

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

July 27, 2005

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

Mr. Thomas A. Jackson, President
Dr. Mark E. Emblidge, Vice President
Mrs. Isis M. Castro
Mr. David L. Johnson
Mr. Thomas G. Johnson, Jr.

Dr. Gary L. Jones
Mr. Andrew J. Rotherham
Mrs. Eleanor B. Saslaw
Dr. Ella P. Ward

Dr. Patricia Wright, Deputy Superintendent

Mr. Jackson, president, presided and called the meeting to order at 9:00 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

Mr. Thomas Johnson made a motion to approve the minutes of the June 22, 2005, meeting of the Board. The motion was seconded by Dr. Jones and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

PUBLIC COMMENT

Mr. Jackson made the following comments before receiving public comments in reference to agenda Item K, *First Review of Proposals Submitted Under the Public-Private Education Facilities and Infrastructure Act (PPEA) for the Consolidation of the Virginia School for the Deaf and the Blind (VSDB)*.

Mr. Jackson said that in 2003 the Virginia General Assembly included language in the Appropriations Act directing the Board of Education to convene a task force to develop a plan for consolidating services for the deaf and/or blind and multi-disabled students served by Virginia's two schools for these students. The language said that the plan shall include an examination of appropriate academic programs, staffing requirements, facilities requirements, student transportation requirements, and individual arrangements necessary for all students currently receiving services to continue to receive

them. The plan shall also include steps necessary to achieve consolidation, funding requirements and/or savings, alternative uses of facilities, and a suggested timeline for achieving consolidation. The task force was headed by Mr. Scott Goodman, and a report was filed as a result of the directive from General Assembly

In 2004 the Appropriations Act, passed by the General Assembly, and signed by the Governor, had language, which set up a pre-planning phase for consolidation of the two schools at a single campus. The language said that building upon the work of the 2003 Consolidation Task Force; the report shall also include a suggested timeline of steps necessary to achieve a well-planned consolidation of the two existing schools.

In 2005 the General Assembly adopted additional language in regard to this project, also signed by the Governor. In order to provide improved services through up-to-date facilities as well as to achieve long-term cost savings, notwithstanding other provisions of the Code of Virginia, the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind, and Multi-disabled at Hampton, shall be consolidated into one school upon completion of any renovations, additions, or new facility construction at a site as determined by the State Board of Education with assistance from the Department of General Services.

Mr. Jackson said that the Board, assisted by the Department of General Services, shall consider, among other options, Public-Private Education Act (PPEA) proposals to plan and design the consolidation of the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind, and Multi-disabled at Hampton into a single campus and the transfer of students, programs, and services to a single campus, the location of which shall be incorporated into a PPEA proposal or a conventional capital construction project proposal that will be accepted, reviewed, and adopted by the Board of Education.

Mr. Jackson informed the audience that the Board was not selecting a site for the Virginia School for the Deaf and Blind at this meeting. Mr. Jackson said that the task of the Board today is to select one of the proposals that have been submitted or to reject both proposals. Mr. Jackson said the public will have additional opportunities for public comment to talk about sites during the PPEA process.

The following persons spoke during public comment:

Jacquelyn Ragland	Rachel Bavister	Ms. Maye	Ms. Knight
Jagdish A. Singh	Gordon Landes	Del. Saxton	Ms. Thompson
Kamlesh Kapur	John Pleasants	S. Smith	Del. Ward
Dr. Mary Christian	Casey Morehouse	Helen Justice	Antoine McCracken
Ralph Shelman	Darlene Coleman	Ms. Dunning	
Carmen Taylor	Louise Pear	Ms. Justice	
Rudy Langford	Cynthia Beverley	Mr. Hill	
Cathey Northen	Norman Poe	Mrs. Harrison	
Del. Mamye BaCote	Frances Durham	Walter Cuppie	

Dr. Steven Landes' letter was read during the public comment. Dr. Landes was unable to attend the meeting.

