

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

November 20, 2014

The Board of Education and the Board of Career and Technical Education met at the James Monroe State Office Building, Jefferson Conference Room, 22nd Floor, Richmond, with the following members present:

Mr. Christian N. Braunlich, President
Mrs. Diane T. Atkinson
Dr. Oktay Baysal
Dr. Billy K. Cannaday

Mr. James H. Dillard
Mr. Sal Romero, Jr.
Mrs. Joan Wodiska

Dr. Steven R. Staples, Superintendent
of Public Instruction

Mr. Braunlich called the meeting to order at 9 a.m.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Mr. Braunlich asked for a moment of silence and led in the Pledge of Allegiance.

WELCOME

Mr. Braunlich welcomed new Board member, Mr. Sal Romero. Governor McAuliffe appointed Mr. Romero to the unexpired term of Mr. Andrew Ko beginning September 3, 2014-January 29, 2018.

APPROVAL OF MINUTES

Mrs. Wodiska made a motion to approve the October 22, 2014, retreat meeting minutes. The motion was seconded by Dr. Cannaday and carried with six votes. Mr. Romero abstained from voting. Mrs. Atkinson made a motion to approve the minutes of the October 23, 2014, business meeting minutes. The motion was seconded by Dr. Cannaday and carried with six votes. Mr. Romero abstained from voting.

RESOLUTION/RECOGNITION

A Resolution of Recognition to Commemorate November 2014 as Family Involvement in Education Month was presented. Mrs. Sarah Gross, legislation and education committee chair for the Virginia PTA, accepted the resolution.

PUBLIC COMMENT

The following persons spoke during public comment:

- Susan Erno, representing Virginia Association of Adult and Continuing Education, spoke on adult education
- Anne McDonnell, executive director, Brain Injury Association of Virginia, spoke on *Guidelines for Policies on Concussions in Student-Athletes*
- Kathy Frame, representing Virginia Association of Science Teachers, spoke on *Guidelines for the Use of Computer Science Courses to Satisfy Graduation Requirements*
- Mike Gettings, spoke on arts education
- David Pawlowski, representing Virginia Athletic Trainers Association, spoke on *Guidelines for Policies on Concussions in Student-Athletes*
- Nicole Dooley, JustChildren, Legal Aid Justice Center, spoke on *Student Conduct Policy Guidelines*
- Fred Hoffman, president, Virginia Mathematics and Science Coalition, spoke on *Guidelines for the Use of Computer Science Courses to Satisfy Graduation Requirements*

ACTION/DISCUSSION ITEMS

Final Review of Memoranda of Understanding as Required of Schools in Accreditation Denied Status for Henrico County Public Schools, Norfolk City Public Schools, Northampton County Public Schools, and Richmond City Public Schools

Mrs. Beverly Rabil, director for school improvement, presented this item. Mrs. Rabil was assisted by representatives from the following school divisions: Dr. Samuel T. King, superintendent, Norfolk City Public Schools, and Ms. Nyah Hamlett, representing Dr. Patrick Kinlaw, superintendent, Henrico County Public Schools. Mrs. Rabil’s presentation included the following:

- The following schools are in *Accreditation Denied* status for the first time in 2014-2015 and are subject to actions prescribed by the Virginia Board of Education (VBOE) and affirmed through an MOU between the VBOE and the local school boards.

Name of Division	Name of Schools in Accreditation Denied Status
Henrico County Public Schools	L. Douglas Wilder Middle School
Norfolk City Public Schools	Campostella Elementary School
Norfolk City Public Schools	Lake Taylor Middle School
Northampton County Public Schools	Kiptopeke Elementary School
Richmond City Public Schools	Fred D. Thompson Middle School

- The following schools, newly identified as Accreditation Denied, have also been identified as priority schools or a persistently low-achieving Title I school in reading/language arts and mathematics combined as

defined by the U. S. Department of Education (USED) Flexibility Waiver for the Elementary and Secondary Education Act of 1965.

<i>Division</i>	<i>School</i>	<i>Year Identified based on Assessment Data in the Previous Year</i>	<i>2014-15 Priority Status</i>
Henrico County Public Schools	L. Douglas Wilder Middle School	2013-2014	Year 2 Priority
Norfolk City Public Schools	Campostella Elementary School	2013-2014	Year 2 Priority
Norfolk City Public Schools	Lake Taylor Middle School	2010-2011	Year 5 Priority
Richmond City Public Schools	Fred D. Thompson Middle School	2010-2011	Year 5 Priority

- A corrective action plan for each of these schools must be submitted to the Board of Education by December 12, 2014.

The discussion included:

- Mrs. Wodiska noted modifications were made to the MOU to be sure that work is aligned to areas needing improvement as indicated by student performance data and that quarterly data is reported to department staff.
- Dr. Staples said the MOU is a collaborative agreement between local school divisions and the state with the intent to share information and reach a consensus that the data collected is the most important to help narrow what school divisions need to do.

Mrs. Wodiska made a motion to approve the Memorandum of Understanding with Henrico County Public Schools for L. Douglas Wilder Middle School; Norfolk City Public Schools for Campostella Elementary School and Lake Taylor Middle School; Northampton County Public Schools for Kiptopeke Elementary School; and Richmond City Public Schools for Fred D. Thompson Middle School. The motion was seconded by Dr. Cannaday and carried unanimously.

Final Review of Proposed Plan to Develop an A-F School Grading System in Response to the 2014 Acts of the Assembly

Mrs. Shelley Loving-Ryder, assistant superintendent for student assessment and school improvement, presented this item. Mrs. Loving-Ryder's presentation included the following:

- Since the plan was reviewed at the October 23, 2014, meeting, an introductory section has been added. This section provides background on the Board's previous deliberations on the A-F Grading System required by legislation passed by the 2013 General Assembly. In addition, it suggests the use of an improved school report card Web site as an alternative means of communicating the quality and characteristics of schools to the public.

The discussion included:

- Mrs. Atkinson said she shared with the SOL Innovation Committee and House Education Committee the Board's desire to add an introduction to the A-F School Grading System expressing the Board's concerns as suggested by the Secretary of

Education. Mrs. Atkinson said Delegate Greason indicated he wants something to communicate to parents, students, teachers, and the community about what is happening in their schools and how schools are performing. Delegate Greason said he will be supportive if the Board decides to revise the report card.

- Mr. Dillard asked Mrs. Atkinson if she was aware of any specific legislation on the report card. Mrs. Atkinson responded that she is not aware of any.
- Dr. Cynthia Cave responded that HB 1313 by Delegate Davis would eliminate the A-F school grading system created in the 2013 session and amended in the 2014 session and permits the Board of Education to rank schools and school divisions based on the information contained in each School Performance Report Card. The bill requires any such designations of rank to be in a form different from the letter grades used by such schools and school divisions to grade student performance.
- Mrs. Wodiska thanked Mrs. Atkinson and department staff for their work on the A-F School Grading System plan.
- Mrs. Atkinson said she is concerned with ranking schools because students are different, and trying to create a measure to compare one to the other will be problematic.

