

COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
RICHMOND, VIRGINIA

**MINUTES**

October 25, 2006

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

Dr. Mark E. Emblidge, President  
Dr. Ella P. Ward, Vice President  
Mrs. Isis M. Castro  
Dr. Thomas M. Brewster  
Mr. David L. Johnson

Mr. Kelvin L. Moore  
Mr. Andrew J. Rotherham  
Mrs. Eleanor B. Saslaw  
  
Dr. Billy K. Cannaday, Jr.  
Superintendent of Public Instruction

Dr. Emblidge, president, presided and called the meeting to order at 9 a.m.

***MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE***

Dr. Emblidge asked Mr. Moore to lead in the Pledge of Allegiance and a moment of silence.

***APPROVAL OF MINUTES***

Mrs. Castro made a motion to approve the minutes of the September 27, 2006, meeting of the Board. The motion was seconded by Dr. Ward and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

***RECOGNITION FOR OUTSTANDING SERVICE***

- Mr. Daniel S. Timberlake, Deputy Secretary of Finance for the Commonwealth of Virginia and former Assistant Superintendent for Finance, Virginia Department of Education
- Dr. Thomas A. Elliott, Assistant Superintendent for Teacher Education, Licensure, and Professional Practice, Virginia Department of Education

## ***PUBLIC COMMENT***

The following persons spoke during public comment:

Teddie Predaris  
Donna Hankins  
Wanda Hamilton  
Janine Sadkie  
Angela Ciolfi

## ***REPORTS ON BOARD OF EDUCATION COMMITTEES***

### ***Report from Board of Education Committee Chairs***

The chair of each committee gave a brief overview for each committee:

#### **Committee on School and Division Accountability – Mr. David Johnson, Chair**

The purpose of this committee is to study chronically low-performing schools and school divisions and make recommendations on increasing accountability for effective instruction and achievement. The committee will initially focus on schools that lose state accreditation because of low student achievement and schools and divisions that have yet to meet annual benchmarks in reading and mathematics under the *No Child Left Behind Act of 2001* (NCLB).

#### **Committee on Quality Preschool Programs – Mrs. Eleanor Saslaw, Chair and Mr. Kelvin Moore**

The purpose of this committee is to strengthen early childhood education in the Commonwealth. The committee will:

- Establish guidelines for school divisions for developing, selecting, and evaluating preschool curricula for quality and alignment with Virginia's Foundation Blocks for Early Learning, which constitute the Commonwealth's standards for appropriate early childhood education in English, mathematics, science, and history/social science;
- Develop a plan to increase the number of licensed preschool teachers and qualified teacher assistants in Virginia for current and future needs; and
- Collaborate with school divisions, community colleges, and higher education to assess the current and future need for preschool teachers and qualified teacher assistants.

#### **Committee on Literacy - Mrs. Isis Castro, Chair and Dr. Thomas Brewster**

The purpose of this committee is to develop strategies to raise the level of literacy of children, adolescents, and adults in the Commonwealth. The committee will consider ways to:

- Increase the number of students reading on grade level by the third grade;
- Sustain literacy and a love of reading among students as they move from the elementary school environment to middle school and high school;

- Assist limited English proficient (LEP) students in obtaining an education; and
- Strengthen literacy programs and policies for adult learners.

Committee on Graduation and Dropout Rates - Dr. Ella Ward and Mr. Andrew Rotherham, co-chairs

The purpose of this committee is to research and recommend policies to reduce the number of students who drop out of high school and to improve graduation rates, especially among minority students. The committee will:

- Examine policies and data related to middle-to-high school transition, ninth-grade retention, truancy, and dropout and graduation rates;
- Identify best practices to reduce ninth-grade retention and increase the percentage of students who complete high school by earning a diploma; and
- Recommend policies to incorporate the raising of graduation rates into the Commonwealth's accountability system.

***ACTION/DISCUSSION ITEMS***

***Final Review of the Proposed Revisions to the Guidance Document Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia (8 VAC 20-131-05 et seq.)***

This item was presented by Mrs. Anne Wescott, assistant superintendent for policy and communications. Mrs. Wescott said that from January 12, 2005, through May 24, 2006, the Board examined changes to its regulations accrediting Virginia's K-12 public schools. On September 7, 2006, these proposed regulations, which the Board approved at its May 24 meeting, became effective. These newly-adopted changes supersede regulations that had been in effect since September 28, 2000.

On November 30, 2000, the Board approved a guidance document, which provides additional detail concerning the interpretation and implementation of certain provisions in the accreditation standards. The guidance document has been edited for clarity and consolidates all guidance related to the accrediting standards into one comprehensive package.

Dr. Ward made a motion to adopt the revisions to the guidance document for the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*. The motion was seconded by Dr. Brewster and carried unanimously.

The following table provides information concerning what sections of the current guidelines are being retained in the revisions:

Title of Section in Proposed Guidelines	Relationship to Current Guidelines (New Section or Update to Current Section)
<b>Student Achievement Expectations (8 VAC 20-131-30)</b>	<i>Update to current section</i> - addresses Remediation Recovery in grades 4, 6, and 7 (page 1)
<b>Requirements for Graduation (8 VAC 20-131-50)</b>	
✓ General Provisions	<i>Update to current section</i> - courses to satisfy graduation requirements for Standard, Advanced Studies, and Modified Standard Diplomas (page 3)
✓ Additional Graduation Credit Requirements	<i>Update to current section</i> - language in current guidelines has been updated (page 3)
✓ Sequential Electives for Graduation with a Standard or Modified Standard Diploma	<i>New section</i> – defines sequential electives (page 5)
✓ Awarding Differentiated Numbers of Verified Credit For Career and Technical Education Certification and Licensure Examinations	<i>New section</i> - addresses the option to substitute in the career and technical track either the student selected verified credit or verified credit in science or history/social science (page 7)
✓ Literacy and Numeracy Requirements for the Modified Standard Diploma	<i>Update to current section</i> - removes reference to Literacy Passport Test and now addresses Standards of Learning tests (page 8)
✓ Diploma Seals	<i>Update to current section</i> – for Governor’s Seal requirements (page 8)
<b>Transfer for Students (8 VAC 20-131-60)</b>	
✓ Transfer from a Nonpublic School	<i>New section</i> - addresses transfer students from schools accredited by members of Virginia Council for Private Education and other schools (page 10)
✓ First-time Transfer Students	<i>New section</i> - defines first-time transfer student (page 11)
✓ Waiver of Verified Credit	<i>Update to current section</i> - includes Web site link to waiver application form (page 12)
<b>Instructional Program in Elementary and Middle Schools (8 VAC 20-131-80 and 8 VAC 20-131-90)</b>	
✓ Physical Fitness	<i>New section</i> - provides broad parameters for school divisions to incorporate physical fitness (page 14)
✓ Foreign Language and Algebra I	<i>New section</i> - states that school boards shall offer foreign language and Algebra I (page 15)
<b>Standard and Verified Units of Credit (8 VAC 20-131-110)</b>	
✓ Locally-Awarded Verified Credit	<i>Update to current section</i> - applies to students beginning with those students entering ninth-grade class in 2003-2004 (page 17)
✓ Mastery of Course Content and Objectives	<i>Update to current section</i> - new title to replace title in the Current Guidelines: “Alternative Provisions for Awarding Verified Credit” (page 18)
✓ Expedited Retake	<i>Update to current section</i> - new title to replace title in the current guidelines: “Alternative Provisions for Awarding Verified Credit” (page 18)
✓ Alternative Provisions for Awarding	<i>Update to current section</i> - addresses other states’ tests