ACTION/DISCUSSION ON BOARD OF EDUCATION REGULATIONS

First Review of Proposed Regulations Governing the Process for Submitting Proposals to Consolidate School Divisions (HB 978, 2004 Session)

Mrs. Anne Wescott, assistant superintendent for policy and communication, presented this item. Mrs. Wescott said that Chapter 917, 2004 Acts of Assembly, directs the Board of Education to promulgate regulations providing for a process by which school divisions may submit proposals for consolidation. A new regulation must be promulgated to comply with the terms of Chapter 917. HB 978 amended § 22.1-25 of the Code of Virginia.

Mrs. Wescott said that school divisions submitting proposals for consolidation shall include such information and data as may be required by the Board, including (i) the criteria set forth in subsection C; (ii) evidence of the cost savings to be realized by such consolidation; (iii) a plan for the transfer of title to school board property to the resulting combined school board governing the consolidated division; (iv) procedures and a schedule for the proposed consolidation, including completion of current division superintendent and school board member terms; (v) a plan for proportional school board representation of the localities comprising the new school division, including details regarding the appointment or election processes currently ensuring such representation and other information as may be necessary to evidence compliance with federal and state laws governing voting rights; and (vi) evidence of local support for the proposed consolidation.

The proposed regulations include the following provisions, as required by § 22.1-25:

- A public notice and hearing process to be conducted by the school divisions;
- Consideration of the following criteria specified in § 22.1-25 of the Code of Virginia:
 1. The school-age population of the school divisions;
 2. The potential of the proposed school division to offer a comprehensive program for kindergarten through grade 12 at the level of the established standards of quality;
 3. The potential of the proposed school division to promote efficiency in the use of school facilities, and school personnel, and economy in operation;
 4. Anticipated increase or decrease in the number of children of school age in the proposed school division;
 5. Geographical area and topographical features as they relate to transportation facilities to provide for reasonable access by students to school facilities; and
 6. The ability of each existing school division to meet the standards of quality with its own resources and facilities, or in cooperation with another

school division or divisions if arrangements for such cooperation have been made.

- Components of proposals for consolidation as specified by § 22.1-25 of the Code of Virginia:
 1. Evidence of the cost savings to be realized by such consolidation;
 2. A plan for the transfer of title to school board property to the resulting combined school board governing the consolidated division;
 3. Procedures and a schedule for the proposed consolidation, including completion of current division superintendent and school board member terms;
 4. A plan for proportional school board representation of the localities comprising the new school division, including details regarding the appointment or election processes currently ensuring such representation and other information as may be necessary to evidence compliance with federal and state laws governing voting rights; and
 5. Evidence of local support for the proposed consolidation.

Dr. Jones made a motion to waive first review and authorize the Department of Education to proceed with the requirements of the Administrative Process Act. The motion was seconded by Mrs. Castro and carried unanimously.

First Review of Proposed Revisions to the Regulations Governing the Licensure of School Personnel (8 VAC 20-21-10 et seq.)

Dr. Thomas Elliott, assistant superintendent for teacher education and professional licensure, presented this item. Dr. Elliott said that the *Code of Virginia* requires that the Board of Education prescribe the requirements for licensure of teachers by regulation. The last comprehensive review of the licensure regulations was conducted in the mid-1990s with regulations becoming effective July 1, 1998. The regulations need to be revised based on federal and state legislation, as well as to address recommendations to changes in requirements for licensure.

Dr. Elliott said that due to the number of revisions in the document, the current regulations will be repealed, and new regulations will be promulgated by the Board of Education. Dr. Elliott gave a short summary of the proposed revisions to the Board.

After a short discussion, Dr. Ward made a motion to reinsert the three-year successful teaching requirement to become an administrator. The motion was seconded by Mrs. Castro and passed by a vote of 6 to 3 with a show of hands. Mr. Rotherham, Dr. Jones, and Mr. Thomas Johnson opposed the motion.

