



www.fairfaxfederation.org ~|~ P.O. Box 3913, Merrifield, VA 22116-3913

26 October 2024

Fairfax County Delegation to the 2025 Virginia General Assembly
Fairfax County Board of Supervisors

Dear Fairfax Delegation Member and Board Supervisor,

It is with great pleasure that the Fairfax County Federation of Citizens Association (Federation) forwards its 14th annual well-researched Legislative Issues Package to the Fairfax delegation to the 2025 Virginia General Assembly and to the Fairfax County Board of Supervisors for your consideration and favorable action.

The Federation membership has approved this year 11 Legislative Issues from our Committees on Citizens Associations Services, Conservation/ Environment and Land Use, Education, Human Services, and Transportation. We are available to discuss and assist you on each of these enclosed Issues:

- 25A01 - HOA Board Accountability
- 25A02 - HOA Notarization Requirements
- 25C01 - Leaf Blowers
- 25C02 - Casinos
- 25C03 - Data Centers
- 25E01 - Kids in Poverty
- 25E02 - Governor's School Expansion
- 25E03 - Full Year School
- 25E04 - Technology in Schools
- 25H01 - Homeowners Insurance
- 25T01 - VDOT Projects Peer Review

The Federation thanks you for your continued support of the Federation at the daises of the Board of Supervisors and of the School Board as well as in both chambers of the General Assembly in Richmond. As you may know, the Federation is a countywide organization celebrating its 84th year of serving the homeowners of Fairfax County.

You may reach out to either of us if you have any follow-up concerns.

Respectively submitted,

Handwritten signature of Tim Thompson in black ink.

Tim Thompson
Legislative Committee Co-Chair
President
President@FairfaxFederation.org

Handwritten signature of William S. Barfield in black ink.

William S. Barfield
Legislative Committee Co-Chair
Past President
Legislation@FairfaxFederation.org

Enclosure: Eleven 2025 Legislative Issues



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2025 Legislative Issue

Issue ID: 25A02 HOA Notarization Requirements
This Issue is for: <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 26 October 2024
Issue: Grant relief to older Homeowner Associations (HOAs) wanting to amend their Covenants, Conditions, and Restrictions (CCRs) so they can operate cost effectively and efficiently using digital capabilities in lieu of extant high quorums and notarized signatures in our 21st century. Virginia’s notarial law, under the Virginia Notary Act (Virginia Code § 47.1-1 et seq.), allows for electronic notarization. However, its use is not directly tied to the amendment processes for HOA documents within the Virginia Property Owners’ Association Act (POA) framework.
Background: Many (40+ years old) Virginia HOAs desire to amend their dated CCRs to comply with current law, court rulings, technology, etc., but are burdened with requiring physical, notarized signatures from all members.
Existing Conditions/Impacts: Current Virginia law typically subjects older HOAs to costly and laborious inefficient manual processes (i.e., collection of physical, notarized signatures from a specified percentage (quorum) of property owners (often 60-75%). The requirement for notarized signatures adds a significant burden to the amendment process (e.g., a layering of legal and notarial fees, hiring of external administrative support to track down homeowners, organize signing events, maintain records of signatures, and ensure compliance with legal requirements). Such a process becomes circuitous and self-defeating and obstructs the amendment process. As a result, important community updates to the CCRs - such as those addressing modern safety needs, technological advancements, or local regulatory changes - may be delayed or blocked, keeping the community from adapting to current standards. Recent cost estimates to comply exceed \$40,000. Other States have recognized the challenges associated with the notarization requirement and have implemented more streamlined digital processes. For example, California's Davis-Stirling Act allows for electronic voting on amendments to governing documents, reducing the time and effort required for HOAs to achieve quorum and secure member approval. Such changes have helped to lower costs, improve participation rates, and ensure that associations can respond more quickly to evolving community needs.
Preferred Position: We propose adding legislation that amends the POA (1) to allow electronic signatures, and (2) to authorize electronic voting for CCR changes to modernize the amendment process while preserving community involvement and transparency. The amendment process for CCRs in many HOAs is dictated by provisions in the original HOA documents, which do not provide flexibility for electronic or digital means of collecting approvals.
Benefits: A digital consent process will allow HOAs to gather electronic signatures, conduct virtual meetings, increase homeowner participation, and modernize Virginia’s laws governing HOAs.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Virginia lawmakers representing older HOAs; Housing and community development advocacy Organizations; Community Associations Institute.
Lead Federation Committee: Citizen Association Services, Legislation
Prepared by & Federation email: Anna Dixon, Seervices@FairfaxFederation.org William Barfield, Legislation@FairfaxFederation.org