Verified Credit	(page 19)
<b>Standard School Year and School Day (8 VAC 20-131-150)</b>	<i>Update to current section</i> - addresses alternative school schedules as outlined in the <i>Code of Virginia</i> (page 20)
<b>Administrative and Staff Support; Staffing Requirements (8 VAC 20-131-240)</b>	<i>New section</i> - addresses the secondary planning period (page 21)
<b>Expectations for School Accountability (8 VAC 20-131-280)</b>	
✓ Calculating Accreditation Ratings of Schools	<i>Update to current section</i> - for testing at grades 4, 6, and 7 and for the increase in benchmarks (page 22)
✓ Waivers for Special Purpose Schools	<i>Update to current section</i> - now incorporates alternative accreditation criteria (page 24)
<b>Procedures for Certifying Accreditation Eligibility (8 VAC 20-131-290)</b>	
✓ Experimental or Innovative Programs	<i>New section</i> – includes 1998 Board-approved definitions (page 26)
<b>Action Requirements for Schools That Are Accredited with Warning or Accreditation Withheld/Improving School Near Accreditation (8 VAC 20-131-310)</b>	<i>Update to current section</i> - incorporates the academic review process and the school improvement plan (page 27)
<b>Action Requirements for Schools That Are Denied Accreditation (8 VAC 20-131-315)</b>	
✓ School Division Requirements	<i>New section</i> – outlines notification process for schools (page 30)
✓ Memorandum of Understanding	<i>New section</i> – outlines parameters for <u>and</u> preparation and approval of MOU (page 30)
✓ Reconstitution	<i>New section</i> – outlines parameters for Board approval of this action (page 32)
✓ Closing a School	<i>New section</i> – references current procedures within the Department for changing a school's status (page 33)
✓ Annual Reports	<i>New section</i> – general reporting requirements (page 33)

***Final Review of Proposed Regulations Governing the Process for Submitting Proposals to Consolidate School Divisions (8 VAC 20-710-10 et seq.)***

Mrs. Wescott also presented this item. Mrs. Wescott said that no comments were received during the public comment period and no one spoke at the public hearing held on September 27, 2006. No changes are recommended to the proposed regulations.

Mrs. Saslaw made a motion to adopt the *Regulations Governing the Process for Submitting Proposals to Consolidate School Divisions* and authorize staff of the Department of Education to proceed with the remaining steps required by the Administrative Process Act. The motion was seconded by Dr. Ward and carried unanimously.

The *Regulations Governing the Process for Submitting Proposals to Consolidate School Divisions* are as follows:

**REGULATIONS GOVERNING THE PROCESS FOR  
SUBMITTING PROPOSALS TO CONSOLIDATE SCHOOL DIVISIONS  
(8 VAC 20-710-10 et seq.)**

**8 VAC 20-710-10 Statutory authority.**

- A. The *Constitution of Virginia*, Article VIII, Section 5, authorizes the Board of Education to designate school divisions in the Commonwealth of such geographic size and school-age population as will best promote the realization of the standards of quality.
- B. The *Code of Virginia*, § 22.1-25, requires the Board of Education to promulgate regulations consistent with that section that provide for a process whereby school divisions may submit proposals for the consolidation of school divisions.

**8 VAC 20-710-20 Definitions.**

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

“Board” or “State Board” means the Board of Education.

“Governing body” or “local governing body” means the board of supervisors of a county, council of a city, or council of a town, responsible for appropriating funds for such locality, as the context may require.

“School board” means the school board that governs a school division.

**8 VAC 20-710-30 Administration.**

- A. The school divisions as they existed on July 1, 1978, shall be and remain the school divisions of the Commonwealth until further action of the Board of Education taken in accordance with the provisions of these regulations and § 22.1-25 of the *Code of Virginia*.
- B. No school division shall be consolidated without the consent of the school board and the governing body of the county or city affected or, if a town comprises the school division, of the town council.
- C. Notice of any change in the composition of a school division proposed by the Board of Education shall be given by the Superintendent of Public Instruction, on or before January 1 of the year in which the composition of such school division is to be changed, to the clerks of the school board and of the governing body involved and to each member of the General Assembly.
- D. The Board of Education shall consider the following criteria in determining appropriate school divisions:
  - 1. The school-age population of the school division proposed to be divided or consolidated;
  - 2. The potential of the proposed school division to facilitate the offering of a comprehensive program for kindergarten through grade 12 at the level of the established standards of quality;
  - 3. The potential of the proposed school division to promote efficiency in the use of school facilities and school personnel and economy in operation;
  - 4. Anticipated increase or decrease in the number of children of school age in the proposed school division;

5. Geographical area and topographical features as they relate to existing or available transportation facilities designed to render reasonable access by pupils to existing or contemplated school facilities; and
6. The ability of each existing school division to meet the standards of quality with its own resources and facilities or in cooperation with another school division or divisions if arrangements for such cooperation have been made.

**8 VAC 20-710-40 Consolidation process.**

- A. Local school divisions requesting to be consolidated shall submit a proposal to the Board of Education by September 1 of the year prior to the year they wish to consolidate.
- B. Each proposal for consolidation shall include the following information and data:
  1. The criteria set forth in 8 VAC 20-710-30 D;
  2. Evidence of the cost savings to be realized by the consolidation;
  3. A plan for the transfer of title to school board property to the resulting combined school board governing the consolidated division;
  4. Procedures and a schedule for the proposed consolidation, including completion of current division superintendent and school board member terms;
  5. A plan for proportional school board representation of the localities comprising the new school division, including details regarding the appointment or election processes currently ensuring such representation and other information as may be necessary to evidence compliance with federal and state laws governing voting rights;
  6. Evidence of local support for the proposed consolidation;
  7. A plan for maintaining and/or combining schools;
  8. A plan to continue meeting the standards of accreditation; and
  9. Documentation that both governing bodies and both school boards consent to the proposed consolidation.
- C. Prior to the adoption of any plan to consolidate school divisions, each school division involved in the consolidation shall:
  1. Post such plan on the division's Internet Web site;
  2. Make a hard copy of the plan available for public inspection and copying; and
  3. Conduct at least one public hearing to solicit public comment on the consolidation plan.

**Final Review of Permanent Regulations for Conducting Division-Level Academic Reviews**

Mrs. Wescott also presented this item. Mrs. Wescott said that the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, in 8 VAC 20-131-300.C.2, requires a school to be "Accredited with Warning (in specified academic area or areas)" if its pass rate on any SOL test does not meet required benchmarks to qualify for any other accreditation rating. Any school rated Accredited with Warning must undergo an academic review in accordance with guidelines adopted by the Board of Education and in accordance with 8 VAC 20-131-315 of the regulations.

Mrs. Wescott said that the regulations outline the process and procedures for conducting the division-level academic review and submitting the corrective action plan to the Board of Education. The regulations address:

- The criteria for selection for the division-level academic review,
- The structure of the division-level academic review, and
- The requirements for the division improvement plans and corrective actions.

In addition, the regulations include provision for reviews to be conducted by agencies or organizations other than the Department of Education when appropriate. No comments were received during the public comment period and no one spoke at the public hearing held on September 27, 2006. No changes are recommended to the proposed regulations.

Mr. Moore made a motion to adopt the *Regulations for Conducting Division-Level Academic Reviews* and authorize staff of the Department of Education to proceed with the remaining steps required by the Administrative Process Act. The motion was seconded by Mr. Rotherham and carried unanimously.

The *Regulations for Conducting Division-Level Academic Reviews* are as follows:

**PERMANENT REGULATIONS GOVERNING  
DIVISION-LEVEL ACADEMIC REVIEWS  
(8 VAC 20-700-10 et seq.)**

**8VAC20-700-10. Definitions.**

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

“Department” means the Virginia Department of Education.

“Division-level academic review” means the process used to analyze a school division’s systems and practices to determine the degree to which the local school board is meeting its responsibilities under the Standards of Quality.

“External review” means a school division-level academic review conducted by an organization or agency at the request of a local school board.

**8 VAC 20-700-20. Criteria for Selection for Review.**

The Board of Education shall consider the following criteria in selecting school divisions for division-level academic reviews:

1. The school division’s accountability determination for student achievement, as required in federal law; and
2. The percentage of students attending schools that are not fully accredited in the division exceeds the statewide average; and
3. School academic review findings in the division report the failure of the division’s schools to reach full accreditation is related to the school board’s noncompliance with the Standards of Quality.

**8 VAC 20-700-30. Structure of the Review.**

- A. All division-level academic reviews shall be conducted in accordance with procedures adopted by the Board of Education, which may include, but not be limited to: on-site reviews; interviews of school



division personnel; review and observation of operational practices; and the analysis of data related to compliance with state and federal laws and regulations.

