

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

July 21, 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, Jr. President
Mrs. Isis M. Castro
Mr. Mark E. Emblidge
Mr. M. Scott Goodman
Mr. David L. Johnson

Mr. Thomas G. Johnson, Jr.
Dr. Gary L. Jones
Dr. Ella P. Ward
Mrs. Eleanor B. Saslaw

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.

NEW BOARD MEMBER

Mr. Jackson introduced new Board member, Mrs. Eleanor B. Saslaw. Mrs. Saslaw succeeds Mrs. Susan Genovese for a term of four years, effective January 30, 2004, and ending on January 29, 2008.

ELECTION OF VICE PRESIDENT

Mr. Jackson asked for nominations for Vice-President. Dr. Ward nominated Mr. Emblidge for Vice-President. Mr. Goodman seconded the motion, and it carried unanimously. Mr. Emblidge was elected Vice-President by unanimous vote by the Board.

APPROVAL OF AGENDA

Mr. Jackson noted that Item C, *Final Review of the Technical Amendment of the Classification of Expenditures Regulations (8 VAC 20-210-10 et seq.)*, will be moved to

the consent agenda. The motion was made by Dr. Ward, seconded by Mr. Goodman and carried unanimously for approval of the agenda as submitted.

APPROVAL OF MINUTES

Dr. Jones made a motion to approve the minutes of the June 23, 2004, meeting of the Board. Dr. Ward seconded the motion that carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

PUBLIC COMMENT

The following person spoke during public comment:

Jean Bankos, president of the Virginia Education Association (VEA).

Mr. Jackson thanked Mrs. Bankos for her outstanding service as president of the VEA.

CONSENT AGENDA

Mr. Goodman made a motion to accept the following consent agenda. The motion was seconded by Dr. Ward and carried unanimously.

- First Review of a Request from the Russell County public schools to Rescind a Waiver of a Provision of the Regulations Establishing Standards for Accrediting Public Schools in Virginia
- First Review of a Request from Henrico County public schools for an Exemption to the Requirement to Provide School Breakfast Programs
- Final Review of the Technical Amendment of the Classification of Expenditures Regulations (8 VAC 20-210-10 et seq.)

First Review of a Request from the Russell County Public Schools to Rescind a Waiver of a Provision of the Regulations Establishing Standards for Accrediting Public Schools in Virginia

The Department of Education's recommendation that the Board waive first review and approve the request from Russell County public schools to rescind a waiver of a provision of the regulations Establishing Standards for Accrediting Public Schools in Virginia, was approved with the Board's vote on the consent agenda.

First Review of a Request from Henrico County Public Schools for an Exemption to the Requirement to Provide School Breakfast Programs

The Department of Education's recommendation that the Board waive first review and approve the request from Henrico County Public Schools for an exemption from the school breakfast program for Henrico High School, Hermitage High School, and Highland Springs High School for school years 2004-2005 and 2005-2006, was approved with the Board's vote on the consent agenda.

Final Review of the Technical Amendment of the Classification of Expenditures Regulations (8 VAC 20-210-10 et seq.)

The Code of Virginia, § 22.1-115, requires the Board of Education to prescribe specific major classifications for expenditures of school funds. This regulation prescribes the major classification of expenditures for use by local school boards when the division superintendent prepares the estimate of money. The Board's current regulation prescribes five major classifications of expenditures: instruction; general support; non-instructional operation; other uses of funds; and facilities. The Virginia Code, at § 22.1-115, requires the board to prescribe the following major classifications: instruction; administration, attendance and health; pupil transportation; operation and maintenance; school food services and other non-instructional operations; facilities; debt and fund transfers; and contingency reserves. Therefore, the regulation is being amended to comply with the Code of Virginia requirement.

The Department of Education's recommendation that the Board approve the technical amendment to the regulation was approved with the Board's vote on the consent agenda.

ACTION

Final Review of a Request for Approval of an Alternative Accreditation Plan from the Chesterfield County Public Schools

Mr. Charles Finley, assistant superintendent of educational accountability, presented this item. Mr. Finley said that the school board of Chesterfield County is proposing an alternative accreditation plan for Perrymont Middle School. Perrymont is an alternative school that serves students who have fallen significantly behind academically early in their k-12 experience. Approximately 10 percent of the students are placed in this setting, for disciplinary reasons. Perrymont has been rated Accredited with Warning in both the 2002-03 and 2003-04 school years. In the 2001-02 school year, the school was rated Provisionally Accredited/Needs Improvement.

Mr. Finley said that the objective of the program is to prepare students in 6th, 7th, and 8th grades who are significantly behind in academic and behavioral fundamentals to

enter and complete high school. The program of instruction will focus on the following areas:

- Focus will be reading, mathematics and writing, organization and study skills, and self-management for each student as specified in Individualized Student Success plans.
- Building skills in history and science will be accomplished through interdisciplinary selections for reading and writing instruction through the use of Reader's Workshop and Writer's Workshop.
- The student day would be six to six and one-half hours in the first year; the instructional day will be reexamined to determine the need for a longer instructional day as need demonstrates in the to accommodate time for supervised independent reading and additional reinforcement work outside of class time ("homework").
- Student support services would include focus on self-management and adjustment skills. These would include Fitness for Life counseling as critical to behavioral management.

