

COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
RICHMOND, VIRGINIA

MINUTES

February 25, 2004

The Board of Education and the Board of Career and Technical Education met in Conference Rooms C and D at the James Monroe State Office Building, Richmond, Virginia, with the following members present:

Mr. Thomas M. Jackson, President  
Mrs. Susan L. Genovese  
Mr. Mark E. Emblidge  
Mr. M. Scott Goodman  
Mr. David L. Johnson

Mr. Thomas G. Johnson, Jr.  
Dr. Gary L. Jones  
Mrs. Ruby W. Rogers  
Dr. Ella P. Ward

Dr. Jo Lynne DeMary, Superintendent  
of Public Instruction

Mr. Jackson, president, presided and called the meeting to order at 9 a.m.

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

Mr. Jackson 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 January 7, 2004, meeting of the Board. Mrs. Rogers seconded the motion that carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

***AMENDMENT TO THE AGENDA***

The following item was added to the agenda: *Report on Submission of Virginia's Charter School Program Grant Application to the USDOE.*

***RESOLUTIONS/RECOGNITIONS***

- A Resolution of Appreciation and flag were presented to the following 2004 Virginia Regional Teachers of the Year:

Region I  
Erven S. Tyler, Jr., Varina High School  
Henrico County Public Schools

Region II

Rebecca Gurley, Lynnhaven Middle School  
Virginia Beach City Public Schools

Region III

Judith K. Rinker, Smith Station Elementary School  
Spotsylvania County Public Schools

Region V

Carol S. Wiatt, Staunton River Middle School  
Bedford County Public Schools

Region VI

Joyce B. Cobbs, Boones Mill Elementary School  
Franklin County Public Schools

Region VII

Angela S. Turley, Flatwoods Primary School  
Lee County Public Schools

Region VIII

Jean H. Rohr, Prince Edward County Middle School  
Prince Edward County Public Schools

Region IV

Laurie J. Sullivan, Kate Waller Barrett Elementary School  
Arlington County Public Schools

2004 Virginia Teacher of the Year

Mrs. Laurie J. Sullivan, Arlington 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.

- The ECMC Foundation was recognized for Outstanding Public Service to Virginia's young people through the ECMC Scholars Program in providing college scholarships for Virginia students. A Resolution of Appreciation will be presented to the ECMC Foundation at the foundation's April Board meeting in Richmond.

***CONSENT AGENDA***

- Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List
- Final Review of Recommendations Concerning Applications for Literary Fund Loans
- Final Review of Financial Report on Literary Fund
- First Review of a Request from Hanover County to Carry Over Unspent School Health Incentive Funds from Fiscal Year 2003 to Fiscal Year 2004

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

The Department of Education’s recommendation that funding for four projects in the amount of \$28,100,000 be deferred and the projects be 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
Mecklenburg County	South Hill Elementary	\$7,500,000.00
Manassas Park City	Manassas Park High	7,000,000.00
Rockingham County	Montevideo Middle	6,600,000.00
Rockingham County	Elkton Middle	7,000,000.00
	<b>TOTAL</b>	<b>\$28,100,000.00</b>

The Floyd County School Board submitted five Literary Fund projects that were placed on the First Priority Waiting List in June 2003. Since that time, the projects have been bid and the price of each project has changed. The Floyd County School Board requests that the amount of each project be changed to reflect the actual bid prices. Some of the bids were lower than the projected amounts and some of the bids were higher; however, the total revised cost of the five projects is the same as the total original cost. Floyd County submitted revised applications for the projects as follows:

School	Original	Revised	Difference
Check Elementary	\$2,367,900.00	\$2,160,800.00	(207,100)
Floyd Elementary	990,507.00	1,123,737.00	133,230
Indian Valley Elementary	889,161.00	2,030,933.00	1,141,772.00
Willis Elementary	2,252,822.00	1,820,531.00	(432,291)
Floyd High	5,499,610	4,863,998	(635,612)
<b>TOTAL</b>	<b>\$12,000,000.00</b>	<b>\$11,999,999.00</b>	<b>( 1)</b>

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

**Final Review of Recommendations Concerning Applications for Literary Fund Loans**

The Department of Education’s recommendation that approval of four applications in the amount of \$28,100,000 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
Manassas Park City	Manassas Park High	\$7,000,000.00
Mecklenburg County	South Hill Elementary	7,500,000.00
Rockingham County	Montevideo Middle	6,600,000.00
Rockingham County	Elkton Middle	7,000,000.00
	<b>TOTAL</b>	<b>\$28,100,000.00</b>

**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 December 31, 2003, was accepted by the Board of Education’s vote on the consent agenda.

