

COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
RICHMOND, VIRGINIA

**MINUTES**

September 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	Dr. Gary L. Jones
Mrs. Susan L. Genovese, Vice President	Ms. Susan T. Noble
Mrs. Audrey B. Davidson	Mrs. Ruby W. Rogers
Mr. Mark E. Emblidge	
Mr. M. Scott Goodman	
Mr. Thomas M. Jackson	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***

Dr. Jones made a motion to approve the minutes of the July 25, 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. Rogers and carried unanimously.

- Final Review of Financial Report on Literary Fund
- Final Review of the Notice of Intended Regulatory Action (NOIRA) to Amend the Licensure Regulations for School Personnel (8 VAC 20-21-10 et seq.)

**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 June 30, 2002, was accepted by the Board of Education's vote on the consent agenda.

**Final Review of the Notice of Intended Regulatory Action (NOIRA) to Amend the Licensure Regulations for School Personnel (8 VAC 20-21-10 et seq.)**

The Department of Education's recommendation that the Board waive first review and approve the NOIRA to amend the Licensure Regulations for School Personnel was accepted by the Board of Education's vote on the consent agenda.

**RESOLUTIONS AND RECOGNITIONS**

- Dr. Nancy Davenport, president of the Virginia Elementary School Principals Association, and Michael Newman, president of the Virginia Association of Secondary School principals, presented a Resolution of Recognition to the following persons:

Virginia's Elementary School Principal of the Year

*Dr. Lucia V. Sebastian*, principal, James River Elementary School  
Williamsburg/James City County Public Schools.

Virginia's Elementary School Assistant Principal of the Year

*Ms. Shirley S. Long*, assistant principal, Spring Hill Elementary School  
Fairfax County Public Schools

Virginia's Secondary School Principal of the Year

*Dr. Irving C. Jones*, principal, Monticello High School  
Albemarle County Public Schools

Virginia's Middle School Principal of the Year

*Dr. Brian T. Binggeli*, principal, Tuckahoe Middle School  
Henrico County Public Schools

Virginia's Secondary School Assistant Principal of the Year

*Miss Judith Wallace*, assistant principal, Abingdon High School  
Washington County Public Schools

- A Resolution of Recognition was presented to the Gate City High School Girls' Softball Team, the First-Ever Statewide Title Received by a Girl's Sports Team at Gate City High School

- A Certificate of Appointment was presented to the following members of the Board of Education's 2002-03 Student Advisory Committee:

*Emily Browning*, Holston High School, Washington County Public Schools  
*Caryne Clarke*, Hopewell High School, Hopewell City Public Schools  
*Jonathan Cross*, Robinson Secondary School, Fairfax County Public Schools  
*Amanda Dorsey*, West Point High School, West Point Public Schools  
*Ryan Durham*, Tabb High School, York County Public Schools  
*Adam Erby*, Central High School, Lunenburg County Public Schools  
*Joshua Goff*, Randolph-Henry High School, Charlotte County Public Schools  
*Naaila Gray*, Jamestown High School, Williamsburg/James City County Public Schools  
*Patrick Haley*, Western Albemarle High School, Albemarle County Public Schools  
*Bradley Hinshelwood*, Eastern Montgomery High School, Montgomery County Public Schools  
*Jessica Johnson*, Providence Middle School, Chesterfield County Public Schools  
*Amanda McMillian*, Carver Middle School, Henry County Public Schools  
*Jonathan Meade*, Castlewood High School, Russell County Public Schools  
*Ryan Scofield*, Broad Run High School, Loudoun County Public Schools  
*Catherine Serex*, Princess Anne Middle School, Virginia Beach Public Schools  
*Danielle Wilson*, Rockbridge Middle School, Rockbridge County Public Schools

- A Resolution of Appreciation was presented to the following retiring members of the Advisory Board on Teacher Education and Licensure:

*Mychele Brickner*, 1996 to 2002  
*Brenda Duda*, 1997 to 2002  
*Dr. Jill Fox*, 1999 to 2002  
*Holly Hawthorne*, 1996 to 2002  
*Kimberly Loy*, 1996 to 2002  
*Mary McCauley*, 1996 to 2002

#### ***ACTION/DISCUSSION OF BOARD OF EDUCATION REGULATIONS***

##### ***First Review of Proposed Regulations Entitled Regulations Governing the Operation of Private Day Schools for Students with Disabilities (8 VAC 20-670 et seq.)***