Mr. Finley said that the school division is requesting that the school be accredited on the following criterion: 70 percent of students in the program for two years will pass the 8th grade SOL assessments in RLR, writing and mathematics and be promoted to 9th grade. In addition, the division is requesting waivers to several provisions of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* to allow implementation of the program of instruction as outlined.

Dr. Jones made a motion to approve the plan and waivers requested by Chesterfield County public schools for the school year 2004-05 with future extensions of the plan contingent upon the submission of an evaluation showing that the stated objectives of the program and proposed evaluative criteria have been met. The motion was seconded by Mrs. Castro and carried unanimously.

Final Review of Rewards for School Divisions Under the No Child Left Behind Act of 2001

Dr. Cheri Magill, director of accreditation, presented this item. Dr. Magill said that the *No Child Left Behind Act of 2001 (NCLB)* requires states to establish an accountability system for schools, school divisions, and the state. As part of the accountability system, states must have sanctions for school divisions that do not make adequate yearly progress (AYP) for two consecutive years. The first sanction is the requirement that divisions develop and implement an improvement plan. This correlates with school division planning requirements described in the Standards of Quality. At its June meeting, the Board determined that it needed additional legal advice regarding its authority under Virginia law to implement the additional corrective actions allowable under NCLB.

Dr. Magill said that under NCLB states may have rewards for school divisions that exceed adequate yearly progress (AYP) requirements for two consecutive years [(1116(c)(2)]. The 2004-2005 school year will be the second year that school divisions in Virginia will have been held to AYP requirements in the NCLB Act and be eligible for rewards. At its June meeting, the Board determined that it had sufficient information to consider the proposed rewards guidelines.

Dr. Ward made a motion to approve for final review the guidelines for school division rewards allowable under the *No Child Left Behind Act*. The motion was seconded by Mrs. Saslaw and carried unanimously.

The guidelines as adopted are as follows:

Guidelines for Rewards for Virginia School Divisions
Under the *No Child Left Behind Act of 2001*

Authority

The *No Child Left Behind Act (NCLB)* of 2001, Sections 1116 and 1117, describe components of an achievement award program states must have for Title I schools and that they may have for local school divisions that exceed adequate yearly progress (AYP) requirements.

Section 1116(c)(2) of the law states:

“In the case of a local educational agency that, for 2 consecutive years, has exceeded adequate yearly progress as defined in the State plan under section 1111(b)(2), the State may make rewards of the kinds described in section 1117 to the agency.”

Sec. 200.50(b) of the final Title I regulations states:

“...If an LEA has exceeded AYP as defined under Sec. 200.13 through 200.20 for two consecutive years, the SEA may--

- (1) Reserve funds in accordance with Sec. 200.100(c); and
- (2) Make rewards of the kinds described under section 1117 of the ESEA.”

Section 1117 of the law describes components of an achievement award program states must have for schools that exceed adequate yearly progress (AYP) requirements. Proposed Recommendation: Virginia School Division Rewards Any school division in Virginia may be eligible for designation as a “Highly Distinguished School Division” or “Distinguished School Division,” regardless of whether or not it receives Title I funds.

Table 1: Criteria and rewards for “Distinguished School Divisions”

Designation	Criteria	Reward
Highly Distinguished	Makes adequate yearly progress (AYP) for two consecutive years by exceeding all annual measurable objectives AND Closes the achievement gap by maintaining or increasing performance of all students and by increasing the performance of each subgroup in comparison to all students in both	Press Release Resolution Federal monies, as available, to showcase success and assist other school divisions

	reading/language arts and mathematics	
Distinguished	Makes adequate yearly progress (AYP) for two consecutive years by exceeding all annual measurable objectives	Press Release Resolution Federal monies, as available, to showcase success and assist other school divisions

First Review of Proposed Modifications to the School-Level Academic Review Process

Dr. Magill also presented this item. Dr. Magill said that for the 2004–2005 and 2005-2006 accreditation ratings years, the Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA) require a school to be rated “Accredited with Warning (in specified academic area or areas)” if its pass rate performance on any SOL test is below any of the full accreditation benchmarks established by the Board (8 VAC 20-131-300.C.4). Any school rated Accredited with Warning must undergo an academic review in accordance with guidelines adopted by the Board (8 VAC 20-131-340.A). It is the responsibility of the Department of Education to develop this academic review process for the Board’s approval (8 VAC 20-131-310.A). Additionally, a warned school: (1) Is expected to develop, implement, and monitor the implementation of a three-year school improvement plan based upon the results of the academic review (8 VAC 20–131-310.F; 8 VAC 20-131-310.H); and (2) Is expected to implement a proven instructional method in English and/or mathematics, if warned in either or both of those areas (8 VAC 20-131-310.B).

