

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

March 27, 2002

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

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

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

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Mrs. Davidson made a motion to approve the February 5, 2002, minutes of the Board of Education. The motion was seconded by Mrs. Rogers and carried unanimously. Copies of the minutes had been distributed previously to all members of the Board of Education.

APPROVAL OF THE AGENDA

Item E, First Review for Approval of the Proposed Revisions of the Rules Governing General Educational Development Certificates (8 VAC 20-360-10 et. seq.), will be discussed at the April meeting. Mrs. Rogers made a motion to approve the amended agenda. The motion was seconded by Mrs. Genovese and carried unanimously.

CONSENT AGENDA

Mr. Emblidge made a motion to approve the consent agenda. The motion was seconded by Dr. Jackson and carried unanimously.

- Final Review of Recommendations Concerning Applications for Literary Fund Loans
- Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List
- Final Review of Financial Report on Literary Fund
- Revision of Literary Fund Project Amounts for Wythe County and Nottoway County

Final Review of Recommendations Concerning Applications for Literary Fund Loans

The Department of Education’s recommendation to approve three applications in the amount of \$16,100, 000 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
Hopewell City	Carter G. Woodson Middle	\$1,100,000.00
King William County	King William High School	7,500,000.00
Buckingham County	Buckingham Middle	7,500,000.00
	TOTAL	\$16,100,000.00

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

The Department of Education’s recommendation that funding for three projects in the amount of \$16, 100,000 be deferred and the projects 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
Hopewell City	Carter G. Woodson Middle	\$1,100,000.00
King William County	King William High School	7,500,000.00
Buckingham County	Buckingham Middle	7,500,000.00
	TOTAL	\$16,100,000.00

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 January 31, 2002 was accepted by the Board of Education’s vote on the consent agenda.

Revision of Literary Fund Project Amounts for Wythe County and Nottoway County

The Department of Education's recommendation that the Board of Education approve the revision of the amounts for projects in Wythe County was accepted by the Board of Education's vote on the consent agenda. The projects will remain where they are currently located on the First Priority Waiting List.

RESOLUTIONS AND RECOGNITIONS

A Resolution of Appreciation and flag were presented to the following Virginia 2002 Regional Teachers of the Year:

Region 1

Peter D. Schumacher, James River High School
Chesterfield County Public Schools

Region 2

Ruth S. Grillo, Accomack County Public Schools
Virginia's Teacher of the Year for 2002

Region 3

Brandy E. Bell, Winding Creek Elementary School
Stafford County Public Schools

Region 4

Betty Hill Rankin, Starling Middle School
Loudoun County Public Schools

Region 5

Patricia W. Worsham, E. C. Glass High School
Lynchburg City Public Schools

Region 6

Thomas M. Young, Ferrum Elementary School
Franklin County Public Schools

Region 7

Kathleen H. Osborne, Richlands Elementary School
Tazewell County Public Schools

Region 8

Donald B. Harrell, Greenville Elementary School
Greenville County Public Schools

2002 Virginia Teacher of the Year

Ms. Ruth S. Grillo, Accomack County Public Schools, was honored as Virginia's nominee in the National Teacher of the Year program, which is sponsored by the Council of Chief State School Officers and Scholastic, Inc.

ACTION/DISCUSSION ITEMS

First Review of Proposed Revisions to the Regulations Adjusting Grievances for School Personnel (8 VAC 20-90-10 et Seq.)

Dr. Thomas Elliott, assistant superintendent, teacher certification and professional licensure at the Department of Education, presented this item. Dr. Elliott said that the Virginia Board of Education regulations, the Procedure for Adjusting Grievance (8 VAC 20-90-10 et seq.), have been reviewed. Based on this review, revisions need to be made to align the regulations with changes in the *Code of Virginia*. All revisions, other than a few citation references, are exact language changes from the *Code*.

After a brief discussion, Dr. Jones made a motion to waive first review, adopt the revisions as presented, and authorize personnel in the Department of Education to finalize the regulations as required by the Administrative Process Act. The motion was seconded by Mrs. Genovese and carried unanimously.

Final Review of Revised Mathematics Standards of Learning Curriculum Framework

Dr. Patricia Wright, assistant superintendent for instruction at the Department of Education, presented this item. Dr. Wright introduced the following members of her staff that were in attendance and expressed appreciation for their work on the mathematics curriculum framework: Maureen Hajar, director of middle instruction; Deborah Lyman, middle instruction mathematics specialist; Karen Grass, elementary mathematics specialist; and Wendy Geiger, middle instruction mathematics specialist. Dr. Wright also acknowledged other Department staff involved in the development of the mathematics curriculum framework.