**First Review of a Request from Hanover County to Carry Over Unspent School Health Incentive Funds from Fiscal Year 2003 to Fiscal Year 2004**

The Hanover County School Board is seeking approval to carry over unspent state funds from fiscal year 2003 into fiscal year 2004. The school division is requesting approval to carry over \$7,445.00 in fiscal year 2003 funds from the School Health Incentive Grants Program. These funds are not included in the specific language of the appropriations act that authorizes carryover of funds.

The General Assembly provided authorization for school divisions to carry over unspent local or state funds from fiscal year 2003 to fiscal year 2004 for several accounts through very specific language in the appropriation act. These accounts are: SOL Remediation, SOL Algebra Readiness, School Construction Grants Program, Lottery, and Additional Lottery. For any other accounts, school divisions must receive approval from the Board of Education to carry over state funds pursuant to Section 22.1-100, Code of Virginia.

The Department of Education’s recommendation to waive first review and approve the carry over request from Hanover County Public Schools was accepted by the Board of Education’s vote on the consent agenda.

**ACTION ITEMS**

**First Review of Proposed Permanent Regulations Governing the General Achievement Diploma (8 VAC 20-680-10 et seq.)**

Mr. Charles Finley, assistant superintendent for educational accountability, presented this item. Mr. Finley said that during the 2003 session the General Assembly approved House Bill 1464 that amends §§22.1-253.13.4 and 22.1-254.2 of the Code of Virginia requiring the Board of Education to establish a General Achievement Diploma.

Mr. Finley said that on June 23, 2003, emergency regulations were adopted to establish requirements for the diploma as required by HB 1464 and the following amendment to the Code of Virginia:

§22.1-253.13.4. Standard 4. Diplomas and certificates; class rankings.

*“E. By September 1, 2003, the Board shall establish, by regulation, requirements for the award of a general achievement diploma for those persons who have (i) achieved a passing score on the GED examination; (ii) successfully completed an education and training program designated by the Board of Education; and (iii) satisfied other requirements as may be established by the Board for the award of such diploma.”*

Mr. Finley said the Board also approved issuing a Notice of Intended Regulatory Action (NOIRA) to promulgate permanent regulations. The emergency regulations expire November 15, 2004.

Mr. Jones made a motion to waive first review and authorize the Department of Education staff to proceed with the public comment procedures under the Administrative Process Act and the Executive Orders. The motion was seconded by Dr. Ward and carried unanimously.

#### **Presentation from the Student Advisory Committee on Priorities for Study: 2003-04**

Mrs. Genovese said the Board of Education’s Student Advisory Committee met for the first time during the 2003-2004 school year on December 15, 2003. The members of the Student Advisory Committee identified issues of concern to students in the public schools statewide. The members were divided into three groups and presented the following issues:

➤ **Issue: Guidance Departments at Public Schools**

Group Members:

Rajiv Srinivasan, Hidden Valley High School, Roanoke County

Paige Wigginton, Pulaski High School, Pulaski County

Andrew McCormack, Osbourn Park High School, Prince William County

Lawren Collins, Lake Taylor Middle School, Norfolk City

➤ **Issue: Increase the Awareness of Diversity Issues**

Group Members:

Isaiah Wilson, Brooke Point High School, Stafford County

Sandy Su, York High School, York County

Maggie Graham, Marion Middle School, Smyth County

Elana Bloomfield, Albemarle High School, Albemarle County

➤ Issue: Teacher Quality

Group Members:

Rachel Gutasgus, Buford Middle School, Charlottesville City

Sarah Romers, Varina High School, Henrico County

Natalie Baird, Sterling Middle School, Loudoun County

Blake Waller, Halifax High School, Halifax County

Mr. Jackson thanked the student members for their work and said that the Board will look forward to receiving the final recommendations at the April meeting.