Dr. Magill said 47 schools were rated “Accredited with Warning” and received academic reviews during the 2003-2004 school year. An increase in the number of warned schools is projected for the 2004-2005 school year based upon the phasing out of provisional accreditation ratings. Given that 78 percent of schools were fully accredited for the 2003-2004 school year, 20 percent of schools (approximately 360) could be rated “Accredited with Warning” for the 2004-2005 school year. Many of these schools are likely to be rated “Accredited with Warning” for the first time and may have pass rates in content areas approaching the pass rates needed to be fully accredited.

Dr. Magill said that to address the individual needs of schools more effectively in 2004-2005, modifications to the School-level Academic Review process are necessary. Such modifications will maintain the “prescriptive” approach approved by the Board in July, 2003, meaning that the process is tailored to meet the unique needs and circumstances of the school being reviewed. Department staff will evaluate the effectiveness of the modifications throughout the school year and will report to the Board annually on the effectiveness.

The Board accepted the proposed modifications to the school-level academic review process for first review.

Final Review of Proposed Guidelines for Alternatives to Animal Dissection

Mr. James Firebaugh, director, office of middle instructional services, presented this item. Mr. Firebaugh said that pursuant to House Bill 1018, the 2004 General Assembly amended the Code of Virginia to include § 22.1-200.01, directing the Board of Education to establish guidelines to be implemented by school divisions regarding alternatives to animal dissection.

Mr. Firebaugh said that a review of legislation and education policy was conducted from a sample of nine states. Congruence of language among these was identified. A discussion draft of guidelines was developed meeting all key points of the Virginia legislation. The discussion draft was presented to a group of Virginia science education leaders representing 29 school divisions. The original draft of the proposed guidelines was amended based on the input of the group.

Dr. Jones made a motion to approve the Guidelines for Alternatives to Animal Dissection. The motion was seconded by Mr. Emblidge and carried unanimously.

The guidelines as adopted are as follows:

Virginia Board of Education Guidelines
Alternatives to Animal Dissection
House Bill 1018, the 2004 General Assembly
Code of Virginia § 22.1-200.01

Introduction

Pursuant to House Bill 1018, the 2004 General Assembly amended the Code of Virginia to include § 22.1-200.01 directing the Board of Education to establish guidelines to be implemented by local school divisions regarding alternatives to animal dissection.

The Board of Education recognizes that divergent opinions may exist about the role of animal dissection as a means of achieving certain instructional goals in the biological sciences. Therefore, in order to ensure the integrity of the instructional program, while respecting legitimate objections to animal dissections, the *Alternatives to Animal Dissection Guidelines* must be observed. These guidelines will apply to all public schools.

Code of Virginia § 22.1-200.01
Alternatives to Animal Dissection

Local school divisions shall provide students with alternatives to animal dissection techniques within the relevant public school curriculum or course. The Board of Education shall establish guidelines to be implemented by local school divisions regarding such alternative dissection techniques. Such guidelines shall address, but shall not be limited to, (i) the use of detailed models of animal anatomy and computer simulations as alternatives to dissection; (ii) notification of students and parents of the option to decline to participate in animal dissection; and (iii) such other issues as the Board deems appropriate.

Definition(s)
Dissection

“Dissection” involves the manipulation of properly preserved animals or animal parts for scientific study, which includes incising and may be followed by inspecting, touching, handling, and mounting.

Board of Education Guidelines
Alternatives to Animal Dissection

1. Alternatives to animal dissection must be available within the relevant public school curriculum or course.
2. One or more alternatives to animal dissection techniques, including, but not limited to, computer programs, Internet simulations, plastic models, videotapes, digital videodiscs, and charts, should be available in the relevant biological sciences classes that incorporate dissection exercises. The alternative technique should require a comparable amount of time and effort as the dissection exercise. Requiring more arduous effort on the part of the student than would have been required by the specimen dissection is considered penalizing. In addition, not providing the student comparable depth and scope of learning is also considered penalizing. Alternatives to animal dissection do not include students involuntarily taking a lower grade or dropping the class.
3. The alternative technique should be reasonably chosen to provide the student, through means other than dissection, with knowledge similar to that expected to be gained by other students in the course who perform, participate in, or observe the dissection.
4. Testing procedures that do not require the use of dissected specimens should be an option for those who choose an alternative technique.

Notification:

1. The school division should include notice of alternatives to animal dissection in the relevant biological sciences syllabi, student course selection guides, or local school division policies or directives.
2. Students choosing the alternative should be given information on specific activities and resources to use as their alternative technique. Assistance should be available for all students who choose alternatives.
3. A student's objection to participating in an animal dissection should be substantiated by a signed note from his or her parent or legal guardian.

Final Review of Criteria and a Process for the Board of Education to Review Charter School Applications, Consistent with Existing State Law

Mrs. Diane Jay, specialist, Office of Program Administration and Accountability, presented this item. Mrs. Jay said that the session of the 2004 Virginia General Assembly resulted in amendments to previous statutes governing public charter schools. House Bill 380, Section 22.1-212.9 provides for the review of charter school applications by the Virginia Board of Education. The Board of Education must set objective criteria, consistent with state law, for the review and comment on charter school applications as requested. In its review, the board will not consider whether the local school board should approve the application.