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2025 Legislative Issue

Issue ID: 25C02 Casinos
This Issue is for: <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input checked="" type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 26 October 2024
Issue: Whether a casino in Fairfax County, and specifically in Tysons Corner, would provide a net benefit to residents of the County and to the Commonwealth.
Background: To date, Virginia has allowed commercial casino gambling to stimulate economic activity in depressed areas. Senator David Marsden (whose district does not include Tysons) introduced SB 675 in the 2024 session of the General Assembly. That legislation would redefine eligibility criteria to permit the Tysons Corner area to host a casino and send the issue to Fairfax County voters for a referendum. The bill was carried over to 2025. Senator Marsden has stated that he would not further advance the proposal if the Fairfax County Board of Supervisors indicated its opposition.
Existing Conditions/Impacts: The Tysons-Dulles corridor is the economic engine of Fairfax County and, in turn, drives the revenue the county provides to the Commonwealth. Tysons Corner has grown into an urbanized district within a dense suburban area. Guided by careful planning, it has become an ideal location for professional businesses and a hub for national and international commerce, while also providing infrastructure and amenities for family-friendly residential development. A casino would degrade the value proposition that has made Tysons a success, compromising its ability to generate public revenue. A 2019 report by Joint Legislative Audit and Review Commission (JLARC), often cited by casino proponents, stated that a Northern Virginia casino would modestly increase gaming tax revenue for the Commonwealth. The JLARC study did not investigate the economic consequences of loss of tax revenue from displacement of businesses, increased public safety costs for a casino located within walking distance of homes and schools, or aggravated congestion in an already overburdened area that is essential to the local economy. The report noted that the number of people at risk for gambling addiction would also increase, but it did not examine the economic impact of that addiction. Experience in other states has shown that the social costs of life-altering gambling addiction largely fall upon people living within 15 miles of a new casino – here, mainly County residents.
Preferred Position: The Board of Supervisors should vote to oppose a casino in Tysons Corner or anywhere in Fairfax County. If SB 675 is again considered, the General Assembly should not pass it.
Benefits: A vote against a Tysons casino development would protect the local social and business communities as well as the economic model that has fostered the success of the Tysons district. It would also avoid a costly referendum on a proposal that local residents have overwhelmingly opposed and which more than 86% of respondents to the Federation’s County-wide survey of residents likewise opposed.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): No Casino Coalition and all the community organizations that support it; Town of Vienna; McLean Citizens Association
Lead Federation Committees: Environment, Land Use
Prepared by & Federation email: Dave Fitzgerald, Chair, Environment@FairfaxFederation.org ; Matt Bell, Chair, LandUse@FairfaxFederation.org



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2025 Legislative Issue

Issue ID: 25C03 Data Centers
This Issue is for: <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 26 October 2024
Issue: Should Virginia impose requirements for data centers concerning their energy efficiency and use of energy from renewable sources?
Background: Data centers are a rapidly growing industry in Virginia, and the Commonwealth has enacted policies to encourage companies to build them here. The Fairfax County Board recently amended its zoning ordinance to address the ways data centers affect adjacent communities. One of the concerns about data centers involves the resources they consume, particularly energy. This relates to both public infrastructure and the environment.
Existing Conditions/Impacts: Current law does not impose any limitations on the amount or source of power that data centers consume. Although Virginia has adopted standards for net-zero greenhouse gas emissions within the Commonwealth by 2045, data centers are increasingly dependent on power generated out of state. Recent news reports suggest that new power transmission lines from West Virginia could effectively extend the service life of coal-fired power plants there.
Preferred Position: We support legislation that would provide incentives to the data center industry to adopt energy efficiency standards and to source renewable energy, such as HB 116 (2024) carried over to 2025 in the House Finance Committee. That bill would not impose energy use requirements on the industry. Instead, it would limit the eligibility of data centers for existing exemptions to the sales and use tax to those data centers that are able to meet energy efficiency and power sourcing metrics.
Benefits: Enactment of legislation such as HB 116 would align the Commonwealth’s favorable treatment of data centers with its established environmental priorities.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Virginia Data Center Reform Coalition, Piedmont Environmental Council, Virginia Conservation Network, Sierra Club Virginia Chapter, Virginia League of Conservation Voters
Lead Federation Committees: Environment, Land Use
Prepared by & Federation email: Dave Fitzgerald, Chair, Environment@FairfaxFederation.org ; Matt Bell, Chair, LandUse@FairfaxFederation.org