Mrs. Atkinson made a motion to approve the proposed plan for the development of an A-F school grading system. The motion was seconded by Dr. Baysal and carried unanimously.

Final Review of Recommendation of the Advisory Board on Teacher Education and Licensure (ABTEL) to Accredite the Teacher Education Program at Ferrum College through a Process Approved by the Board of Education

Mrs. Patty Pitts, assistant superintendent for teacher education and licensure, presented this item. Representatives from Ferrum College included the following: Dr. Gail Summer, vice president of academic affairs and dean of academic planning and programs, Dr. Mary Ann Norman, director of teacher education, and Dr. Kevin Reilly, dean of social sciences and professional studies and associate professor of psychology. Mrs. Pitts' presentation included the following:

- Dr. Mary Ann Norman and Dr. Kevin Reilly attended the October 23, 2014, Board of Education meeting and responded to questions from Board members. Dr. Jennifer L. Braaten, president of Ferrum College sent a letter with enclosures to Board of Education members dated November 4, 2014.

The discussion included:

- Mrs. Wodiska complimented Dr. Norman on her leadership. Mrs. Wodiska asked for clarity about the commitment of the institution to the sustainability of the program in terms of staffing and financial commitment. Dr. Norman expressed her commitment to the students in the teacher education program. Dr. Reilly reported that there are eleven academic programs and the total budget for the entire school is \$99,550. Dr. Reilly said of that amount the teacher education program is budgeted \$25,352 or thirty-three percent of the academic budget for the school.
- Dr. Baysal asked the cost of tuition for the teacher education program at Ferrum

College. Dr. Norman said not including room and board the cost is approximately \$18,000.

- Dr. Cannaday asked how Ferrum College will respond to increasing demands for teachers and what strategies will be used to meet that demand. Dr. Norman said staff will continue helping students meet requirements to enroll in the teacher education program by supporting them to pass tests and the college will hire additional faculty if necessary.
- Mrs. Atkinson acknowledged the quality of candidates in the teacher education program at Ferrum College is strong. Mrs. Atkinson said the Board is concerned about the sustainability of the teacher education program.

Mr. Dillard made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation that the professional education program at Ferrum College be accredited. The motion was seconded by Dr. Baysal and carried unanimously.

Final Review of Recommendation of the Advisory Board on Teacher Education and Licensure (ABTEL) to Grant Approval to Add New Education (Endorsement) Programs at Bluefield College, George Mason University, James Madison University, Mary Baldwin College, Old Dominion University, Radford University, Regent University, University of Virginia, and Washington and Lee University

Mrs. Pitts presented this item. Mrs. Pitts' presentation included the following:

- Bluefield College, George Mason University, James Madison University, Mary Baldwin College, Old Dominion University, Radford University, Regent University, University of Virginia, and Washington and Lee University have submitted requests to add new endorsement programs in the areas noted on the following chart:

Institution	Endorsement Program Requested	Level of Program
Bluefield College	<ul style="list-style-type: none"> • Career and Technology Education: Business and Information Technology • History and Social Sciences • Music Education – Instrumental PreK-12 • Music Education – Vocal/Choral PreK-12 • Visual Arts PreK-12 	Graduate
George Mason University	<ul style="list-style-type: none"> • Foreign Language: Korean PreK-12 	Graduate
James Madison University	<ul style="list-style-type: none"> • Foreign Language: French PreK-12 • Foreign Language: German PreK-12 • Foreign Language: Italian PreK-12 • Foreign Language: Spanish PreK-12 	Undergraduate
Mary Baldwin College	<ul style="list-style-type: none"> • English as a Second Language PreK-12 	Undergraduate
Old Dominion University	<ul style="list-style-type: none"> • Special Education: Adapted Curriculum K-12 • Special Education: Early Childhood (Birth through Age 5) 	Undergraduate
Radford University	<ul style="list-style-type: none"> • Elementary Education PreK-6 • English • Foreign Language: Spanish PreK-12 • Gifted Education (Add-on) • History and Social Sciences 	Graduate

Institution	Endorsement Program Requested	Level of Program
	<ul style="list-style-type: none"> Mathematics Foreign Language: Spanish PreK-12 	Undergraduate
Regent University	<ul style="list-style-type: none"> History and Social Sciences 	Undergraduate
University of Virginia	<ul style="list-style-type: none"> Foreign Language: Chinese PreK-12 	Graduate
Washington and Lee University	<ul style="list-style-type: none"> Foreign Language: Chinese PreK-12 	Undergraduate

Mrs. Atkinson made a motion to approve the Advisory Board on Teacher Education and Licensure’s recommendations to grant approval to add new education (endorsement) programs at Bluefield College, George Mason University, James Madison University, Mary Baldwin College, Old Dominion University, Radford University, Regent University, University of Virginia, and Washington and Lee University, including the accountability measurement of partnerships and collaborations based on PreK-12 school needs for each of the programs. The motion was seconded by Mrs. Wodiska and carried with six “yes” votes. Dr. Baysal abstained.

Final Review of Proposed English Language Proficiency Performance Targets for Annual Measurable Achievement Objectives (AMAOs) 1 (Progress) and 2 (Proficiency) through 2017-2018 in Virginia’s Title III Accountability Plan Under the Elementary and Secondary Education Act of 1965 (ESEA)

Ms. Veronica Tate, director for program administration and accountability, and Mrs. Shelley Loving-Ryder, assistant superintendent of student assessment and school improvement, presented this item. The presentation included the following:

- To assist in establishing Title III AMAO targets for accountability year 2015-2016 and the future, the Department contracted with the WIDA Consortium at the Wisconsin Center for Educational Research at the University of Wisconsin, Madison, to conduct an analysis of Virginia’s ACCESS for ELLs student performance data and provide recommendations based on the analysis. Based on a review of the WIDA Consortium’s data analysis and recommendations, and considering that a new version of the ACCESS for ELLs test (ACCESS 2.0) will be administered online beginning in school year 2015-2016 for accountability year 2016-2017, the Department proposes that the Board of Education establish Title III AMAO targets for the next three years. Virginia’s Title III AMAO targets will be re-evaluated and revised, if necessary, following availability of sufficient data from the administration of the new version of ACCESS for ELLs to analyze the impact of the new assessment on LEP performance trends.

The discussion included:

- Mrs. Atkinson expressed her frustrations with the proficiency targets because the amount of time students need to acquire language skills is longer than the proficiency targets allow.
- Mrs. Wodiska thanked staff for their work.
- Mr. Braunlich thanked Ms. Tate and Mrs. Loving-Ryder for making it easier for Board members to understand.
- Mr. Dillard said the National Council of State Legislators Education Committee tried to work with the federal government to make proficiency targets more reasonable.

Mrs. Atkinson made a motion to approve the proposed Title III AMAO targets for AMAO 1 Progress and AMAO 2 Proficiency through 2017-2018 for inclusion in Virginia’s Consolidated

State Application Accountability Plan. The motion was seconded by Dr. Cannaday and carried unanimously.