To meet the intent of the legislation, a process and criteria have been developed for examining charter school applications submitted to the Board of Education. A committee would first read and evaluate applications based on the criteria and submit a consensus report to the Board of Education. The committee would be composed of a board member, a local representative from a school division having a charter school, and several individuals having background in budget, curriculum, the No Child Left Behind legislation, and special education.

The proposed criteria are based on the amended legislation by the 2004 General Assembly that states that the board shall examine applications for feasibility, curriculum, and financial soundness. Each of the areas is to be rated as “criterion addressed” or “criterion not addressed” with a place for comment on the criteria that were not addressed and the reasons. As part of the information returned to the submitting charter school, the Board of Education would attach certain qualifying statements.

Dr. Jones made a motion to approve the final review of the criteria and process for the Board of Education to review charter school applications, consistent with existing state law. The motion was seconded by Mrs. Castro and carried unanimously.

The procedures for review of charter school applications were adopted as follows:

Virginia Board of Education
Procedures for Review of Charter School Applications

Directions For Submission

The charter school applicant may submit its proposed charter application to the Board of Education (BOE) for review and comment. The Board of Education’s review shall take place prior to the submission to the local school board. Reviews will occur on an ongoing basis. Six (6) copies of the application must be received at the Department of Education (DOE).

The applications should be addressed to:
Executive Assistant to the Board of Education
Virginia Department of Education
P. O. Box 2120
Richmond, Virginia 23218-2120

In accordance with the law, the Board of Education will review the applications based on the following criteria: feasibility, curriculum, and financial soundness. For ease of reference, the charter school applicant should highlight and index or cross-reference all areas of the application that refer to the feasibility, curriculum, and financial soundness of the application.

An initial review of the applications will take place by a committee appointed by the Board of Education. The committee shall present comments to the board based on the established criteria. If the criteria have not been met, the committee shall make note of the reason(s).

Review Process

The Department of Education will ensure that all documents are complete and distribute the applications to committee members. Applications will be reviewed by the committee, and the committee shall prepare comments for the board based on the application’s conformation to the established board criteria. The committee shall be comprised of individuals who represent several areas. They are:

- Board of Education member appointed by the board president to serve as committee chair
- Individuals from the educational community having background in budget, curriculum, the *No Child Left Behind Act of 2001*, and special education
- A local representative from a school division that already has a charter school (other than the division of the applicant)

The Board of Education will accept the committee's report for review and comment. The report and the board's comment will be sent to the public charter school applicant with a copy to the local school superintendent and board chair.

Criteria for Virginia Board of Education
Review of Charter School Applications

Introduction

The charter school legislation states that a public charter school applicant may submit its proposed charter application to the Board of Education for review and comment. The Board of Education's review shall take place prior to the submission to the local board.

Board of Education Responsibility

The Board of Education shall examine applications for feasibility, curriculum, financial soundness, and other objective criteria as the board may establish, consistent with existing state law. The board's review and comment shall be for the purpose of providing technical assistance and verifying that the application addresses established criteria. It shall not include consideration as to whether the application shall be approved by the local school board.

Criteria

In accordance with the law, criteria have been established by the Board of Education and organized into three areas stipulated in the law: feasibility, curriculum, and financial soundness. These areas and the supporting criteria will be reviewed by the Board of Education. If the criteria have not been met addressed, the board shall make note of the reason(s).

Qualifying Statements

Several statements will accompany the final report of the Board of Education for each charter school application reviewed. They are:

A statement verifying that the Board of Education's review is conducted outside the context of the division from which the charter school application was submitted and with no additional information or representative from that division. The review is based only on information presented in the application, which may or may not present accurately the local school division's instructional programs, operations, finances, or other information specific to a particular school division.

A qualifying statement verifying that all documents are complete only in the view of the Board of Education for the purposes of its actions in compliance with Section 22.1-212.9 C of the *Code of Virginia*.

A statement recommending that the local school board of a division receiving such application make an independent judgment as to the completeness of the charter school application for its review for implementation.

Area 1: Feasibility (References Sections I, II, III, and IV of the Virginia School Board Association [VSBA] charter school application, revised 5/04)

- A. Mission statement (Section I)
The mission of the proposed charter school, including any specific area of concentration, is described. The statement includes the core philosophy or purpose of the school as well as the target student population. The mission is consistent with the Standards of Quality.
Criterion Addressed _____ Criterion not addressed _____
- B. Goals and educational objectives that meet or exceed the Standards of Learning (Section II)

The application describes the goals and educational objectives of the proposed charter school and includes broad student achievement goals. The objectives are a concrete and measurable statement of what students should know and be able to do at various levels of education. They identify practices that will improve teaching and enhance learning.

- Criterion addressed _____ Criterion not addressed _____
- C. Evidence of support from parents, teachers, pupils, residents of the school division, in support of the formation of the public charter school (Section III)
Criterion addressed _____ Criterion not addressed _____
- D. Statement of need (Section IV)
The need for the charter school and how that need was determined is described.
Criterion addressed _____ Criterion not addressed _____
- E. Comment on the criteria that were not addressed and the reasons (e.g., insufficient information, missing information, etc.).

