do not have ready access; provide low-cost financing; and maintain the high credit quality to ensure that the lowest possible interest rates are obtained.

VPSA uses the proceeds of its bonds to purchase a "pool" of general obligation bonds from localities ("Local Issuers"). Each Local Issuer uses the proceeds to finance capital projects for public schools. All local school divisions are invited to participate in the regularly scheduled pooled bond sales in the Spring and Fall of each year. In the event of a default of any Local School Bond, a "State Aid Intercept" provision provides for a diversion to the holder of its local school bonds of all funds appropriated and payable to the Local Issuer by the Commonwealth. This provision secures better credit for the districts.

Pooled bonds are additionally secured by a sum sufficient appropriation by the General Assembly to provide the difference, if any, between the debt service due on the VPSA bonds and the sum of (i) debt service payments made on the Local School Bonds and (ii) any funds obtained from enforcement of the State Aid Intercept provision.

■ Virginia School Construction Fund

The Virginia School Construction Fund, established in 2022 under [Code of Virginia § 22.1-140.1](#) was created to address significant infrastructure challenges in Virginia's public schools, with a focus on supporting school construction, renovation, and modernization projects, particularly in localities with limited fiscal capacity. The fund is financed through multiple sources, including appropriations from the General Assembly, a portion of casino gaming revenues as specified in [Code of Virginia § 58.1-4125](#), and additional income such as gifts, donations, and grants. The fund is non-reverting, meaning that unspent



balances at the end of a fiscal year remain within the fund for future use, allowing it to address ongoing infrastructure needs.

Literary Fund

The Literary Fund is a permanent and perpetual fund that is funded by proceeds from (i) all public lands donated by Congress for public school purposes, (ii) all escheated property, (iii) all waste and unappropriated lands, (iv) all property accruing to the Commonwealth by forfeiture except those items specifically exempted, (v) all fines collected for offenses committed against the Commonwealth, and (vi) the annual interest on the Literary Fund, [Code of Virginia § 22.1-142](#). The Fund provides low-interest loans for school construction, grants under the interest-rate subsidy program, debt service for VPSA technology and school security equipment grants, and support for the state's share of teacher retirement required by the Standards of Quality.

The 2024 Special I General Assembly authorized \$200.0 million in FY 2025 and \$50.0 million in FY 2026 from the Literary Fund for construction loans in the Chapter 2 budget. Loan approvals, not to exceed \$25.0 million per project, will be prioritized by the Board of Education on the basis of the composite index of ability-to-pay. Loan applications may seek an add-on of up to \$5.0 million if the project will result in school consolidation and the net reduction of at least one existing school. Interest rates on loans will be benchmarked to a market index and communicated to school divisions upon the opening of the open application window. The interest rate shall not exceed 2.0 percent for school divisions with a composite index value below 0.3000.

Pursuant to the appropriation act and Board of Education guidelines, the Virginia Department of Education (VDOE) will conduct an annual open application process to receive loan applications. Loan applications must meet the deadlines and other requirements established by VDOE for consideration by the Board of Education.

The FY 2025 open application process opened on March 20, 2025, and closed on May 22, 2025. The maximum interest rate charged on loans in this open application process is 3.819%. Details related to the open application process can be found in the March 20, 2025, edition of the [VDOE Education Update Newsletter](#).

Public Private Partnerships



Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) The Public Private Education Act of 2002 (PPEA) provides school divisions an alternative school construction financing and delivery process. Public school divisions must adopt guidelines to accept unsolicited proposals or to advertise for solicited proposals. In the PPEA process, a team consisting of a developer, contractor, architect, and other professionals can propose to design, build, and finance public school facilities. Detailed information on PPEA [Model Guidelines for public private partnerships updated 2009](#) is available to breakdown this complex process. Since there are many partners in a public private partnership, the Office of PPEA has prepared an [interim and comprehensive agreements checklist](#).