This item was presented by Mr. Charles Finley, assistant superintendent for accountability at the Department of Education. Mr. Finley introduced Mrs. Carolyn Hodgins, specialist for private special education day schools, to answer Board members' questions. The new regulations for private day schools for students with disabilities give clear, orderly requirements for the establishment and conduct of such schools. These regulations set forth requirements addressing the management of the schools, including staff qualifications, physical facilities, instructional programs, student services, records and contracts, and cancellation and refund policies. They provide schools the guidance necessary to implement programs that are compliance with the law and that protect both the students' and the proprietors' interests. The regulations provide a clear process by which a school receives and maintains a license to operate. This document details the

following: types of approval, advertising, student guaranty provisions, dental revocation, suspension, and refusal to renew licenses to operate. Specific requirements clarify academic standards and educational accessibility, provisions for health care, and safety.

Mr. Jackson made a motion to waive first review and approve the proposed regulations for submission to the next phase of the Administrative Process Act and publish for public comment. The motion was seconded by Mrs. Rogers and carried unanimously.

**First Review of Proposed Revisions in Regulations Governing Driver Education (8 VAC 20-340-10 et seq.)**

Mrs. Vanessa Wigand, specialist for health, physical education, and driver education, presented this item. Mrs. Wigand reported that the current regulations governing driver education programs were last reviewed in 1980. The 2001 General Assembly amended §22.1-205 of the Virginia *Code* to require a minimum number of miles driven during the behind-the-wheel phase of driver education instruction as prescribed by the Board of Education. This amendment prompted the need for a revision.

The primary issue to be addressed in the proposed revised regulations will be establishing a minimum number of miles driven during the behind-the-wheel phase of instruction as necessitated by the amendment to §22.1-205. The *Code* section directs the Board of Education to establish a standardized program of driver education in the safe operation of motor vehicles.

Mrs. Wigand explained that successful completion of a state-approved driver education program is a prerequisite to obtain a Virginia driver's license. Upon successful completion, and with parent/guardian approval, the school will issue the student a 90-day temporary license. The provisional license is then awarded to the student at a judicial licensing ceremony as required by ' 46.2-336. In addition, the Virginia standardized program of 36 periods of classroom and 14 periods of in-car instruction meets the minimum educational requirements for a minor to obtain a driver's license in another state, U. S. Territory, or Canadian province.

The NOIRA was approved through the Governor's office and posted for publication in the register on August 13, 2001.

Dr. Jones made a motion to waive first review and approve the proposed regulations to continue through the Administrative Process Act. The motion was seconded by Mrs. Davidson, and it was carried unanimously.

**Final Review of Amendments to the Regulations Governing the Employment of Professional Personnel (8 VAC 20-440-10 et seq.)**

Dr. Thomas Elliott, assistant superintendent for teacher education and licensure at the Department of Education, presented this item. Dr. Elliott said the *Regulations*

*Governing the Employment of Professional Personnel* were originally adopted by the Board of Education in 1994. In response to an amendment to Section 22.1-302 of the *Code of Virginia*, the regulations were revised in 1996 to incorporate a model extracurricular activity sponsorship contract adopted by the Board of Education. No revisions to the regulations have been made since 1996.

Dr. Elliott noted that the Board of Education approved the Notice of Intended Regulatory Action (NOIRA) on April 26, 2001, stating its intent to consider amending the *Regulations Governing the Employment of Professional Personnel*. The NOIRA was published in the *Virginia Register of Regulations* on August 13, 2001. The Board of Education received the amendments to the regulations for first review on November 27, 2001.

A public hearing was held July 25, 2002, in the General Assembly Building in Richmond, Virginia. No comments were received during the public hearing. Written comments were received by mail. The written comments specifically addressed §22.1-304 of the *Code of Virginia* that gave school boards a temporary option to notify certain probationary teachers of reemployment by May 15, rather than by April 15. The concern was that this section of the *Code* does not have bearing on the dates set for the three-phase employment process, and the language changes in the regulations allowing different dates for the finalization of teacher contracts would be a problem for school divisions. Since the option in the *Code* expires for all school divisions except one on July 1, 2003, the language in the proposed regulations creating this concern has been stricken.

Mrs. Rogers made a motion to approve the proposed amendments to the *Regulations Governing the Employment of Professional Personnel* and authorize personnel in the Department of Education to complete the requirements of the Administrative Process Act. Mrs. Genovese seconded the motion, which was carried unanimously.