Dr. Ward made a motion to approve the draft and authorize the continuation of the Administrative Process Act (APA), including the 60-day public comment period. The motion was seconded by Mrs. Saslaw and carried unanimously.

ACTION/DISCUSSION ITEMS***Final Review of a Recommendation from the Advisory Board on Teacher Education and Licensure (ABTEL) to Establish a Cut-Score on the Virginia Reading Assessment, Effective July 1, 2006***

Dr. Elliott presented this item. Dr. Elliott said that House Joint Resolution Number 794 (HJR 794), agreed to by the 2001 session of the Virginia General Assembly, requested the Department of Education, in cooperation with the State Council of Higher Education for Virginia, to study the proficiency of Virginia teachers in teaching systematic explicit phonics.

As a requirement of the Board of Education in adopting the resolution to enhance the teaching of reading and the development of a reading test, it was agreed that during the period between July 1, 2004, and June 30, 2006, the Virginia Reading Assessment would be required of all candidates applying for initial licensure with endorsements in the areas of Early/Primary PreK-3, Elementary Education PreK-6, Special Education areas including Emotional Disturbances, Learning Disabilities, Mental Retardation, Hearing Impairments, Visual Impairments, and individuals seeking an endorsement as a Reading Specialist.

Using methods typically employed in large-scale testing, a raw score was calculated for each of the two sections of the test based on the individual item ratings. The raw score was converted to a scaled score of 100-300. The total test scaled score was determined by combining the two sections of scaled scores. Candidates' passing status is based on their total test scaled score.

After the presentation by National Evaluation Systems, the Advisory Board on Teacher Education and Licensure referred the report to the Teacher Education Committee to develop a recommended cut-score for consideration by the full board. The Teacher Education Committee recommended that passing scores for the Virginia Reading Assessment be established as follows: 235 for elementary and special education teachers and 245 for reading specialists.

Mrs. Castro made a motion to grant final approval of the Advisory Board on Teacher Education and Licensure recommendation to establish cut-scores for the Virginia reading Assessments for elementary and special education teachers at 235 and for reading specialist at 245, effective July 1, 2006. The motion was seconded by Dr. Jones and carried unanimously.

First Review of Appointment to the Advisory Board on Teacher Education and Licensure (ABTEL) July 1, 2005 to June 30, 2008

Dr. Elliott presented this item. Dr. Elliott said that The Advisory Board on Teacher Education and Licensure, a nineteen-member board, advises the Board of

Education and submits recommendations on policies applicable to the qualifications, examination, licensure, and regulation of school personnel including revocation, suspension, denial, cancellation, reinstatement, and renewal of licenses, fees for processing applications, standards for the approval of preparation programs, reciprocal approval of preparation programs, and other related matters as the Board of Education may request or the Advisory Board may deem necessary.

Mrs. Saslaw made a motion to waive first review and appoint the following individuals to the Advisory Board on Teacher Education and Licensure for the term of July 1, 2005 to June 30, 2006. The motion was seconded by Dr. Jones and carried unanimously.

Reappointments

- Linda W. Kelly, Smyth County public schools (Secondary Classroom Teacher, Career and Teacher Education)
- Dr. Nancy M. Davenport, Virginia Beach City public schools (School Administrator)
- Rena White, Richmond, Virginia (Parent Teacher Association)

To Fill Vacancies

- Lisa Bowman, Franklin County public schools (Elementary Classroom Teacher)
- Jeffrey A. Arco, Hanover County public schools (Middle School Classroom Teacher)
- Mary Kolman, Augusta County public schools (Middle School Classroom Teacher of Special Education)
- Robin D. Smith, Stafford County public schools (Secondary School Classroom Teacher)
- Dr. Betty E. Hobbs, Assistant Superintendent for Personnel Services, Arlington County Public Schools (School Administrator)

First Review of Proposed Legislation Related to the Recommendation of the Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments

Mrs. Wescott presented this item. Mrs. Wescott said that the Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments recommended that the Board of Education prescribe the following professional teacher's examinations for initial licensure in Virginia:

1. Literacy and Communications Skills Assessment.
2. Praxis II (content assessment).
3. Virginia Reading Assessment (if applicable).

