

**COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA
September 18, 2019**

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

Mr. Daniel A. Gecker, President
Ms. Kim Adkins
Dr. Francisco Durán
Dr. Tammy Mann
Dr. Jamelle Wilson

Mrs. Diane Atkinson, Vice President
Ms. Pamela Davis-Vaught
Ms. Anne Holton
Dr. Keisha Pexton
Dr. James F. Lane,
Superintendent of Public Instruction

Mr. Gecker called the meeting to order at 9:30 a.m.

EXECUTIVE SESSION

Mrs. Atkinson made a motion to go into executive session under *Virginia Code §2.2-3711(A) (40)*, for the purpose of discussion and consideration of records relating to denial, suspension, or revocation of teacher licenses, and that Susan Williams, legal counsel to the Virginia Board of Education; as well as staff members Dr. James Lane, Patty Pitts, Nancy Walsh, Tonya Kish and Kevin Foster whose presence will aid in this matter, participate in the closed meeting. The motion was seconded by Dr. Wilson and was carried unanimously. The Board went into executive session at 9:31 a.m. Mrs. Atkinson made a motion that the Board reconvened in open session at 11:06 a.m. The motion was seconded by Dr. Wilson and carried unanimously.

Mr. Gecker made a motion that the Board certify by roll-call vote that to the best of each member's knowledge (i) only public business matters lawfully exempt from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered. Any member who believes there was a departure from these requirements shall so state prior to the vote, indicating the substance of the departure that, in his or her judgement, has taken place. The statement of the departure will be recorded in the minutes.

Board roll call:

- Dr. Mann - yes
- Dr. Durán - yes
- Ms. Holton - yes

- Mrs. Atkinson - yes
- Mr. Gecker - yes
- Dr. Wilson - yes
- Ms. Adkins - yes
- Dr. Pexton - yes
- Mrs. Davis-Vaught - yes

The Board made the following motions:

Dr. Durán made a motion to take no action against the license in Case 1. The motion was seconded by Ms. Holton. Dr. Pexton, Ms. Adkins and Dr. Mann voted no.

Mrs. Atkinson made a motion to revoke the license of Allison Danielle Briel. The motion was seconded by Dr. Wilson and carried unanimously.

Dr. Wilson made a motion to revoke the license of Samuel Christian Hermens. The motion was seconded by Dr. Durán and carried unanimously.

Dr. Durán made a motion to issue a license in Case #4. The motion was seconded by Dr. Pexton and carried unanimously.

ADJOURNMENT

There being no further business of the Board of Education, Mr. Gecker adjourned the executive session at 11:09 a.m.



Daniel Gecker
President

**COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA
September 19, 2019**

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

Mr. Daniel A. Gecker, President
Ms. Kim Adkins
Dr. Francisco Durán
Dr. Tammy Mann
Dr. Jamelle Wilson

Mrs. Diane Atkinson, Vice President
Ms. Pamela Davis-Vaught
Ms. Anne Holton
Dr. Keisha Pexton
Dr. James F. Lane,
Superintendent of Public Instruction

Mr. Gecker called the meeting to order at 9:00 a.m.

MOMENT OF SILENCE

Mr. Gecker asked for a moment of silence.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance followed the moment of silence.

Introduction of New Board Member

President Gecker introduced newly appointed member to the Board, Dr. Tammy Mann. Dr. Mann is the President and Chief Executive Officer of the Campagna Center in Alexandria, Virginia.

APPROVAL OF MINUTES

Dr. Durán made a motion to approve the minutes of July 24 - 25, 2019, meeting of the Board. The motion was seconded by Mrs. Atkinson. Eight members were in favor, Ms. Holton abstained. Copies of the minutes had been distributed in advance of the meeting.

