

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

June 26, 2002

The Board of Education and Board of Career and Technical Education met for the regular business meeting in Senate Room B in the General Assembly Building, Richmond, Virginia, with the following members present:

Mr. Mark C. Christie, President	Mr. Thomas M. Jackson, Jr.
Mrs. Susan L. Genovese, Vice President	Dr. Gary L. Jones
Mrs. Audrey Davidson	Ms. Susan T. Noble
Mr. Mark E. Emblidge	Mrs. Ruby W. Rogers
Mr. M. Scott Goodman	
	Dr. Jo Lynne DeMary, Superintendent of Public Instruction

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

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Mrs. Genovese made a motion to approve the minutes of the May 23, 2002, meeting of the Board. The motion was seconded by Mrs. Davidson and carried unanimously. Copies of the minutes had been distributed previously to all members of the Board of Education.

CONSENT AGENDA

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

- Final Review of Recommendations Concerning Applications for Literary Fund Loan
- Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List
- Final Review of Financial Report on Literary Fund

Final Review of Recommendations Concerning Applications for Literary Fund Loans

The Department of Education’s recommendation to approve two applications in the amount of \$12,955,575 subject to review and approval by the Office of the Attorney General pursuant to Section 22.1-156, *Code of Virginia*, was accepted by the Board of Education’s vote on the consent agenda.

COUNTY, CITY, OR TOWN	SCHOOL	AMOUNT
Prince George County	South Elementary	\$5,911,575.00
Prince George County	Harrison Elementary	7,044,000.00
	TOTAL	\$12,955,575.00

Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List

The Department of Education’s recommendation that funding for two projects in the amount of \$12,955,575 be deferred and placed on the First Priority Waiting List, subject to review and approval by the Office of the Attorney General, pursuant to Section 22.1-156, *Code of Virginia*, was accepted by the Board of Education’s vote on the consent agenda.

First Priority Waiting List

COUNTY, CITY, OR TOWN	SCHOOL	AMOUNT
Prince George County	South Elementary	\$5,911,575.00
Prince George County	Harrison Elementary	7,044,000.00
	TOTAL	\$12,955,575.00

Final Review of Financial Report on Literary Fund

The Department of Education’s recommendation to approve the financial report on the status of the Literary Fund as of April 30, 2002, was accepted by the Board of Education’s vote on the consent agenda.

RESOLUTIONS AND RECOGNITIONS

The Leadership in Arts Award was presented to *Dr. Russell L. Watson*, division superintendent, Stafford County Public Schools. The Board of Education and the Virginia Commission for the Arts joined in establishing this award to recognize persons and organizations making outstanding contributions to Arts instruction in Virginia Schools.

A Resolution of Recognition and flag were presented to the Rural Point Elementary School’s Odyssey of the Mind Team, Hanover County Public Schools. Rural Point Elementary School’s Odyssey of the Mind Team was the First Place Award winner in the 2002 World Odyssey of the Mind Competition held at the University of Colorado

in Boulder. The team members (all fourth-graders), team coaches, coordinator, and principal are as follows:

Team Members

Douglas Tibbett
Jimmy Thorne
Jonathan Bennett
Ted Westrick
James Thompson
Tyler Burnette
Ben Davis

Team Coaches

Mrs. Annie Tibbett
Mrs. Pat Davis

Coordinator

Mrs. Amy Waldrop

Principal

Mrs. Becky Bray

ACTION/DISCUSSION ITEMS

First Review of a Request from a Local School Board for a Waiver of the Requirements of 8 VAC 20-131-100.B of the Regulations Establishing Standards for Accrediting Public Schools

This item was presented by Mr. Charles Finley, assistant superintendent of accountability at the Department of Education. Mr. Ralph Warren, director at the Galileo Magnet High School in Danville Public Schools, assisted Mr. Finley.

The Danville City school board will be opening a new alternative academic school in the fall of 2002. This school will be called the Galileo Magnet High School. The school, serving grades 9-12, will be operated in partnership with both the National Aeronautics and Space Administration (NASA) and Virginia Tech. It will offer students three strands of study: Air and Space Technology, Biotechnology, and Computer Network/Advanced Communications. Students will also have the option of earning a Standard or Advanced Studies Diploma and, in the future, an International Baccalaureate (IB) Diploma. The IB organization has expressed an interest in this program. The program will be technology rich.