Area 2: Curriculum (References Sections V, VI of the Virginia School Board Association [VSBA] charter school application, revised 5/04)

- A. Public charter school's educational program (Section V)
The application describes the curriculum and the methods of instruction, including teaching materials and any innovative techniques to be used.
Criterion addressed _____ Criterion not addressed _____
- B. Pupil performance standards (Section V)
The application lists the pupil performance standards and how they were established.
Criterion addressed _____ Criterion not addressed _____
- C. Pupil evaluation: assessments, timeline and corrective action (Section VI)
The application describes the plan for evaluating student performance, including any assessments to be used to measure pupil progress towards achievement of the school's pupil performance standards, in addition to the Standards of Learning assessments.
Criterion addressed _____ Criterion not addressed _____
- D. Included in the document is a timeline for the achievement of the stated standards and goals and a procedure for corrective action if student performance fall below the stated standards and goals. (Section VI)
Criterion addressed _____ Criterion not addressed _____
- E. Comment on the criteria that were not addressed and the reasons (e.g., insufficient information, missing information, etc.).

Area 3: Financial Soundness (References Section VIII of the Virginia School Board Association [VSBA] charter school application, revised 5/04). The review by the Board of Education is not intended to address the funds a local school board will provide the charter school. It is a technical review only, commenting on how the application addresses the criteria.

- A. Financial Plan: Evidence of economical soundness, proposed budget and annual audit
A budget is provided. Included in the application are detailed sources of revenue and expenditures for the term of the charter and a description of the manner in which an annual audit of the financial and administrative operation of the charter school, including any services provided by the school division, will be conducted. Anticipated gifts, grants, or donations and a student fee scheduled are included.
Criterion addressed _____ Criterion not addressed _____
- B. Comment if the criterion was not addressed and the reasons (e.g., insufficient information, missing information, etc.).

Final Review of Teacher Education Accreditation Council (TEAC) as an Additional Option for Teacher Education Program Accreditation in Virginia

Dr. Thomas Elliott, assistant superintendent for teacher education and professional licensure, presented this item. Dr. Elliott said that the *Regulations Governing Approved Programs for Institutions of Higher Education in Virginia* require colleges and universities that offer programs for the preparation of professional educators to obtain program approval from the Board of Education. In Virginia, the review and approval of programs are viewed as the shared responsibility of institutions of higher education, school divisions, and the Department of Education. Final approval rests with the Board of Education.

During the 1998 Session of the Virginia General Assembly, an amendment to current legislation mandated that “persons seeking initial licensure who graduate from Virginia institutions of higher education shall, on or after July 1, 2002, only be licensed as instructional personnel by the Board of Education if the endorsement areas offered at such institution have been assessed by a national accrediting agency or by a state approval process, with final accreditation by the Board of Education.”

The regulations currently provide two options for the review of teacher education programs: 1) the state review process for which the college or university must meet the standards established by Board of Education regulations, and 2) the National Council for the Accreditation of Teacher Education (NCATE) process for which the college or university must meet the NCATE standards and the Board’s teaching area requirements. In both, the institution hosts an on-site visit by a team of trained reviewers who develop a report of findings in which a recommendation is made with regard to the status of the program as approval for continued full accreditation, approval with stipulations, or program denial.

The Teacher Education Accreditation Council (TEAC) is a new system of accrediting professional education programs through an academic audit. TEAC’s primary work is accrediting undergraduate and graduate professional teacher education programs. TEAC’s accreditation process examines and verifies the evidence teacher education programs have to support their claim that they prepare competent, caring, and qualified professional educators.

Approximately 70 programs nationally have satisfied TEAC’s eligibility requirements and currently have candidate status in TEAC. Seven programs have been accredited nationally. The University of Virginia is currently the only Virginia institution to have accreditation from both TEAC and NCATE.

Dr. Ward made a motion to approve for final review the acceptance of the Teacher Education Accreditation Council (TEAC) as an option for accreditation of college and university teacher education programs based on development of a Board of

Education and TEAC partnership agreement. The motion was seconded by Mr. Emblidge and carried unanimously.

First Review of Appointments to the Advisory Board on Teacher Education and Licensure (ABTEL), July 1, 2004 to June 30, 2007

Dr. Elliott also presented this item. Dr. Elliott stated that the Advisory Board on Teacher Education and Licensure, a 19-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.

Members of the Advisory Board on Teacher Education and Licensure (ABTEL) are appointed for three-year terms. Appointed members are eligible for reappointment by the Board of Education for a second three-year term. On June 30, 2004, the advisory board had five vacancies.

Dr. Ward made a motion to waive first review and appoint the following individuals to the Advisory Board on Teacher Education and Licensure for the term from July 1, 2004, to June 30, 2007. The motion was seconded by Mrs. Saslaw and carried unanimously.