At the June 22, 2005, meeting, the steps necessary to implement the Special Committee's recommendation were set forth. Amendments to the Code of Virginia are necessary to clarify that an individual must take an assessment of basic skills (Praxis I, SAT, or ACT) in order to be admitted into an education preparation program, and that professional teacher's assessments (Literacy and Communications Skills Assessment; Praxis II (content assessment); and, if applicable, the Virginia Reading Assessment) are required for licensure.

The proposed legislation includes the following changes:

- The current provisions, as found in § 22.1-298 and § 23-9.2:3.4 would be reorganized and edited for clarity.
- A new section, § 22.1-298.1, would be added to address regulations governing education preparation programs. The current § 22.1-298 would address regulations governing licensure.
- A definition section would be added to § 22.1-298 and § 22.1-298.1.
- The definitions would differentiate between assessments of basic skills (Praxis I, SAT, or ACT) that must be taken prior to admission into an approved education preparation program, and professional teacher's assessments (Literacy and Communications Skills Assessment; Praxis II (content assessment); and, if applicable, the Virginia Reading Assessment) required for licensure.
- Language would clarify that licensure by reciprocity does not require the individual to take and pass a basic skills assessment, but professional teacher's assessments would be required.
- There is a provision to allow the Board to prescribe other provisions for reciprocity in its regulations.
- Language would specify that approved education preparation programs must meet the requirements for both accreditation and program approval.
- The current provision that would prohibit an approved education preparation program from denying a candidate for admission into the program solely on the basis of failing the basic skills assessment would be amended. The revised language would permit approved education preparation programs to deny admission to a candidate who fails the basic skills assessment. However, if the candidate is enrolled in the program, the candidate must be given the opportunity to address any deficiencies.

Dr. Jones made a motion to accept the proposed revisions for first review. The motion was seconded by Mr. Thomas Johnson and carried unanimously.

First Review of a Request for Approval of an Alternative Accreditation Plan from the Greenville County Public School

Mrs. Kathleen Smith, director of school improvement, introduced Dr. Phillip Worrell, superintendent of Greenville County public schools. Mr. Worrell presented this item to the Board.

Mr. Worrell said that the school board of Greensville County is proposing an alternative accreditation plan for Zion Alternative Education School, an alternative school that serves students ages 11 through 15 who are at least two years below grade level in reading and/or mathematics or who have completed the fifth grade and have a record of severe discipline problems. Zion Alternative Education School has been rated "Accredited with Warning" for the past five years.

The purpose of Zion Alternative Education School is to prepare students in 6th, 7th, and 8th grades who are significantly behind in academic and behavioral fundamentals to successfully enter high school and earn a diploma. The program of instruction will:

- Focus on reading, mathematics and writing, organization and study skills, and self-management for each student as specified in Individualized Student Success plans.
- Use the Direct Instruction Corrective Reading program and Cortez Mathematics as instructional models for English and mathematics.
- Build skills in history and science through interdisciplinary selections for reading and writing instruction and through the use of Reader's Workshop and Writer's Workshop.
- Provide a student day of six to six and one-half hours.
- Provide student support services that focus on self-management and adjustment skills as indicated in the eighth grade Health Standards of Learning (SOL).
- Target a pupil to teacher ratio of 8:1 with a maximum of 10:1.
- Provide career exploration.
- Use data to improve instruction.
- Integrate technology into the classroom.

Mr. Worrell said that Greensville County Public Schools is requesting that the school be accredited on the following criterion: 70 percent of the 8th grade students in the program for a full academic year will pass the 8th grade SOL assessments in English, writing and mathematics and be promoted to 9th grade. Students will be classified as ungraded for the first year to year and one-half. Students will take the SOL test in 6th and 7th grade as available for the purpose of assessing progress, but the results will not count in the school's accreditation rating. A student will not be classified as an 8th grader until he/she has achieved a reading level of 7th grade 4 months.