**Proposed Title III AMAO 1 Progress and AMAO 2 Proficiency Targets
Through the 2017-2018 Accountability Year**

Accountability Year (Assessment Year)	AMAO 1 Progress	AMAO 2 Proficiency
2015-2016 (2014-2015)	69%	15.6%
2016-2017 (2015-2016)	69.1%	16.7%
2017-2018 (2016-2017)	69.2%	17.8%

Final Review of Board of Education’s 2014 Annual Report on the Conditions and Needs of Public Schools in Virginia

Mrs. Melissa Luchau, director for Board Relations, presented this item. Mrs. Luchau’s presentation included the following:

- Based on feedback from Board members at the October 23, 2014, meeting, revisions were made to the report. All revisions are highlighted in yellow in the draft:
 - ✓ The letter of transmittal was edited to make the purpose of the report clear – detail the status of public education in Virginia, and define challenges confronting the Commonwealth.
 - ✓ The executive summary was re-written to more succinctly identify measures in which Virginia is leading the nation, and highlight specific challenges facing the education system. Challenges include achievement gaps between groups of students; growing populations of economically disadvantaged students, English language learners, and students with special education needs; decreased capacity in many school divisions; decreasing state revenues to assist localities; and vulnerabilities in the teaching work force including the number of teachers near retirement and critical shortage areas.
 - ✓ Data were updated on the “Report Card” on page 8.
 - ✓ Accreditation ratings were updated to reflect the Board of Education’s action at the October meeting.
- The “critical needs” section was updated to include:
 - Details related to the growing population of economically disadvantaged students, English language learners, and students with special education needs.
 - Information on the Department’s efforts to increase assistance for underperforming schools.
 - Vulnerabilities in the teaching work force including the number of teachers near retirement, critical shortage areas, teachers’ salaries; and lack of a career ladder.
 - Summary of the Board’s Retreat and discussions related to accountability and accreditation, including redesigning the existing report card and weaknesses of the A-F grading scale.
 - Information on the Department’s and school divisions’ capacity.
- ✓ The chart denoting full compliance with the Standards of Quality was revised to make it clear which divisions were compliant in 2013-2014.

The discussion included:

- Mr. Braunlich thanked Mrs. Luchau and commended her for the work on the document.
- Dr. Cannaday also thanked Mrs. Luchau for her work on the document. Dr. Cannaday said the document captures what matters most to the Board in terms of where schools

are now and it also acknowledges schools that are not where they should be. Dr. Cannaday said the compliance requirements captured in the reports gives the Board an opportunity to use the document as a basis for moving forward with the Board's policy agenda to the General Assembly.

Dr. Baysal made a motion to approve the *Annual Report on the Condition and Needs of Public Schools in Virginia*. The motion was seconded by Mr. Dillard and carried unanimously.

First Review of the Amended Corrective Action Plan Required by the Division-Level Review for Franklin City Public Schools

Mrs. Beverly Rabil presented this item. Dr. Willie Bell, Jr., superintendent, represented Franklin City Schools.

- The Standards of Quality (SOQ) require local school boards to maintain *Fully Accredited* schools and to take corrective actions for schools that are not *Fully Accredited*. Further, when the Virginia Board of Education (VBOE) has obtained evidence through the academic review that the failure of schools within a division to achieve full accreditation status is related to division-level failure to implement the SOQ, the VBOE may require a division-level academic review.

§ [22.1-253.13:3](#). Standard 3. Accreditation, other standards and evaluation.

...Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the standards as approved by the Board....

...When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § [22.1-253.13:6](#)....

- Prior to the 2014-2015 school year, all three schools in Franklin City Public Schools were Accredited with Warning for two consecutive years, and had federal sanctions due to not meeting the federal annual measurable objectives (AMOs). The school academic review process conducted in the 2012-2013 school year revealed evidence that the failure of the schools within the division to achieve full accreditation status was related to division-level failure to implement the SOQ, consistent with Section 22.1.-253.13:3 of the SOQ.
- On October 24, 2013, the VBOE placed Franklin City Public Schools in division-level academic review status and authorized the Department of Education to begin the review process. The division-level review process was conducted December 1-5, 2013.
- On March 27, 2014, the VBOE approved a Memorandum of Understanding (MOU) between the Franklin City School Board and the VBOE. The MOU, subject to annual review and revisions by the Board of Education, will be in place until all Franklin City Public Schools are Fully Accredited.

- As required by the Standards of Quality, the Franklin City School Board and the central office staff had to include four key priorities in the corrective action plan and implement certain essential actions related to the findings of the division-level review process to improve student achievement:
 1. Curricula Alignment
 2. Human Resource Management and Quality of Leadership, Teachers and Support
 3. Purpose and Direction
 4. Leadership and Governance

- The comprehensive nature of the essential actions and findings from the division-level review require the local board to focus its work on a few immediate priorities while making plans to implement actions that are more systemic over a longer period of time with input from the community. In recognition of these findings, the MOU requires essential actions categorized by immediate priority or systemic action over a longer period of time.

- On April 24, 2014, the VBOE announced that it would conduct a public hearing in Franklin City Public Schools to obtain input from constituents in Franklin City on the proposed corrective action plan. The public hearing was held on May 14, 2014, at Joseph P. King Middle School, and a report on this public hearing was submitted to the VBOE on May 22, 2014.

- The corrective action plan, submitted at the June 26, 2014, Virginia Board of Education meeting included all essential actions noted in the MOU and indicated whether the essential action requires immediate priority or systemic action over a longer period of time, as well as essential actions offered by the department and the VBOE at the April 24, 2014, and May 22, 2014, meetings.

- While the Board noted that it was imperative that the corrective action plan be approved with all due speed, it was also apparent from their comments at the public hearing that the citizens of Franklin City Public Schools wanted more input into the development of the plan. The June 2014 approved corrective action plan was in effect from June 26, 2014 to November 30, 2014. During that time, the new superintendent and the Franklin City School Board were to form a committee to amend the corrective action plan to include additional essential actions that addressed the comments from the public hearing held on May 14, 2014, by the VBOE. The committee was to minimally include parents, students, residents, business members, faith-based community representatives, city officials, community college representatives, principals and teachers. The committee was to meet to finalize the corrective action plan and present a final corrective action plan for approval by the Franklin City School Board by October 17, 2014.

- The amended corrective action plan, developed based on input from the community committee, was submitted to the VBOE by November 7, 2014.

The discussion included:

- Mr. Braunlich said the Board needs to see more data from Franklin to justify substantial improvement before addressing the corrective action plan.
- Mrs. Atkinson expressed her appreciation for the materials Mr. Bell provided the Board for the accountability meeting. Mrs. Atkinson reviewed the issues the Board would like Franklin to address in the corrective action plan, including:
 - (1) The current plan is a 5000 foot view, but the Board is more interested in understanding the strategies for meeting objectives and the metrics that will be used to determine if the objectives have been met.
 - (2) For reports to the Board in the future - the focus should be on 2 to 3 data points per goal.