- B. The Board of Education may authorize the Department of Education to contract for the provision of services to assist in performing division-level academic reviews.
- C. Reports of the academic review findings shall be given to the division superintendent, chair of the local school board and to the Board of Education.

**8 VAC 20-700-40. Division Improvement Plans and Corrective Actions.**

- A. School divisions shall develop division improvement plans, including corrective actions for increasing student achievement and correcting any areas of noncompliance determined through the division-level academic review. The school board shall hold a public hearing on the improvement plan at least 15 days prior to the approval of the plan by the board. These plans shall be approved by the local school board and submitted to the Board of Education for approval within 60 business days of the issuance of the division-level academic review report. Upon Board of Education approval, the division improvement plan and corrective actions shall become part of the school division's divisionwide comprehensive, unified, long-range plan required by the Standards of Quality.
- B. The division superintendent and chair of the local school board may request an extension of the due date for the division improvement plan and corrective actions for good cause shown by appearing before the Board of Education to explain the rationale for the request and provide evidence that a delay will not have an adverse impact upon student achievement.
- C. The Board of Education shall monitor the implementation of the division improvement plan and corrective actions developed by a school division as part of the division-level academic review process. This plan must include a schedule for reporting the school division's progress toward completion of the corrective actions to the Board of Education and the public. Any school division not implementing corrective actions, not correcting areas of noncompliance, or failing to develop, submit, and implement required plans and status reports shall be required to report its lack of action directly to the Board of Education and the public.
- D. Areas of noncompliance that remain uncorrected shall be reported in the Board of Education's *Annual Report to the Governor and General Assembly on the Condition and Needs of Public Schools in Virginia*. The Board of Education may take additional action to seek compliance with school laws pursuant to the relevant provisions of the *Code of Virginia*.

**8 VAC 20-700-50. External Reviews.**

- A. The Board of Education may accept a school division-level review conducted by an organization or agency upon the request of a local school board if the review meets or exceeds the requirements for reviews conducted by the Department as prescribed in 8 VAC 20-700-30. Agencies that conduct these reviews must employ individuals whose qualifications meet or exceed those of individuals who serve as Department representatives for the purpose of conducting academic reviews. The Board of Education shall monitor the implementation of any required corrective actions developed by the school division as prescribed in 8 VAC 20-700-40.
- B. Requests for approval of an external review process submitted to the Board must include, at a minimum, the following documentation:
  - 1. A description of the organization or agency that will conduct the review;
  - 2. The scope and dates of the review;
  - 3. Qualifications of the individuals who will conduct the review;

4. Certification from the chairman of the local school board and division superintendent that the review will meet or exceed the requirements for academic reviews adopted by the Board.
- C. Upon completion of the external review process, the division superintendent shall submit a copy of the final report provided by the reviewer to the Department of Education within 60 days of receipt of the report, and comply with the required follow-up activities prescribed in 8 VAC 20-700-40 including a review of the report in a public meeting of the school board prior to submission.

**First Review of the Notice of Intended Regulatory Action (NOIRA) to Amend the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (8 VAC 20-80-10 et seq.)**

Mr. Douglas Cox, assistant superintendent for special education and student services, presented this item. Mr. Cox said that the *Code of Virginia*, at § 22.1-214, requires the Board of Education to “prepare and supervise the implementation by each school division of a program of special education designed to educate and train children with disabilities” between the ages of two and twenty-one, inclusive. The program developed by the Board of Education must “be designed to ensure that all children with disabilities have available to them a free and appropriate education.” The *Code of Virginia*, at § 22.1-16, authorizes the Board of Education to “promulgate such regulations as may be necessary to carry out its powers and duties....”

The current *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (8 VAC 20-80-10 et seq.) were adopted by the Board of Education on October 19, 2000, and became effective in January 2001. Technical changes proposed by the U.S. Department of Education were approved by the Board of Education on February 5, 2002, and became effective March 27, 2002.

The revision of the state regulations governing special education is now required to ensure compliance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), and with its federal implementing regulations, at 34 C.F.R. Part 300, effective October 13, 2006. Alignment with these federal mandates is required to ensure Virginia’s continued eligibility for federal special education funding, which will total \$268.7 million in 2006-2007.

Dr. Brewster made a motion to waive first review and authorize the Department of Education staff to proceed with the requirements of the Administrative Process Act regarding the Notice of Intended Regulatory Action (NOIRA) for promulgating regulations. The motion was seconded by Mr. Moore and carried unanimously.

**First Review of a Request for a Rating of Conditionally Accredited from Richmond Public Schools for George W. Carver Elementary School**

Mrs. Kathleen Smith, director of the office of school improvement, introduced the following persons to present this item: Dr. Yvonne Brandon, associate superintendent for

instruction and accountability, Richmond City Public Schools, and Mr. David Ballard, school board chairman, Richmond City Public Schools.

During the 2005-2006 school year, the Richmond City School Board and superintendent made the process of restructuring George W. Carver Elementary School a primary goal. School improvement efforts included partnering with the University of Virginia and securing turnaround specialist training for one of the division's principals and assigning her to George W. Carver Elementary School. Her previous school, J. E. B. Stuart Elementary School, was named a 2006 Blue Ribbon School by the United States Department of Education.

During the 2005-2006 school year, an enhanced accountability plan, a comprehensive professional development plan, an extensive data collection and management plan, and a central office continuous monitoring and support plan were implemented as part of the restructuring initiative. These efforts focused on schoolwide improvement through a focus on instruction, intervention, and remediation for all students.

The second phase of the restructuring initiative will be implemented during the 2006-2007 school year which includes hiring a new assistant principal, replacing 19 of 31 teachers, using instructional coaches to support teaching and learning, and providing specific instructional professional development for the principals.

Mr. Johnson made a motion to waive first review and approve the reconstitution application and grant a rating of Conditionally Accredited to George W. Carver Elementary School for the 2006-2007 school year. The local board must reapply for this status annually in accordance with 8 VAC 20-131-315.C and provide annual progress reports to the Board of Education while the school maintains Conditionally Accredited status. The motion was seconded by Dr. Ward and carried unanimously.

***First Review of a Request for a Rating of Conditionally Accredited from Richmond Public Schools for Richmond Alternative School***

Mrs. Kathleen Smith, director of the office of school improvement, was also assisted in presenting this item by Dr. Yvonne Brandon, associate superintendent for instruction and accountability, Richmond City Public Schools, and Mr. David Ballard, school board chairman, Richmond City Public Schools.

Richmond Alternative School is rated Accreditation Denied for the 2006-2007 school year. Richmond City Public Schools has reconstituted Richmond Alternative School and is applying to the Board to accept the terms of the reconstitution and change the rating of Accreditation Denied to Conditionally Accredited.

During the 2005-2006 school year, the Richmond City School Board and superintendent made the process of restructuring Richmond Alternative School a primary goal. The school serves students in grades three through twelve that have severe behavior

problems that interfere with their learning. School improvement efforts included hiring a new administrator to focus on the middle school component, reassigning an administrator with a track record of achieving significant gains to focus on curriculum, accountability, instructional delivery, and remediation strategies. An educational specialist was hired to augment these efforts. Since September 2005, 10 of the 18 teachers are new hires. The central office provides continuous monitoring and support to ensure implementation of schoolwide efforts. During the 2006-2007 school year, additional strategies such as providing extensive districtwide and building-level professional development will be implemented.

Mr. Johnson made a motion to waive first review and accept the reconstitution application from Richmond Public Schools for Richmond Alternative School. The motion was seconded by Dr. Ward and carried unanimously.

**First Review of a Request for a Rating of Conditionally Accredited from Sussex Public Schools for Annie B. Jackson and Ellen Chambliss Elementary Schools**

Mrs. Kathleen Smith, director of the office of school improvement, introduced Dr. Charles Harris, superintendent, Sussex County Public Schools.