#### ***ACTION ITEMS***

##### ***First Review of the Proposed Guidelines for Awarding Honorary High School Diplomas to Korean War Veterans and Vietnam War Veterans***

Mr. Christie presented this item. The 2002 General Assembly session adopted Senate Bill 365, sponsored by Senator Harry B. Blevins, to designate the first full week in November as Virginia Korean War Veterans Appreciation Week and to establish the Commonwealth of Virginia Korean War Veteran Honorary High School Diploma. The bill provides for the awarding of the honorary diplomas by the Board of Education, according to guidelines the board develops.

Mr. Christie explained that, in July 2001, the Board of Education adopted guidelines for honorary high school diplomas for World War II veterans, in response to legislation passed by the 2001 General Assembly. During the past year, the Board of Education has issued nearly 700 honorary high school diplomas to eligible veterans.

Members of Chapter 143 of Korean War Veterans of America were in the audience, and the President asked them to stand and be recognized. Present were James F. Jones, president, James A. Jamison, and Harry E. Jones. Mr. Christie thanked the veterans for attending and said these veterans were heroes, including their colleagues who served with them.

Mr. Christie announced that, in recognition of the service of Vietnam veterans, it is the intent of the Board of Education to extend the issuance of an honorary high school diploma to eligible veterans who served in Vietnam between 1961 and 1975. The proposed guidelines before the Board today include guidelines for issuing an honorary diploma to Vietnam War veterans. Mr. Christie said Vietnam War veterans are also heroes and the issuing of the honorary diploma is a way for the Commonwealth of Virginia to say thank you to all veterans from World War II, Korean War, and Vietnam War.

Dr. Jones made a motion to waive first review and to approve the issuance of the honorary high school diploma for Korean and Vietnam War veterans. Mrs. Rogers seconded the motion, which was carried unanimously.

**First Review of Appointments to the Board of Education's Accountability Advisory Committee**

Mr. Christie also presented this item. The charter establishing the Accountability Advisory Committee (AAC) was adopted by the Board of Education on March 23, 2000, and amended on January 11, 2001.

The term of service for seven members of AAC have expired, and it is necessary for the Board of Education to fill the vacancies. Also, one member has resigned, and the Virginia Association of Secondary School Principals wishes to place the organization's new president in the position currently held by the immediate past president. All appointments are for a term of three years.

The following persons are nominated to fill the current vacancies:

Dr. Billy Cannaday, superintendent, Chesterfield County Public Schools  
Mr. Henry Harrell, chairman and CEO, Universal Corporation  
Dr. Alan Lee, superintendent, Washington County Public Schools  
Mr. Hugh Keogh, president, Virginia State Chamber of Commerce  
Mr. David Wymer, assistant superintendent for Testing and Accountability, Roanoke County Public Schools  
Mrs. Mychele Brickner, Fairfax County School Board  
Dr. Bud Cothorn, former superintendent, Goochland County Public Schools  
Mr. Bob Hall, legislative chairman, Virginia School Boards Association

Mr. C. Michael Newman, principal, Brookland Middle School, Henrico County Public Schools and president, VAASP

Mrs. Rogers made a motion to approve the appointment of the above-named persons to the Accountability Advisory Committee. Mr. Emblidge seconded the motion, which was carried unanimously.

**First Review of Appointments to the Advisory Board on Teacher Education and Licensure**

Dr. Thomas A. Elliott presented this item. The Advisory Board on Teacher Education and Licensure (ABTEL), a nineteen-member board, advises the Board of Education and submits recommendations on policies applicable to the qualifications, examination, licensure, and regulation of school personnel including revocation, suspension, denial, cancellation, reinstatement, and renewal of licenses, fees for processing applications, standards for the approval of preparation programs, reciprocal approval of preparation programs, and other related matters as the Board of Education may request or the Advisory Board may deem necessary.

Dr. Elliott explained that the members of ABTEL are appointed for three-year terms. Members are eligible for reappointment for a second three-year term. Eight appointments need to be made this year on ABTEL. Professional organizations were invited to submit nominations to fill vacancies on ABTEL, as well as submit nominations in the two categories where the individuals are seeking a second term.