- (3) Need to outline the incremental steps that must be accomplished in order to reach those objectives, the timelines for accomplishing each incremental step, the means by which Franklin will determine whether or not the step has been met and how Franklin will determine what changes need to be made.
- Dr. Cannaday encouraged Dr. Bell to apply the principle of “less is more” by focusing on a few things at a time making sure everyone understands them and to be honest and up front with his staff.
- Mrs. Wodiska emphasized the Board’s commitment to be a partner with Franklin in their success and to ask for assistance from the Board and department staff when needed.
- Mr. Dillard asked Mrs. Atkinson to give her notes to Dr. Bell for reference.

The Board received for first review the Amended Corrective Action Plan Required by the Division-level Review for Franklin City Public Schools.

First Review of Memoranda of Understanding as Required of Schools in Accreditation Denied Status for Newport News City Public Schools and Norfolk City Public Schools

Mrs. Rabil presented this item. Mr. Brian Nichols, chief academic officer, Newport News City Public Schools, represented the division superintendent, Dr. Ashby Kilgore.

- Section 8 VAC 20-131-315 of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA) requires certain actions for schools that are denied accreditation:

- A. Any school rated *Accreditation Denied* in accordance with 8 VAC 20-131-300 shall be subject to actions prescribed by the Board of Education and shall provide parents of enrolled students and other interested parties with the following:
1. Written notice of the school’s accreditation rating within 30 calendar days of the notification of the rating from the Department of Education;
 2. A copy of the school division’s proposed corrective action plan, including a timeline for implementation, to improve the school’s accreditation rating; and
 3. An opportunity to comment on the division’s proposed corrective action plan. Such public comment shall be received and considered by the school division prior to finalizing the school’s corrective action plan and a Board of Education memorandum of understanding with the local school board.

- B. Any school rated *Accreditation Denied* in accordance with [8 VAC 20-131-300](#) shall be subject to actions prescribed by the Board of Education and affirmed through a memorandum of understanding between the Board of Education and the local school board. The local school board shall submit a corrective action plan to the Board of Education for its consideration in prescribing actions in the memorandum of understanding within 45 days of the notification of the rating. The memorandum of understanding shall be entered into no later than November 1 of the academic year in which the rating is awarded.

The local board shall submit status reports detailing implementation of actions prescribed by the memorandum of understanding to the Board of Education. The status reports shall be signed by the school principal, division superintendent, and the chair of the local school board. The school principal, division superintendent, and the chair of the local school board may be required to appear before the Board of Education to present status reports.

The memorandum of understanding may also include but not be limited to:

1. Undergoing an educational service delivery and management review. The Board of Education shall prescribe the content of such review and approve the reviewing authority retained by the school division.

2. Employing a turnaround specialist credentialed by the state to address those conditions at the school that may impede educational progress and effectiveness and academic success.

- The following schools are in *Accreditation Denied* status for the first time in 2014-2015 and are subject to actions prescribed by the Virginia Board of Education (VBOE) and affirmed through an MOU between the VBOE and the local school boards.

Name of Division	Name of Schools in <i>Accreditation Denied</i> Status
Newport News City Public Schools	Newsome Park Elementary School
Newport News City Public Schools	Sedgefield Elementary School
Norfolk City Public Schools	Booker T. Washington High School

- The following schools, newly identified as *Accreditation Denied*, have also been identified as priority schools or a persistently low-achieving Title I school in reading/language arts and mathematics combined as defined by the *U. S. Department of Education (USED) Flexibility Waiver for the Elementary and Secondary Education Act of 1965*.

Division	School	Year Identified based on Assessment Data in the Previous Year	2014-15 Priority Status
Newport News City Public Schools	Newsome Park Elementary School	2012-2013	Year 3 Priority
Newport News City Public Schools	Sedgefield Elementary School	2012-2013	Year 3 Priority

- A corrective action plan for each of these schools must be submitted to the Board of Education by February 15, 2015. Listed below is a general description of technical assistance to be included in the corrective action plan.

Technical Assistance

All schools rated *Accreditation Denied* will participate in the Aligning Academic Review and Performance Evaluation (AARPE) technical assistance from the Virginia Department of Education. The purpose of this technical assistance is to improve instruction and instructional leadership practices by strengthening the alignment between the Performance Standards for Teachers and Principals included in teacher and principal evaluation and the Lesson Planning, Lesson Observation, Professional Development, and Leadership Academic Review Tools used as a part of the academic review for schools not fully accredited. Technical assistance will focus on developing sample evidence for the sample performance indicators in selected Teacher and Principal Performance Standards. The sample evidence for each performance indicator will become a tool that can enhance the division's observation tools by providing specific samples of evidence that staff can look for in classroom observations and walkthroughs. Principals, appropriate division staff, and state contractors will conduct inter-rater reliability monthly walkthroughs and/or formal observations three times between October and February. (Inter-rater reliability deals with consistency between the evidence-collection of two or more observers.) Division staff will support and monitor principals' delivery of professional development on the sets of sample evidence developed to appropriate school staff. Outcomes/next steps will be identified at each session. Contractors will be assigned to each school as a part of the AARPE technical assistance.

Using research-based indicators that lead to increased student achievement is imperative for school improvement. Schools rated *Accreditation Denied* will provide quarterly data reports to the Office of School Improvement (OSI) on mutually determined school-level data points. Divisions will meet quarterly with the Office of School Improvement to review quarterly report data and collaboratively determine next steps.

Asset mapping and selected Essential Actions resulting from Academic Reviews will be a part of each school's corrective action plan. OSI staff will assist in reviewing Essential Actions to determine those needed in the corrective action plan. OSI staff will provide technical assistance in using the asset mapping tool and in determining next steps.

As noted in the individual memoranda of understanding (Attachments A1-A3), additional specific technical assistance will be provided by Virginia Department of Education staff to each school rated *Accreditation Denied*.

Priority schools rated *Accreditation Denied* will participate in specified technical assistance delivered by the Lead Turnaround Partner (LTP) in accordance with the school's contract with the LTP.

The discussion included:

- Mrs. Wodiska asked Mr. Nichols to update the Board on the Newport News school division.

The Board received for first review the Memoranda of Understanding for the Newport News City and Norfolk City School Boards for schools in *Accreditation Denied* status.

First Review of Revisions to Virginia Board of Education's Student Conduct Policy Guidelines Consistent with Actions by the 2014 General Assembly

Mr. John Eisenberg, assistant superintendent for special education and student services, presented this item. Mr. Eisenberg introduced Mrs. Jo Ann Burkholder, director of student services, to the Board. Mr. Eisenberg's presentation included the following:

- School boards are required to adopt and revise regulations for codes of student conduct that are consistent with, but may be more stringent than, the guidelines. They were first developed in 1994 in response to the 1993 General Assembly action requiring the Board to establish such guidelines, according to § 22.1-279.6.A of the *Code of Virginia*. The guidelines were revised in 2001, 2004, 2006, 2009 and 2013 to reflect changes in federal and state laws. The 2014 General Assembly enacted HB 198 (Landes), HB 752 (Rust), SB 441 (Garrett), HB 751 (Rust), HB 1112 (Garrett), SB 594 (Obenshain), and HB 484 (Kory) which necessitate revisions to the *Student Conduct Policy Guidelines*.
- HB 198 (Landes), HB (Rust) 752 and SB 441 (Garrett), all identical, amended § 22.1-277.07 Expulsion of students under circumstances; exceptions and § 22.1-277.08 Expulsion of students for certain drug offenses to allow for disciplinary actions other than expulsion for weapons and drug violations:

“...Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation....”