Annie B. Jackson and Ellen Chambliss elementary schools are rated Accreditation Denied for the 2006-2007 school year. Sussex County Public Schools has reconstituted Annie B. Jackson and Ellen Chambliss elementary schools and is applying to the Board to accept the terms of the reconstitution and change the rating of Accreditation Denied to Conditionally Accredited.

Sussex County Public Schools and the superintendent have made substantial changes at Annie B. Jackson and Ellen Chambliss elementary schools for the 2006-2007 school year. These efforts will continue until the schools reach full accreditation. The school division also seeks to close those schools in two more years by consolidating its elementary schools into one school serving all elementary students in the division.

A major restructuring change included moving the third grade from Annie B. Jackson Elementary School to Ellen Chambliss Elementary School. Previously, both schools' accreditation was based on the students' performance at Annie B. Jackson Elementary School which housed third through fifth grade. Two-thirds of the teachers (4 out of 6) at Annie B. Jackson Elementary School have been replaced for the 2006-2007 year.

Other efforts at both schools include adopting Saxon mathematics, hiring a mathematics coach with a teaching license and background in mathematics to observe, model, and train teachers on the delivery of mathematics instruction.

The principal at Annie B. Jackson Elementary School was replaced. The principal of Ellen Chambliss Elementary School will serve both schools. An assistant principal was hired at Annie B. Jackson Elementary to support the leadership needed to focus on improvement.

Mr. Johnson made a motion to waive first review and approve the reconstitution application and grant a rating of Conditionally Accredited to Annie B. Jackson and Ellen Chambliss Elementary Schools for the 2006-2007 school year. The local school board must reapply for this status annually in accordance with 8 VAC 20-131-315C and provide annual progress reports to the Board of Education while the schools maintain Conditionally Accredited status. The motion was seconded by Dr. Ward and carried unanimously.

**First Review of the Memorandum of Understanding for Petersburg Public Schools in Accordance with Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA) (8 VAC 20-131-315 et seq.)**

Dr. Cannaday presented this item. Dr. Cannaday introduced the following officials from Petersburg Public Schools: Mr. Lloyd Hamlin, superintendent and Mr. Fred Wilson, school board chairman.

Dr. Cannaday said that in October 2004 the Virginia Board of Education considered criteria for identifying low-performing school divisions that would be eligible for a division-level academic review. At that time, Petersburg Public Schools met those criteria. Recognizing the need for technical assistance, the Petersburg School Board requested a voluntary division-level review. Petersburg Public Schools and the Virginia Board of Education signed a memorandum of understanding (MOU) detailing the review process on April 21, 2004. The division-level review was conducted and a report of findings for that review was issued to Petersburg Public Schools after the May 25-27, 2004 visit. Subsequent to the review and findings, Petersburg Public Schools filed a corrective action plan on September 17, 2004, with specific action steps designed to address the findings of the review.

On February 2, 2005, a progress report on the action steps indicated in the corrective action plan was filed and presented to the Virginia Board of Education's Committee on Lowest Performing School Divisions. The superintendent and school board chairperson for Petersburg Public Schools identified the changes in high-level administration, constant turnover of faculty, and pressure from members of the community to implement new initiatives as barriers to division improvement.

Petersburg Public Schools was notified in writing on September 11, 2006, that four schools were rated as Accreditation Denied for the 2006-2007 school year. To date, corrective action plans for these schools have not been submitted.

Given that Petersburg Public Schools is in division-level academic review status, non-compliance issues with SOQ and SOA exists, and a majority of schools have a status of Accredited with Warning or Accreditation Denied, the Memorandum of Understanding (MOU) for division-level academic review purposes will be combined with the required MOU for accredited denied schools.

The Framework for the Memorandum of Understanding for Petersburg Public Schools for 2006-09 was shared with the Petersburg School Board on October 12, 2006. According to the SOA guidelines that are being recommended for final approval on October 25, 2006, the Board of Education's review and approval process for the MOU may include a review by the committee of the Board, approval by the full Board, and signatures of the President of the Board of Education and the Superintendent of Public Instruction. The Board may also delegate the review and final approval of the MOU to the President of the Board of Education and the Superintendent of Public Instruction.

The Virginia Board of Education and the Department of Education will assign a chief academic officer (CAO) for 2006-2007 to work with the division superintendent to coordinate and monitor the implementation of daily activities associated with the MOU and corrective action plans. The CAO will coordinate the Department of Education's technical assistance in support of the MOU and corrective action plans for those schools denied accreditation.

Mr. Johnson made a motion to accept for first review the Framework for the Memorandum of Understanding for Petersburg Public School for 2006-2009 and delegate the review and final approval of the MOU to the President of the Board of Education and the Superintendent of Public Instruction in accordance with SOA guidelines. The motion was seconded by Dr. Ward and carried unanimously.

**First Review of the Annual Report for State-Funded Remedial Programs**

Mrs. Smith also presented this item. Mrs. Smith said that §22.1-199.2.B. of the *Code of Virginia* requires the Board of Education to collect, compile, and analyze data required to be reported by local school divisions to accomplish a statewide review and evaluation of remediation programs. The *Code* further requires that the Board annually report its analysis of the data submitted and a statewide assessment of remediation programs, with any recommendations, to the Governor and the General Assembly, beginning on December 1, 2000. In May 2006 the Board of Education approved remedial plans for local school divisions.

Data for the summer 2005 remedial summer programs were collected after the results of the 2006 Standards of Learning (SOL) assessments were released. Mrs. Smith presented a summary of remedial plans for all school divisions for summer remedial programs held in 2005 and regulations specifying standards for state-funded remedial programs.

Dr. Ward made a motion to waive first review and approve the report for submission to the Governor and General Assembly as required by Section 22.1-199.2.B of the Code. The motion was seconded by Mrs. Saslaw and carried unanimously.

**First Review of Proposed Additions, Deletions, and Modifications to the Board-Approved List of Supplemental Educational Services Providers Under the No Child Left Behind Act of 2001**

Mrs. Roberta Schlicher, director of the office of program administration and accountability, presented this item. Mrs. Schlicher said that the *No Child Left Behind Act of 2001* (NCLB) requires Title I schools that do not meet the state’s adequate yearly progress (AYP) targets for three consecutive years in the same subject area to offer a choice of supplemental educational services to parents of eligible children. Virginia has schools that are offering supplemental educational services during the 2006-2007 school year. These services must be offered to eligible students until the identified schools exit Title I School Improvement.

Mrs. Schlicher said that the supplemental educational services are tutoring and academic enrichment services that are provided in addition to daily instruction outside of the regular school day. A supplemental educational services provider can be a nonprofit entity, a for-profit agency, or a school division. The services must be of high quality, research-based, and specifically designed to increase the academic achievement of eligible children in mastering the English and mathematics Standards of Learning and achieving proficiency on Standards of Learning tests.

At its September 2002 meeting, the Board of Education approved the initial list of recommended supplemental educational services providers and recommended revisions to the list in subsequent meetings. Subsequent revisions to the initial list have been made on a regular basis. The department recommends adding seven providers to Virginia’s board-approved list, deleting one at the provider’s request, and modifying two at the providers’ request.