■ Energy Performance Contracting (EPC)

Virginia law permits school divisions to do energy performance contracts. Any state agency, including school divisions, may enter into an energy performance-based contract with an energy performance contractor “ESCO” to reduce the energy costs of a state facility through one or more energy conservation or operational efficiency measures. ESCOs are essentially design-build general contractors. They do an energy and facility audit and diagnostic front end and propose a guaranteed-savings back end. The energy savings is tied to specific building and operational and maintenance improvements, which the ESCO generally finances and delivers. In theory, the school division will have energy cost savings from the improvements which will then be dedicated to repaying the cost of the ESCO contract. The procedures and contract provisions for this are found in Code of Virginia § 45.2-1703 [Title 45.2, Subtitle V., Chapter 17, Article 2](#).

Judicial Decisions Affecting Public School Facilities

In [Scott v. Commonwealth](#) (1994), the plaintiffs challenged Virginia's public education funding system, arguing that disparities in funding across school divisions resulted in inequitable educational opportunities, particularly impacting poorer school divisions. The plaintiffs claimed that the funding disparities violated the Virginia Constitution, Article VIII, § 1, which mandates the establishment of a system of quality public education. They contended that the state's funding formula did not fulfill its constitutional obligation to ensure adequate and equitable education for all students.

The Virginia Supreme Court rejected the plaintiffs' arguments and upheld the state's funding system. The court ruled that Article VIII, § 1 requires the General Assembly to establish and maintain a system of public schools, but it does not require equal funding or identical conditions across school divisions. The



court emphasized that the constitutional language gives the legislature broad discretion in determining funding mechanisms and does not impose a mandate for funding equity between localities. As such, the disparities in school funding were deemed consistent with the decentralized structure of education governance in Virginia. The court's decision placed significant responsibility for funding public education, including school facilities, on local governments. Consequently, educational quality and infrastructure in Virginia remain heavily influenced by local wealth and fiscal capacity.

Virginia PK – 12 School Facilities Standards and Accountability

Accountability systems for facilities involve facility standards, assessments, and reporting on the health, safety, education, and other factors associated with PK – 12 public school buildings and grounds. It involves systems for measuring and communicating conditions, and the authority to encourage or enforce changes in school design, construction, operations and maintenance.

In Virginia, the accountability is governed by the [Standards of Quality](#) (SOQ) framework. The SOQ framework addresses instructional programs and staffing but the SOQ framework is silent on public school buildings or grounds. In 1994 there were minimum standards set for public school buildings in [Title 22.1, Chapter 9, Article 2](#). This code mandates that the Virginia Board of Education (VBOE) establish minimum standards for the construction, expansion, and operation of public school buildings. The [Guidelines for School Facilities in Virginia's Public Schools](#), while not mandated, provide detailed guidance on design requirements and considerations to support educational, health, and safety standards for elementary and secondary school facilities.

Building Standards

In Virginia, school building standards and accountability are defined through a combination of legislative requirements, regulatory frameworks, and detailed guidelines aimed at ensuring safety, functionality, accessibility, and environmental sustainability. The [Uniform Statewide Building Code](#) (USBC), governed by [§ 36-97 et seq.](#), establishes fundamental safety and design standards for public school construction. This code regulates all aspects of school facility design, including structural integrity, fire safety, accessibility, and health-related issues. It incorporates provisions from federal standards, such as the Americans with Disabilities Act (ADA), ensuring schools are accessible to individuals with disabilities. The



USBC ensures that facilities meet health and safety standards critical for the well-being of students, staff, and visitors, covering areas such as fire exits, restroom facilities, ventilation, and electrical systems.

The [Virginia Board of Housing and Community Development](#) (BHCD) is responsible for the oversight of the Virginia Uniform Statewide Building Code (USBC), which regulates the construction, alteration, and maintenance of public school facilities. Under [Code of Virginia § 36-99](#), the BHCD establishes the technical building requirements that apply to all public buildings, including schools. The board reviews and updates these building codes to ensure they reflect current safety standards and technological advancements. The BHCD's authority also includes appointing the [State Building Code Technical Review Board](#), through the Department of Housing and Community Development, which resolves disputes regarding the interpretation and application of the USBC, including issues related to school facilities.

Local enforcement of the USBC is carried out by building officials in county or city building departments, which review plans, issue permits, and conduct inspections for school construction and renovation projects. While the BHCD sets statewide regulations, it does not have a direct role in project-specific oversight.