Mr. Worrell said that Greensville County public schools is requesting waivers to provisions of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* to allow them to implement the program of instruction as outlined above. Waivers are requested to provisions for instructional programs in middle schools as required in 8 VAC 20-131-90 B-D as follows:

- B. The middle school shall provide a minimum of eight courses to students in the eighth grade. Courses in English, mathematics, science, and history/social

science shall be required. Four elective courses shall be available: level one of a foreign language, one in health and physical education, one in fine arts, and one in career and technical exploration.

- C. Level one of a foreign language shall be available to all eighth-grade students. For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course in accordance with policies adopted by the local school board. Notice of this provision must be provided to parents with a deadline and format for making such a request. Nothing in this chapter shall be construed to prevent a middle school from offering any other credit-bearing courses for graduation.
- D. To provide students a sufficient opportunity to learn, each student shall be provided 140 clock hours per year of instruction in each of the four disciplines of English, math, science, and history/social science. Sixth-grade students may receive an alternative schedule of instruction provided each student receives at least 560 total clock hours of instruction in the four academic disciplines.

Dr. Ward made a motion to accept for first review the request for approval of an alternative accreditation plan from the Greenville County public schools. The motion was seconded by Mrs. Saslaw and carried unanimously. This item will be presented to the Board for final review at the September Board meeting.

First Review of a Request for Approval of an Alternative Accreditation Plan from the Hampton City Public Schools

Mrs. Smith introduced Dr. Patrick J. Russo, director of alternative education for Hampton City public schools. Dr. Russo presented this item to the Board.

Mr. Russo said that the school board of Hampton City is proposing an alternative accreditation plan for Hampton Harbour Academy (HHA), an alternative charter school that serves students in grades six through eight who are at least two years behind their grade cohort group. These students have been retained more than once, some students are reading as much as four years behind their chronological age group and are equally behind in mathematics. HHA has been rated Accredited with Warning in 2002-03, 2003-04, and 2004-05.

The intent of HHA is to provide interventions in the core academic areas in order for students to gain skills and content necessary to successfully enter high school and graduate with a standard diploma. The program of instruction will:

- Focus instruction in reading, writing, and mathematics;
- Offer many opportunities for hands-on and high-interest work and various activities in class to keep students engaged;
- Integrate curriculum from elective courses into core academics;
- Provide tutoring and intensive intervention to students during the school day;

- Incorporate physical education into the day with wellness activities;
- Teach science and history social sciences using interdisciplinary project learning;
- Provide six hours of instruction per day;
- Limit class size to 10 students per class; and
- Offer opportunities for career exploration.

Mr. Russo said that Hampton public schools is requesting that the school be accredited on the following criterion: 70% of the 8th grade students in the program for a full academic year will pass the 8th grade SOL assessments in English, writing and mathematics.

Hampton public schools are requesting waivers to provisions of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* to allow them to implement the program of instruction as outlined above. Waivers are requested to provisions for instructional programs in middle schools as required in 8 VAC 20-131-90 A-D as follows:

- A. The middle school shall provide each student a program of instruction which corresponds to the Standards of Learning for English, mathematics, science, and history/social science. In addition, each school shall provide instruction in art, music, foreign language, physical education and health, and career and technical exploration.
- B. The middle school shall provide a minimum of eight courses to students in the eighth grade. Courses in English, mathematics, science, and history/social science shall be required. Four elective courses shall be available: level one of a foreign language, one in health and physical education, one in fine arts, and one in career and technical exploration.
- C. Level one of a foreign language shall be available to all eighth-grade students. For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course in accordance with policies adopted by the local school board. Notice of this provision must be provided to parents with a deadline and format for making such a request. Nothing in this chapter shall be construed to prevent a middle school from offering any other credit-bearing courses for graduation.
- D. To provide students a sufficient opportunity to learn, each student shall be provided 140 clock hours per year of instruction in each of the four disciplines of English, math, science, and history/social science. Sixth-grade students may receive an alternative schedule of instruction provided each student receives at least 560 total clock hours of instruction in the four academic disciplines.