Mrs. Davidson made a motion to accept for final review and adopt the Mathematics Standards of Learning Curriculum Framework for the revised Mathematics Standards of Learning. The motion was seconded by Mr. Jackson and carried unanimously.

The resolution reads as follows:

**Resolution of the Board of Education:
Revised Mathematics Standards of Learning Curriculum Framework**

WHEREAS, in October 2001, the Board of Education approved the revised Mathematics Standards of Learning; and

WHEREAS, the 1999 Mathematics Teacher Resource Guide needed to be revised to reflect the revised Mathematics Standards of Learning; and

WHEREAS, the Board has conducted public hearings on the revised Mathematics Standards of Learning Curriculum Framework and comments from those hearings have been incorporated into the final document;

NOW, THEREFORE BE IT RESOLVED by the Board of Education that the revised Mathematics Standards of Learning Curriculum Framework be approved for implementation in Virginia's public schools.

Adopted in Richmond, Virginia, This Twenty-Seventh Day of March in the year 2002.

First Review of Requests from Local School Board for Approvals of Innovative Programs Involving Opening Prior to Labor Day

Mr. Christie recused himself from this issue because his law firm has provided legal counsel to the Virginia Hospitality and Travel Association. Mrs. Genovese presided on this issue.

Mr. Charles Finley, assistant superintendent for Accountability at the Department of Education, presented this item. Mr. Finley presented request from three local school boards currently operating at least one school on a year-round calendar with Board of Education approval. These requests add at least one additional school to the number of schools in the division on a year-round schedule.

The Fairfax County School Board requested approval of a year-round school calendar for Annandale Terrace Elementary School and Parklawn Elementary School. Classes would begin at both schools on July 29, 2002 with intercessions scheduled for October, January, and April. The intercessions will provide an additional 24 days of instruction.

The Danville City School Board requested approval to add Woodrow Wilson Elementary School to the number of schools currently operating on a year-round calendar bring the total number of schools to six. The school will operate on the typical 45/15-day schedule with 40 additional days schedules during four intercessions throughout the year. Classes would begin August 25, 2002.

The Virginia Beach City School Board requested approval to add Corporate Landing Elementary School to the number of schools currently operating on a year-round calendar bring the total number of schools in that division to three. This school will also operate on a typical 45/15-day schedule followed by intercessions. The intercessions will provide an additional 24 days of instruction.

Mr. Goodman made a motion to waive first review and approve requests from Fairfax County, Danville City, and Virginia Beach City Public Schools. The motion was seconded by Dr. Jones and carried with six "yes" votes. Mrs. Davidson requested that the records show that she abstained from the vote because she is employed by one of the school divisions under consideration.

The resolution reads as follows:

**Resolution of the Board of Education:
Granting Approval of an Experimental or Innovative Program
Involving Opening Prior to Labor Day**

WHEREAS, ' 22.1-79.1 of the *Code of Virginia* requires local school boards to set the school calendar so that the first day students are required to attend shall be after Labor Day, unless a waiver is granted by the Board of Education; and

WHEREAS, one of the conditions set forth in ' 22.1-79.1 of the *Code* for granting such a waiver is that the school is operating an experimental or innovative program approved by the Board pursuant to the provisions of 8 VAC 20-131-280.D of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* that include instructional programs offered on a year-round basis; and

WHEREAS, the school boards of Fairfax County, the City of Danville, and the City of Virginia Beach operate some schools on a year-round calendar for the 2001-02 school year; and

WHEREAS, the school boards of Fairfax County, the City of Danville, and the City of Virginia Beach desire to expand the number of schools being operated on a year-round or calendar; and
WHEREAS, the operation of schools on a year-round calendar involving opening prior to Labor Day requires approval of the Board of Education;

NOW, THEREFORE BE IT RESOLVED THAT the Board approves the experimental or innovative programs involving instructional programs that operate on a year-round schedule and grants a waiver of the provisions of ' 22.1-79.1 of the *Code* to the school boards of Fairfax County, the City of Danville, and the City of Virginia Beach for the following schools to open prior to Labor Day for the school year 2002-03:

Fairfax County Public Schools

Annandale Terrace Elementary School
Parklawn Elementary School

City of Danville

Woodrow Wilson Elementary School

City of Virginia Beach

Corporate Landing Elementary School

Adopted in Richmond, Virginia, This Twenty-Seventh Day of March in the Year 2002.