**First Review of Virginia's Definition of Alternate Route for Highly Qualified Teachers**

Dr. Thomas Elliott, assistant superintendent for teacher education and licensure, presented this item. Dr. Elliott said that according to the *No Child Left Behind* (NCLB) legislation and the non-regulatory guidance document titled *Improving Teacher Quality, State Grants, Title II, Part A, January 16, 2004*, the requirement that teachers be highly qualified applies to all public elementary or secondary school teachers who are employed by a local educational agency and teach a federal core academic subject.

Dr. Elliott said that the term “core academic subjects” as defined in NCLB, means English or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

Dr. Elliott said the following Virginia definition of an alternate route program for highly qualified teachers is recommended as follows:

Teachers obtaining licensure through alternate routes may meet the definition of highly qualified if the individuals:

- (1) have a bachelor's degree;
- (2) have met requirements for a Virginia license (including a provisional license);
- (3) receive high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction before and while teaching;
- (4) participate in a teacher mentoring program, including intensive supervision that consists of structured guidance and regular ongoing support;
- (5) assume functions as a teacher only for a period of time not to exceed three years; and
- (6) demonstrate satisfactory progress toward full licensure as prescribed by the Board of Education.

Mrs. Rogers made a motion to receive for first review the definition of alternate route for highly qualified teachers. The motion was seconded by Dr. Ward and carried unanimously.

**Final Review of Virginia's Proposed High Objective Uniform State Standard of Evaluation (HOUSSE) for Experienced Teachers**

Dr. Elliott also presented this item. Dr. Elliott said *The No Child Left Behind (NCLB) Act of 2001* requires all states and school divisions to ensure that all teachers of the core academic subjects be highly qualified by the end of the 2005-06 school year. The law applies to teachers in core academic areas that include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. The law requires that to be designated as highly qualified, new teachers must hold a bachelor's degree, full state licensure (including alternative licensure), and demonstrate subject-matter competence in the core academic subjects the teacher teaches.

Dr. Elliott said experienced teachers must meet requirements by the end of the 2005-06 school year to be designated as highly qualified. NCLB provides the following options for meeting the highly qualified definition: (a) passing a rigorous state academic subject matter test; or (b) completing an academic major, graduate degree, coursework equivalent to an academic major, or advanced certification or credentialing in the case of middle or secondary school teachers; or (c) using the high objective uniform state standard of evaluation (HOUSSE). The HOUSSE provides states with a method by which current teachers can demonstrate competency in each subject they teach.

Dr. Elliott said the NCLB legislation allows states to establish a process of evaluating teacher knowledge and ability based on a high objective uniform state standard of evaluation that meets each of the following criteria [Section 9101(23)(c)(ii)]:

1. Be set by the state for both grade-appropriate academic subject matter knowledge and teaching skills.
2. Be aligned with challenging state academic content and student academic achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators.
3. Provide objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches.
4. Be applied uniformly to all teachers in the same academic subject and teaching in the same grade level throughout the state.
5. Take into consideration, but not be based primarily on, the time the teacher has been teaching in the academic subject.
6. Be made available to the public upon request.

Dr. Elliott said the law recognizes that teachers who have been in the classroom have a variety of experiences and preparation that may demonstrate their competency in the

subjects they teach. Therefore, the HOUSSE system may involve multiple, objective measures of teacher competency.

Mr. Goodman made a motion to approve the proposed High Objective Uniform State Standard of Evaluation (HOUSSE) for Virginia. The motion was seconded by Mrs. Rogers and carried unanimously.