Mr. Goodman made a motion to waive first review and approve the appointment of the persons listed below to the Advisory Board on Teacher Education and Licensure for the term of July 1, 2002, to June 30, 2005. The motion was seconded by Mrs. Davidson, and it was carried unanimously. The appointments are as follows:

Classroom teacher (middle school) – *Suzanne Meyer*  
Classroom teacher (secondary) – *Mark Ingerson*  
Classroom teacher (career and technical education) – *Linda Kelly*  
Classroom teacher (elementary) – *Nancy Miller*  
Parent/teacher representative – *Rena White*  
Principal – *Nancy Davenport*  
School board member – *Rita Thompson*  
Personnel administrator – *Judy Davis-Dorsey*

**First Review of Proposed Revisions to the English Standards of Learning**

This item was presented by Mrs. Linda Poorbaugh, acting director, elementary instructional services. The Board of Education at its March 27, 2002, meeting adopted a revised schedule for the review of the English Standards of Learning. The Standards of Learning Review Schedule called for the English Standards of Learning review to begin in March 2002 and to be completed by November 2002. The Board approved this action in order to ensure that Virginia is positioned to comply with annual testing of reading in grades 3 through 8 as required in the federal *No Child Left Behind Act of 2001*.

The Board accepted the revised English Standards of Learning for first review and authorized the document to be released for public comment.

Mr. Christie announced that four public hearing will be held on October 21, 2002. The public hearings will be held in Richmond, Fairfax, Norfolk, and Abingdon.

**First Review of the Proposed English Language Proficiency (ELP) Standards of Learning for Limited English Proficiency (LEP) Students**

This item was presented by Mrs. Roberta Schlicher, specialist for English as a second language at the Department of Education. English Language Proficiency (ELP) Standards of Learning for Limited English Proficient (LEP) students in Virginia were developed as a result of requirements in the *No Child Left Behind Act of 2001*. In June 2002, Virginia submitted a consolidated application for these funds. One aspect of the application asked for a description of the state's effort to establish standards and annual measurable achievement objectives related to the development and attainment of English language proficiency by limited English proficient students. In response to the question, the Department of Education proposed the development of ELP Standards of Learning for LEP students in conjunction with the English Standards of Learning review.

Mrs. Schlicher emphasized that the goal of the ELP Standards of Learning is to provide the foundation for LEP students to be successful in the English Standards of Learning.

The board accepted the draft English Language Proficiency Standards of Learning for Limited English Proficiency (LEP) Students for first review and authorized the document to be released for public comment.

Four public hearing will be held on October 21, 2002. The public hearings will be held in Richmond, Fairfax, Norfolk, and Abingdon.

**Presentation from the Student Advisory Committee on Priorities for Study for 2002-03**

The Board of Education's Student Advisory Committee met for the first time on September 25, 2002. During the first meeting, the members of the Student Advisory Committee set the organizational goals and identified four issues of concern to students

in the public schools statewide. A member of Student Advisory Committee explained the rationale for the selection of the four issues. The issues were as follows:

- Issue #1: Career and Technical Education  
Presented by Jonathan Cross
- Issue #2: Remediation and Verified Credits  
Presented by Patrick Haley
- Issue #3: Advanced Placement Courses  
Presented by Bradley Hinshelwood
- Issue #4: Character Education  
Presented by Ryan Scofield

Mr. Emblidge made a motion to accept the proposals of the Student Advisory Committee. Mrs. Rogers seconded the motion, which carried unanimously.

**First Review of Local School Divisions' Remedial Education Plans**

Dr. James Heywood, director of the office of school improvement at the Department of Education, presented this item. As required by 8 VAC 20-630-20, school divisions are required to develop a remediation plan designed to strengthen and improve the academic achievement of eligible students.

Local school divisions submitted remedial plans to the department for approval by the Board of Education. The current language in Chapter 899 of the 2002-2004 Appropriation Act allows SOL remediation and SOQ remediation to be distributed as a block grant with no reporting requirements or restrictions. For this reason, the remedial plan was required only for remediation programs, including remedial summer school, that used state funds other than SOL remediation or SOQ remediation for remediation.

Dr. Heywood reported that no school division certified using state funds other than state SOL remediation or SOQ remediation for remedial programs held during the regular school year. Seven school divisions did not offer a summer remedial program: Bland, Buchanan, Highland, Lee, Loudoun, Sussex, and Winchester. The remaining 125 school divisions submitted a plan for remedial summer school.

Dr. Heywood reported further that the department reviewed summer remedial plans from 125 school divisions and determined that all of the plans meet the requirements of 8 VAC 20-630.