Mr. Warren stated that the Danville City school board has found that it is unable to offer the eleven courses in career and technical education required by 8 VAC 20-131-

100 of the Standards. The school will offer six courses initially and may offer additional courses in the future.

Mr. Jackson made a motion to waive first review. The motion was seconded by Mrs. Genovese and carried with 8 “yes” votes and one member abstaining. Mrs. Davidson announced that she abstained because she is currently employed in the Danville City Public Schools. Mrs. Rogers made a motion to approve the request. Mrs. Genovese seconded the motion and carried with 8 “yes” votes and one abstention. Mrs. Davidson stated that she abstained from voting on this matter as stated above.

First Review of Standards of Learning for School Counseling Programs in Virginia Public Schools

This item was deleted from the agenda and will be continued at the July 25, 2002, Board meeting.

First Review of Reading First Application

Mrs. Linda Poorbaugh, associate director for reading and English at the Department of Education, presented this item. Title I, Part B, Subpart I of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001, authorizes Reading First. Reading First focuses on improving student reading achievement for all students, especially children in the nation’s most disadvantaged schools and communities. The U. S. Department of Education will award six-year Reading First grants to state educational agencies that submit applications that meet the statutorily required information. State educational agencies in turn award competitive subgrants to local education agencies for eligible schools. Virginia’s award for 2002-2003 is \$16,900,000.

The major elements of the Reading First grant application, Virginia Reads: Every Minute Counts, include: awarding to local educational agencies seventy-five to one hundred school-level competitive subgrants that are based on model classroom and professional development criteria; developing and delivering four-day Teacher Reading Academies for all K-3 teachers, all K-12 special education teachers, all Title I teachers, all reading teachers, and building level administrators; and employing five reading specialists and a cadre of facilitators to provide individualized technical assistance to Virginia’s Reading First schools.

Mrs. Davidson made a motion to waive first review. The motion was seconded by Mrs. Genovese and carried unanimously. Mr. Jackson made a motion to adopt the resolution regarding nonmaterial changes and to approve the proposed Reading First application. The motion was seconded by Mrs. Davidson and carried unanimously.

The resolution reads as follows:

***Resolution of the Board of Education
Regarding Nonmaterial Editorial and Technical Changes to the
Reading First Application
(Title 1, Part B, Subpart 1, No Child Left Behind Act, Public Law 107-110)***

IT IS HEREBY RESOLVED that the Board of Education shall authorize the Superintendent of Public Instruction and the President of the Board to make any nonmaterial technical and editorial changes as required by the U. S. Department of Education in its review and approval process for Virginia's Reading First Application. Such nonmaterial changes may be made at any time at the discretion of the Superintendent and the President.

IT IS FURTHER RESOLVED that if the necessary changes to the state's application are deemed by the President and the Superintendent to be material in nature, the President shall so notify the members of the Board of Education and shall convene the Board of Education in emergency session.

IT IS FINALLY RESOLVED that the Superintendent of Public Instruction shall report to the members of the Board of Education any nonmaterial changes made in Virginia's Reading First Application after such changes are submitted to the U. S. Department of Education.

Adopted in Richmond, Virginia, This Twenty-Sixth Day of June in the Year 2002.

First Review of Nomination for Appointment to the Virginia Advisory Committee for the Education of the Gifted

This item was presented by Dr. Barbara McGonagill, specialist, Governor's Schools and Gifted Education at the Department of Education.

Dr. McGonagill explained that the Virginia Advisory Committee for the Education of the Gifted was established by the Board of Education in 1982 to provide the Board and the Superintendent of Public Instruction with recommendations regarding the educational needs of gifted students, kindergarten through grade 12. The advisory committee meets four times per year at a variety of sites throughout the commonwealth. The committee, under revised bylaws, will be composed of 24 members who will serve rotating three-year terms. The committee selects issues to study for the two-year term of the chairperson. The issues are examined by subcommittees through presentations by guest speakers, field study and visitation, and through traditional research methods. The committee presents an annual report to the Board of Education in the spring that summarizes the findings and recommendations regarding the issues studied during that two-year term.