Mrs. Castro made a motion to waive first review and approve the revised list of supplemental educational services providers. The motion was seconded by Dr. Ward and carried unanimously. Following is a list of provider contact information:

**ADDITIONAL SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDERS**

**Providers Added**

<b>Name of Provider</b>	<b>Contact Information</b>	<b>Focus and Grade Levels</b>	<b>Provider Service Areas</b>
Ability Plus, Inc.	Carol B. Pressey 2711 Buford Road, #172 Richmond, Virginia 23235 Phone: (800) 778-0384 E-mail: <a href="mailto:Carolpressey@aol.com">Carolpressey@aol.com</a>	Reading/Language Arts (K-5)	Newport News City, Norfolk City, Petersburg City, Portsmouth City, Richmond City, Roanoke City, and Virginia Beach City

Name of Provider	Contact Information	Focus and Grade Levels	Provider Service Areas
Academics Plus, Inc.	Kenton E. Benton 1411 E. Ash Street P. O. Box 1534 Goldsboro, North Carolina 27530 Phone: (919) 735-7587 Fax: (919) 735-1487 E-mail: <a href="mailto:aplusdrb@bww.com">aplusdrb@bww.com</a> Web site: <a href="http://www.academicsplusinc.com/">http://www.academicsplusinc.com/</a>	Reading/Language Arts (6-8)	Hampton City, Newport News City, Petersburg City, Pittsylvania County, Portsmouth City, Richmond City, and Sussex County
Education 2020	Monica Schroeder 4110 North Scottsdale Road Suite 110 Scottsdale, Arizona 85251 Phone: (866) 737-3320 Fax: (480) 423-0213 E-mail: <a href="mailto:mschroeder@education2020.com">mschroeder@education2020.com</a> Web site: <a href="http://www.education2020.com">www.education2020.com</a>	Reading/Language Arts (K-5)	All School Divisions
O'Dea Capital Corporation/Sylvan Learning Center	Bette B. O'Dea 200 Westgate Parkway, Suite 101 Richmond, Virginia 23233 Phone: (804) 750-1545 Fax: (804) 360-2177 E-mail: <a href="mailto:betteo@sylvanrichmond.com">betteo@sylvanrichmond.com</a> Web site: <a href="http://www.educate.com">www.educate.com</a>	Reading/Language Arts (K-8) Mathematics (6-8)	Amelia County, Caroline County, Chesterfield County, Colonial Heights City, Dinwiddie County, Hanover County, Henrico County, Hopewell City, Goochland County, New Kent County, Richmond City, Petersburg City, Powhatan County, and Prince George County
The Learning Curve, Inc.	Mark Malone 1252 Crystal Lake Circle Virginia Beach, Virginia 23451 Phone: (757) 641-5535 E-mail: <a href="mailto:Mark.E.Malone@att.net">Mark.E.Malone@att.net</a>	Reading/Language Arts (6-10)	Hampton City, Newport News City, Petersburg City, and South Hampton Roads
StudyDog, Inc.	Deme Clainos 7920 SW Nimbus Avenue Beaverton, Oregon 97008 Phone: (503) 643-4449 Fax: (503) 643-3997 E-mail: <a href="mailto:dclainos@studydog.com">dclainos@studydog.com</a> Web site: <a href="http://www.studydog.com">www.studydog.com</a>	Reading/Language Arts (Pre-K-5)	All School Divisions
Tsquared Tutors, LLC	Thomas L. Tucker 1700 Verna Drive Richmond, Virginia 23228 Phone: (804) 262-8923 Fax: (804) 262-9816 E-mail: <a href="mailto:Thomasl.tucker@comcast.net">Thomasl.tucker@comcast.net</a> Web site: <a href="http://www.tsquaredtutors.com">www.tsquaredtutors.com</a>	Mathematics (6-8)	All School Divisions



**First Review of Proposed Revised Foreign Language Standards of Learning**

Ms. Helen Small, specialist for Foreign Languages, presented this item. Ms. Small said that academic content Standards of Learning for foreign languages were first developed in 1983 for French, German, Latin, Spanish, and Modern Foreign Languages. These standards were revised in 2000.

Ms. Small said that the Standards of Quality require the Board of Education to review the Standards of Learning on a regular schedule. The Foreign Language Standards of Learning are due for review in 2007. As a result, on January 11, 2006, the Board approved a plan to review these standards during the 2006-2007 academic year. In accordance with the plan, the Department of Education took the following steps to produce a draft of the proposed Foreign Language Standards of Learning for the Board's first review:

- Solicited online professional comments from stakeholders, including teachers, parents, and administrators;
- Selected a steering committee and writing team that consisted of recommended individuals solicited from school divisions as well as other stakeholder groups (representatives from professional organizations, universities, etc.) to participate in the process;
- Contracted a consultant in June 2006 to assist with the process;
- Met with the French, German, Latin, and Spanish writing teams and consultant July 31 and August 1, 2006;
- Re-convened the steering committee on September 22, 2006, to review the work of the writing teams; and
- Developed a draft of the proposed revised Foreign Language Standards of Learning.

Mrs. Castro made a motion to accept the proposed revised Foreign Language Standards of Learning for first review. The motion was seconded by Dr. Ward and carried unanimously.

**First Review of a Proposal to Develop Standards of Learning for a New, Optional High School Mathematics Course**

Dr. Linda M. Wallinger, assistant superintendent for instruction, presented this item. Dr. Wallinger said that recent research indicates that many students would benefit from additional instruction in the areas of algebra and data analysis as they prepare to enter postsecondary instruction and work. Achieve, The Education Trust, and the Thomas B. Fordham Foundation worked with two- and four-year postsecondary faculty and front-line managers in high-growth, high-skill occupations to define the core knowledge and skills that high school graduates need to succeed in these kinds of occupations. Among the skills required is a critical understanding of higher levels of algebra and data analysis.

Recognizing that some students need additional time and instruction to gain these skills, in May 2006 the Department of Education convened a representative statewide group of stakeholders to discuss the desirability of creating a new mathematics course focusing on

the advanced study of relations, functions, and data analysis. During this same time frame, professionals involved in mathematics education in Virginia were informally polled about this topic. Respondents indicated that there appears to be a gap in Virginia's course offerings that could be filled by a course focusing on advanced study of relations, functions, and data analysis.

The Department of Education proposes to develop Standards of Learning for a new, optional mathematics course. The potential new offering, tentatively titled, "Algebra and Data Analysis," would assist students to build advanced conceptual models useful for developing more sophisticated mathematical foundations in preparation for higher level mathematics coursework. The new course would help students to:

- Model real world phenomena using algebra;
- Analyze and represent algebraic relationships and functions using tables, equations, and graphs;
- Translate easily between representations of functions;
- Select and use appropriate statistical methods to analyze data; and
- Develop and evaluate inferences and predictions that are based on data.

The course would be above the level of algebra and geometry.

Mrs. Saslaw made a motion to waive first review and authorize the Department to proceed with the development of Standards of Learning for a new, optional mathematics course, tentatively titled "Algebra and Data Analysis." The motion was seconded by Mr. Moore and carried unanimously.

### **First Review of the 2006 Annual Report on Regional Alternative Education Programs**

Mrs. Diane Jay, associate director, office of program administration and accountability, presented this item. Mrs. Jay said that Section 22.1-209 of the *Code of Virginia* requires that the Board of Education provide an annual report to the Governor and the General Assembly on the effectiveness of the Regional Alternative Education Programs. The 1993 General Assembly approved legislation and funding to create regional pilot programs to provide an educational alternative for certain students who have a pending violation of school board policy, have been expelled or suspended on a long-term basis, or are returning from juvenile correctional centers. A formula based on staffing patterns and the composite index of local ability-to-pay determines continuation funding for the programs.

Mrs. Jay said that these regional alternative education programs are designed to meet the specific individual needs of students assigned to the programs. While there is some variation in programs, the legislation outlines the following components:

- An intensive, accelerated instructional program with rigorous standards for academic achievement and student behavior;
- A low pupil-teacher ratio to promote a high level of interaction between the student and teacher;

- A plan for transitioning the enrolled students into the relevant school division's regular program;
- A current program of staff development and training;
- A procedure for obtaining the participation and support from parents as well as community outreach to build school, business, and community partnerships; and
- Measurable goals and objectives and an evaluation component to determine the program's effectiveness.

The number of students enrolled has increased from 217 students in four regional programs in 1993-1994 to 4,155 during 2005-2006. This represents a 358 percent increase in students served. The state funding level has increased 33 percent during this same time period. Conclusions related to the program, services, and policies for the 2005-2006 school year follow:

- Over 70 percent of program administrators reported academic improvement in their responses regarding perceived changes in student academic performance.
- The program administrators reported decreased violence, firearms, and weapons possession incidences for students while in the program. Program administrators reported a slight increase in substance abuse, and no apparent change in property offenses.
- Program administrators reported ratings of good or excellent for parental involvement, technology, staff development, resources, discipline policies, selection process, student assessments, student services, and the academic program.
- Of the 277.5 teachers employed, 95 percent are licensed. Student-to-teacher ratios range between 8 or 9:1 and 12 or 13:1.
- One thousand seven-hundred sixty two (1,762) alternative education students took the Standards of Learning (SOL) tests in English and mathematics. The ability to correlate SOL test results with students who have spent time in a regional alternative education program was available for the first time during the 2005-2006 school year. These students achieved a 32 percent pass rate on the English SOL and a 19 percent pass rate on the mathematics SOL. It is difficult to know if these students would have performed differently in their home schools.
- The dropout rate for these students is 7.1 percent. The expulsion or dismissal rate is 7 percent.
- Of the students who were not eligible to graduate in the 2005-2006 school year, approximately 69.7 percent remained in school at the end of the 2005-2006 school year. Of these students, 50.8 percent plan to return to their regular school

beginning in 2006-2007, and 18.9 percent will remain in the alternative education program.