Mr. Thomas Johnson made a motion to approve for first review the request for approval of an alternative accreditation plan from the Hampton City public schools. The

motion was seconded by Dr. Jones and carried unanimously. This item will be presented to the Board for final review at the September Board meeting.

First Review of Proposed to Enact Special Provision in Section 8 VAC 20-131-340.B Related to the Use of Test Scores in Calculating Accreditation Ratings for 2005-2006 School Year

Mrs. Wescott presented this item. Mrs. Wescott said that the 2000 General Assembly passed legislation requiring the development of three separate topical tests measuring the Standards of Learning included in the cumulative history and social science test typically administered in either grade seven or eight. The three new upper elementary/middle school tests are optional tests that assess Standards of Learning in United States History I (to 1877), United States History II (1877 to the Present), and Civics and Economics.

The development of additional upper elementary/middle school tests in history and social science allows school divisions to test students in history and social science content immediately following instruction in the standards. School divisions organize their curricula to teach these topics in grades five through seven or in grades six through eight.

The separate, topical tests in history and social sciences are offered in addition to the cumulative grade eight history and social science test. A Virginia Studies test is administered in grades four or five. Students in grade three take a cumulative history and social science test.

As part of the test development process, Harcourt Educational Measurement conducted field 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. 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 three, Virginia Studies, and a cumulative test for grade eight.

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.

In September 2004 the Board of Education enacted the special provision in Section 8 VAC 20-131-340.B and its authority given in 8 VAC 20-131-280.C.2.(a) to 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 helped the school. During the 2004-2005 school year school divisions continued to work with teachers on the implementation of the Standards of Learning for United States History I (to 1877), United States History II (1877 to the Present), and Civics and Economics. Based on feedback the department has received from division superintendents, principals, and teachers, the implementation of the standards for United States History I (to 1877) has proven to be particularly challenging.

To allow school divisions additional time to implement adjustments to the curriculum for United States History I (to 1877), the department recommends phasing in 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 2005-2006.

It is recommended that the scores from the United States History II (1877 to the Present), and Civics and Economics test be used in calculating accreditation ratings in 2005-2006 but that the scores for the United States History I (to 1877) be included 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 adopt the proposal to enact the special provision in Section 8 VAC 20-131-340B and its authority given in 8 VAC 20-131-280.C. (a) and include the scores of United States History I (to 1877), in calculating accreditation ratings for 2005-2006 only if they help the school. The motion was seconded by Mrs. Saslaw and carried unanimously.

First Review of Addition to the Board-Approved List of Instructional Models/Programs that Include Instructional Methods to Satisfy Provisions in Regulations Establishing Accrediting Standards for Public Schools in Virginia

Dr. Linda Wallinger, assistant superintendent for instruction, presented this item. Dr. Wallinger said that at the January 6, 2003, Board of Education meeting, revisions to the criteria for identifying and selecting models/programs that include instructional methods as provided in 8 VAC 20-131-310 B-E were approved.

The revisions are based on the *No Child Left Behind Act of 2001 (NCLB)* emphasis on the use of scientifically-based research as a criterion for evaluating programs, particularly those programs purchased with federal funds. The revised criteria are:

1. Scientifically-based evidence of effectiveness: The effectiveness of models/programs is justified based on scientific research that involves the application of rigorous, systematic, and objective procedures to obtain reliable

and valid knowledge on the models/programs. The major components of the model/program include instructional methods and practices that have been verified through scientifically-based research. The research that documents improvement in student achievement has presented convincing evidence that the observed results were based on the model/program intervention. The model's/program's effectiveness in improving student achievement has been demonstrated in Virginia and is based on effective research-based strategies. Gains in student achievement on Virginia's Standards of Learning tests have been sustained over time.