Mr. Goodman made a motion to waive first review. The motion was seconded by Mrs. Davidson and carried unanimously. Mr. Goodman made a motion to adopt the resolution and approve the nominee presented as the Virginia Association for the Gifted representative on the Virginia Advisory Committee for the Gifted. The motion was seconded by Mrs. Davidson and carried unanimously.

The resolution reads as follows:

***Resolution Of The Board Of Education:
Appointment Of One New Member To The
Virginia Advisory Committee For The Education Of The Gifted***

WHEREAS, the Board of Education established the Virginia Advisory Committee for the Education of the Gifted in 1982; and

WHEREAS, the Virginia Advisory Committee for the Education of the Gifted provides the Board of Education and the Superintendent of Public Instruction with recommendations concerning the education of gifted students throughout the commonwealth; and

WHEREAS, the members of the Virginia Advisory Committee for the Education of the Gifted serve three-year terms; and

WHEREAS, one position that represents the Virginia Association for the Gifted on the Virginia Advisory Committee for the Education of the Gifted is currently vacant;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education will appoint the following member to serve on the Virginia Advisory Committee for the Education of the Gifted for the term September 1, 2002 – June 30, 2004: Dr. Elissa Brown, president, Virginia Association for the Gifted

Adopted in Richmond, Virginia, This Twenty-Sixth Day of June in the Year 2002.

First Review of Policy Prohibiting School Personnel from Recommending Use of Psychotropic Medications

Mrs. Gwen Smith, specialist for school health studies at the Department of Education, presented this item. Mrs. Smith explained that HB 90, passed by the 2002 session of the General Assembly, requires the Board of Education to develop and implement policies prohibiting school personnel from recommending the use of psychotropic medications for any student. The statute is effective July 1, 2002. Mrs. Smith pointed out that the 2001 General Assembly established a joint subcommittee to study the need and ways to prevent the illegal use of Ritalin. Ritalin is the primary psychotropic medication used by students in school. It is commonly prescribed as a treatment for Attention Deficit Hyperactivity Disorder (ADHD).

Mr. Jackson made a motion to waive first review. The motion was seconded by Mrs. Davidson and carried unanimously. Mr. Jackson made a motion that the Board of Education adopt the resolution establishing the policy and forward copies of this policy to school personnel.

The resolution reads as follows:

***Resolution Establishing the Board of Education
Policy Regarding Medication Recommendations by School Personnel***

Whereas the 2002 General Assembly passed legislation directing the Board of Education to develop and implement policies regarding medication recommendations by school personnel (Code of Virginia §22.1-274.3);

Be it Resolved that the following policy be effective July 1, 2002:

School personnel are prohibited from recommending the use of psychotropic medications for any student. School health staff, classroom teachers, or other school professionals may recommend that an appropriate medical practitioner evaluate a student. In addition, school personnel may consult with a medical practitioner who is serving the student, with the written consent of the student's parent.

Local school boards and state-operated programs shall review their policies and procedures to ensure compliance with this policy of the Board of Education and the expectations of the General Assembly.

For the purpose of this policy, "psychotropic medications" means those medications that are prescribed with the intention of altering mental activity or state, including, but not limited to, antipsychotic, antidepressant, and anxiolytic medication and behavior-altering medication.

Adopted in Richmond, Virginia, This Twenty-Sixth Day of June in the Year 2002.

First Review of Criteria for the Providers of Supplemental Educational Services Under the No Child Left Behind Act of 2001

Mr. Charles Finley presented this item. As a condition of receiving the Title I funds, the No Child Left Behind Act (NCLB) of 2001 requires school divisions with schools that have Title I programs to achieve academic goals for English and mathematics over a 12-year period. Beginning with the 2002-2003 school year, all students in schools receiving Title I funds are expected to achieve proficiency in these subjects. The NCLB Act requires measurement of school progress toward achieving the goal through the establishment of annual targets called Adequate Yearly Progress (AYP) indicators. Individual schools, school divisions, and the state will be held accountable for reaching these Adequate Yearly Progress targets. If a school does not achieve AYP for two consecutive years, it is designated in "school improvement" under the federal law. Schools are identified for improvement if they receive Title I funds and have been rated *Accredited with Warning* in English and/or mathematics for two years, based on Standards of Learning tests for 2000 and 2001.