New Appointments

Donald Plank, Middle School Classroom Teacher

Sandra Smith-Jones, School Board Member

Gloria Talbott, At-Large Member

Reappointments:

Cheryl Lightfoot, Elementary Classroom Teacher

Margaret Shibley Gray, Nonpublic School

Final Review of Proposed Board of Education Meeting Dates for 2005

Dr. Margaret Roberts, executive assistant for the Board, presented this item. Dr. Ward made a motion to approve the following schedule for the Board of Education's 2005 meeting dates. The motion was seconded by Mrs. Saslaw and carried unanimously.

January 12, 2005

February 23, 2005

March 23, 2005

April 20-21, 2005

May 25, 2005

June 22, 2005

July 27, 2005

September 28, 2005

October 26, 2005

November 30, 2005

First Review of Proposed Revisions to the Board of Education's Bylaws Regarding Appointment and Operation of Advisory Committees

Mrs. Anne Wescott, assistant superintendent for policy and communications, presented this item. Mrs. Wescott said that the Board of Education's bylaws, the procedures under which the Board of Education operates and conducts its business, were last amended in October 2001. Recently, the Board of Education has expressed interest in revising the bylaws to incorporate amendments regarding the appointment and operation of the various advisory committees that have been formed by the Board or by state or federal laws or regulations.

Mrs. Wescott said that the purpose of the proposed amendments is to ensure the following:

1. Maximum opportunity for interested and qualified persons to be nominated and serve on an advisory committee;
2. Equity in terms of service for all members of advisory committees;
3. Consistency in the establishment and operation of the Board's advisory committees; and
4. Cost-effective and efficient operation of advisory committees.

Highlights of the proposed amendments are as follows:

Section 1. Purpose: The advisory committee will receive its charge from the Board of Education and the committee is to operate within that charge. A committee will be dissolved if it does not conduct business for a 12-month period; however, the Board may re-constitute the committee, if necessary.

Section 2. Operating Procedures: This document constitutes the operating procedures. Meetings are to be conducted as prescribed by Robert's Rules of Order. The Superintendent of Public Instruction determines the staff and funding resources. Advisory committees may have a Board member to serve as liaison.

Section 3. Membership: The Board determines the number of members within limits of state and federal laws or regulations and appoints the members. Members may receive reimbursement for travel expenses in accordance with state travel guidelines.

Section 4. Term of Service: In the proposed amendments, the term of service is two years, unless otherwise specified in state or federal law or regulation or in the Board's bylaws. Members may serve a maximum of two consecutive two-year terms. Any member may be removed from service, as deemed appropriate by the Board. This section of the proposed amendments contains the primary change from the current practice of the advisory committees. Current practice for the terms of service varies from one year to four years.

Section 5. Advisory Committee Chair: The role of the committee chair is to conduct the meetings. The chair has voting privileges.

Section 6. Meetings: Meetings must be announced in advance and be open to the public. Each member of the committee has one vote and proxy voting is not permitted.

Section 7. Official Papers: Records of meetings (e.g., minutes) must be maintained in the Department of Education and properly posted on the Internet, as required by state law. Records are available to the public in accordance with the Freedom of Information Act, and records must be maintained in accordance with records retention requirements approved by the Library of Virginia.

Section 8. Effective Date: Article Sixteen becomes effective on October 1, 2004, and all appointments made following that date will be for the two-year term as stated in Section

During the discussion of the proposed changes, Mr. Thomas Johnson suggested that the Board seek comment on the proposed amendment. Mr. David Johnson, Mr. Goodman, and Dr. Ward also made suggestions that will be incorporated into the final draft of the amendments.

The Board received the proposed amendments to the bylaws for first review.

First Review of Proposal to Enact Special Provision in Section 8 VAC 20-131-340.B Related to Use of Test Scores in Calculating Accreditation Ratings for the 2004-2005 School Year

Mr. Finley presented this item. Mr. Finley said that in 2001 the Board of Education made significant revisions to the 1995 History and Social Standards of Learning. School divisions were encouraged to phase-in the implementation of the revised History and Social Science Standards of Learning from 2001 to 2004 while the original tests were being fully aligned to the standards. The 2003-2004 school year represented the final year of the phase-in period for the revised history and social science content standards and the first year that all history and social science tests were fully aligned to the revised 2001 standards. In addition, effective with the 2003-2004 academic year, provisional accreditation benchmarks are no longer available and history and social science Standards of Learning test results for grade 3 must be included in the accreditation calculation.

As part of the test development process, Harcourt Educational Measurement conducted pilot tests of items for the new history tests for United States History I (to 1877), United States History II (1877 to the Present), and Civics and Economics during the spring of 2002-2003. The first administration of these new history tests was in 2003-2004. It was necessary for the Board to establish cut scores in 2003-2004 prior to the official test administration in order to include the results in 2004-2005 accreditation ratings.

During 2003-2004 many school divisions administered the new elementary/middle history and social science tests for the first time in addition to the fully aligned cumulative test for grade 3, Virginia Studies, and cumulative test for grade 8.

The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8 VAC 20-131-340.B.) permit the Board to modify the use of Standards of Learning test scores in accreditation calculations during a period in which the standards in that content area are being phased-in. Additionally 8 VAC 20-131-280.C.2.(a) gives the Board authority to prescribe the SOL tests used in evaluating the performance of schools.