Resolution of Recognition

Resolution of Appreciation for Outstanding Service to Public Education Presented to Mrs. Gena

Keller Upon the Occasion of Her Retirement from the Virginia Department of Education as Assistant Superintendent for Learning

Resolution of Appreciation for Outstanding Service to Public Education Presented to Mrs. Beverly Rabil Upon the Occasion of Her Retirement from the Virginia Department of Education as Director of School Quality

Recognition of Madeline Michel (Theater Director, Monticello High School, Albemarle County), 2019 Tony Award for Excellence in Theater Education

Mr. Gecker offered a welcome to the Virginia Aspiring Special Education Academy Cohort #12. Mr. Doug Cox serves as the director of the program. Cohort members observed the Board meeting.

PUBLIC COMMENT

- Willisa Johnson spoke on the signs and behaviors of sexually abused children and predators.
- Ben Kiser, on behalf of the Virginia Association of School Superintendents, spoke on strategies to address the teacher shortage in Virginia public schools.
- Jim Livingston, on behalf of the Virginia Education Association, spoke on strategies to address the teacher shortage in Virginia public schools.
- Jim Baldwin, on behalf of Virginia Association of Elementary School Principals, spoke on strategies to address the teacher shortage in Virginia public schools.
- Dr. David Ellena, on behalf of Virginia Foundation for Educational Leadership, spoke on the importance of the overall strategies addressing the teacher shortage in Virginia's public schools.
- Jill Shum spoke on the importance of instructional materials in Virginia's public schools.
- Rachael Dean, on behalf of JustChildren, spoke on the Proposed Revisions to the Standards of Quality
- Chris Duncombe, on behalf of the Commonwealth Institute, spoke on the Proposed Revisions to the Standards of Quality
- Kelly Harris-Braxton, on behalf of First Cities, spoke on the Proposed Revisions to the Standards of Quality

- Melinda Bright, with the Virginia Education Association, spoke on the upcoming VEA Instruction and Professional Development Conference, October 11-12, 2019

CONSENT AGENDA

- A. Resolution to Commemorate September 15-October 15, 2019, as Hispanic Heritage Month**
- B. Final Review of Proposed Amendments to the Licensure Regulations for School Personnel (8 VAC20-23) to Comport with Legislation Passed by the General Assembly Under the Fast Track Provisions of the Administrative Process Act**
- C. Final Review of the Proposed 2017 Computer Science Standards of Learning Curriculum Framework**
- D. Final Review of Revised Guidelines for Providing Loan Interest Rate Subsidy Grant Payments for the Virginia Public School Authority Pooled Bond Program**
- E. Final Review of Request for Division-level Review for Prince Edward County Public Schools**
- F. Final Review of Request for Division-level Review for Danville City Public Schools**
- G. Final Review of Proposed 2020 Board of Education Meeting Schedule**

At the request of Dr. Durán Item A was removed from the consent agenda.

Mrs. Atkinson made a motion to approve Items B – G on the consent agenda as presented. The motion was seconded by Dr. Mann and carried unanimously.

ACTION/DISCUSSION ITEMS

A. Resolution to Commemorate September 15-October 15, 2019, as Hispanic Heritage Month

Dr. Durán spoke about National Hispanic Heritage Month. He stated la Junta de Educación de Virginia se une en la observación del Mes Nacional de la Herencia Hispana, del 15 de septiembre al 15 de octubre, para celebrar las contribuciones, la cultura y el patrimonio de hispanos y latinos nativos e inmigrantes en Virginia; la Junta de Educación reconoce que más de 200,000 jóvenes hispanos y latinos asisten a las escuelas públicas de Virginia.

Translation: The Virginia Board of Education joins in the observation of National Hispanic Heritage Month, from September 15 to October 15, to celebrate the contributions, culture and heritage of Hispanic and Latino natives and immigrants in

Virginia. The Board recognizes that more than 200,000 Hispanic and Latino youth attend Virginia public schools.

Dr. Durán read the resolution aloud and made a motion to adopt September 15 – October 15, 2019 as Hispanic Heritage Month. The motion was seconded by Dr. Wilson and carried unanimously.

H. Second Review of Proposed Revisions to the Standards of Quality

Mr. Zachary Robbins, director of policy, presented this item to the Board for second review.