- HB 751 (Rust) amended § 22.1-277.08 *Expulsion of students for certain drug offenses* to give authority to school administrators, pursuant to school board policy, and school boards to determine disciplinary action for drug violations as follows:

“...A school administrator, pursuant to school board policy, or a school board, may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate....”

- HB 1112 (Garrett) identical with SB 594 (Obenshain) repealed § 18.2-248.1:1 of the *Code*. This repeal removed the definition of “synthetic cannabinoids” as it was redundant with the term “cannabimimetic

agents.” The term “synthetic cannabinoids” is being struck from the *2014 Student Code of Conduct Guidelines*.

- Cannabimimetic agents are chemical structures used to produce Schedule I drugs that can affect a person’s cognitive, emotional, physical and behavioral functions. The possession, use, distribution, selling, and manufacturing of [Schedule I] drugs is noted as a violation in the *Student Code of Conduct Guidelines*; therefore the term “cannabimimetic agents” will not be included in the guidelines. The following excerpt from the legislative summary provides more detailed information.

“...Substitutes the term “cannabimimetic agents” for the term “synthetic cannabinoids” to describe certain substances that are unlawful to possess, sell, give, distribute, or manufacture....The bill also repeals the specific criminal penalties for possession, etc., of synthetic cannabinoids and places cannabimimetic agents on the list of controlled substances in Schedule I, where they will be subject to the same penalties as those for other Schedule I controlled substances with the exception of simple possession, which will be penalized as a Class 1 misdemeanor instead of as a Class 5 felony.”

- HB 484 (Kory) amended the *Code of Virginia* by adding § 22.1-79.5 *Policy regarding electronic cigarettes*. This new section of the *Code* requires school boards to implement policies that prohibit the use of electronic cigarettes and reads as follows:

“Each school board shall develop and implement a policy to prohibit the use of electronic cigarettes on a school bus, on school property, or at a school-sponsored activity.”

- Additionally this bill amended § 22.1-279.6 by requiring school boards to prohibit the possession of electronic cigarettes which is detailed below.

“H. Each school board shall include in its code of student conduct a prohibition on possessing electronic cigarettes on a school bus, on school property, or at a school-sponsored activity.”

- Amendments to reflect 2014 legislative changes have been made as summarized in the table below. Content was added to the section on *Removal, Suspension and Expulsion of Pupils* on page 3, in accordance with changes to the *Code of Virginia* that permits, but does not require students to be expelled for drug violations or for bringing a firearm or other destructive device on to school property or to a school-sponsored event. Additionally, school administrators, pursuant to school board policy, and school boards may conclude that no disciplinary action or another disciplinary action other than expulsion is appropriate for a weapon or drug violation. These changes were also inserted into the sections *Expulsions for Weapons-Related Offenses* on page 12, *Expulsion for Drug-Related Offenses* on page 13, and *Weapons or Other Dangerous Articles* on page 28. Additionally, “synthetic cannabinoids as defined in § 22.1-248.1:1” was also deleted from the section “*Expulsion for Drug-Related Offenses*.”
- A new section of the *Code* (§ 22.1-79.5) requires school boards to address the prohibition of electronic cigarettes. The section on page 18 titled *Alcohol and Drugs* was changed to *Alcohol, Tobacco and Related Products, and Other Drugs* to accommodate the *Code* changes. Hence, the prohibition of “electronic cigarettes” was added to this section.
- Other updates made to the guidelines include the deletion of outdated information, the inclusion of current resources and publications, and minor edits.
- The following table provides brief descriptions of the 2014 changes to the *Student Conduct Policy Guidelines* brought to the Board of Education for first review.

Page Number	Brief Description
Cover page and page 1	Current dates provided
Acknowledgments	Added 2014 as last update to guide
Table of Contents	Updated
3	Added exact expulsion calendar days; included new language, “may but not required to expel” for weapons and drug violations and that based on school board policy, administrators may determine discipline of such violation.
11	Added words to clarify the considerations that must be made when recommending expulsion.
12	Words were stricken to delete redundancy; added “permits, but does not,” and changed “shall” to “may” and “no disciplinary action” for clarification; and, administrators, pursuant to school board policy may determine disciplinary action to the section on <i>Expulsions for Weapons-Related Offenses</i> and the sample policy section.
13	Changes were made to the section <i>Expulsions for Drug-Related Offenses</i> and the sample policy statement as follows: Words were stricken to delete redundancy; added “shall permit, but not require,” synthetic cannabinoids was stricken as it was repealed, and, “administrators, pursuant to school board policy may determine disciplinary action.”
18	Changed section title to <i>Alcohol, Tobacco and Related Products, and Other Drugs</i> to accommodate the <i>new Code</i> to prohibit electronic cigarettes.
28	Words were stricken to delete redundancy; added “shall permit, but not require”; stipulations to <i>Weapons or Other Dangerous Articles</i> section.
40- 44	Added amended language to Appendix A: <i>Code of Virginia</i> §§ 22.1-277.07, 22.1-277.08, 22.1-279.3:1 and 22.1-279.3:1 included new 2013 <i>Code</i> changes affecting student conduct
52	Updated Web sites, publications, and titles under Appendix D: Related Resources

The discussion included:

- Mrs. Atkinson asked staff to work with the Office of the Attorney General on the sections that address expulsions for weapons and drug related offenses.
- Mr. Eisenberg noted the section on portable devices will be updated.

The Board received for first review the revised Virginia Board of Education’s *Student Conduct Policy Guidelines*.

First Review of Proposed Amendments to the Guidelines for Policies on Concussions in Student-Athletes, as Required by HB 410, SB 172, and HB 1096 of the 2014 General Assembly

Mrs. Vanessa Wigand, principal specialist for health, physical education, and driver education, presented this item. Mrs. Wigand recognized Susan Williams, Eric Rhoades, and Dr. Billy Haun for their leadership and assistance working on the document. Mrs. Wigand’s presentation included the following:

- The 2014 Acts of Assembly (HB 410, SB 172 and HB 1096) require the Virginia Board of Education (Board) to amend the *Guidelines for Policies on Concussions in Student-Athletes* to include policies and

procedures for non-interscholastic youth sports programs utilizing public school property and to address the effects of concussions on student-athletes' academic performance.

§ 22.1-271.5. Policies on concussions in student-athletes.

A. The Board of Education shall develop and distribute to each local school division guidelines on policies to inform and educate coaches, student-athletes, and their parents or guardians of the nature and risk of concussions, criteria for removal from and return to play, and risks of not reporting the injury and continuing to play, and the effects of concussions on student-athletes' academic performance.