First Review of a Request for Approval of Increased Graduation Requirements from Local School Board

Mr. Finley, assisted by Dr. Roy Geiger, division superintendent, New Kent County Public Schools and Mr. Paul Tiscornia, director, Maggie L. Walker Governor's School, presented this item. Mr. Tiscornia explained that the Board of the Maggie L. Walker Governor's School for Government and International Studies (MLWGS) is seeking approval from the Board of Education to require that students earn a minimum of twenty-nine units of credit to be awarded an Advanced Studies Diploma.

The 29 credits required by the school exceed the requirements prescribed for the Advanced Studies Diploma in both the number of credits and the content/courses

required. Of the 29 credits, 28 must be earned at the governor's school. The course/content requirements in mathematics and foreign language exceed the Board's requirements. In addition, a course in research/communications, a senior seminar, and community service are also required.

The increased course/content requirements and the requirement that students earn a total of 6 units of credit in foreign languages are consistent with the provisions of the Board's *Guidance Document Re Requests for Additional Graduation Credit Requirements and Requests to Allocate Electives from Local School Boards*, June 25, 1998.

There was an extensive discussion by Board members on the issue of students not being able to carry middle school credits over to MLWGS. After discussion, the Board received the request for first review. This item will be presented again at the April meeting. The Board requested the MLWGS to address the following issues at the April meeting: (1) where the diplomas will be awarded, and (2) 8th grade credits.

First Review of Revised Standards of Learning Review Schedule

Dr. Wright also presented this item. In September 2000, the Board of Education adopted a revision schedule for the Standards of Learning in all subject areas. In accordance with the *Code of Virginia*, the Standards of Learning in all subject areas will be reviewed and revised as necessary at least every seven years.

The Board of Education adopted revisions to the 1995 History and Social Science Standards of Learning in November 2001. Revisions to the 1995 Mathematics Standards of Learning were adopted in October 2001. The review schedule that was approved by the Board in September 2000 calls for the Science Standards of Learning to be reviewed and revised, as needed, by June 2003. The English Standards of Learning review was to be completed in 2004.

Mr. Jackson made a motion to waive first review. The motion was seconded by Mrs. Rogers and approved unanimously. Mrs. Davidson made a motion to adopt the revised schedule for the review of Standards of Learning that authorizes the English Standards of Learning review to begin immediately. The motion carried unanimously.

The resolution reads as follows:

Resolution of the Board of Education: Standards of Learning Revision Schedule

WHEREAS, since 1995, the Board of Education has developed or revised Standards of Learning in seven discipline areas and computer/technology; and

WHEREAS, the 2000 General Assembly passed legislation requiring the Board of Education to establish a regular schedule for the review, and revision as may be necessary, of the Standards of Learning in all subject areas;

§ 22.1-253.13:1-2

By October 1, 2000, the Board shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

That, by November 1, 2000, the Board of Education shall begin the review and revision of the Standards of Learning, as required by this act, with a review and revision of the social studies Standards of Learning and shall concentrate its first cycle of review and revision on those Standards of Learning linked to verified units of credit.

and

WHEREAS, in September 2000, the Board of Education adopted a schedule for the ongoing review of Standards of Learning; and

WHEREAS, in January 2002, the reauthorization of the Elementary and Secondary Education Act (ESEA) requires English/reading tests for students in grades three through eight, and these tests should be based on updated Standards of Learning;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education adopts the attached revised schedule for the review of Standards of Learning and authorizes the English Standards of Learning review to begin immediately.

Adopted in Richmond, Virginia, This Twenty-Seventh Day of March, in the Year 2002

First Review of Nominations to the State Special Education Advisory Committee

Mr. Doug Cox, assistant superintendent for instructional support services at the Department of Education, presented this item. The individuals with Disabilities Education Act requires the establishment of the State Special Education Advisory Committee to advise the State Education Agency on the education of children with disabilities.

The committee membership must consist of parents of children with disabilities; individuals with disabilities; teachers; representatives of institutions of higher education that prepare special education and related services personnel; state and local education officials; administrators of programs for children with disabilities; representatives of other state agencies involved in the financing or delivery of related services to children with disabilities; representatives of private schools and public charter schools; representatives of vocational community, or business organization concerned with the provision of transition services to children with disabilities; and representatives from the state juvenile and adult corrections agencies.