The *Constitution of Virginia* (Article VIII, § 2) requires the Board of Education to prescribe standards of quality for the public schools of Virginia, subject to revision only by the General Assembly. These standards, found in the *Code of Virginia* at §§ 22.1-253.13:1 through 22.1-253.13:10, are known as the Standards of Quality (SOQ) and provide the foundational program for public education in Virginia. Every two years, as required by § 22.1-18.01 of the Code, the Board of Education reviews the SOQ and proposes amendments as necessary.

Mr. Robbins presented an overview of the timeframe working on SOQ proposals and a summary of meeting that took place on Wednesday September 18, 2019 at the Committee on the Standards of Quality meeting. The revisions to the September draft of the SOQ proposals include the creation of the Equity Fund and revisions to the Class Size Reduction proposal.

Mrs. Atkinson expressed concerns about that additional funds could be provided to local school divisions but may not result in the hiring of additional positions. She suggested looking at these funds to see how they could be most impactful to local school divisions. Mr. Robbins responded that some positions are fully funded by the locality and it could result in a division utilizing the new funds for existing positions.

Ms. Holton also added that General Assembly gave the Board authority to withhold At-risk Add-on funding, if needed. She suggested adding proposed language on page 5 under section E3, “school division’s review will be expected to submit their plans for the use of the funds for review as part of their corrective action plan.”

Dr. Wilson expressed concern of adding language to remove some of the flexibility of the proposed equity funds.

The Superintendent of Public Instruction recommended the Board of Education receive the proposed revisions to the 2019 Standards of Quality for second review.

I. First Review of Proposed Revisions to the *Regulations Governing the Testing of Sight and Hearing of Pupils (8VAC-20-250) (Fast-Track)*

Dr. Samantha Hollins, assistant superintendent for special education and student services, presented this item to the Board for first review.

The purpose of this fast-track regulatory action is to address legislation that was approved by the General Assembly during the 2017 Session. HB 1408 (Wade) amended § 22.1-273 of the *Code of Virginia*, related to the timeline and scheduling of vision screenings. The amendment to §22.1-273 of the *Code of Virginia* allows school divisions sixty administrative working days to schedule vision screenings and defines the required grade levels in which vision screenings are to occur to include: kindergarten, second or third grade, seventh grade, and tenth grade.

The proposed revisions to 8VAC-20-250-10 align the regulations with § 22.1-273 of the *Code of Virginia*. Additionally, the revisions offered an opportunity for the Virginia Department of Education (VDOE) to incorporate feedback from stakeholders that align the hearing screening schedule to the required changes to the vision schedule as per § 22.1-273. The proposed revisions allow schools to conduct vision and hearing screenings at any time of the school year as long as the scheduling of such screenings is completed no later than the sixtieth administrative working day of the school year. It also provides schools with the option and flexibility to conduct vision and hearing screenings in second or third grade.

The Superintendent of Public Instruction recommended the Board of Education waive first review and approve the proposed revisions to the *Regulations Governing the Testing of Sight and Hearing of Pupils*.

Mrs. Atkinson raised a concern about the language referencing an administrative review process. Mrs. Atkinson stated that the administrative review process occurred in the 80s and early 90s but changed once the Standards of Learning were put in place. She suggested updating this language to current practice.

Dr. Hollins and her staff proposed language to remove old language and clarify current practice through the Department's annual data collection.

Proposed language:

**Chapter 250. Regulations Governing the Testing of Sight and Hearing of Pupils
VAC-20-250-10**

~~That sight and hearing of pupils in grades K, 3, 7, and 10 be screened within 60 administrative working days of the opening of school.~~

The principal of each public elementary and secondary school, shall cause the vision and hearing of students enrolled in (i) kindergarten; (ii) grades second or third; (iii) grade seventh; and (iv) grade tenth to be screened, subject to the conditions and exceptions as established in § 22.1-273 of the Code of Virginia. The vision and hearing screening of students shall be scheduled within the first 60 administrative working days of the school year.

Whenever a ~~pupil-student~~ is found to have any defect of vision or hearing or a disease of the eyes or ears, the principal shall notify the parent or guardian in writing, of such defect or disease. This screening of ~~pupils-students~~ will be monitored through the ~~administrative review process~~ *Department's annual data collection* process.