The [Department of General Services](#) (DGS), through its Division of Engineering and Buildings (DEB), oversees the review and approval process for school construction projects. Under [Code of Virginia § 22.1-140](#), school divisions are required to submit plans and specifications for new schools, additions, and major renovations to the before proceeding with construction.

For major school construction or renovations, [Code of Virginia § 22.1-141](#) requires that new public school buildings or improvements be designed to generate more energy than they consume. The design must follow industry standards, specifically those outlined in the ASHRAE "Achieving Zero Energy-Advanced Energy Design Guide for K-12 School Buildings," dated February 1, 2018, and any subsequent updates or (ii) similar industry standards.

Educational Adequacy Standards

In addition to the Uniform Statewide Building Code (USBC) the Virginia Board of Education (VBOE) issues [Guidelines for School Facilities in Virginia's Public Schools](#). While the USBC sets the minimum construction safety standards, these guidelines offer a more comprehensive approach to planning



school facilities that reflect the needs of modern educational environments. These guidelines, updated periodically (most recently in 2020), provide school planners, architects, and local school divisions with guidance on key elements of educational adequacy, such as classroom size, specialized spaces (e.g., science laboratories, art rooms, and media centers), and overall building configuration to support diverse instructional needs. While these guidelines are not legally binding, they are integral to local school divisions in planning and constructing facilities that align with contemporary educational practices and the evolving needs of students and educators. These guidelines also include recommendations on energy efficiency, sustainable design, and ongoing maintenance for healthy and safe schools for staff, students, and communities.

Health and Safety Standards

The [Virginia Department of Health](#) (VDH) is responsible for enforcing environmental health standards in school facilities to ensure the safety of students and staff. Under [Code of Virginia § 22.1-138](#), VDH oversees radon testing and potable water quality in schools, ensuring compliance with established health and safety requirements. The department provides oversight and technical assistance to school divisions on sanitation, drinking water systems, and indoor air quality, contributing to the maintenance of safe and healthy educational environments in Virginia.

Fire Life Safety Standards

The [Virginia Fire Marshal's Office](#) enforces fire safety codes for school facilities, ensuring compliance with state and local fire prevention regulations during construction, renovation, and operation. Under [Code of Virginia § 27-97](#), all public school buildings must adhere to the Virginia Statewide Fire Prevention Code, which addresses fire protection systems, emergency exits, and the use of flammable materials. The Fire Marshal conducts inspections, reviews plans for new construction and renovations, and issues approvals to ensure that school facilities meet fire safety standards to protect occupants.

Air Quality Standards

The state of Virginia regulates indoor air quality (IAQ) in public school facilities through legislative and regulatory frameworks. Under [Code of Virginia § 22.1-138](#), the Virginia Board of Education (VBOE) is responsible for setting minimum standards for public school buildings, including health-related standards. This includes requirements for radon testing in all school buildings in operation by July 1, 1994, as specified in the code. Schools constructed after this date are also required to conduct radon



testing in accordance with EPA guidelines. Schools must keep records of their radon test results and report them to the [Virginia Department of Health](#), ensuring ongoing monitoring of air quality within school facilities.

Water Quality Standards

The Code of Virginia mandates that local school boards develop and implement plans for testing and remediating potable water in school facilities under [Code of Virginia § 22.1-135.1](#). This includes drinking water sources, kitchen taps, and classroom sinks, with a particular focus on schools built before 1986, which are more likely to have lead contamination. Schools are required to follow guidelines from the U.S. Environmental Protection Agency (EPA) and the Virginia Department of Health (VDH) for testing and remediation. If lead levels exceed 10 parts per billion, school divisions must notify parents and take corrective actions. Schools connected to public water systems must comply with federal and state water quality regulations, while those using their own water supply must follow state waterworks regulations.

Chemical Hazard Standards

The Virginia Department of Education (VDOE) oversees the implementation of Integrated Pest Management (IPM) programs in school facilities, as required by [Code of Virginia § 22.1-132.2](#). This program minimizes the use of harmful pesticides and focuses on maintaining safe, healthy school environments.