... C. Each non-interscholastic youth sports program utilizing public school property shall either (i) establish policies and procedures regarding the identification and handling of suspected concussions in student-athletes, consistent with either the local school division's policies and procedures developed in compliance with this section or the Board's Guidelines for Policies on Concussions in Student-Athletes, or (ii) follow the local school division's policies and procedures as set forth in subsection B. In addition, local school divisions may provide the guidelines to organizations sponsoring athletic activity for student-athletes on school property. Local school divisions shall not be required to enforce compliance with such policies.

D. As used in this section, "non-interscholastic youth sports program" means a program organized for recreational athletic competition or recreational athletic instruction for youth.

§ 22.1-271.6. School division policies and procedures on concussions in student-athletes.

The Board of Education shall amend its guidelines for school division policies and procedures on concussions in student-athletes to include a "Return to Learn Protocol" with the following requirements:

1. School personnel shall be alert to cognitive and academic issues that may be experienced by a student-athlete who has suffered a concussion or other head injury, including (i) difficulty with concentration, organization, and long-term and short-term memory; (ii) sensitivity to bright lights and sounds; and (iii) short-term problems with speech and language, reasoning, planning, and problem solving; and

2. School personnel shall accommodate the gradual return to full participation in academic activities by a student-athlete who has suffered a concussion or other head injury as appropriate, based on the recommendation of the student-athlete's licensed health care provider as to the appropriate amount of time that such student-athlete needs to be away from the classroom.

- In a third enactment clause identical to HB 410 and SB 172, the Board of Education was required to review and revise the guidelines and to work with the Virginia High School League, the Department of Health, the Virginia Athletic Trainers Association, the Virginia Physical Therapy Association, representatives of the Children's Hospital of the King's Daughters and the Children's National Medical Center, the Brain Injury Association of Virginia, the American Academy of Pediatrics, the Virginia College of Emergency Physicians, the Virginia Academy of Family Physicians, the Virginia Association of School Nurses, a representative from a non-interscholastic youth sports program, and other interested stakeholders. Input from these stakeholders informed the development of the attached proposed guidelines and definitions related to policies on concussion in student-athletes.
- HB 410 and SB 172 require the Board of Education to amend its *Guidelines for Policies on Concussions in Student-Athletes* to include information on the effects of concussions on student-athletes' academic performance. HB 1096 further requires the Board to amend its guidelines to include a "Return to Learn Protocol" with specified requirements.
- In addition, HB 410 and SB 172 define "non-interscholastic youth sports program" and require such programs utilizing public school property to either (i) establish policies and procedures regarding the identification and handling of suspected concussions in student-athletes, consistent with either the local school division's policies or the Board's guidelines or (ii) follow the local school division's policy.

The discussion included:

- Mr. Braunlich clarified that the guidelines are for all students who may receive concussions under any circumstances, not just athletes.
- Mrs. Atkinson said the Board is amending existing guidelines and “return to learn” could be applicable to any student in public schools who has a concussion.
- Mrs. Wodiska suggested changing the opening to include a preamble or executive summary. Mrs. Wodiska suggested changing “student athlete” used in the document to “student”.
- Mrs. Atkinson asked about the rationale for changing the definition for non-interscholastic instead of keeping the same definition used in the statutory language. Mrs. Wigand said the new definition was suggested during a meeting with stakeholders.
- Dr. Baysal suggested adding language to the document that local school boards will look for technologies to help detect concussions.
- Dr. Cannaday suggested along with division superintendents that the document be sent to parents and PTA with a brief description of the intent of the guidelines.
- Dr. Staples expressed his appreciation for the participation of groups that worked with staff to develop the guidelines by providing resources related to concussions.
- Dr. Haun said the definition of non-interscholastic was changed with the intent to be inclusive of everyone using public school facilities.
- Mrs. Wodiska asked if stakeholders will receive concussion guidelines. Dr. Staples said once the guidelines are finalized staff will send to professional associations and division superintendents.

The Board received for first review the proposed amendments to the *Guidelines for Policies on Concussions in Student-Athletes*.

First Review of Proposed Guidelines for the Use of Computer Science Courses to Satisfy Graduation Requirements Developed in Response to House Bill 1054 of the 2014 General Assembly

Mr. Eric Rhoades, director of science and health education, presented this item. Mr. Rhoades’ presentation included the following:

- The 2014 General Assembly passed House Bill 1054 (Loupassi), which amended and re-enacted § [22.1-253.13:4](#) of the *Code of Virginia*. The amendment pertains to the use of computer science credits for high school diploma course and credit requirements, and the Virginia Board of Education is directed to develop guidelines addressing how computer science courses can satisfy graduation requirements. The specific amended language reads as follows:

Be it enacted by the General Assembly of Virginia:

1. That § [22.1-253.13:4](#) of the Code of Virginia is amended and reenacted as follows:

§ [22.1-253.13:4](#). Standard 4. Student achievement and graduation requirements.

D. In establishing course and credit requirements for a high school diploma, the Board shall:

8. Consider all computer science course credits earned by students to be science course credits, mathematics course credits, or career and technical education credits. The Board of Education shall develop guidelines addressing how computer science courses can satisfy graduation requirements.

- The Virginia Department of Education conducted a review of existing options for computer science coursework and the role of this coursework in meeting graduation credits in mathematics, laboratory science, and career and technical education. Currently, Advanced Placement (AP) Computer Science is approved by the Virginia Board of Education as a mathematics course (standard credit); however, the AP assessment is not a substitute assessment for a mathematics verified credit. AP Computer Science has been historically grouped with mathematics courses due to the role of the high school mathematics endorsement in teaching those courses. In the area of career and technical education (since 2000), students scoring a three or above on the AP Computer Science examination earn the equivalent of a career and technical education credential. AP Computer Science has no parallel standing in the Board-approved laboratory sciences due to it not being a biological or physical science.
- The proposed guidelines were developed in response to the consideration of Board of Education- approved computer science coursework, which is, AP Computer Science. AP Computer Science has a recognized, standardized curriculum and a systematic professional development program for prospective teachers. A range of other computer-related courses exists as local electives and in the career and technical education technology and business application course offerings. These types of computer courses cover a spectrum of applications such as data-base management, game development, and networking.
- The Department of Education also conducted a series of face-to-face and telephone interviews and a written survey with Virginia's two- and four-year colleges and universities admissions staff concerning the development of guidelines. The inquiry was conducted to determine what these officials thought to be the critical points that should be included in the Board of Education's guidelines. The overall response from higher education was that computer science would not be accepted as a substitute for current mathematics or laboratory science coursework requirements for admissions. Higher education generally felt that computer science had a place in college readiness but not at the expense of the mathematics or laboratory science coursework.
- For the purpose of the development of the guidelines, it is proposed that the Board of Education define its consideration of computer courses as mathematics, laboratory science, and career and technical education to AP Computer Science and under specified conditions.
- Due to 1) high school programs of study being in place for the current school year and 2) secondary course scheduling being underway across the Commonwealth for the 2015-2016 school year, it is also recommended that the Board of Education set the effective date for the implementation of the guidelines for students entering the ninth grade for the first time in 2015-2016.