Mrs. Genovese made a motion to waive first review and approve remedial plans for the school divisions. Mrs. Davidson seconded the motion, which carried unanimously.

**First Review of Proposed 2003 Meeting Dates for the Board of Education**

Mr. Christie presented this item. The Board of Education traditionally reviews its meeting schedule in September of the previous year. This timeline permits members the advance planning time needed to adjust their calendars to accommodate the meeting dates. This timeline also permits staff to make the necessary arrangements for meeting facilities.

The Board does not meet in August or December, except as determined necessary by the President. The proposed meeting dates take into consideration the religious and secular holidays celebrated on or around the proposed meeting dates. Unless otherwise announced by the President, all Board of Education meetings in 2003 will be held in Richmond.

The proposed 2003 dates are as follows:

Monday, January 6  
Wednesday, February 26  
Wednesday, March 26  
Monday-Wednesday, April 28-30  
Wednesday, May 28  
Wednesday, June 25  
Wednesday, July 23  
Wednesday, September 24 (changed to September 17)  
Wednesday, October 22  
Wednesday, November 19

Dr. Jones requested the date for the September 2003 meeting be changed to the 17<sup>th</sup> because of a conflict in his schedule. The Board accepted the proposed meeting dates for first review. This item will be presented for final action at the October meeting.

**First Review of the List of the Supplemental Educational Services Provides Under the No Child Left Behind Act of 2001**

Mr. George Irby, director of the office of compensatory programs at the Department of Education, presented this item. Mr. Irby explained that the *No Child Left Behind Act of 2001* (NCLB) requires Title I schools that do not meet the state's Adequate Yearly Progress (AYP) targets for academic achievement for three consecutive years to offer a choice of supplemental educational services to parents of eligible children. Virginia may have schools that must offer supplemental educational services at the beginning of the 2003-2004 school year. The law requires, however, that states begin to identify supplemental services providers early in the school year.

Supplemental educational services are tutoring and academic enrichment services that are provided in addition to daily instruction. A supplemental service provider can be a non-profit entity, a for-profit agency, or a local school division. The services must be

of high quality, research-based, and specifically designed to increase the academic achievement of eligible children in mastering the Standards of Learning and earning proficiency on Standards of Learning tests. NCLB requires that states maintain an approved list of supplemental services providers across the state, by school division, from which parents can select.

Mr. Jackson Made a motion to waive first review and adopt the initial list of supplemental services providers. Mrs. Genovese seconded the motion, and it carried with eight “yea” votes and one abstention.

***First Review of Guidelines for the Participation of Students with Disabilities in the Assessment Component of Virginia’s Accountability System***

Mr. Douglas Cox, assistant superintendent for student services, and Mrs. Shelley Loving-Ryder, assistant superintendent for assessment and reporting at the Department of Education, presented this item.

Mr. Cox gave a brief description of the background of the guidelines under consideration. In October of 1997, the Virginia Board of Education adopted the *Guidelines for the Participation of Students with Disabilities in the Standards of Learning Assessment Program*. These guidelines included: 1) procedures to be followed in determining how students with disabilities were to participate in the Standards of Learning Assessment Program; 2) information about accommodations that could be provided to students with disabilities on the tests; and 3) documentation requirements if a student were to be exempted from the tests.

In 1997, amendments to The Individuals with Disabilities Education Act (IDEA 1997), P.L. 105-17, required that all students with disabilities participate in the state’s accountability system. Alternate assessment programs were to be developed for students with disabilities who were unable to participate in the regular assessment program even with accommodations. In response to this legislation, Virginia developed the Virginia Alternate Assessment Program (VAAP), which is intended for students with disabilities who cannot participate in the Standards of Learning tests even with accommodations. The VAAP was first administered to students in the 2000-2001 school year. As a part of the implementation of the VAAP, guidelines for the participation of students with disabilities in the Virginia Alternate Assessment Program were developed. Additional requirements for the participation of students with disabilities in Virginia’s accountability system are found in the *No Child Left Behind Act of 2001*.

Mrs. Genovese made a motion to waive first review and to approve the *Guidelines for the Participation of Students with Disabilities in the Assessment Component of Virginia’s Accountability System* as a replacement of the existing guidelines for the participation of students with disabilities in the Standards of Learning Assessment Program. Mrs. Rogers seconded the motion, and it carried unanimously.

