DRAFT

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

January 6, 2003

The Board of Education and the Board of Career and Technical Education met for the regular business meeting in Conference Rooms D and E of the James Monroe State Office Building, Richmond, Virginia, with the following members present:

Mr. Mark C. Christie, President
Mrs. Susan L. Genovese, Vice President
Mrs. Audrey B. Davidson
Mr. Mark E. Emblidge
Mr. M. Scott Goodman
Mr. Thomas M. Jackson
Ms. Susan T. Noble

Dr. Jo Lynne DeMary,
Superintendent of Public Instruction

Mr. Christie, president, presided and called the meeting to order at 9:00 a.m.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Mr. Christie asked for a moment of silence and led in the pledge of allegiance.

APPROVAL OF MINUTES

Mrs. Davidson made a motion to approve the minutes of the November 20, 2002, meeting of the Board. The motion was seconded by Mrs. Genovese and carried unanimously. Copies of the minutes had been distributed previously to all members of the Board of Education.

CONSENT AGENDA

Mrs. Genovese made a motion to approve the consent agenda. The motion was seconded by Mrs. Davidson and carried unanimously.

- Final Review of Financial Report on Literary Fund

Final Review of Financial Report on Literary Fund

The Department of Education's recommendation to fund priority projects and projects at the top of the First Priority Waiting List, with cash reduced as loan requests are processed, was accepted by Board of Education's vote on the consent agenda.

RESOLUTION AND RECOGNITIONS

- A Resolution was presented to Dr. M. Kenneth Magill, retired deputy superintendent, Virginia Department of Education, in recognition of his distinguished career in public education.

- A Resolution of Recognition was presented to the Highland Springs High School Marching Band, Henrico County Public Schools, recipient of First Place Awards in the First Annual National High School High Stepping Marching Band Championships.

- A Resolution of Appreciation was presented to the members of the Advisory Review Team for the Science Standards of Learning.

- A Resolution of Appreciation was presented to the members of the Advisory Review Team for the History and Social Science Textbook Review.

ACTION ITEMS

First Review of Proposed List of Assessment Instruments to Measure English Language Proficiency for Limited English Proficient (LEP) Students/Approval of Process to Evaluate Locally Selected or Developed Instruments

Mrs. Roberta Schlicher, specialist for English as a Second Language at the Department of Education, presented this item. Mrs. Schlicher said the *No Child Left Behind Act of 2001* requires local school divisions to administer an annual assessment for all kindergarten through twelfth-grade limited English proficient (LEP) students. The English language proficiency assessment must measure the oral language, reading, and writing skills of all LEP students in a school division. According to the non-regulatory Title III, Part A Guidance on Standards, Assessment, and Accountability, if a state decides to allow school divisions to use multiple measures to assess English language proficiency, the state must: 1) set technical criteria for the assessment; 2) ensure that any assessments used are equivalent to one another in their content, difficulty, and quality; 3) review and approve each assessment; and 4) ensure that data from all assessments can be aggregated for comparison and reporting purposes and can be disaggregated by English language proficiency levels and grade levels.

The following proposed assessment instruments to measure English language proficiency for limited English proficient students for Title III sub-grantees were discussed by the Board:

- ✓ Council of Chief State Schools (CCSSO) States Collaborative on Students Standards and Assessment (SCASS) for English Language Proficiency
- ✓ Idea Proficiency Test (IPT)

- ✓ Language Assessment Scale (LAS)
- ✓ Woodcock-Munoz Language Scale (WMLS)

Mrs. Davidson made a motion to waive first review and approve the list of English language proficiency assessments for LEP students and to approve the process for Board of Education approval for the locally selected or developed instruments. Mr. Goodman seconded the motion, and the motion carried unanimously.