School divisions with a school that fails to meet AYP for three consecutive years must provide supplemental education services from public or private sector providers. Supplemental education services are defined as tutoring or other supplemental academic enrichment services that are in addition to instruction provided during the school day. These services must be of high quality, research-based, and specifically designed to increase the academic achievement of eligible children on state academic assessments. Priority must be given to low-achieving students from low-income families, and Title I

funds may be used to support the costs of these services. A provider of supplemental services may be a nonprofit entity, a for-profit entity, or a local educational agency. Title I schools that are in their first year of school improvement could possibly have to provide these services as early as the 2003-2004 school year.

Under the federal law, the state educational agency must develop and apply objective criteria to identify potential supplemental education services providers. The criteria must include the ability of a provider to show a demonstrated record of effectiveness in increasing the academic proficiency of students in subjects relevant to meeting the state academic content and student achievement standards. The Board is required to maintain a list of approved providers across the state, by school division, for use by parents for selection of services. Potential providers must be given annual notice of the opportunity to provide supplemental educational services and the procedures for obtaining approval from the state educational agency. At the request of a school division, the Board may waive, in whole or in part, the provision of supplemental services, if it determines that none of the approved providers are available within the division's geographic area and the school division shows that it is not able to provide services.

After a discussion, Mr. Jackson made a motion to remove criterion labeled: "Providers of instruction or tutoring to students must be licensed to teach in Virginia or work under the direct supervision of an individual who is licensed to teach in Virginia and be qualified to provide instruction in the specific academic area to be addressed. The motion was seconded and carried with a vote of 8 "yeas" to 1 "nay."

The Board received this item for first review.

First Review of Guidelines for Provision of Public School Choice Under the No Child Left Behind Act of 2001

This item was presented by Dr. Cynthia Cave, director of policy at the Department of Education. As a condition for receiving Title I funds, the No Child Left Behind Act (NCLB) of 2001 requires school divisions with schools that have Title I programs to achieve academic goals for English reading and language arts and mathematics over a 12-year period. Beginning with 2002, all students in schools receiving Title I funds are to achieve proficiency in these subjects. The NCLB Act requires determination of school progress in achieving the goal through the establishment of annual objectives measured by Adequate Yearly Programs (AYP) targets. Individual schools, school divisions, and the state will be held accountable for reaching these Adequate Yearly Progress targets. If a school does not achieve AYP for two consecutive years, it is designated as a school "in improvement" under the federal law. Under the NCLB Act, schools are also identified for improvement if they receive Title I funds and have been *Accredited with Warning* in English and/or mathematics for two years, based on Standards of Learning tests for 2000 and 2001.

Dr. Cave reported that Title I schools that have been identified for “school improvement” status must meet federal requirements to provide all students with the option of transferring to another public school that is not in school improvement, including charter schools. Parents are to be notified of the choice option, which must be provided no later than the first day of the school year following school improvement identification. Priority must be given to the lowest performing students in the highest poverty schools, as determined by the school division. Transportation to the school, or schools, of choice, as determined by the school division, must be funded by the school division, as long as the school from which a student is transferred is in “improvement” status.

The FY 2001 Appropriations Act, Title I Accountability, provides funds to assist Title I schools identified for school improvement status with the implementation of public school choice combined with a focus on school improvement activities identified in the required school improvement plans. The FY 2001 appropriation will provide \$105,270.88 to 35 Title I schools in Virginia that will be in school improvement status at the beginning of the 2002-2003 school year.

The Board accepted for first review the proposed guidelines for the provision of public school choice by school divisions having Title I schools in school improvement status.