Mrs. Atkinson made a motion to waive first review and approve the proposed changes to the testing of sight and hearing of students, with the additional language change. The motion was seconded by Dr. Durán and carried unanimously.

J. First Review of a Proposal to Adopt Special Provisions Related to the Use of School Quality Indicators

Mrs. Shelley Loving-Ryder, assistant superintendent for student assessment, accountability & ESEA Programs, presented this item to the Board for first review.

Under the 2017 revision to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, the accreditation ratings for schools are based on the performance levels the school earns on various school quality indicators. Mrs. Loving-Ryder reported that a school's performance level on a particular indicator may be raised based on improvements to the indicator's rate from the previous year. Specifically, indicators evaluated as Level Three based on current data can move to Level Two under the following conditions:

- on the academic indicators if the current year's combined rate in English and mathematics or pass rate in science was at least 50% and the failure rate was decreased by 10% from the previous year,
- on the chronic absenteeism indicator if the chronic absenteeism rate was decreased by 10% from the previous year,
- on the dropout indicator if the dropout rate was decreased by 10% from the previous year, or
- on the Graduation and Completion Index if the index increased by 2.5% over the previous year.

Mrs. Loving-Ryder reported schools that were determined to be new in the 2018-2019 school year have no prior year data and are unable to benefit from improvements in the indicators over the previous year. Instead, their performance on the accreditation indicators is based on the current

year data only. The Standards for Accrediting Public Schools in Virginia at 8VAC20-131-380 F3 provides the Virginia Board of Education with the authority to adopt special provisions related to the use of a school quality indicator in determining the accreditation status of schools.

Specifically, the language states:

“The board may adopt special provisions related to the measurement and use of a school quality indicator as prescribed by the board. The board may also alter the inclusions and exclusions from the performance level calculations by providing adequate notice to local school boards.”

Mrs. Loving-Ryder asked that the Board consider the adoption of special provisions related to measurement of school quality indicators for schools that were new in the current year (2018-2019) and are not able to benefit from the opportunities for improvement in the indicators because they have only one year of data.

The Superintendent of Public Instruction recommended that the board waive first review and approve the following special provisions for schools that were new during the year in which the data used for accreditation were collected and only have one year of data on which to evaluate indicator performance levels:

- If an academic indicator is rated at Level Three based on current year data and the combined rate in English and mathematics or the pass rate in science is at least 50%, the indicator shall be rated at Level Two.
- If the chronic absenteeism, dropout rate, or graduation and completion rate indicators are rated Level Three based on current year data, the indicator shall be rated as Level Two.

Ms. Adkins made a motion to waive first review and approve the special provisions for schools as presented. The motion was seconded by Dr. Wilson and carried unanimously.

K. First Review of the Senior Capstone Guidelines as required by HB 2662 (2019 General Assembly)

Dr. Tina Manglicmot, interim assistant superintendent of learning and innovation and Dr. Dave Eshelman, director of workforce development and initiatives, presented this item to the Board for first review.

In 2019, the Virginia General Assembly through House Bill 2662 (Landes) amended and reenacted §22.1- 253.13:4 of the *Code of Virginia* allowing the Board to require students to complete a senior capstone project, portfolio, performance-based assessment, or structured experiment that relates to a work-based learning, service-learning, or community engagement activity. Through the legislative process, the bill language was amended to direct the Board of Education to develop and submit to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2019, guidelines for local school boards to develop and implement a senior capstone project, portfolio, performance-based

assessment, or structured experiment. In order for the bill to become law, it must be passed and reenacted by the 2020 General Assembly.

The proposed guidelines provide ample flexibility for local school divisions and students to develop a senior capstone project, portfolio, performance-based assessment or structured experiment.

In February 2011, at the direction of the Board, the Department established the Virginia College and Career Ready Mathematics and English Performance Expectation, as part of the College and Career Readiness Initiative. In an effort to support local school divisions, the Department developed the Mathematics Capstone course for high school seniors as well as the English 12 Capstone course. Courses focus more on content than overall demonstration of competencies learned throughout high school that prepares a student to be college and career ready.