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2025 Legislative Issue

Issue ID: 25E02 Supporting the Expansion of Governor’s Schools
This Issue is for: <u> X </u> Fairfax County Delegation to the General Assembly _____ Fairfax County Board of Supervisors
Date Approved by Federation: 26 October 2024
Issue: The Commonwealth must continue to provide our most academically gifted students with challenging programs beyond those offered in their neighborhood schools, while simultaneously promoting access to such programs for historically underserved students.
Background: Since the establishment of the Thomas Jefferson High School for Science and Technology (TJHSS&T) in 1985, the student population within Fairfax County Public Schools alone has grown by more than 45 percent. Yet TJHSS&T remains the only selective high school within the division designed to serve the Governor’s School mission - to meet the needs of “students whose learning levels are remarkably different from their age-level peers.” Such population growth has increased competition for admission to TJHSS&T, even while FCPS grapples with difficult questions of how to ensure equitable access to gifted education. (ref 23E02, 22E02, 21E02)
Existing Conditions/Impacts: We agree with the authors of a 2020 review of FCPS’ Advanced Academic Program that “a school division the size of FCPS can support multiple selective high schools, lessening the ... focus on selection for [TJHSS&T].” Other large districts, such as Boston and New York City, have had success in establishing multiple selective high schools in order to support students who require differentiated instructional opportunities.
Preferred Position: The Commonwealth should establish one or more additional Governor’s Schools in Fairfax County. This will help serve the growing number of students who benefit from these unique, challenging academic environments. While we are neutral about such schools’ academic focus, we note that the proximity of Washington, D.C. could make Fairfax County well-situated to establish a school concentrating on government and international studies or, more broadly, humanities and the arts.
Benefits: Governor’s Schools are a valuable asset to the communities in which they sit, providing a nurturing environment not only to gifted students themselves but an investment in tomorrow’s leaders. When these schools are successful, they help retain and attract business investment as well. Local businesses and industries are designed to serve an important role in Governor’s Schools, providing mentors, equipment and supplies, facilities, and expert advice.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Regional and local Economic Development Authorities, gifted organizations, county governments
Lead Federation Committee: Education
Prepared by & Federation email: Nancy Trainer and Annmarie Swope, Co-chairs Education@FairfaxFederation.org



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2025 Legislative Issue

Issue ID: 25E03 Expanding Full Year School as an Option
This Issue is for: <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 26 October 2024
Issue: Virginia should encourage full year school calendars as a tool to address Coronavirus-related learning loss, persistent achievement gaps, and/or to generally improve the state of public education. The Commonwealth should do its part by providing school divisions with additional funding to educate children on a full year calendar, either on a school-by-school, school level (elementary, middle, or high school), or division-wide basis.
Background: Following the 2011-2012 school year, when nine Virginia elementary schools operated on a year-round calendar (including schools in nearby Alexandria and Arlington County), the Virginia Department of Education issued a Joint Legislative Audit and Review Commission (JLARC) study on year-round education. The study concluded that year-round schools accelerated the improvement of test scores for certain student groups, notably Black, Hispanic, and economically disadvantaged students as well as students of limited English proficiency. According to the JLARC study, year-round calendars increased annual school expenditures by approximately three percent, due largely to the costs of providing course offerings to students during intersessions. (ref 23E03, 22E03)
Existing Conditions/Impacts: When students attended schools remotely during the Coronavirus pandemic, students’ academic development suffered significantly and the learning loss from this event continues to reverberate. In 2021, Governor Northam issued guidance to school divisions suggesting that year-round schooling could be a useful tool in providing additional learning opportunities to aid in remediation. In the 2022 Appropriation Act, the General Assembly authorized planning and start-up grants to assist school divisions in implementing extended year or year-round school programs. State funding mechanisms will necessarily increase in importance, as federal Coronavirus relief resources such as Elementary and Secondary School Emergency Relief (ESSER) funds have been exhausted and discontinued.
Preferred Position: We support grants and/or other funding formulas which support either individual schools, school levels (elementary, middle, or high school), or entire school divisions shifting to a full year calendar.
Benefits: Year-round school not only provides relief from the well-documented “summer slide,” but also provides more consistent year-round childcare, and may improve the public esteem of the teaching profession as teaching is no longer viewed as a “part time” job. Year-round schools may also help address the achievement gap, which would improve the chances that students from disadvantaged backgrounds can reach their full potential.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Teachers’ Associations, anti-poverty groups
Lead Federation Committee: Education
Prepared by & Federation email: Nancy Trainer and Annmarie Swope, Co-chairs Education@FairfaxFederation.org