First Review of Consolidated State Application Accountability Workbook

Dr. Cheryl Magill, director of accreditation, presented this item. The *No Child Left Behind Act of 2001* (NCLB) requires that states establish an accountability system for schools, school divisions, and the state through which adequate yearly progress (AYP) can be measured for student performance on reading/language arts and mathematics assessments, for graduation rate in secondary schools, and for another academic indicator in elementary schools. Virginia's Consolidated Application describes Virginia's statewide accountability system and outlines the steps that Virginia would follow to implement other requirements of NCLB.

The final NCLB Title I regulations that provided guidance in defining AYP were issued on November 26, 2002. Dr. Magill said that based on these regulations, Virginia is moving ahead with procedures to meet the NCLB accountability requirements. Current federal guidance indicates that final state policies or timelines for determining such policies must be submitted to the U. S. Department of Education by January 31, 2003. Dr. Magill gave a detailed summary of the accountability principles that must be addressed in the consolidated application workbook (a draft copy of the workbook had been distributed to Board members prior to the meeting):

Principal 1 – A single statewide Accountability System must be applied to all public schools and local education agencies (LEAs).
Principal 2 – All students must be included in the State Accountability System.
Principal 3 – The state definition of AYP must be based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-2014.
Principal 4 – The state must make annual decisions about the achievement of all public schools and LEAs.
Principal 5 – All public schools and LEAs must be held accountable for the achievement of individual subgroups.
Principal 6 – The state definition of AYP must be based primarily on the state's academic assessments.
Principal 7 – The state definition of AYP must include graduation rates for public high schools and an additional indicator selected by the state for public middle and public elementary schools (such as attendance rates).

Principal 8 – AYP must be based on reading/language arts and mathematics achievement objectives.
Principal 9 – The state Accountability System must be statistically valid and reliable.
Principal 10 – In order for a public school or LEA to make AYP, the state must ensure that it assessed at least 95% of the students enrolled in each subgroup.

The Board accepted the Consolidated State Application Accountability Workbook for first review. Mr. Christie announced that the final review of this document is scheduled for the January 28, 2003, meeting of the Board of Education. Mr. Christie noted that the January 28th meeting will be held in Conference Rooms D and E of the Monroe Building and that several members will join the meeting via telephone conference call.

First Review of Revised English Standards of Learning Curriculum Framework

Mrs. Linda Poorbaugh, director of elementary education, presented this item. The Board of Education adopted the revised English Standards of Learning in November 2002, following public comment. Mrs. Poorbaugh said the English Standards of Learning, amplified by the Curriculum Framework, define the content knowledge and skills that are measured by the Standards of Learning tests. The Curriculum Framework provides additional guidance to school divisions and teachers as they develop an instructional program appropriate for their students. It assists teachers as they plan their lessons by framing the essential understandings and by defining the essential knowledge, skills, or process students need to master.

The Board accepted the proposed draft of the English Standards of Learning Curriculum Framework on first review. Mr. Christie noted that the draft document will be distributed for public review and comment. The final document will be considered by the Board following the public comment period.

Final Review of Revised Science Standards of Learning

Mr. Jim Firebaugh, director of middle instruction, presented this item. In March 2002, Superintendent's Memo No. 42 was issued to division superintendents announcing an online review of the 1995 Science Standards of Learning. The public was also notified that the Board intended to revise the Science Standards of Learning. The Department of Education's science staff analyzed the comments received, prepared a preliminary draft document, and convened an advisory group in June 2002 to give feedback on the preliminary revisions to the standards. A first review draft, reflecting the input of the advisory group was shared with the Board of Education on October 16, 2002, and the proposed revision draft was posted on the department's Web site for public comment.

In addition to electronic, written, and oral input, four regional public hearings were conducted on December 2, 2002. All comments were reviewed and analyzed, and additional changes were made to the first review draft in preparing the final review document.

Following Mr. Firebaugh's presentation, Mrs. Davidson made a motion to adopt the amendments recommended by the department. Mrs. Genovese seconded the motion, and the motion carried unanimously.