Dr. Eshelman provided an overview of his research from other states that currently utilize capstone projects in high school. Both Georgia and North Carolina require a capstone project for graduation. Some localities in California require a capstone project for graduation but it is not a statewide requirement. Washington's graduation requirements included a capstone project from 2008-2014 but that requirement was eliminated through legislation in 2015.

A stakeholder meeting was held on August 14, 2019 with representatives from local school divisions, institutions of higher education and education partner organizations. Another stakeholder meeting will be held on September 25, 2019 which will also include representations from business and industry.

Final review of the guidelines is anticipated by the Board on October 17, 2019. Upon approval from the Board, the guidelines will be submitted to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by November 1, 2019 deadline. Mrs. Atkinson mentioned that the Board considered a capstone project during the development of the *Profile of a Virginia Graduate*. She noted that some local school divisions require a capstone project but a significant amount of time and resources are required for the local division to gear up and staff this project. She stated that the guidelines don't include any of this information for local school divisions to utilize.

Mr. Gecker noted that this legislation must be reenacted by the General Assembly before it would become law. He asked if it would be appropriate for the Board to weigh in on the policy before the General Assembly considers the legislation again in 2020.

Ms. Adkins asked for clarification on the intent of the legislation. Ms. Emily Webb, director of board relations, provided background information on the original intent of the legislation from Delegate Steve Landes. He was interested in students finding ways to demonstrate the 5 C's and

getting out in their local communities, while providing flexibility to local school divisions in implementation.

The copy of the draft guidelines can be viewed at <http://www.doe.virginia.gov/boe/meetings/2019/09-sep/agenda.shtml> item K.

The Board of Education received this item for first review.

PRESENTATIONS

L. Annual Report from the State Special Education Advisory Committee

Dr. Samantha Hollins, assistant superintendent for special education and student services, introduced Christine Germeyer, chair, State Special Education Advisory Committee and Jill Becker, vice-chair, State Special Education Advisory Committee, to the Board.

Ms. Germeyer and Ms. Becker presented the State Special Education Advisory Committee (SSEAC) Annual Report for July 2018 – June 2019. The purpose of SSEAC is to promote the education of children with disabilities by providing advice and policy guidance based on input from citizens and constituent groups. The SSEAC is organized and functions in accordance with state and federal requirements. The SSEAC is composed of representatives of stakeholder groups from each of the eight regions, with a disability or parents of children with a disability eligible to receive services under IDEA. The group consists of subcommittees which addresses student achievement and student outcomes, policy and regulations, and family engagement and community outreach initiatives.

The committee met four times during the year where many topics were presented and discussed such as Virginia Inclusive Practices, trauma-informed care, Virginia is for Learners, and the back to basics initiative among others.

Ms. Becker and Ms. Germeyer commended and recognize the Board for their ongoing support and commitment.

The SSEAC presented the following recommendations to the Board:

- Continue efforts to address the teacher, staff, and other professional support shortages, by exploring available funding resources and partnerships.
- Create additional, more advanced modules for dyslexia, dysgraphia, and other specific learning disabilities; consider more in-depth annual training.
- Ensure that adequate training and resources are available to support the implementation of the *Regulations Governing the Use of Seclusion and Restraint in Public Elementary and*

Secondary Schools in Virginia.

- Update best practice guidance documents and provide training for local SEACs. Share existing resources and involve the SSEAC in collaboration with VDOE for training and follow-up.
- Revise the current Parent's Guide to Special Education and develop various versions including video and multi-modal formats.
- As a follow-up to the Critical Decision Points Guide and Training, enhance opportunities for family engagement by developing an online module/companion video for parents to learn more about their rights.