Based on feedback the department is receiving from division superintendents, principals, and teachers, the department recommends delaying the inclusion of results from the new, separate upper elementary/middle United States History I (to 1877), United States History II (1877 to the Present), and Civics and Economics topical tests in accreditation ratings for 2004-2005, allowing the department time to analyze the results and prepare impact data for the Board.

It is recommended that these tests be used in calculating accreditation ratings in 2004-2005 for schools only if they help the school.

All other history and social science Standards of Learning tests administered in a school will be included in the accreditation calculation. This methodology would apply in calculating the accreditation rating using the current year's data and the three-year trailing average.

All Standards of Learning test results will be reported on the School Performance Report Card.

Dr. Ward made a motion to waive first review and approve the proposal to enact the special provision in Section 8 VAC 20-131-340.B and its authority given in 8 VAC 20-131-280.C.c.(a) and include the scores of the new, separate upper elementary/middle United States History I (to 1877), United States History II (1877 to the Present), and Civics and Economics topical tests in calculating accreditation ratings for 2004-2005 only if they help the school. The motion was seconded by Mr. Goodman and carried unanimously.

REPORTS

Annual Report from the Advisory Committee on Adult Education and Literacy

Mr. Emblidge presented this item. Mrs. Yvonne Thayer, director of adult education and literacy, assisted Mr. Emblidge. Mr. Emblidge said that the Advisory Committee on Adult Education and Literacy was formed in 2001 to represent adult education providers and literacy stakeholders in providing recommendations to the Board

of Education. Bylaws of the committee require that an annual report be made to the Board of Education.

Race to GED is one component of Governor Mark Warner's workforce development initiative and is a part of Education for a Lifetime. Race to GED has the goal of doubling the number of Virginians earning a GED Certificate annually, thereby increasing the number of adults who can access career training and high skills jobs. The Department of Education has the responsibility of implementing activities associated with Race to GED.

The committee has followed the Race to GED initiative of Governor Warner and received information on the progress local programs are making to increase awareness of adult education programs, recruit learners, implement new approaches to instruction, and increase the number of persons testing and receiving their GED certificate annually. After receiving reports from the Office of Adult Education and Literacy and several local adult education programs, the Advisory Committee offered full support for the Race to GED initiative and discussed how the Board of Education could provide additional support to project activities.

The committee asked for information on the number of GED testing centers in the commonwealth and their capacity to meet the goals of the initiative. The consensus of the committee was that the goal of Race to GED could not be met unless opportunities for testing citizens are increased. Currently, Virginia has 75 testing centers that offer GED testing sporadically. The majority are located in school divisions, with a few in community colleges, six in the Department of Correctional Education, and one in a Virginia Employment Commission regional office. The host agency helps fund the cost of operating the center. Additional testing centers, as well as increased opportunities for testing including on-demand testing, must be put in place in order for the state to complete this initiative.

Mr. Emblidge made a motion to adopt the recommendation from the Advisory Committee on Adult Education and Literacy to recommend a request for one million dollars for enhanced GED testing centers in the agency's FY 06 budget request to Governor Warner. The motion was seconded by Dr. Ward and carried unanimously

Report on Response to Recommendations of Virginia Advisory Committee for Career and Technical Education

Mr. Robert Almond, director of career and technical education, presented this item. Mr. Almond said that in an April 2004 report to the Board of Education, the Virginia Advisory Committee for Career and Technical Education recommended that (1) a Board letter be sent to Governor Warner in support of the Senior Year Plus Initiative and creation of the Virginia Career Education Foundation; (2) a Board letter be sent to Virginia's U.S. Congressional delegation supporting the reauthorization of the Carl D. Perkins Vocational and Technical Education Act; and (3) a survey of local school

divisions' equipment needs be conducted to determine base-line data for future program improvement.

Mr. Almond reported that letters for Mr. Jackson's signature were prepared to address the Virginia Advisory Committee for Career and Technical Education's recommendations one and two. The Department of Education is developing a survey to address recommendation three.

The Board received the report.

Report on the Educational Information Management System (EIMS)

Mr. Lan Neugent, assistant superintendent for technology, presented this item. Mr. Nugent said that Virginia's student information systems are historically decentralized and are designed, maintained, and controlled at the local level. Currently, localities must extract aggregate tables from their student information systems and send these files to the Virginia Department of Education (VDOE) to meet various federal and state reporting requirements. Student test information is available to the state, but lack of a unique student test identifier makes it impossible to gauge the progress of any given student over time. A recent review of Virginia's data collection, analysis, and reporting capabilities by the United States Department of Education indicated that the VDOE has several shortcomings that will make it difficult for localities and the VDOE to meet *No Child Left Behind* reporting requirements. These same shortcomings also inhibit VDOE's ability to meet existing state and federal information needs.