Mrs. Davidson made a motion to adopt the revised Science Standards of Learning with the understanding that staff is authorized to make minor technical, nonmaterial changes. Mrs. Genovese seconded the motion, and the motion carried unanimously.

Final Review of History and Social Science Textbooks and Instructional Materials for State Adoption (with exception of K-3 materials)

This item was removed from the agenda and will be presented at the January 28, 2003, Board meeting.

Final Review of the 2002 Annual Report on the Condition and Needs of Public Education

Mrs. Anne Wescott, assistant superintendent for policy and communications, presented this item. Section 22.1-18 of the Virginia *Code* requires the Board of Education to submit an annual report on the condition and needs of the public schools in Virginia. During the past six months, the outline of the contents and organization of the report was reviewed by the Board's Committee on the Standards of Quality, which has been given primary responsibility to develop the report. Mrs. Wescott briefly reviewed the major sections of the report, as follows:

- ✓ The Board of Education's focus in 2002
- ✓ Highlights of progress: measuring success
- ✓ A statistical portrait of Virginia's schools
- ✓ Condition and needs of the public schools as identified by the public engagement process
- ✓ Condition and needs of the public schools as identified by state and national test results
- ✓ Condition and needs identified by the Academic Review Teams
- ✓ Local school division compliance: Standards of Quality
- ✓ Accreditation status of the public schools: 2001-02
- ✓ Impact on schools of the requirements of the No Child Left Behind Act of 2001
- ✓ The Board responds: programs to meet the needs of schools and students
- ✓ Next steps

Mrs. Genovese made a motion to approve the *2002 Annual Report on the Condition and Needs of Public Education* and to authorize the Department of Education to forward a copy to the Governor and to each member of the General Assembly. Mrs. Davidson seconded the motion, and the motion carried unanimously.

Final Review of Board of Education Six-Year Plan: 2003-2008

Mrs. Wescott also presented this item. The Virginia *Code* requires the Board of Education to adopt a six-year plan. The Code specifies that the Board of Education is required to revise biennially a statewide six-year improvement plan that is developed with statewide participation. Mrs. Wescott briefly reviewed the major priorities of the Board of Education as specified in the Six-Year Plan: 2003-2008. The priorities are as follows:

Priority 1: We will strengthen Virginia's public schools by providing challenging academic standards for all students.
Priority 2: We will enhance the foundation program and the quality standards for public education in Virginia.
Priority 3: We will continue efforts to enhance the training, recruitment, and retention of highly qualified teachers and administrators.
Priority 4: We will support accountability and continuous improvement in all schools.
Priority 5: We will assist teachers to improve the reading skills of all students, especially those at the early grades.
Priority 6: We will provide leadership for implementing the provisions of the *No Child Left Behind Act* smoothly and with minimal disruption to local school divisions.

Mrs. Genovese made a motion to approve the *Six-Year Plan: 2003-2008* and to authorize the Department of Education to forward a copy to the Governor and to each member of the General Assembly. Mrs. Davidson seconded the motion, and the motion carried unanimously.

First Review of Revised Criteria for Models/Programs that Include Instructional Methods to Satisfy Provisions in Regulations Establishing Accrediting Standards for Public Schools in Virginia

Dr. Patricia Wright, assistant superintendent for instruction, presented this item. The revised *Regulations Establishing Accrediting Standards for Public Schools in Virginia (SOA)*, effective September 28, 2000, require schools accredited with warning in English or mathematics to adopt and implement instructional methods that have a proven track record of success at raising student achievement. Dr. Wright said the *No Child Left Behind Act (NCLB)* has emphasized the use of scientifically-based research as a criteria for evaluating programs, particularly those programs purchased with federal funds. The recommended changes to the criteria reflect the requirements of NCLB.