It was noted that while the percentage of students with disabilities receiving a standard or advanced diploma has increased in Virginia, there are remaining concerns surrounding the number of students who cannot meet the requirements for a standard or advanced diploma. The SSEAC recommended that the Board continue to support the State Systemic Improvement Plan. The SSEAC agreed with the Board's goal of making each individual student "life-ready," successful citizens who can participate in the global economy; this is inclusive of students with disabilities.

Ms. Germeyer and Ms. Beck thanked the Board for the opportunity to present their recommendations and asked that they be considered and implemented, as appropriate.

Board members thanked Ms. Germeyer, Ms. Beck and the SSEAC for their hard work and thoughtful recommendations and look forward to hearing progress on many of the recommendations.

Dr. Durán asked Dr. Hollins about the Department's plan to review and consider implementation of many of the SSEAC's recommendations. Dr. Hollins responded that the Department has already begun working with staff on several of the recommendations from SSEAC. She offered to share regular updates with the Board on their progress.

Ms. Holton expressed her excitement on the recommendation to revise the Parent's Guide for Special Education. She suggested that the Department continue to look for ways to utilize modern technology to make it more accessible and user-friendly.

Ms. Holton continued by asking if SSEAC had any recommendations or advice for the Board on the topic of disparate discipline of students with disabilities. Ms. Hollins responded that this is a timely topic for SSEAC and plan to learn more over the next year.

WRITTEN REPORTS

M. Written Report on the Timeline for the Review of the Computer Technology Standards of Learning

Dr. Tina Manglicmot, interim assistant superintendent for learning and innovation, provided a written report on the Timeline for the Review of the *Computer Technology Standards of Learning*.

DISCUSSION ON CURRENT ISSUES- by Board of Education Members and Superintendent of Public Instruction

DINNER MEETING

The Board met for a public dinner on Wednesday, September 18, 2019, 6:00 p.m. at the Berkeley Hotel dining room with the following members present: Mrs. Atkinson, Ms. Adkins, Ms. Davis-Vaught, Dr. Durán, Ms. Holton, Dr. Mann, Dr. Pexton, and Dr. Wilson. The following department staff attended Dr. James Lane, superintendent of public instruction and Ms. Emily Webb, director of board relations. The following topics were discussed informally:

- Introduction of members and staff to new Board member, Dr. Tammy Mann;
- 2020 Teacher of the Year reception; and
- Early childhood education.

No votes were taken, and the dinner event ended at 7:24p.m.

EXECUTIVE SESSION

Mrs. Atkinson made a motion to go into executive session under Virginia Code §2.2-3711(A) (40), for the purpose of discussion and consideration of records relating to denial, suspension, or revocation of teacher licenses, and that Susan Williams, legal counsel to the Virginia Board of Education; as well as staff members Dr. James Lane, Patty Pitts, Nancy Walsh, Tonya Kish and Kevin Foster whose presence will aid in this matter, participate in the closed meeting. The motion was seconded by Dr. Wilson and was carried unanimously. The Board went into executive session at 11:36 a.m. Mrs. Atkinson made a motion that the Board reconvened in open session at 1:13 p.m.

Mr. Gecker made a motion that the Board certify by roll-call vote that to the best of each member's knowledge (i) only public business matters lawfully exempt from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered. Any member who believes there was a departure from these requirements shall so state prior to the vote, indicating the substance of the departure that, in his or her judgement, has taken place. The statement of the departure will be recorded in the minutes.

Board roll call:

- Dr. Mann - yes
- Dr. Durán - yes
- Ms. Holton - yes
- Mrs. Atkinson - yes
- Mr. Gecker - yes
- Dr. Wilson - yes
- Ms. Adkins - yes
- Mrs. Davis-Vaught - yes

The Board made the following motions:

Dr. Wilson made a motion to revoke the license of Curtis Antonio Williams, III. The motion was seconded by Mrs. Atkinson and carried unanimously.

Dr. Durán made a motion to issue a license (renewal) in Case # 3. The motion was seconded by Dr. Mann and carried unanimously.

ADJOURNMENT OF THE BUSINESS SESSION

There being no further business of the Board of Education, Mr. Gecker adjourned the business meeting at 1:15 p.m.



Mr. Daniel Gecker, President