**First Review of Recommendation from the Advisory Board on Teacher Education and Licensure Regarding the Establishment of a Qualifying Score on the SAT as a Substitute Test for Praxis I**

Dr. Elliott also presented this item. Mr. Kevin Larkin from the Educational Testing Service (ETS) and Mrs. Linda Kelly from the Advisory Board on Teacher Education and Licensure (ABTEL) assisted him.

Mr. Larkin presented a report on a study conducted by ETS in response to a request by the Virginia Department of Education. The Department requested help in establishing rules for using scores on the SAT I as a basis for exempting individual prospective teachers from the Pre-Professional Skills Test (PPST). The Department's purpose was to avoid requiring prospective teachers to take those parts of the PPST that measure skills in which they have already demonstrated proficiency on other tests.

Mrs. Kelly reported that ABTEL approved a score of 1100 on the SAT, taken after April 1995, with at least a 530 on the verbal and 530 on the mathematics tests may be used as a substitute for Praxis I.

The Board of Education received the report for first review and thanked Mr. Larkin and Mrs. Kelly for their assistance.

**Final Review of Revision to Criteria and Process for Adoption of Instructional Models/Programs that include Instructional Methods to Satisfy Provisions in Regulations Establishing Accrediting Standards for Public Schools in Virginia**

Dr. Patricia Wright, assistant superintendent for instruction, presented this item. Dr. Wright said that school divisions are permitted to choose instructional methods, or models/programs that are not recommended so long as they meet the Board of Education's criteria. This provision was included in the initial development of the instructions for school divisions to use when selecting a method or models/program. School divisions that had a model in place or had a desire to use models other than those on the board-approved list could choose to use such models/programs with no department input. As a result of academic reviews and other technical assistance visits to school divisions, reviewers have determined that some methods or models/programs selected or developed locally may not meet the criteria approved by the Board.

To assist schools accredited with warning in English or mathematics in selecting models that meet the Board's criteria, the department recommends a revision in Disclaimer No. 1 as follows:

Disclaimers:

1. Recommendation of instructional methods or models/programs with a proven track record is not intended as a guarantee that the program will be successful as implemented in a particular school. Prior to or concurrently with adopting any model/program, a school is expected to align its curriculum with the Standards of Learning.

School divisions are permitted to choose instructional methods or models/programs that are not recommended so long as they meet the Board of Education's criteria. School divisions selecting this option must submit for approval, on forms provided by the Department of Education, documentation that the instructional methods or models/programs chosen meet the board's criteria prior to implementation.

Dr. Ward made a motion to approve the proposed revision to the criteria and process for adopting instructional methods or models/programs. The motion was seconded by Mrs. Genovese and carried unanimously. The Department of Education will distribute a superintendent's memorandum notifying school divisions of the revised criteria and submission process.

**First Review of Revisions to the Board of Education's List of Career and Technical Education Certification Examinations and Occupational Competency Assessments to Meet the Requirements for Diploma Seals and Student-Selected Verified Credit**

Mr. Robert Almond, director for the Office of Career and Technical Educational Services, presented this item. Mr. Almond said the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, Requirements for Graduation 8 VAC 20-131-50.1.3, provide students who demonstrate academic excellence or outstanding achievement the opportunity to earn a Board of Education Career and Technical Education Seal.

In addition, students who demonstrate academic excellence or outstanding achievement may earn a Board of Education's Seal of Advanced Mathematics and Technology.

Mr. Almond said that in October 2000 the Board approved the initial list of industry, professional, and trade association certifications to meet the requirements for the Board's Career and Technical Education Seal and the Board's Seal of Advanced Mathematics and Technology. In April 2001 the Board approved the initial list of industry, professional, and trade association certifications to meet the requirements for the student-selected test for verified credit. In April 2002 the Board approved 29 additions to the initial list. In July 2003 the Board approved 69 additions to the initial list.

In May 2003 the Board approved 27 occupational competency assessments from the National Occupational Competency Testing Institute (NOCTI) identified as meeting criteria to satisfy requirements for student-selected verified credit.

Mr. Almond presented additional assessment instruments that meet the Board's interim.