Mr. Goodman made a motion to waive first review and take the following actions:

- ✓ Appoint Anne Fischer, Suffolk, as the Region II parent representative to a four-year term
- ✓ Appoint Carmen Sanchez as the Region IV parent representative to a four-year term
- ✓ Appoint Karen Tompkins as the private schools and public charter schools representative to a four-year term
- ✓ Reappoint Heidi Lawyer, Chesterfield, as the Region I parent representative to a second four-year term
- ✓ Reappoint Charlene Christopher, as the teacher representative to a second four-year term.

Mrs. Davidson seconded the motion and carried unanimously.

First Review of Process for State Adoption of Instructional Materials

Dr. Wright also presented this item. The Board of Education's authority for approving textbooks and other instructional materials is prescribed in the Virginia Constitution and in the *Code of Virginia*, and the Board of Education's Regulations *Govern Textbook Adoption* (8 VAC 20-220) specifies the types of materials that may be adopted.

Dr. Beverley Thurston was recognized as the textbook adoption representative for the Department.

Dr. Jones made a motion to waive first review and adopt a motion to approve the process for state adoption of textbooks and instructional materials in accordance with the Constitution of Virginia. The motion was seconded by Mrs. Rogers and carried unanimously.

The resolution reads as follows:

**Resolution of the Board of Education:
Process for State Adoption of Textbooks and Instructional Materials**

WHEREAS, the Board of Education's authority for approving textbooks and other instructional materials is prescribed in the Virginia Constitution and in the *Code of Virginia*, and the Board of Education's Regulations Governing Textbook Adoption specifies the types of materials that may be adopted; and

Virginia Constitution; Art. VIII § 5 (d)

It [the Board of Education] shall have authority to approve textbooks and instructional aids and materials for use in courses in the public schools of the Commonwealth.

Code of Virginia, §22.1-238

The Board of Education shall approve textbooks suitable for use in the public schools and shall have authority to approve instructional aids and materials for use in the public schools. Any school board may use textbooks not approved by the Board provided the school board selects such books in accordance with regulations promulgated by the Board.

Regulations Governing Textbook Adoption 8 VAC 20-220-30

Only those materials which are designed to provide basic support for the instructional program of a particular content area at an appropriate level will be adopted.

WHEREAS, in 1991, the Board of Education adopted a resolution delegating its authority for textbook adoption to the superintendent of public instruction; and

WHEREAS, since 1995 the Department of Education has worked with state committees to review and evaluate publishers' submissions primarily with respect to Standards of Learning (SOL) correlation; and

WHEREAS, the importance of teachers using curricula and materials that are aligned to the Standards of Learning is a major factor contributing to student achievement on the standards;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education adopts the motion to approve textbooks and instructional materials in accordance with the Constitution of Virginia.

Adopted in Richmond, Virginia, This Twenty-Seventh Day of March in the Year 2002

Final Review of Additional Models/Programs that include Methods to Satisfy Provisions in Regulations Establishing Accrediting Standards for Public Schools in Virginia

Dr. Patricia Wright presented this item. The revised *Regulations Establishing Accrediting Standards for Public Schools in Virginia* (SOA) effective September 28, 2000, require schools accredited with warning in English or mathematics to adopt and implement instructional methods that have a proven track record of success at raising student achievement. In January and March 2001, the Board of Education approved lists of instructional models/programs to satisfy the provisions of the Standards of Accreditation, as well as the criteria for the selection of models/programs. Three disclaimers also were adopted by the Board and are included with the published list of recommended models/programs. Dr. Wright gave a short review of the criteria for recommended models/programs and disclaimers.

Dr. Jones made a motion to accept for final review and adopt the proposed additional instructional models/programs.

The resolution reads as follows:

**Resolution of the Board of Education:
Additional Models that Include Research-Based Instructional Methods**

WHEREAS, the *Regulations Establishing Accrediting Standards for Public Schools in Virginia* (September 28, 2000) require schools accredited with warning in English or mathematics to adopt and implement an instructional method that has a proven track record of success at raising student achievement in those areas as appropriate; and

WHEREAS, these regulations require the Board of Education to publish a list of recommended instructional methods approved for implementation; and

WHEREAS, the Board has proposed criteria for identifying and selecting models/programs that include research-based instructional methods;

NOW, THEREFORE BE IT RESOLVED by the Board of Education that the models programs be recommended as instructional methods acceptable for use by schools accredited with warning in English or mathematics:

Earobics
Sadlier Phonics/Word Study program
Sing, Spell, Read, & Write

published by Cognitive Concepts, Inc.
published by Sadlier-Oxford
published by Modern Curriculum Press

Adopted in Richmond, Virginia, This Twenty-Seventh Day of March, in the Year 2002.