In addition, the models/programs that are currently on the Board-approved list have been grouped as either Comprehensive or Supplemental/Intervention and by grade levels. Comprehensive programs provide the primary instructional tools for teachers to explicitly and systematically teach children with varied instructional needs. Supplemental/Intervention programs provide additional instructional resources for teachers and students. The distinction is important for school divisions and schools to select a model/program that best fits the identified needs.

Dr. Wright gave a brief synopsis of the proposed criteria that will be used to assist in the identification and selection of models/programs. The criteria are as follows:

1. Scientifically-based evidence of effectiveness;
2. Implementation and capacity for technical assistance;
3. Replicability; and
4. Correlation with or adaptability to the Virginia Standards of Learning in English or mathematics.

Dr. Wright presented the list of models/programs identified as meeting the above criteria. The models/programs presented for the Board's review and approval were as follows:

Mathematics

Model/Program	K - 3	4 - 8	9 - 12
Comprehensive:			
Saxon Mathematics	X	X	X
Cortez Management Mathematics Lab System		X	X (through Algebra II)
Supplemental/Intervention:			
BoxerMath		X	X
Cognitive Tutor			X

English/Reading

Model/Program	K - 3	4 - 8	9 - 12
Comprehensive:			
Direct Instruction	X	X (through grade 6)	
Success for All	X	X (through grade 6)	
Open Court	X	X (through grade 6)	
Supplemental/Intervention:			
Breakthrough to Literacy	X (K-2)		
Academy of Reading	X	X (grades 6-8)	
Plaid Phonics	X	X (through grade 6)	

Earobics	X		
Sadlier Phonics Word Study Program	X (K-1)	X (through grade 6)	
Sing, Spell, Read & Write	X		
Modern Red Schoolhouse	X	X	X
Roots and Wings	X	X (through grade 6)	
Core Knowledge	X	X	
Cooperative Integrated Reading and Comprehension	X	X	
National Writing Project	X	X	X

Mrs. Davidson moved that the Board of Education waive first review and adopt the list of models/programs that include instructional methods that have proven to be successful with low-achieving students. Mrs. Genovese seconded the motion, which carried unanimously.

Report on Process and Timeline for State Adoption of Textbooks and Instructional Materials for K-5 Reading and K-12 Science

Dr. Beverly Thurston, specialist for history, social science, and textbook adoption, presented this item. Dr. Thurston gave the Board a brief overview of the background of this topic. The Board of Education's regulation governing textbook adoption specifies the types of materials that may be adopted. In 1991, the Board of Education adopted a resolution delegating its authority for textbook adoption to the superintendent of public instruction. On March 27, 2002, the Board of Education reviewed its authority to approve instructional materials and adopted a motion to approve textbooks and instructional materials in accordance with the Constitution of Virginia.

Dr. Thurston noted that the importance of teachers using curricula and materials that are aligned to the Standards of Learning is a major factor contributing to student achievement on the standards. To ensure school divisions have access to textbooks and instructional materials that support the Standards of Learning, textbooks and instructional materials for K-5 reading and K-12 science are scheduled for state adoption in 2003-2004. The department will use an established review process and criteria to administer the state adoption process for the Board of Education. The department will submit to the Board, for approval, a list of recommended materials.

The Board received the report as presented by Dr. Thurston.

Update on the Status of the PASS Program

Dr. James Heywood, director of office of school improvement, presented this item. Dr. Heywood gave a brief report of the implementation of the PASS Initiative, including a summary of the major activities to date. Dr. Heywood explained that in 2002,

Governor Warner launched the PASS (Partnership for Achieving Successful Schools) Initiative. This program provides technical assistance to schools rated Accredited with Warning under the provisions of the Board of Education's Standards of Accreditation.