**First Review of Alternative Standards of Learning Assessment and Evaluation Program for Certain Students with Disabilities Who Cannot Be Accommodated on the Standards of Learning Tests**

Mrs. Loving-Ryder and Mr. Cox also presented this item. The Alternative Standards of Learning Assessment and Evaluation Program is for a limited number of students with disabilities who cannot be accommodated on the Standards of Learning tests because of unique physical or mental disabilities. Under the proposed provisions, the individualized education program (IEP) team or the student's 504 committee may prepare an alternative assessment and evaluation plan for the student if there is evidence that he or she can master the content covered by the Standards of Learning, but cannot take the Standards of Learning tests even with the existing accommodations.

Mr. Cox explained that the assessment and evaluation plan will be submitted to a state-appointed panel for review and approval. Once the evaluation plan is approved, the documentation agreed to in the plan will be collected throughout the school year and then submitted to the panel for review. Based on the documentation reviewed, the panel may take one of the following actions: 1) recommend awarding the verified credit or determine that the student has mastered the content measured by the eighth grade reading and mathematics tests; 2) deny the verified credit or determine that the student has not mastered the content measured by the eighth grade reading and mathematics tests; or (c) recommend participation in appropriate instruction prior to determining whether to award the verified credit or that the student has mastered the content measured by the eighth grade reading and mathematics tests.

The Board received the report for first review.

**Status Report on Public School Choice School Implementation**

Mr. Irby presented this item. Title I schools that have been rated Accredited with Warning in English and/or mathematics for two consecutive years prior to the enactment of the *No Child Left Behind Act* are designated Title I School Improvement schools. No later than the first day of the school year following school improvement identification, the school division must provide the public school choice option. In providing students the option to transfer to another public school, the division must notify parents and give priority to the lowest achieving children from low-income families.

The Board of Education at its July 25, 2002, meeting adopted *Guidelines for the Provision of Public School Choice* found in Section 1116, Title I, Part A. These guidelines specified that:

1. The public school choice program shall not discriminate on the basis of race, color, national origin, sex, disability, or age and must be consistent with applicable civil rights commitments.
2. The school division is obligated to fund transportation for the student to attend the alternative school.

3. The obligation of the local educational agency to provide, or to provide for, transportation for the child ends at the end of a school year, if the local educational agency determines that the school from which the child transferred is no longer identified for school improvement or subject to corrective action or restructuring.
4. A school division must permit a child who transferred to another school to remain in that school until the child has completed the highest grade in that school.
5. If a school division demonstrates that it cannot provide choice to all students in low-performing schools, the school division must permit as many students as possible to transfer to a school not identified for improvement, with priority given to the lowest performing students in the highest poverty schools.
6. If all public schools served by the local educational agency to which a child may transfer are identified for school improvement, corrective action or restructuring, the school division shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for transfer.
7. Effective communication with parents must take place to inform them of the school choice opportunity.

The Board accepted the report.

**Annual Report of the Advisory Committee on Adult Education and Literacy**

Mrs. Audrey Davidson and Mr. Mark Emblidge presented this item. Mrs. Davidson and Mr. Emblidge noted that the Board of Education established the Advisory Committee on Adult Education and Literacy as a result of the recommendations of the Task Force on Adult Education and Literacy, which made its recommendations to the Board last year.

The Advisory Committee on Adult Education and Literacy was established by the Board of Education in June 2001. The committee will meet quarterly to discuss issues relevant to adult education and family literacy. The committee will make a report to the board annually and make recommendations when appropriate.

Mr. Emblidge explained that, in addition to requesting the establishment of this advisory committee, the task force recommended the following:

1. Family literacy should be a priority for the Board of Education.
2. An organizational structure and resources should be provided to establish family literacy programs throughout Virginia.

3. The Office of Adult Education and Literacy should be elevated to a division within the organizational structure of the Department of Education.

The advisory committee will report on the progress made to accomplish the recommendations of the Task Force on Adult Education and Literacy that were presented to the board at the June 2001 meeting.

Mr. Christie thanked Mrs. Davidson and Mr. Emblidge for their work as co-chairs of this committee. The Board accepted the report.

**Annual Report State Special Education Advisory Committee**

Mr. Doug Cox introduced Mrs. Charlene Christopher, chair of the State Special Education advisory Committee. The State Special Education Advisory Committee (SSEAC) is a federally mandated panel comprised of individuals with disabilities, teachers, parents, state and local officials, and local administrators. The Individuals with Disabilities Education Act (IDEA) requires that the committee submit an annual report to the state education agency.