Dr. Ward made a motion to waive first review and approve the revisions in the list of industry certification examinations, occupational competency assessments, and licensures to meet the requirements for the Board of Education's Career and Technical Education and Advanced Mathematics and Technology Seals and the student-selected verified credit. The motion was seconded by Mrs. Genovese and carried unanimously.

**First Review of Locally-Developed or Selected English Language Proficiency Assessments to Satisfy No Child Left Behind Requirements**

Mrs. Roberta Schlicher, coordinator for English as a second language, presented this item. Dr. Robert Triscari, associate director for assessment and reporting, assisted her.

Mrs. Schlicher said Title I, Part A, of the *No Child Left Behind Act of 2001* requires school divisions to administer an annual assessment for all kindergarten through twelfth-grade limited English proficient (LEP) students. The English language proficiency assessment must measure the oral language, reading, and writing skills of all LEP students in a school division. As stipulated in the non-regulatory Title III, Part A, Guidance on Standards, Assessment, and Accountability, if a state decides to allow school divisions to use multiple measures to assess English language proficiency, the state must:

1. set technical criteria for the assessments;
2. ensure that any assessments used are equivalent to one another in their content, difficulty, and quality;
3. review and approve each assessment; and
4. ensure that data from all assessments can be aggregated for comparison and reporting purposes, and can be disaggregated by English language proficiency levels and grade levels.

Mrs. Schlicher said the approved Virginia Consolidated State Application Accountability Workbook, critical element 5.4, states that the Board of Education may approve the use of additional English language proficiency assessments that are linked to Standards of Learning grade-level content standards.

At the January 2003 Board of Education meeting the following process was approved for school divisions to submit locally-developed and/or selected English language proficiency assessments for board approval.

1. School divisions will submit to the Department of Education for panel review requests to use locally-developed and/or selected English language proficiency assessment instruments.
2. The Department of Education review panel will evaluate the submitted instruments with supporting documentation against the criteria stipulated in the non-regulatory, Title III, Part A, Guidance on Standards, Assessment, and Accountability.
3. The Department of Education will present its recommendations to the Board of Education for approval.

Mrs. Schlicher presented the following locally-developed and/or related ELP assessment instruments for the Board of Education's approval:

**Locally-Developed and/or Selected English Language Proficiency  
Assessment Instruments for Use During the 2003-2004 School Year  
Recommended for Board Approval  
February 25, 2004**

<b>School Division</b>	<b>English Language Proficiency Assessment Instrument</b>	<b>Grade Level(s)</b>	<b>Skills Assessed (Title I/Title III requirement)</b>	<b>Recommended for Board Approval</b>
<b>Fairfax County Public Schools</b>	Fairfax County Public Schools ESOL Oral Assessment	1-12	Speaking	Yes
	Fairfax County Public Schools ESOL Listening Assessment	1-12	Listening	Yes
	Fairfax County Public Schools ESOL Writing Assessment	1-12	Writing	Yes
	Developmental Reading Assessment (DRA)	1-2	Reading	Yes
	Qualitative Reading Inventory (QRI) and Fairfax County Public Schools Reading Literacy Level Assessments	3-5	Reading	Yes
	Degrees of Reading Power (DRP)	6-12	Reading	Yes
	Fairfax County Public Schools Kindergarten ESOL Assessments	K	Speaking Listening Reading Writing	Yes

Dr. Ward made a motion to waive first review and approve the recommended locally-developed and/or selected instruments to measure the English language proficiency of LEP students. The motion was seconded by Mrs. Genovese and carried unanimously.

**First Review of Special Education Annual Part B State Performance Report**

Mr. Doug Cox, assistant superintendent for special education and student services, presented this item. Mr. Cox introduced Mr. Paul Raskopf, data manager for special education students services, and thanked him for his assistance in gathering data for this report. Mr. Cox said the U.S. Department of Education, Office of Special Education Programs (OSEP) is requiring each SEA to submit an annual performance report (APR) for special education. This report is based on 2002 –2003 data and is to be submitted by March 31, 2004. The APR is a compilation of three previous reports that states were required to submit: the biennial performance report, the self-assessment report under the federal monitoring procedures, and the state improvement plan.