Mr. Rotherham made a motion to waive first review and approve the 2006 Annual Report on Regional Alternative Education Programs. The motion was seconded by Dr. Ward and carried unanimously.

**First Review of the Board of Education's 2006 Annual Report on the Condition and Needs of Public Schools in Virginia**

Dr. Margaret Roberts, executive assistant, Board of Education, presented this item. Dr. Roberts said that Section 22.1-18 of the *Code of Virginia* sets forth the requirement that the Board of Education shall submit an annual report on the condition and needs of the public schools in Virginia. The Board of Education has submitted an annual report each year since 1971, when the requirement was initially adopted by the General Assembly.

Dr. Roberts said that the *Code* requires that the annual report contain the following information: a report on the condition and needs of the public schools as determined by the Board of Education; a listing of the school divisions and the specific schools that report noncompliance with any part of the Standards of Quality (SOQ); the full text of the current SOQ; a justification for amendments; the effective date of the current SOQ; and a listing of amendments, if any, to the SOQ being prescribed by the Board of Education.

Dr. Roberts noted that the *2006 Annual Report on the Condition and Needs of Public Schools in Virginia* will be delivered to the Governor and members of the General Assembly slightly later than November 15 (the due date specified in § 22.1-18 of the Virginia Code). Dr. Cannaday suggested the Board reference their vision statement in the body of the report.

Dr. Ward made a motion to receive the draft report for first review and give staff suggestions for additions and changes to incorporate into the report prior to the final review on November 29, 2006. The motion was seconded by Dr. Brewster and carried unanimously.

**First Review of Proposed Revisions to the Standards of Quality**

Mrs. Wescott presented this item. Mrs. Wescott said that Article VIII, § 2 of the Constitution of Virginia requires the Board of Education to determine and prescribe standards of quality for the public schools in Virginia.

On August 7, 1971, the Board of Education adopted the first Standards of Quality (SOQ). They were revised by the General Assembly in 1972 and adopted as uncodified Acts of Assembly. In 1974, they were revised into eight standards. In 1984, they were codified by the General Assembly, and in 1988 they were arranged into their current format.

The Board of Education revised its bylaws in October 2001 to require the Board to “determine the need for a review of the SOQ from time to time but no less than once every

two years.” In 2002, the General Assembly passed several bills regarding the Standards of Quality. Senate Bill 201 added § 22.1-18.01 to the *Code* and required that “To ensure the integrity of the standards of quality, the Board of Education shall, in odd-numbered years, exercise its constitutional authority to determine and prescribe the standards, subject only to revision by the General Assembly, by (i) reviewing the standards and (ii) either proposing amendments to the standards or (iii) making a determination that no changes are necessary.” House Bill 884 and Senate Bill 350 amended § 22.1-18 of the *Code* and required that the Board include in its annual report to the General Assembly, “a complete listing of the current standards of quality for the Commonwealth’s public schools, together with a justification for each particular standard, how long each such standard has been in current form, and whether the Board recommends any change or addition to the standards of quality.” Senate Joint Resolution 120 requests that the Board of Education “revise the Standards of Quality to ensure these statutory practices are realistic vis-à-vis the Commonwealth’s current educational needs and practices.”

The Standing Committee on the Standards of Quality was created by resolution of the Board of Education in November 2001 and held its first meeting in January 2002. The stated purpose of the committee was to determine the information to be reviewed to determine the condition and needs of public education and the process to be used to complete this comprehensive review. The committee created an inclusive public process, encouraged public comment from all education constituents and the public, and considered policy issues brought before it by superintendents, principals, teachers, local school board members, parents, and local government officials.

The Board made the following recommendations to the General Assembly in 2003:

- There shall be one full-time principal in each elementary school.
- There shall be one full-time assistant principal for each 400 students in each school.
- There shall be elementary resource teachers in art, music, and physical education.
- The secondary school pupil to teacher funding ratio shall be reduced from 25:1 to 21:1 to support scheduled planning time for secondary teachers.
- The state-required speech language pathologist caseload shall be reduced from 68 to 60 students.
- There shall be two technology positions per 1,000 students in grades K-12 divisionwide, one to provide technology support and one to serve as a resource teacher in instructional technology.
- The formula for the calculation of funding support for SOQ prevention, intervention, and remediation shall be revised.
- There shall be one full-time instructional position for each 1,000 students to serve as the reading specialist.

The 2004 General Assembly passed legislation and appropriated funding for the elementary resource teachers in art, music, and physical education; the planning period for secondary school teachers, the technology positions, and the revisions in the formula in support of SOQ prevention, intervention, and remediation.

In 2004 the Board recommended the four unfunded staffing recommendations, as well as a number of policy changes to the General Assembly. The policy changes included requiring the following:

**Standard 1: Instructional programs supporting the Standards of Learning and other educational objectives**

- The curriculum adopted by the local school board shall be aligned to the Standards of Learning.
- Local school boards shall develop and implement a program of instruction for grades K through 12 that corresponds to the Standards of Learning, and meets or exceeds requirements of the Board of Education.
- Local school boards shall implement a process of collecting and analyzing data, and using the results to evaluate and make decisions about the instructional program.

**Standard 2. Instructional, administrative, and support personnel**

- State funding, pursuant to the appropriation act, shall be provided to support 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.

**Standard 3. Accreditation, other standards and evaluation**

- Local school boards shall report the results of all school academic reviews and the required annual progress reports in public session, and the local school board shall implement any actions identified through the academic review and utilize them for improvement planning.
- Each local school board shall require the implementation of a data-driven decision making process to evaluate student progress and determine and recognize education performance.
- Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent of Public Instruction shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § 22.1-18.

**Standard 5. Teacher quality and educational leadership**

- Teacher evaluations shall be based on regular observation of the teacher in the classroom. The evaluations shall be based, in part, on evidence that instruction is aligned with the school division's written curriculum, and shall include identification of appropriate professional development tailored to each individual teacher's instructional needs.
- Each local school board shall require its members to participate annually in high-quality professional development programs on governance, include but not limited to, personnel policies and practices; curriculum and instruction; use of data in planning and decision making; and current issues in education.

- Local school boards shall provide teachers and principals with high-quality professional development programs each year in instructional content.
- Each school board shall require all instructional personnel to participate each year in these high quality professional development programs.
- Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

#### **Standard 6. Planning and public involvement**

- The Board of Education's statewide comprehensive, unified, long-range plan shall be based on data collection, analysis, and evaluation.
- The Board's plan shall include the objectives related to the improvement and sustainability of student achievement.
- Each local school board's divisionwide comprehensive, unified, long-range plan shall be based on data collection, analysis, and evaluation.
- The local school board's plan shall include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations.
- The local school board's plan shall include the objectives related to the improvement and sustainability of student achievement.
- The local school board's plan shall include provisions for parent and family involvement to include building successful school and parent partnerships.

#### **Standard 8. Compliance**

- Each local school board shall report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance shall be submitted to the Board of Education by the chairman of the local school board and the division superintendent.
- Noncompliance with the Standards of Quality shall be included in the Board of Education's annual report to the Governor and the General Assembly.

The 2005 General Assembly passed legislation containing the policy changes recommended by the Board, but did not appropriate the funding for the four unfunded positions. In 2005, the Board again proposed the four unfunded staffing recommendations, but the 2006 General Assembly did not appropriate funding for the positions.