To address these issues, the VDOE is implementing a statewide Educational Information Management System (EIMS). The EIMS will enable the VDOE to collect information in a more accurate and timely manner, provide longitudinal student data capability, enable stakeholders to make informed educational decisions, and meet increasing state and federal reporting requirements. Components of the system include:

1. Decision support tools for educators at the state and local levels
2. Standard and ad-hoc reporting tools for the VDOE
3. Web-based data loading, entry, and warehousing capability
4. Secure data transfer to and from educational entities over the Internet
5. Assignment of a unique identifier to each student in the state
6. Ability to pre-identify students for state assessments
7. Training for educators on using information to make better decisions

It is anticipated that EIMS will enable educational professionals to spend less time on administrative reporting and more time on instructional issues, improve the quality of reported data, provide the ability to move information with students as they move from school to school and division to division, improve educational decision making capability, follow student educational progress over time, ensure student and staff

information confidentiality, ease reporting burden on school divisions, and help meet state and federal reporting requirements in a timely and comprehensive manner.

A request for proposals (RFP) for the EIMS was issued and Pearson Educational Management (PEM) was awarded the contract. The VDOE, PEM, and 16 school divisions conducted a four-month pilot to test limited implementation of the EIMS system. The pilot was successful and wide-scale implementation of the system will begin as successive clusters of divisions are added. Full deployment began in June 2004 and will be concluded in 2006. Additional features and system enhancements may be added in future years.

The Board received the report as presented.

Report on Findings of the School-Level Academic Reviews, 2003-2004

Dr. Magill presented this item. Dr. Magill reported that beginning with the 2000-01 school year, any school rated Accredited with Warning has been required to undergo an academic review, an on-site review conducted by an independent team of professional educators. Each review consists of an initial visit, an on-site review, and follow-up visits. Following the team's on-site review, detailed reports are generated citing specific areas of strength, areas for improvement, and essential actions that should be taken to correct the weaknesses. Schools undergoing the reviews are then required to develop and implement a school improvement plan, which must outline specific actions the school staff will implement to correct each area of weakness.

The number of schools rated Accredited with Warning decreased from 211 schools in 2000-2001 to 47 schools in 2003-2004. Of the 47 schools receiving academic reviews during the 2003-2004 school year, 33 have been warned in at least two of the last three years.

Overall Findings

As with past reviews, use of classroom instructional time continues to be an area for improvement in schools rated Accredited with Warning during the 2003-2004 school year. While the use of data also continues to be an area for improvement in warned schools, use of data was not the area cited most often as it had been in the past. A predominant area for improvement in warned schools is establishing systems for monitoring the implementation and effectiveness of initiatives.

Areas of Strength

An analysis of data revealed that most areas of strength were in the use of instructional time, curriculum alignment, and school improvement planning.

Areas Needing Improvement

Review results reveal three main areas in need of improvement:

Use of classroom instructional time:

- Engaging students in learning activities
- Maximizing time on task
- Differentiating strategies

Having Systems for Monitoring and Adjusting Implementation of Initiatives:

- Implementing new practices learned through professional development activities
- Observing classroom instruction and providing feedback
- Monitoring implementation of school improvement plan strategies

Analyzing and using data:

- Determining if initiatives are being implemented as intended
- Determining effectiveness of programs in improving student achievement
- Providing evidence of implementation of school improvement plan strategies

The Board received the report as presented.

DISCUSSION OF CURRENT ISSUES

The Board met for dinner at the Crowne Plaza Hotel on July 20, 2004. Present were Mr. Jackson, Mrs. Castro, Mr. Emblidge, Mr. Goodman, Mr. David Johnson, Mr. Thomas Johnson, Mrs. Saslaw, 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.

EXECUTIVE SESSION

Mr. Goodman made a motion to go into executive session under Virginia Code ' 2.2-400.A.1, specifically to discuss personnel matters related to licensure. The motion was seconded by Dr. Ward and carried unanimously. The Board adjourned for the Executive Session at 11:47 a.m.

Mr. Goodman made a motion that the Board reconvene in open session. The motion was seconded by Dr. Ward and carried unanimously. The Board reconvened at 12:41 p.m.

Mr. Goodman made a motion that the Board Certify by roll-call vote that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (2) only such public business matters as

were identified in the motion convening the executive session were heard, discussed, or considered by the Board. The motion was seconded by Dr. Ward and carried unanimously.

Board roll call:

Mrs. Saslaw – Yes

Dr. Jones – Yes

Mrs. Castro – Yes

Mr. Emblidge – Yes

Mr. Thomas Johnson – Yes

Dr. Ward – Yes

Mr. Goodman – Yes

Mr. David Johnson – Yes

Mr. Jackson – Yes

Mr. Goodman made the following motions:

Case #1 – That the Board of Education issue the license. Dr. Jones seconded the motion and it carried unanimously.

Case #2 – That the Board of Education issue a restricted license. Dr. Ward seconded the motion and it carried unanimously.

Case #3 – That the Board of Education issue the license following release from probation program. Mr. Emblidge seconded the motion and it carried unanimously.

Case #4 – That the Board of Education deny the license. Mr. Emblidge seconded the motion and it carried unanimously.

Case #5 – That the Board of Education revoke the license. Mr. Emblidge seconded the motion.

ADJOURNMENT

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Jackson adjourned the meeting at 12:44 p.m.

President

Secretary