Mr. Cox said the APR is divided into five cluster areas: (1) General Supervision; (2) Early Childhood Transition (3) Parent Involvement; (4) Free Appropriate Public Education in the Least Restrictive Environment; and (5) Secondary Transition. Each cluster area of the report includes goal and performance indicators, baseline data from the 2002-03 year, targets for the 2002-03 year with an explanation of progress or slippage, projected targets, and future activities with timelines for the following years.

Mrs. Genovese made a motion to accept the Special Education Annual Progress Report for first review and final action be taken at the March 2004 meeting of the Board of Education. Mrs. Rogers seconded the motion and it carried unanimously.

**First Review of WorkKeys: Reading, Workkeys: Math, ACT: EXPLORE and ACT: PLAN as Substitute Tests of Numeracy and Literacy for Students with Disabilities Pursuing the Modified Standard Diploma**

Mr. Cox also presented this report. Mr. Cox said at its meeting on February 26, 2003, the Board amended guidelines governing the literacy and numeracy assessments for the Modified Standard Diploma to permit, among other provisions, the use of substitute tests. The new guidelines specify:

*Beginning with the ninth-grade class of 2000-01, those students who pursue the Modified Standard Diploma shall be required to pass the 8th grade Standards of Learning (SOL) tests in both English (Reading, Literature, and Research) and mathematics to meet the literacy and numeracy requirements for this diploma. Students who are in the 10th, 11th, and 12th grades in the school year 2000-01 shall pass the Literacy Passport Tests (LPT) prescribed by the Board to meet the literacy and numeracy requirements for this diploma. Students may substitute a higher-level Standards of Learning test (i.e., end-of-course English [reading], Algebra I, Algebra II, or Geometry) for the 8th grade Standards of Learning (SOL) tests in English (Reading, Literature, and Research) and mathematics or other substitute tests approved by the Board. In addition, students pursuing the Modified Standard Diploma shall have opportunities for an expedited*

*retest on the 8th grade tests in the same manner as prescribed in these guidelines for students earning verified credit.*

Mr. Goodman made a motion to waive first review and adopt WorkKeys: Reading, WorkKeys: Math, ACT: EXPLORE and ACT: PLAN as substitute tests of literacy and numeracy for the Modified Standard Diploma. The motion was seconded by Mrs. Rogers and carried unanimously. The staff will prepare recommended cut scores for the Board to consider at its March 2004 meeting.

**First Review of a Proposed Revision to the Board of Education's Guidelines for a Waiver of Verified Credit for Certain Transfer Students**

Mr. Charles Finley, assistant superintendent for educational accountability, presented this item. Mr. Finley said the *Regulations Establishing Standards for Accrediting Public Schools in Virginia in 8 VAC 20-131-60.G.* state:

*Students entering a Virginia high school for the first time after the first semester of their eleventh grade year must meet the requirements of subdivision F.1.c. or F.2.c. of this section. Students transferring after 20 instructional hours per course of their senior or twelfth grade year shall be given every opportunity to earn a Standard, Advanced Studies, or Modified Standard Diploma. If it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student's previous school to award the diploma. If these arrangements cannot be made, a waiver of the verified unit of credit requirements may be available to the student. The Department of Education may grant such waivers upon request by the local school board in accordance with guidelines prescribed by the Board.*

Mr. Finley added that the Board of Education's Guidelines, adopted in November 2000, set the following parameters for requesting waivers:

*Local school boards, through the division superintendent, may request waivers of the verified credit requirement for students subject to those requirements by providing a written request to the Department of Education no more than 90 days prior to the student's anticipated graduation date. The request for a waiver shall be accompanied by documentation that the student transferred from outside the state within a time frame that would not allow the student to meet the reduced verified credit provisions of 8 VAC 20-131-60.F. of the standards and what efforts had been made to comply with the standard. Such students should only be those who enter after the beginning of the second semester of the school year.*

Mr. Finley explained that the graduating class of 2004 is the first class required to earn verified credit for graduation. A verified credit is earned when a student successfully completes the requirements for a course and passes a corresponding Standards of Learning (SOL) test or Board of Education approved substitute test. The regulation permits local school boards to apply for a waiver of the verified credit requirement for seniors who transfer into a Virginia public school after the first 20 instructional hours of course work.