In 2006, the Board began considering further changes to the Standards of Quality. At the April 27, 2006, planning session department staff presented an overview of the statutory provisions contained in §§ 22.1-253.13:1 through 22.1-253.13:8 of the *Code of Virginia*.

On May 23, 2006, the Standards of Quality Committee held a forum to hear comments from various organizations on potential changes to the Standards of Quality. Groups invited included the: Virginia Association of School Superintendents, Virginia School Boards Association and the VSBA Limited English Proficiency Caucus, Virginia

Education Association, Virginia Association of Elementary School Principals, Virginia Association of Secondary School Principals, Virginia Association of Supervision and Curriculum Development, Virginia Municipal League, and Virginia PTA.

On June 27, department staff presented the committee with an overview of Standards of Quality funding, covering:

- An overview of direct aid to public education funding that covered federal, state, and local funds;
- A summary of how state and local shares of funding are calculated using the composite index of local ability-to-pay;
- An overview of SOQ funding for public education which included the different SOQ accounts such as Basic Aid, Sales Tax, and Special Education; and
- General descriptive information concerning account descriptions, calculations, and funding formulas.

On July 25, 2006, staff presented the committee an overview of the four unfunded recommendations, as well as staffing considerations regarding mathematics specialists, library-media specialists, and using data to improve student achievement. The committee also heard a presentation about new Standards of Quality requirements in the 2006 Appropriation Act, including a request that the Board develop a staffing recommendation for students who are blind and visually impaired.

Between September 11 and September 27, 2006, the Board held ten public hearings throughout Virginia on the Standards of Quality and heard from 123 speakers. The most frequent recommendations made by the speakers were for:

- One reading specialist for every 1,000 students.
- Additional librarians: In elementary schools, an additional full-time librarian for every 500 students over 300; in middle and secondary schools, an additional full-time librarian for every 500 students over 1,000.
- Clerical support for librarians: One full-time clerk at 350 students, and an additional clerk for every additional 600 students.
- One full-time mathematics teacher specialist for each school.
- One testing coordinator for each school.
- A minimum of ten current print material titles per student in each school library, with copyrights averaging within the last ten years.

Mrs. Wescott said that the changes to the Standards of Quality included four unfunded staffing positions:

1. Require one full-time principal in each elementary school.

The SOQ currently requires a half-time principal for elementary schools with fewer than 300 students. The responsibilities of the principal are demanding and present significant challenges for all schools and especially those elementary schools that do not have full-time principals. In those school buildings without a



full-time principal, a common practice is to assign a designee, often a resource teacher, who must stop instructional lessons with students to deal with the many situations that arise on a daily basis. This change will provide elementary schools with the same staffing levels for principals as is required for middle and high schools.

2. Require one full-time assistant principal for each 400 students in each school.

The SOQ currently requires one half-time assistant principal at an elementary school with between 600 and 899 students and one full-time assistant principal at an elementary school with 900 or more students. No assistant principal is provided through the SOQ in elementary schools with enrollments of fewer than 600 students. The current middle and secondary assistant principal standard in the SOQ is for one full-time assistant principal per 600 students in a school. The demands and responsibilities of assistant principals have intensified based on the increasing complexity of the principal's role. Changing the SOQ requirement from one full-time assistant principal for each 600 students to one full-time assistant principal for each 400 students addresses the discrepancy between SOQ requirements and actual staffing practices in middle and high schools. It would also provide elementary schools with the same staffing levels for assistant principals as middle and high schools.

3. Require one full-time instructional position for each 1,000 students to serve as the reading specialist.

The Standards of Quality allow, but do not require, one full-time reading specialist in each elementary school, at the discretion of the local school board. Many school divisions already have reading specialists to provide additional resources to assist classroom teachers in instruction of reading skills and to permit individualized attention for students needing additional time and help. Research indicates that reading deficiencies in many students can be prevented or ameliorated with appropriate intervention.

4. Reduce the state required speech language pathologist caseload from 68 to 60 students.

Currently, the caseload for speech-language pathologists is mandated by the Board's *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*, 8 VAC 20-80-45, at 68 students. Speech-language pathologists provide services to students with communication disorders and are valuable assets to schools striving to address the phonology awareness and language skills that support literacy. The high caseloads carried by many speech-language pathologists limit their ability to support improved literacy for children with communication disorders and to serve as resources to teachers. The current statewide average caseload as of December 1, 2005, was 53 students.

Mrs. Wescott also presented the following options that the Board may wish to consider:

**Standard 1: Instructional programs supporting the Standards of Learning and other educational objectives**

- Clarify that the program of instruction offered by local school divisions includes the knowledge and skills needed for gainful employment to prepare students to achieve economic self-sufficiency.
- Add a requirement that the programs of prevention, intervention, and remediation offered by the school divisions include components with a demonstrated record of effectiveness.
- Clarify that remediation is required if a student fails to achieve a passing score on all Standards of Learning tests in the grade, or who fails an end-of-course Standards of Learning test required for the award of a verified credit. Remediation may be required if the student fails to achieve a passing score on one or more, but not all, Standards of Learning tests in grades three through eight.
- Add a requirement for the early identification, diagnosis, and assistance for students with problems with mathematics, and provision of instructional strategies and practices that benefit the development of mathematics skills for all students.

**Standard 2. Instructional, administrative, and support personnel.**

- Require local school boards to employ one mathematics teacher specialist per 1,000 students in grades kindergarten through eight.
- Require local school boards to employ one data analyst/assessment coordinator per 1,000 students.
- Require local school boards to maintain pupil-teacher ratios for students who are blind or vision-impaired at not less than the following levels: Level I, resource teacher, 24 to one; Level II, self-contained with an aide, 10 to one; self-contained without an aide, eight to one, or Level II, self-contained student weight of 2.5. (Item 128.C of Chapter 3, 2006 Acts of Assembly, states, “The Board of Education shall consider the inclusion of instructional positions needed for blind and vision impaired students enrolled in public schools and shall consider developing a caseload requirement for those instructional positions as part of its review of the Standards of Quality....”)

**Standard 3. Accreditation, other standards and evaluation**

- Add language specifying that the cumulative eighth-grade history and social science Standards of Learning test will be eliminated after the 2007-2008 school year. Instead, all school divisions must administer the United States History to 1877, United States History: 1877 to the Present, and Civics and Economics Standards of Learning tests.
- Clarify that the School Performance Report Card must include Standards of Learning test results disaggregated by student subgroups.

**Standard 4. Student achievement and graduation requirements**

- Clarify that provisions be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, and from home instruction.
- Require that school divisions notify parents of secondary students of not just the number of standard and verified credits needed for graduation, but also the subject area requirements.

**Standard 5. Teacher quality and educational leadership**

- Add a requirement that the local school board provide teachers and principals with professional development programs in effective classroom management.

**Standard 6. Planning and public involvement**

- Clarify that the strategies for improving student achievement in the Board of Education's comprehensive plan, as well as the local school board's comprehensive plan, focus attention on the achievement of educationally at-risk students.

**Standard 7. School board policies**

- Clarify that the current school division policies made available to the public include the Student Conduct Policy.
- Require that the school division policies be posted on the school division's Web site, in addition to hard copies being made available to the public.

Mrs. Saslaw made a motion to receive the report for first review. The motion was seconded by Dr. Ward and carried unanimously.

***Final Review of Proposed Amendments to Virginia's No Child Left Behind (NCLB) Accountability Workbook Affecting Calculations of Adequate Yearly Progress (AYP) for the 2007-2008 School Year Based on Assessments Administered in 2006-2007***

Mrs. Shelley Loving-Ryder, assistant superintendent for assessment and reporting, presented this item. Mrs. Loving-Ryder said that *The No Child Left Behind Act of 2001* (NCLB), which is a reauthorization of the Elementary and Secondary Education Act (ESEA), requires all state educational agencies (SEA) to submit for approval to the United States Department of Education (USED) individual program applications or a consolidated state application.

In May 2002, the Virginia Board of Education submitted and received USED approval for its initial Consolidated State Application under the NCLB law. The NCLB application process involves multiple submissions of information, data, and policies. A major component of the consolidated application is Virginia's Consolidated State Application Accountability Workbook that describes a single statewide accountability system for the Commonwealth. The policies and procedures that were used to determine Adequate

Yearly Progress (AYP) ratings for the 2006-2007 school year based on 2005-2006 assessment results are described in the amended workbook dated July 21, 2006.