Update on Virginia’s Consolidated State Application (P. L. 107-110)

Mr. George Irby, director of compensatory programs at the Department of Education, presented this item. At its May 23, 2002, meeting the Board of Education approved the Virginia Consolidated State Application and the 2002-2003 Homeless Education State Plan. Both of these programs are part of the No Child Left Behind Act (P. L. 107-110). Mr. Irby reported that both applications have been submitted to the U. S. Department of Education (USDOE) and are presently undergoing review and approval procedures as established by USDOE.

Mrs. Rogers made a motion to adopt the resolution regarding nonmaterial changes to the applications as necessary in the review and approval processes conducted by the USDOE. The motion was seconded by Ms. Noble and carried unanimously.

The resolution reads as follows:

***Resolution of the Board of Education
Regarding Nonmaterial Editorial and Technical Changes to the
Virginia Consolidated State Application
(No Child Left Behind Act, Public Law 107-110)
and the
2002-03 Homeless Education State Plan
(Title X, Part C of the No Child Left Behind Act,
Public Law 107-110)***

IT IS HEREBY RESOLVED that the Board of Education shall authorize the Superintendent of Public Instruction and the President of the Board to make any nonmaterial technical and editorial changes as required by the U. S. Department of Education in its review and approval processes for the Virginia Consolidated State Application and the 2002-03 Homeless Education State Plan. Such nonmaterial changes may be made at any time at the discretion of the Superintendent and the President.

IT IS FURTHER RESOLVED that if the necessary changes to the state's application(s) are deemed by the President and the Superintendent to be material in nature, the President shall so notify the members of the Board of Education and shall convene the Board of Education in emergency session.

IT IS FINALLY RESOLVED that the Superintendent of Public Instruction shall report to the members of the Board of Education any nonmaterial changes made in the Virginia Consolidated State Application and the 2002-03 Homeless Education State Plan after such changes are submitted to the U. S. Department of Education.

Adopted in Richmond, Virginia, This Twenty-Sixth Day of June in the Year 2002.

Mr. Irby recognized the following members of the Compensatory Programs staff: Mrs. Dianne Pollard, educational specialist, Title VI, and Mrs. Brenda Spencer, specialist, Title I.

Final Review of Board of Education Guidelines for Awarding Differentiated Numbers of Verified Credit for Career and Technical Education Certification and Licensure Examinations

Dr. Patricia Wright, assistant superintendent for instruction at the Department of Education, presented this item.

Dr. Wright gave a detailed summary of the proposed guidelines. Dr. Wright explained that the proposed guidelines apply only to a transition period, applicable only to the ninth-grade classes of 2000-2001, 2001-2002, and 2002-2003. The proposed guidelines specify that during the transition period, students shall earn the 22 standard units of credit described in 8 VAC 20-131-50, Requirements for Graduation, and the following number of verified units of credit to receive a Standard Diploma:

- Two verified units of credit in English
- Four additional verified units of credit of the student's own choosing. These four student-selected verified credits may be in SOL courses or

other areas as prescribed by the Board of Education. Students may mix and match SOL tests with other approved substitute assessments, including career and technical education certification and licensure examinations.

Dr. Wright summarized the background of the proposal. The Board of Education approved a list of industry certification and licensure examinations to satisfy the requirements for the Board of Education's Career and Technical Education Seal, Board of Education's Seal of Advanced Mathematics and Technology, and student-selected verified credit. The Board of Education's current administrative guidelines for awarding verified credit permit students to earn only one verified unit of credit for each certification or licensure examination passed. In April 2002, Governor Mark Warner sent a letter to the president of the Board of Education asking the Board to consider developing administrative guidelines for awarding differentiated numbers of verified credit for career and technical certification and licensure examinations "that have a demonstrated level of complexity and breadth of knowledge beyond that which is generally associated with a single course." Governor Warner requested that consideration be given to making the guidelines retroactive for students who are required to earn verified credit—students who first entered the ninth grade in 2000-2001.

Dr. Wright explained that the proposed guidelines were presented to the Board of Education for first review at its meeting on May 23, 2002. The proposed guidelines specified that students who pass a Board-approved certification or licensure examination would earn one or two student-selected verified credits in career and technical education, depending on the course of study taken in preparation for the examination. The guidelines would be retroactive for students who are required to earn verified credit—students who first entered the ninth grade in 2000-2001. The division superintendent or his/her designee will determine whether an individual student earns one or two verified credits for each examination passed based on the application of Board of Education guidelines and criteria.