The discussion included:

- Mrs. Wodiska noted the legislation requiring these guidelines has good intentions in terms of increasing the number of individuals capable of filling high-demand, high-skilled jobs in computer science fields. Mrs. Wodiska is interested in ways to promote computer science without detriment to other lab sciences courses. She asked for data on the number of students currently taking each science course (Earth Science, Computer Science, Chemistry, Physics, and Biology) so that Board members know the impact. She noted that the Board's actions could impact what courses local school divisions offer, and she does not want the actions to have a chilling effect on other lab sciences. Mrs. Wodiska indicated that many colleges are still looking for traditional lab science coursework (Chemistry, Physics, Biology), and students need extensive

counseling as they are selecting their coursework.

- Dr. Baysal agreed that the legislation is intended to prepare students to be career and college ready. He noted there are many computer related jobs without qualified individuals to fill them. He suggested adding a statement to encourage guidance and counseling of students about the impact of taking particular science courses.
- Mr. Rhoades noted that in discussions with institutions of higher education, the State Council of Higher Education for Virginia, and the Virginia Community College System, Biology, Chemistry, and Physics were the preferred courses for students.
- Dr. Cannaday noted that Earth Science prepares students to be citizen-ready because we live and experience it every day.
- Mr. Braunlich noted that students have varying strengths in terms of science courses, and the complexity of crafting guidelines to meet the requirements of the legislation. He noted that postsecondary admission offices for the most part do not consider Computer Science to be a high school science credit, and that they prefer Biology, Chemistry, and Physics.
- Mr. Rhoades noted that Virginia is one of only a few states to count Earth Science as a high school science credit.
- Mr. Braunlich asked about the phrasing of the International Baccalaureate (IB) Computer Science coursework requirements in the guidelines. He asked if it includes standard level courses, and Mr. Rhoades indicated that it does. Mr. Rhoades further indicated that IB recently approved Computer Science as an experimental science.
- Mrs. Wodiska noted that the legislation did not require an effective date for the guidelines, and expressed concern about the ripple effect on course sequencing. She asked staff to consider alternatives in terms of the effective date and implementation. She asked staff for data on the number of students that took earth science, biology, chemistry, physics, and computer science at the high school level over the past five years. Mr. Braunlich noted we already have such data.
- Dr. Cannaday noted that counseling of students and parents will be important so that students will be informed about the range of options and the impact of course selections.
- Dr. Baysal said Virginia should be trying to increase the number of students taking computer science noting that approximately 2,000 out of 89,000 students took computer science tests last year.
- Mrs. Wodiska asked staff to provide data on the number of students taking STEM courses that may not be captured by the traditional laboratory sciences.
- Mr. Braunlich asked staff to provide information to the Board on pathways of standard diploma students after graduation.
- Dr. Staples applauded the Board for its thoughtful policy discussion. He noted that staff's first objective was to determine what "Computer Science" means, and then make sure that varying science courses remain viable options for students, against the background that making selections of Earth Science and Computer Science may impact a students' postsecondary pathway. Dr. Staples said staff will do their best to provide data as requested by the Board but the same staff members also provide professional development to local school divisions.

The Board received for first review the proposed *Guidelines for the Use of Computer Science Courses to Satisfy Graduation Requirements*.

First Review of Proposed Guidelines for Using Supplementary Written Materials to Teach the Documents of Virginia History and the U. S. Constitution as Required by HB 197 of the 2014 General Assembly

Dr. Billy Haun, chief academic officer, presented this item. Dr. Haun introduced Ms. Sandra Brown for presentation to the Board. Ms. Brown's presentation included the following:

- The 2014 General Assembly approved HB197 (Landes), a bill that states: "That the Board of Education shall develop guidelines for supplementary written materials that teachers use to teach the Declaration of American Independence, the general principles of the Constitution of the United States, including the Bill of Rights, the Virginia Statute of Religious Freedom, the charters of the Virginia Company of April 10, 1606, May 23, 1609, and March 12, 1612, and the Virginia Declaration of Rights." Language was added to the *Code of Virginia* that states, "Each teacher shall ensure that all supplementary written materials that he uses to teach these documents contain accurate restatements of the principles contained in such documents."
- State law requires that the following documents shall be taught to all pupils in the public schools of the Commonwealth: the Declaration of American Independence, the general principles of the Constitution of the United States, the Virginia Statute of Religious Freedom, the charters of April 10, 1606, May 23, 1609, and March 12, 1612, of the Virginia Company, and the Virginia Declaration of Rights. Emphasis shall be given to the citizenship responsibilities inherent in the rights included in these documents.

The discussion included:

- Mr. Dillard suggested asking the General Assembly to reconsider whether the charters of the Virginia Company of April 10, 1606, May 23, 1609, and March 12, 1612, listed in the guidelines are necessary.

The Board received for first review the proposed *Guidelines for Using Supplementary Written Materials to Teach the Documents of Virginia History and the U. S. Constitution*.

First Review of Amendments to the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (8 VAC 20-81) (Exempt Action)

Mr. Eisenberg presented this item. Mr. Eisenberg's presentation included the following:

- The 2014 General Assembly passed, and the Governor signed into law, HB 1086, which amends § 22.1-215 of the *Code of Virginia* to provide that children with disabilities who are enrolled in a full-time virtual school program provided by a Virginia school division must receive a free and appropriate education, including special education, from that division. It also allocates federal and state special education funding for that student to that division. Previously, the *Code of Virginia* had not addressed the status of Virginia students enrolled full-time in a virtual program sponsored by a school division in which they did not reside.
- The legislation provides, in pertinent part, the following:

Each school division shall provide free and appropriate education, including special education, for (i) the children with disabilities residing within its jurisdiction and (ii) the children with disabilities who do not reside within its jurisdiction but reside in the Commonwealth and are enrolled in a full-time virtual school program provided by the school division, in accordance with regulations of the Board of Education. A school division that is required to provide a free and appropriate education, including special education, for a nonresident student who is enrolled in its full-time virtual school program pursuant to this section shall be entitled to any federal and state funds applicable to the education of such student. In the case of a student who is a resident of the Commonwealth but does not reside in the school division in which he is enrolled in a full-time virtual school program, the school division in which the student resides shall be released from the obligation to provide a free and appropriate education, including special education, for such student.

- The legislation also contains a second enactment clause that requires the Board of Education to revise its special education regulations to comport with the act.
- In addition, the 2014 General Assembly passed, and the Governor signed into law, HB 1007, which changes all references in the *Code of Virginia* to “General Educational Development credential” or “G.E.D.” to “high school equivalency examination approved by the Board of Education.”
- The Administrative Process Act, at Virginia Code §2.2-4006, provides exemptions for certain routine regulatory action. Relevant in this instance is the following:

A. The following agency actions otherwise subject to this chapter and § [2.2-4103](#) of the Virginia Register Act shall be exempted from the operation of this article:

....