As part of the NCLB compliance requirements, states must submit materials to the USED for a peer review of the processes and policies related to the development and implementation of the state's standards and assessments. In November 2005, the Virginia Department of Education submitted available documentation to USED for review under this requirement. Because Virginia implemented new tests in reading and mathematics in grades 3 through 8 in spring 2006, as well as a revised alternate assessment program for students with significant cognitive disabilities, some of the required information was not available at the time of the November 2005 submission.

On March 22, 2006, USED issued a letter to Virginia outlining additional evidence to be submitted after the spring 2006 test administration. On June 13, 2006, Virginia submitted a timeline for providing the additional evidence. On June 28, 2006, USED issued a second letter rating Virginia's assessment system as *Approval Pending*. The letter stated that "Virginia's system has one fundamental component that warrants the designation of *Approval Pending*. Specifically, we cannot approve Virginia's standards and assessment system due to outstanding concerns regarding the validity, comparability, alignment, reporting and approved academic achievement standards for the Stanford English Language Proficiency (SELP) assessment when used as a proxy for the reading Standards of Learning (SOL) assessments."

Based on the *Approval Pending* rating Virginia was placed under mandatory oversight by USED and was required to provide, within 25 business days from the receipt of the letter, a plan and a detailed timeline for how it will meet the remaining requirements to come into full compliance by the end of the 2006-2007 school year. A second peer review of the additional information will be conducted once all additional evidence has been submitted.

At its July 26, 2006, meeting the Virginia Board of Education approved a detailed timeline for submission of additional evidence to USED. On August 31, 2006, the Virginia Department of Education received a letter from USED approving Virginia's timeline.

Mrs. Castro made a motion to accept and approve the amendments to Virginia's NCLB Accountability Workbook for assessments during the 2006-2007 school year. The motion was amended to seek a waiver for one year to allow for planning. The motion was seconded by Dr. Brewster and carried unanimously.

Amendments to Virginia's Accountability Workbook address the following issues:

- Elimination of the SELP test as the state-approved assessment instrument to be used as a proxy for the SOL reading tests in grades 3 through 8 for LEP students at level 1 or 2 of English language proficiency;
- Removal of scores resulting from certain substitute tests from the calculation of AYP;
- Removal of scores resulting from the Virginia Substitute Evaluation Program

- (VSEP) from the calculation of AYP; and
- Expansion of the Virginia Grade Level Alternative (VGLA) to include LEP students at levels 1 and 2 of English language proficiency.

The amendments would affect the calculation of AYP for the 2007-2008 school year based on assessments administered in 2006-2007.

## **Reports**

### **Report: The Virginia International Education Task Force**

Mrs. Faye Rollings-Carter, associate director, middle and high school instruction, and Dr. Jonathan Lewis, superintendent of Poquoson City Public Schools and member of the International Education Task Force, presented this item.

In April 2005 the Virginia Department of Education received a grant from the Asia Society to investigate how to incorporate additional international knowledge and skills into the Commonwealth's high school redesign efforts. In August 2005 a survey was conducted to identify existing foreign language offerings, international education programs, and best practices, the results of which were then disseminated to the eleven-member International Education Task Force. This task force, representing educators, businesses, parents, and community leaders, convened in November 2005, and again in January 2006, to review the data from the survey and to discuss activities, possible resolutions, and recommendations on international education and high school reform. One recommended activity was conducting an International Education Summit.

A full-day International Education Summit was held on May 2, 2006, for approximately 100 key administrators, educators, parents, business leaders, legislators and other stakeholders to: 1) discuss the importance of international education to Virginia and 2) make recommendations for improving the delivery of critical content and skills related to this topic in Virginia's public schools.

Mrs. Castro made a motion to receive the report for consideration and disseminate to the public upon request. The motion was seconded by Mr. Rotherham and carried unanimously.

### **Annual Report from the Virginia Council for Private Education**

Mr. George McVey, president, Virginia Council for Private Education (VCPE), presented this item. Mr. McVey said that the VCPE was organized in 1974 as the Virginia affiliate of the National Council for American Private Education (CAPE), which has headquarters in Washington, D.C. Fourteen different associations currently comprise the VCPE membership representing academic institutions. Eleven associations have VCPE-approved accreditation processes that are, in turn, recognized by the Virginia Board of

Education. All VCPE member associations must be nonprofit and have a racially nondiscriminatory membership policy.

VCPE monitors legislation affecting private schools and is available to members of the legislature, to the Board of Education, and to the Department of Education for information and to articulate the private school viewpoint on educational matters relating to the private sector. It also serves as a vehicle through which the public school viewpoint may be conveyed to the nonpublic school constituency.

The VCPE's accrediting process became effective April 25, 1985, with full approval granted on July 1, 1987. Since that date nonpublic schools have not used the state's accreditation process. In November 1993 the Virginia Board of Education reaffirmed its relationship with VCPE in the form of a resolution. The 2000 General Assembly passed language to affirm this arrangement in Virginia's *Code*.

### VCPE Services

VCPE is the umbrella association representing almost 300 state-recognized accredited private schools and more than 150 other nonaccredited private preschool, elementary, and secondary schools in the Commonwealth. Highlights of the services provided by VCPE include the following:

- VCPE is the only organization that has recognition from the Virginia Board of Education through §22.1-19 of the *Code of Virginia* to oversee the accreditation of private elementary and secondary schools in Virginia.
- VCPE approves and monitors the accrediting processes of 11 accrediting associations and offers additional memberships to associations that do not provide accreditation services or those that may be in the application process.
- VCPE is recognized as the principal resource for public information on private schools by the Virginia Departments of Education, Social Services, and Health as well as the public school divisions and other professional educational organizations and agencies.
- VCPE informs legislators of the interests of private schools, often preventing or eliminating well-meaning but potentially damaging bills, thus ensuring that VCPE's position of oversight of private education in Virginia continues without local or state intervention.
- VCPE is the private education organization that is approached by state agencies for nominations from its member schools to advisory boards and committees; a few of which include: the Virginia Education and Technology Advisory Committee (VETAC), the Child Day Care Council, and the Advisory Board for Teacher Education and Licensure (ABTEL).

- VCPE acts as a sounding board for complaints regarding individual schools and, where necessary, follows through on complaints with the representative associations.
- VCPE handles questions from the public about locations of private schools, start-up procedures, regulations, financial aid and scholarship resources.

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

### ***EXECUTIVE SESSION***

Dr. Ward made a motion to go into executive session under Virginia Code 2.2-3711.A, specifically to discuss personnel matters related to licensure. Mrs. Castro seconded the motion and it carried unanimously. The Board adjourned for the Executive Session at 12:09 p.m.

Dr. Ward made a motion that the Board reconvene in open session. The motion was seconded by Dr. Jones and carried unanimously. The Board reconvened at 12:40 p.m.

Dr. Ward 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. Saslaw and carried unanimously.

Board Roll call:

Thomas Brewster - Yes  
Andrew Rotherham - Yes  
Ella Ward - Yes  
Isis Castro - Yes  
Eleanor Saslaw - Yes  
David Johnson - Yes  
Kelvin Moore - Yes  
Mark Emblidge - Yes

The following actions were approved by the Board on the four cases that came before them on licensure matters:

1. Case Number 0093-2006; Grant Matthew Bear; Board voted to issue the Collegiate Professional License.
2. Case Number 9993-2006; Kelli Denise Bratton; Board voted to issue the provisional license.

3. Case Number 2725-2006; Amy Randell; Board voted to issue the Postgraduate Professional License upon meeting the Praxis I or Virginia Communications and Literacy Assessment requirement.
4. Case Number 2711-2006; Terry T. Wiggins; Board voted to revoke the license.

***ADJOURNMENT***

There being no further business of the Board of Education and the Board of Career and Technical Education, Dr. Emblidge adjourned the meeting at 12:45 p.m.

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Secretary

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President