A review of the guidelines determined that the provision that states: “Such students should only be those who enter after the beginning of the second semester of the school year” is in conflict with the 20 instructional hour provision in the regulations and should be stricken from the guidelines. The guideline, as written, restricts the availability of the waiver to students who enter a Virginia public school after the beginning of the second semester. In addition, the review determined that it would be clearer if the guideline established the time line for submitting requests waivers as 90 calendar days as opposed to 90 instructional days.

Mr. Emblidge made a motion to waive first review and approve striking the conflicting language from the guidelines and adding the clarification of 90 calendar days. Seconded the motion and carried unanimously.

The revised guideline (new language underlined) would read as follows:

*Local school boards, through the division superintendent, may request waivers of the verified credit requirement for students subject to those requirements by providing a written request to the Department of Education no more than 90 calendar days prior to the student's anticipated graduation date. The request for a waiver shall be submitted on forms provided by the Department of Education and include documentation that the student transferred from outside the state within a time frame that would not allow the student to meet the reduced verified credit provisions of 8 VAC 20-131-60.F. of the standards and what efforts had been made to comply with the standard. ~~Such students should only be those who enter after the beginning of the second semester of the school year.~~*

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

Mr. Finley also presented this item. Mr. Finley said that Floyd County has submitted a request for approval an additional requirement for graduation in the form of a requirement that all students seeking a Standard Diploma earn four units of credit in history/social science. Mr. Finley said the request has been reviewed and found to be in compliance with the provisions of the *Guidelines Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia*.

Mr. Goodman made a motion to waive first review and approve the request from Floyd County. The motion was seconded by Mrs. Genovese and carried unanimously.

#### **First Review of Even Start Family Literacy Performance Indicators**

Dr. Yvonne Thayer, director of adult education and literacy, presented this item. Dr. Thayer said Even Start is a family literacy program designed to break the intergenerational cycle of poverty and low literacy. Even Start programs aim to improve the opportunity of the parents to secure jobs through education aimed at completing the requirements for the General Educational Development Certificate. Adult education,

parenting education, parents and children together activities, and home visits are all components of these programs. Programs also provide developmental education for young children, beginning at birth.

Dr. Thayer said that Even Start is Title I, Part B, Subpart 3 of *No Child Left Behind Act of 2001*. The Even Start law (Section 1240) requires that states develop performance indicators that are used to monitor, evaluate, and improve local programs. Areas to be addressed by the indicators are specified in the law. All Even Start programs are required to report data relative to the performance standards. Virginia's Committee of Practitioners, which serves as an advisory committee for NCLB, reviewed the proposed performance indicators on February 2, 2004.

Dr. Ward made a motion to waive first review and adopt the proposed Even Start Family Literacy Performance Indicators, and authorize the Department of Education staff to implement the indicators as presented. The motion was seconded and carried unanimously.

#### **Report on The Great Virginia Teach-In: March 27-28, 2004**

Dr. Thomas Elliott, assistant superintendent for teacher education and professional licensure, presented this item. Dr. Elliott said that in September 2002, the U. S. Department of Education awarded a three-year, \$13.5 million Teacher Quality Enhancement State Grant to the Office of the Governor for the Commonwealth of Virginia. The grant, which is jointly administered by the office of the Virginia Secretary of Education, the Department of Education, the State Council of Higher Education for Virginia (SCHEV), and the Virginia Community College System (VCCS), supports the Governor's efforts to attract, develop, and retain skilled, talented, and diverse teachers who effectively advance the learning of all students.

Dr. Elliott said that Virginia's Teacher Quality Enhancement project is based on the following four themes: (1) A Comprehensive Data Collection System to Support Virginia's Teacher Quality Agenda; (2) Enhanced Teacher Recruitment Initiatives; (3) High-Quality Teacher Preparation Programs for Teacher Candidates; and (4) Expanded Development and Retention of High-Quality Teachers.