Mrs. Christopher summarized the major concerns of SSEAC and presented the following recommendations for changes in the Standards of Quality, the standards currently under review by the Board of Education:

1. Reduce class size of general education classes, which have students with disabilities, included.
2. Review special education teacher-student ratios in light of more complex student needs.
3. Address the local school divisions' responsibility for identifying and serving preschool age students with disabilities. Consider establishing universal preschool programs, especially to address the No Child Left Behind Act goals.
4. Add special education teachers to the remediation standards committee.
5. There should be an explicit policy statement that students with disabilities have access to all programs, including the use of technology to have timely access to programs and materials.
6. Principles of universal design should be applied to course development and outcome measures to facilitate the achievement of students with disabilities.
7. Establish alternative means for demonstrating master of SOL content for students with disabilities. Other measures of assessing progress would facilitate achievement for students with disabilities and possibly increase school graduation.
8. Schools need reading specialists at elementary level as well as middle and high school levels, which is based and funded on the number of students in the school. This should not be left to local discretion.

9. Increase funding for local educational agencies to implement the SOQ.

Mr. Christie thanked Mrs. Christopher for her work as chair of this committee. The board accepted the report.

**Status Report on Reading First Application**

Mrs. Linda Poorbaugh 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 statutory required information. State educational agencies in turn award competitive subgrants to local education agencies for eligible schools. Virginia's award for 2002-2003 would be \$16,900,000.

The Board of Education approved Virginia's Reading First application at its June 26, 2002, meeting. The Department of Education received feedback from the United States Department of Education expert panel that reviewed Virginia's application. The expert review team asked for additional information and clarification of Virginia's application in four areas of the application: Improving Reading Instruction, State Leadership and Management, State Reporting and Evaluation, and Classroom Level Impact. In some sections, it was noted that Virginia's application did not meet the federal criteria for Reading First. Mrs. Poorbaugh reviewed the major changes in the revised application.

The Board accepted the report.

***PUBLIC COMMENT***

The following persons spoke during public comment:

Dan Breedon

***DISCUSSION OF CURRENT ISSUES***

Mr. Christie said usually at the September Board meeting the Board considers recommendations to the General Assembly and Governor for budget requests for the upcoming General Assembly session. Due to the current state budget issues, it is not on the September agenda. Mr. Christie said the budget item will be presented at the October 16<sup>th</sup> meeting. Mr. Christie said, due to the budget issues, the Board will look at core spending functions the Board wants to protect. Mr. Christie said before the October 16<sup>th</sup> Board meeting, members will receive a draft resolution to identify core programs.

The Board met for dinner at the Crowne Plaza Hotel on September 25, 2002. Present were: Mr. Christie, Mrs. Davidson, Mr. Emblidge, Mr. Jackson, Dr. Jones, Ms. Noble and Mrs. Rogers. A brief 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.

Immediately upon adjournment, Mr. Christie convened two public hearings. Mr. Christie convened the public hearings at 11:45 a.m.

***PUBLIC HEARING ON THE PROPOSED REVISIONS TO THE REGULATIONS GOVERNING THE DETERMINATION OF CRITICAL TEACHER SHORTAGE AREA (8 VAC 20-650-10 ET SEQ.)***

No one spoke during this public hearing.

***PUBLIC HEARING ON THE USE OF VENDING MACHINES IN PUBLIC SCHOOLS***

The following persons spoke during the public hearing:

Dick Pulley, Virginia School Board Association  
Mike Newman, President, Virginia Association of Secondary School Principals  
Jeff Smith, Virginia Automatic Merchandising Association  
Chuck Duvall, Virginia Soft Drink Association  
Penny McConnell, Fairfax County Public Schools  
Mary Donofrio, American Heart Association  
Chapman Slye, Stafford County Public Schools  
Dan Ward, Dinwiddie County Public Schools  
Janet Grubbs, Southeast Dairy Association  
Barbara Yager, Community Childhood Obesity Task Force, Charlottesville/Albemarle County Public Schools  
Dr. Thomas Sullivan, immediate past president, Virginia Chapter of the Academy of Pediatrics  
Dr. Jack Dunlevy, Virginia Dental Association

Mr. Christie announced that the following submitted comments by mail:

Bedford County Health Department

Dr. Timothy Jenney, Superintendent, Virginia Beach Public Schools

Mr. Christie adjourned the hearings at 1:45 p.m.

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President

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Secretary