Dr Heywood explained the four models of assistance provided to the schools involved in the PASS program. Model I, consisting of an enhanced academic review for 83 schools this year, has 33 academic reviews completed to date. Twenty-three additional reviews are scheduled. Dr. Heywood noted that the schools in this model that are not showing progress tend to have low expectations for students, do not have an aligned curriculum, and do not use data to make instructional decisions. The goals of the other three models basically are to build the capacity of the schools. Dr. Heywood described the ways that schools are paired to help each other and the ways that other state and local agencies and services are aiding in the partnerships. Several grants have also been awarded to the PASS schools that are providing much-needed resources and assistance. The Department of Education has also assisted in in-service training programs.

Mr. Christie thanked Dr. Heywood for the report.

PUBLIC COMMENT

The following persons spoke during public comment:

Susan Cook
Linda Poore
James Poore
Wesley Eary

DISCUSSION OF CURRENT ISSUES

Mrs. Davidson said Virginia receives over $26 million from the Carl D. Perkins Vocational Applied Technology Act. Mrs. Davidson said that President Bush's fiscal year 2004 budget proposal suggested that this money should be diverted to other priorities. This money is the main source of funds for purchasing equipment used in career and technical education labs. It is also used for professional development programs for teachers and for curriculum development. Mrs. Davidson stated that state funding alone cannot adequately meet the needs of the career and technical education programs and that federal funds are vital for the career and technical education funds in the state. Mrs. Davidson made a motion for the Board to take a public stand requesting the General Assembly and the Governor to petition the Congress and President Bush to reauthorize and sign into law the Carl D. Perkins Vocational and Applied Technology Act. After further discussion, Mrs. Davidson withdrew the motion until the next Board meeting.

Dr. DeMary announced that the 2003 *Quality Counts* publication will be released by *Education Week* within the next few days. The focus of this year's *Quality Counts* is on teacher quality. The efforts of each state in addressing the issue of high-quality teachers will be rated in the publication. Dr. DeMary said she will participate in a conference call that will give her an opportunity to discuss further Virginia's ratings.

Dr. DeMary said in the future, Board agenda items will be put on the department's Web site for the public to download before the meeting. She indicated that the department staff will work with the public to make this process as convenient, useful, and informative as possible.

The Board met for dinner at the Crowne Plaza Hotel on January 5, 2003. Present were Mr. Christie, Mrs. Genovese, Mr. Goodman, Mrs. Davidson, and Mr. Emblidge. A brief discussion took place about general Board business, including discussion of items on upcoming Board agendas. No votes were taken, and the dinner meeting ended at 9:00 p.m.

EXECUTIVE SESSION

Mrs. Genovese made a motion to go into executive session under Virginia *Code* section 2.1-344.A.1 specifically to discuss personnel matters to licensure. The motion was seconded by Mrs. Davidson and carried unanimously. The Board adjourned for Executive Session at 1:35 p.m.

Mrs. Genovese made a motion that the Board reconvene in open session. The motion was seconded by Mr. Goodman and carried unanimously. The Board reconvened at 3:12 p.m.

Mrs. Genovese made a motion that the Board certify by roll call vote that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (2) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Board. The motion was seconded by Mrs. Davidson and carried unanimously.

Board Roll Call:

Mr. Jackson – Aye
Mr. Goodman – Aye
Mrs. Davidson – Aye
Mrs. Genovese – Aye
Mr. Emblidge – Aye
Mr. Christie – Aye

Mrs. Genovese made a motion that the Board of Education take the following actions relative to the licensure cases presented during the executive session:

> In Case # 1, with regard to the individual's teaching license, the Board declines reinstatement without prejudice. The motion was seconded by Mr. Goodman and carried unanimously.
>
> In Case # 2, the Board adopts the recommendation of the advisory panel, that the teacher's license be issued. The motion was seconded by Mr. Jackson and carried unanimously.
>
> In Case # 3, the Board adopts the recommendation of the advisory panel that the license be issued upon the successful completion of the licensure requirements. The motion was seconded by Mrs. Davidson and carried unanimously.

ADJOURNMENT

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Christie adjourned the meeting at 3:15 p.m.

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President

_____
Secretary