Dr. Elliott said the first *Great Virginia Teach-In* sponsored by the Department of Education will be conducted on March 27-28, 2004, at the Richmond Convention Center, in downtown Richmond. *A Call to Teach* will be the theme for the two-day event designed for aspiring teachers, fully licensed teachers, and high school students interested in becoming teachers. In addition to job interviews and exhibits, the Teach-In will feature a series of concurrent workshops, institutes, and orientation sessions.

Dr. Elliott said the Teach-In is a great opportunity for anyone interested in teaching. Individuals fully licensed to teach, those preparing to become teachers, or individuals who are considering switching careers and becoming teachers should plan to attend this event. Representatives from Virginia's 132 school divisions, 37 approved teacher preparation programs, and career switcher alternate programs will be available to answer questions and

discuss teaching and educational opportunities in Virginia. For those with credentials to begin teaching, on-site interviews can be arranged with school division personnel. In addition, representatives from the Department of Education will review credentials and offer information about Virginia's licensure requirements.

The Board received the report on *The Great Virginia Teach-In*.

**Report on Submission of Virginia's Charter Schools Program Grant Application to the United States Department of Education**

Mrs. Diane Jay, specialist in the Office of Program Administration and Accountability, presented this item. Mrs. Jay said that Virginia was awarded a federal charter schools grant in the amount of \$2,063,158 in October 1999. The grant closed on September 30, 2003. Eight charter schools were established in Virginia during the grant period. In April 2003, the Virginia Department of Education submitted an application to receive a second federal public charter school grant that would have allowed Virginia to continue established charter schools and offer start-up funding for new charters. In October 2003 the Virginia Department of Education was notified by the United States Department of Education that the grant was not recommended for funding. Reviewers of the application cited Virginia's charter school law as being narrow in scope and not providing much flexibility.

Mrs. Jay said that the Federal Register, Volume 68, Number 247, published on Wednesday, December 24, 2003, announced a notice inviting charter schools program applications for a new round of awards for fiscal year 2004. These awards were for the start-up of new charters. States eligible to apply were those that have enacted a state charter law to enable them to conduct charter school programs. The deadline for transmittal was February 19, 2004. Virginia submitted a federal charter school application on February 19, 2004.

Mrs. Jay said that Virginia's application has been modified to address the concerns of the previous United States Department of Education reviewers. The proposed change in Virginia's charter school law, as reflected in House Bill 380, currently being considered by the 2004 General Assembly, is also reflected in the application and demonstrates Virginia's desire to amend the present charter school law to encourage the growth of charter schools in the state. The application seeks \$5,579,970 over a three-year period to increase the number of high-quality charter schools in the state, targeting at-risk students. The program will also promote and increase an understanding and awareness of charter schools. It is proposed that 25 new charters be implemented during the three-year grant period. Grant funds would also be used to employ a half-time charter schools specialist and support staff at the Department of Education.

The Board received the report on submission of Virginia's charter school program grant application to the United States Department of Education.

***PUBLIC COMMENT***

The following persons spoke during public comment:

Charles French  
Kristi Wilson  
Kathy Ware

Dr. Jones requested that the Board receive a follow-up report on the concerns raised by Mr. French, which centered upon ways to ease the transfer of military dependents into Virginia's secondary schools.

***DISCUSSION OF CURRENT ISSUES***

Mr. Jackson said that several requests have been received to move public comment to the beginning of the meeting. Mr. Jackson said this will become effective at the March 24, 2004, meeting of the Board of Education.

The Board met for dinner at the Crowne Plaza Hotel on February 24, 2004. Present were: Mr. Jackson, Mrs. Genovese, Mr. Emblidge, Mr. Goodman, Mr. David Johnson, Mr. Thomas Johnson, Dr. Jones, Mrs. Rogers and Dr. Ward. A brief discussion took place about general Board business. 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. Jackson adjourned the meeting at 11:45 p.m.

---

President

---

Secretary