Mrs. Davidson made a motion to adopt the proposed guidelines and criteria for the award of differentiated numbers of verified credit. The motion was seconded by Mrs. Genovese and carried unanimously.

The resolution setting forth the guidelines reads as follows:

***Resolution of the Board of Education:
Guidelines for Awarding Differentiated Numbers of Verified Credit
for Career and Technical Education Certification and Licensure Examinations***

WHEREAS, Governor Mark Warner has requested the Board of Education to consider developing administrative guidelines for awarding differentiated numbers of verified credit for career and technical certification and licensure examinations and that these guidelines be retroactive to students who first entered the ninth grade in 2000-01; and

WHEREAS, the Board of Education has approved a list of industry certification and licensure examinations to satisfy the requirements for the Board of Education's Career and Technical Education Seal, the Board of Education's Seal of Advanced Mathematics and Technology, and student-selected verified credit; and

WHEREAS, the Board of Education's current administrative guidelines for awarding verified credit permit students to earn only one verified unit of credit for each certification or licensure examination passed; and

WHEREAS, - current procedures do not take into consideration the complexity of the career and technical examinations or the number of standard units of credit associated with completing a courses sequence that prepares for these examinations; and

WHEREAS, Delegate Thomas M. Jackson, state board member, worked with the Department of Education and an advisory committee comprised of career and technical educators, division administrators, and professionals representing business and industry to develop guidelines and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education that the guidelines (below) be approved for awarding differentiated numbers of verified credit for career and technical education certification and licensure examinations and that these guidelines be retroactive to students who first entered the ninth grade in 2000-01.

Adopted in Richmond, Virginia, This Twenty-Sixth Day of June in the Year 2002.

BOARD OF EDUCATION GUIDELINES FOR AWARDING DIFFERENTIATED NUMBERS OF
VERIFIED CREDIT FOR CAREER AND TECHNICAL EDUCATION CERTIFICATION AND
LICENSURE EXAMINATIONS

The following guidelines shall be retroactive to students who first entered the ninth grade in 2000-2001.

Criteria for Awarding Student-Selected Verified Credit

- ✓ Student-selected verified credit will be awarded for certification or licensure examinations that meet all of the following criteria:
 - ❖ Industry certification or licensure examinations that are approved to satisfy the requirements for the Board of Education's Career and Technical Education Seal and the Board of Education's Seal of Advanced Mathematics and Technology will satisfy requirements for student-selected verified credits.
 - ❖ The teacher and/or the career and technical education program must be certified by the issuing organization relative to the industry certification or license.
 - ❖ A standard credit may not be verified more than once.

Earning Student-Selected Verified Credit

- ✓ One student-selected verified credit will be awarded for passing each certification or licensure examination that meets all of the above criteria and the student earns one standard unit of credit only in the career and technical education concentration or specialization.
- ✓ Two student-selected verified credits will be awarded for passing each certification or licensure examination that meets all of the above criteria; and
 - ❖ the student meets the career and technical education concentration or specialization course requirements for program completion; and

- ❖ the student earns at least two standard units of credit in the career and technical education concentration or specialization.

Second Review of Guidelines for Local School Boards to Award Verified Units of Credit for Standard Diplomas for Students Who Enter the Ninth Grade for the First Time in School Years 2000-2001, 2001-2002, and 2002-2003

Mrs. Genovese presented this item. Mrs. Genovese distributed a copy of substitute guidelines and made a motion to adopt the substitute guidelines as presented. Mr. Emblidge seconded the motion.

Dr. Jones presented an amendment to the guidelines. Dr. Jones' amendment would give students an opportunity to have an appeal process for mathematics. Dr. Jones made a motion to adopt the amendment. After a discussion of the proposed amendment, the president called for a vote. The motion on the amendment failed with a vote of 6 "nays" and 3 "yeas." Those voting "yea" are as follows: Dr. Jones, Mrs. Rogers, and Mrs. Davidson. Those voting "nay" are as follows: Mr. Christie, Mrs. Genovese, Mr. Goodman, Mr. Emblidge, Mr. Jackson, and Ms. Noble.