Statewide Performance Report Summary for Career and Technical Education

Mr. Jim Gray, associate director for career and technical education at the Department of Education, presented this item. The Board of Education approved the Virginia System of Performance Standards and Measures as a part of the 2002-2004 State Plan for Career and Technical Education (CTE). The federal Perkins act requires that the results on the negotiated state adjusted levels of performance for both secondary and postsecondary CTE are communicated to the State Board and other audiences. Each school division and the Virginia Community College System will receive an annual report of performance.

The Virginia system addresses: 1) academic achievement; 2) occupational competence; 3) (a) access and success for special populations as defined by Perkins; (b) nontraditional career preparation; 4) successful transition to careers and/or further education; and 5) employer/employee satisfaction with high school preparation.

The Board accepted the report as presented. The report will be maintained as a part of the Board of Education's meeting records, and will be communicated to the audiences required by the Perkins legislation.

Report on Technical Assistance Document Related to Sample Courses of Study that Satisfy Standard Diploma Graduation Requirements

Dr. Wright also presented this item. Beginning with the ninth-grade class of 2000-2001, students who wish to receive a Standard Diploma must earn 22 standard units of credit and 6 verified units of credit distributed among content areas and courses as prescribed in 8 VAC 20-131-50.B of *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA).

During a three-year transition period, applicable only to ninth graders in 2000-2001, 2001-2002, and 2002-2003, students have additional flexibility in how they may earn the six required verified credits. They are as follows:

- ✓ Two verified units of credit in English
- ✓ Four additional verified units of credit of the student's own choosing (rather than in specific content areas).

Students may earn the four additional verified credits in courses with end-of-course Standards of Learning (SOL) tests or in courses in computer science, technology, or other areas as prescribed by the Board of Education (8 VAC 20-131-50.B). The Board has approved a variety of “additional” tests and career and technical education licenses and certifications that may be used to verify student-selected credits.

Dr. Wright gave a short review of the technical assistance document provided to the Board members outlining a variety of sample courses of study that students who are included in the three-year transition period might use to earn a Standard Diploma. The technical assistance document will be posted on the Department of Education Web site and used as a basis for additional staff development programs on graduation requirements.

The Board accepted the report as presented by Dr. Wright.

Report on Changes to the General Education Development (GED) Tests

Dr. Yvonne Thayer, director of adult education and literacy at the Department of Education, presented this item. The Department of Education oversees the administration of the General Educational Development (GED) testing program. Testing for the GED is available to any adult over the age of 18 and students age 16 and older who are enrolled in alternative education programs that prepare them for the GED tests. There are 73 testing centers throughout the state. During the 2001 calendar year, 15,896 Virginians earned a GED Certificate.

Dr. Thayer said in January 2002, the American Council on Education adopted a new test battery, requiring previous test takers who had obtained a passing score on one or more subtests but had not passed the test battery to retake the entire battery to become eligible for a GED certificate. The new tests were based on content standards from various states, including Virginia. The tests were normed with 15,000 graduating high school seniors. Dr. Thayer further discussed the changes in the GED tests.

The Board received the report for information.

PUBLIC COMMENT

The following persons spoke during public comment:

Mr. Randy Reekes
Dr. Joan Byrne

DISCUSSION OF CURRENT ISSUES

Dr. DeMary recognized Mr. Lan Neugent, assistant superintendent for technology at the Department of Education. Mr. Neugent received the National Making It Happen Award for his leadership in technology in Virginia. Dr. DeMary said the Virginia

Satellite Educational Network is the second largest satellite delivery system in the nation. Texas has the largest.

The Board met for dinner at the Crowne Plaza Hotel on March 26, 2002. Present were Mr. Christie, Mrs. Genovese, Mrs. Davidson, Mr. Emblidge, Mr. Goodman, Mr. Jackson, Dr. Jones, Mrs. Rogers, and Dr. DeMary. 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 12:10 p.m.

President

Secretary