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2025 Legislative Issue

Issue ID: 25E04 Studying the Use of Technology in Schools
This Issue is for: <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 26 October 2024
Issue: Benchmarks and best practices have not been established for the use of technology in schools for the various grades and instructional levels.
Background: Since FCPS has equipped all students with laptops, it is imperative to determine which standards govern their optimal use in the classroom, and to set clear programmatic goals. Even as one-to-one computing became necessary during the pandemic, it remains true that many parents (including a significant number employed by tech firms in Silicon Valley) seek out low-tech schools for their children, particularly for younger students. Scarce rigorous studies establish whether or how the use of technology in schools improves learning outcomes. Copious amounts of “screen time” have created new deficits and risks for children, particularly in the area of mental health. (ref 23E04, 22E04)
Existing Conditions/Impacts: Virginia’s Digital Learning Integration Standards do not specify the components of technological literacy, even as they advise that technological skills are essential for all students. Families’ experiences with online learning during the pandemic may make them wary of the value of technology as an educational tool. Though pandemic-related funding helped defray the significant hardware costs of expanding one-to-one computing to all students, these costs must now be borne as part of the ordinary budgeting process.
Preferred Position: We urge the House of Delegates and Senate to commission a study that documents the educational community’s best thinking regarding both the benefits and risks of the use of computers in classrooms. This study should not only share best practices (either across the Commonwealth or nation-wide) but also should describe the elements of digital literacy expected of students at the elementary, middle, and high school levels.
Benefits: Obtaining a study written by subject area experts will help responsibly guide school divisions throughout the Commonwealth as we integrate computing into the 21 st century classroom. Without such guidance, it is more difficult to defend a relatively expensive tool and ensure public support for keeping hardware and software up to date.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Northern Virginia Technology Council, Virginia Association of School Superintendents
Lead Federation Committee: Education
Prepared by & Federation email: Nancy Trainer and Annmarie Swope, Co-chairs Education@FairfaxFederation.org



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2025 Legislative Issue

Issue ID: 25T01	Peer Review of VDOT Major Projects
This Issue is for:	<input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 26 October 2024	
Issue: Major transportation projects in Virginia are conducted without independent peer reviews, which could provide assurance to citizens and elected officials that the project will be cost effectively constructed with proper consideration of context-sensitive solutions that meet safety, quality, and performance standards.	
Background: The Virginia Department of Transportation (VDOT) plans and constructs many multi-million dollar projects in the state that have major implications for residents, drivers, safety, the environment, and congestion. While VDOT often holds public meetings to listen to citizens directly impacted by proposed construction, this type of feedback is of limited utility in assuring that projects are designed and implemented with the most cost effective and beneficial approach to meeting safety, traffic, and mobility needs.	
Existing Conditions/Impacts: Several U.S. states have adopted policies requiring independent peer review of transportation construction projects, particularly for large, complex, or innovative projects. These states include California, Washington, New York, Florida, Texas, Massachusetts, Illinois, and Pennsylvania. Peer reviews ensure that projects meet safety, quality, and performance standards, and provide an effective means of identifying problems before construction gets underway. The Federal Highway Administration encourages states to use independent peer review for projects funded through federal programs, especially for large or complex projects.	
Preferred Position: Legislation is needed to develop guidelines for VDOT to implement peer review of major transportation projects. Peer reviews are performed by independent, third-party consultants or expert panels not involved in the original design or construction work to ensure objectivity. Guidelines are needed to determine criteria for when peer reviews should be performed, as well as requirements for the conduct and staffing of peer reviews.	
Benefits: Peer reviews can help ensure major transportation projects meet safety, quality, and performance standards. They can provide the state, local jurisdictions, and residents confidence that the project costs are justified and that the proposed plan will meet its goals. By introducing a third party to analyze these projects, peer review often identifies superior, less costly alternatives with greater benefits for traffic congestion, safety and the environment than the original project design.	
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Home Owners Associations, Citizens Associations, Community Associations, voters	
Lead Federation Committee: Transportation	
Prepared by & Federation email: Michael Perel, HumanServices@FairfaxFederation.org	