Ms. Noble made a motion to remove the mathematics appeal process from the substitute proposal. The motion failed for lack of a second.

Mr. Christie said the substitute guidelines, as presented by Mrs. Genovese, would be available for public comment until the July Board meeting. Board members requested and received copies of the summary of the public comments received to date on the proposed guidelines.

Annual Report from the Virginia Advisory Committee for the Education of the Gifted

This item was presented by Mrs. Gail Hubbard, chair of the Virginia Committee for the Education of the Gifted. Mrs. Hubbard presented the committee's twentieth annual report to the Board. The report included an overview of changes in the committee's bylaws and membership made in 2001-2002 and the issues being studied by the committee during the 2001-2003 terms.

Mrs. Hubbard stated that the Virginia Advisory Committee on the Education of the Gifted was established by the Board of Education in 1982 to provide the Board and the Superintendent of Public Instruction with recommendations regarding the educational needs of gifted students, kindergarten through grade 12. The advisory committee meets four times per year at a variety of sites throughout the commonwealth. The committee selects issues to study for the two-year term of the chairperson. Subcommittees are encouraged to study issues thoroughly through presentations by guest speakers, field study, and visitation, as well as through traditional research methods.

The Board received the Twentieth Annual Report submitted by the Virginia Advisory Committee for the Education of the Gifted. The president thanked Mrs. Hubbard for her work as chair of this advisory committee.

Report on Requests for Pre-Labor Day Opening

Mr. Charles Finley presented this item. Mr. Finley reported to the Board on the pre-labor day opening waivers for the 2002-2003 school year.

Mr. Finley gave a brief overview of the law related to the Pre-Labor Day Opening process. Section 22.1-79 of the *Code of Virginia* prohibits local school boards from adopting school calendars that require schools to open prior to Labor Day unless a waiver is granted by the Board for "good cause." The conditions under which the Board may grant such waivers are delineated in the *Code*. Annually, the Board grants waivers to a number of school divisions for "good cause" under one of those conditions in accordance with guidelines adopted March 25, 1999 (Resolution Number 1999-2).

Mr. Finley reported that for the 2002-03 school year, requests for waivers to open prior to Labor Day were received from 75 school divisions. Of those requests: 49 requests have been approved because of inclement weather and with 13 for related (shared) programs. Twelve school divisions have been given approval to open one or more schools prior to Labor Day based on the operation of an experimental or innovative program (10 divisions with year-round schools, one division with an extended-year calendar, one division with both year-round and extended year calendars); one request for approval of an experimental or innovative program was withdrawn; and three related program requests have not been considered because the divisions that would support the related program requests with a waiver based on inclement weather have not applied. Mr. Finley reported that the number of school divisions that operate schools on a year-round calendar under an approval of an innovative program has been increasing. Currently, there are approximately 30 schools in 14 divisions that operate on a year-round calendar. The guidelines require that requests for a waiver be submitted annually.

The Board received the report for information.

PUBLIC COMMENT

The following person spoke during public comment:

Dr. Joan Byrne, Executive Director of the Virginia Association of Curriculum Development and Supervision, speaking on behalf of the Virginia Education Coalition.

DISCUSSION OF CURRENT ISSUES

Mr. Christie said a public hearing will be held on Senator Marye's bill regarding vending machines at 1:00 p.m. on September 26, 2002.

Dr. DeMary recognized Dr. Linda Wallinger who will be leaving the Department of Education to work in New York City. Dr. DeMary thanked Dr. Wallinger for her hard work and dedication.

The Board met for dinner at the Crowne Plaza Hotel on June 25, 2002. Present were Mr. Christie, Mrs. Genovese, Mrs. Davidson, Mr. Emblidge, Mr. Goodman, Dr. Jones, and Mrs. Rogers. General discussion took place about general Board business, including discussion of items on upcoming Board agendas. No votes were taken, and the dinner meeting ended at 8:30 p.m.

ADJOURNMENT

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Christie adjourned the meeting at 11:35 a.m.

President

Secretary