3. Regulations that consist only of changes in style or form or corrections of technical errors....

4. Regulations that are:

a. Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.

- The Board of Education has no discretion with regard to the promulgation of regulatory changes related to virtual schools.
- Amendments to references to the G.E.D. will bring Virginia’s special education regulations in alignment with the *Code of Virginia* and other state regulations.

Mrs. Atkinson made a motion to waive first review and approve the amendments to the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (Exempt Action). The motion was seconded by Dr. Baysal and carried with six ‘yes’ votes. Mrs. Wodiska did not vote.

First Review of Amendments to Management of the Student’s Scholastic Record in the Public Schools of Virginia (8 VAC 20-150) (Exempt Action)

Mr. Eisenberg presented this item. Mr. Eisenberg’s presentation included the following:

- The 2014 General Assembly passed, and the Governor signed into law, HB 449, adds § 22.1-287.01 to the *Code of Virginia*. The legislation provides the following:

Except as required by federal law or regulation, no member or employee of a local school board or the Department of Education shall transmit personally identifiable information, as that term is defined in the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and related regulations, from a student’s record to a federal government agency or an authorized representative of such agency.

- The Regulations regarding management of student scholastic records provide, in general, that disclosure of a student's personally identifiable information be in accordance with the Family Educational Rights and Privacy Act (FERPA). Because FERPA allows voluntary disclosure of certain limited types of personally identifiable information (directory information), the Regulations must be amended to make clear that voluntary disclosure of such information to a federal government agency or its representative is not permitted.

Dr. Baysal made a motion to waive first review and approve the amendments to the *Management of the Student's Scholastic Record in the Public Schools of Virginia* (Exempt Action). The motion was seconded by Dr. Cannaday and carried with six "yes" votes. Mrs. Wodiska did not vote.

Annual Report from the Virginia Council for Private Education

This report was presented by Rear Admiral J. Scott Burhoe, president of Fork Union Military Academy and chair of the Virginia Council for Private Education Board of Directors, Mrs. Josie Webster, executive director, and Mr. George McVey, president of the Virginia Council for Private Education. The presentation included the following:

- At its meeting in November 1993, the Board of Education adopted a resolution that recognized the accrediting process for nonpublic elementary and secondary schools as administered through the Commission on Accreditation of the Virginia Council for Private Education (VCPE). The resolution was primarily for the purpose of public school acceptance of credits earned by students who attended such schools when they transfer to public schools and for any other such purpose(s) which may, from time to time, be specified by the *Code of Virginia* or as may be mutually agreed upon by the Board and VCPE. The resolution specifies, among other things, that the Board of Education will receive an annual report from VCPE.
- VCPE facilitates a statewide framework for communication and cooperation among private schools, their public school counterparts, state and local governments, and other agencies and organizations.
- VCPE oversees accreditation of nonpublic preschool, elementary and secondary schools in the Commonwealth as authorized by the Virginia Board of Education in §22.1-19 of the *Code of Virginia*. State recognized accreditation comes through accreditation granted by any VCPE approved accrediting organization.
- All approved accrediting organizations must meet the VCPE core set of standards. The VCPE peer review process and an annual reporting requirement have been developed to monitor the standards. Each association has standards that meet and exceed those that are monitored by VCPE and must be considered individually by an interested school.
- There are currently 14 VCPE approved accrediting associations.

The discussion included:

- Dr. Cannaday asked about the 124 schools that are not accredited. Ms. Webster said the 124 schools that are not accredited have chosen not to seek accreditation.
- Mr. Braunlich noted that VCPE does not accredit schools but accredits associations. Mr. Braunlich asked about the review process for associations. Ms. Webster said the review process involves reviewing the association standards to be sure they are being implemented and recommendations go back to the association. Ms. Webster said as

long as the association responds to the recommendations their accreditation will continue.

The Board received the Annual Report from the Virginia Council for Private Education.

DISCUSSION OF CURRENT ISSUES

Mr. Braunlich raised an issue for discussion regarding the comprehensive review revisions to the *Standards of Accreditation*. He noted that since the Board approved the proposed stage October 24, 2013, the action has been undergoing executive review. In the meantime, the General Assembly approved legislation related to accountability and accreditation, the Standards of Learning Innovation Committee was created and charged with providing the Board of Education and General Assembly with suggestions, and the Board articulated its intentions to explore revisions to the state accreditation system at its Retreat in October 2014. Mrs. Atkinson clarified that the revised *Standards of Accreditation* are at the proposed stage and have not gone out for public comment yet. Mrs. Atkinson suggested withdrawing the proposed stage given the myriad of factors influencing the Board's revisions to the state accreditation system. The Board intends to move forward with amendments to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* in 2015.

The Board met for a public dinner on Wednesday, November 19, 2014, at the Commonwealth Park Suites Hotel with the following members present: Mrs. Atkinson, Dr. Baysal, Mr. Braunlich, Dr. Cannaday, Mr. Dillard, Mr. Romero, and Mrs. Wodiska. Dr. Steven Staples, Superintendent of Public Instruction, Dr. Billy Haun, chief academic officer, and Melissa Luchau, director for board relations, also attended the meeting. Members discussed pending Board agenda items. No votes were taken, and the dinner meeting ended at 9 p.m.

EXECUTIVE SESSION

Mrs. Atkinson made a motion to go into executive session under *Virginia Code* § 2.2-3711(A)(41), for the purpose of discussion and consideration of records relating to denial, suspension, or revocation of teacher licenses, and, under *Virginia Code* § 2.2-3711(A)(7), to consult with counsel and receive legal advice regarding the same, and that Wendell Roberts, legal counsel to the Virginia Board of Education, as well as staff members, Dr. Steven Staples, Patty Pitts, Nancy Walsh, and Terrence Jones, participate in this closed meeting. The motion was seconded by Mrs. Wodiska and carried unanimously. The Board went into Executive Session at 1 p.m.

Mrs. Atkinson made a motion that the Board reconvene in open session. The motion was seconded by Dr. Baysal and carried unanimously. The Board reconvened at 1:30 p.m.

Mrs. Atkinson 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 of the Freedom of Information Act were discussed and (2) only matters identified in the motion to have the closed session were discussed. The motion was seconded by Dr. Cannaday and carried unanimously.

Board Roll call:

Mr. Dillard – Yes
Dr. Baysal – Yes
Mr. Braunlich – Yes
Dr. Cannaday – Yes
Mrs. Atkinson – Yes
Mrs. Wodiska – Yes
Mr. Romero – Yes

The Board made the following motions:

- Dr. Cannaday made a motion to revoke the license of Anthony Meyer Crowder. The motion was seconded by Mrs. Atkinson and carried unanimously.
- Mrs. Atkinson made a motion to issue a license in Case #2 upon completion of all applicable licensure requirements. The motion was seconded by Dr. Baysal and carried unanimously.
- Mrs. Atkinson made a motion to issue a license in Case #3. The motion was seconded by Dr. Baysal and carried unanimously.

ADJOURNMENT OF THE BUSINESS SESSION

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Braunlich adjourned the meeting at 1:35 p.m.



President