2. Implementation and capacity for technical assistance: The model/program has explained the essential ingredients necessary to make the program fully operational, including estimates of the costs, with respect to time and money, and the requirements for implementation. The program managers have described in detail their capacity, in terms of technical assistance, to provide the staff development, consultation, and support necessary for successful implementation in a number of Virginia schools.
3. Replicability: The models/programs effectiveness has been demonstrated through multiple investigations in numerous locations with low-achieving students.
4. Correlation with or adaptability to the Virginia Standards of Learning in English or mathematics: The content of the model/program correlates with the Virginia Standards of Learning in English or mathematics or the model/program can be adapted to the Virginia Standards of Learning.

Dr. Ward made a motion to waive first review and adopt the following programs as proposed for the Board-approved list. The motion was seconded by Mrs. Castro and carried unanimously.

Virginia Board of Education Approved Models/Programs that Include Instructional Methods that have Proven to be Successful with Low-Achieving Students

Mathematics

Models/Programs	K-3	4-8	9-12
Comprehensive:			
I CAN Learn Middle School Mathematics		X (Grades 6-8)	

English/Reading

Models/Programs	K-3	4-8	9-12
Supplemental/Intervention:			
<i>Fast ForWord</i> Products	X	X	X
Scholastic Read 180 Stage B		X (Grades 6-8)	

Final Review of Eligibility Criteria for Cost-Saving and Service-Sharing Agreements Between School Divisions in the Commonwealth of Virginia

Mr. Timberlake, assistant superintendent for finance, presented this item. Mr. Timberlake said that effective July 1, 2005, section 22.1-98.2, *Code of Virginia*, provides additional state funding to school divisions serving fewer than 350 students in the prior school year if they enter into a cost-saving or service-sharing agreement with a contiguous school division that meets criteria established by the Board of Education. Section 22.1-98.2, *Code of Virginia*, authorizes the department to provide the additional state funding to the qualifying school division by calculating its basic aid entitlement using the lower composite index of the contiguous school division involved in the agreement.

This statute further requires the Governor to approve any payments made in accordance with these criteria before they are distributed to the qualifying school division.

Mr. Timberlake discussed the eligibility criteria that are recommended for consideration by the Board of Education and the procedures for reviewing and processing requests from eligible school divisions.

Dr. Jones made a motion to approve the following criteria for cost-saving and service-sharing agreements between school divisions. The motion was seconded by Mrs. Castro and carried unanimously.

Eligibility Criteria and Procedures for Supplemental Funding for
School Divisions in the Commonwealth of Virginia That
Enter Into Cost-Saving or Service-Sharing Agreements

Purpose

Section 22.1-98.2, *Code of Virginia*, directs the Board of Education to develop eligibility criteria for cost-saving and service-sharing agreements for school divisions that enter into such agreements with contiguous school divisions. School divisions serving fewer than 350 students in the prior school year that enter into such an agreement with a contiguous school division are eligible to receive the state share for basic aid computed on the basis of the composite index of the contiguous school division, calculated annually, for 15 years.

The Governor must approve the adjustment to the state share for basic aid prior to the disbursement of funds. The Department of Education must annually report to the Chairmen of the House Appropriations and the Senate Finance Committees the cost saving arrangements made, and the adjusted state shares of basic aid approved by the Governor.

Definitions

Eligible school divisions: School divisions that served fewer than 350 students in the prior school year.
Cost-saving or service-sharing agreements: A formal agreement executed between the eligible school division and one or more contiguous school divisions. This agreement must be evidenced by a written document that bears the original signatures of the superintendents of the participating school divisions. The agreement must contain sufficient information to demonstrate how the agreement meets the eligibility criteria.

Additional State Share of Basic Aid: The difference between the Basic Aid entitlement the eligible school division would normally receive and that which it would receive using the lowest composite index of a contiguous school division participating in the agreement.

Eligibility Criteria

Agreements submitted by an eligible school division to the Department of Education must be made with a contiguous school division and must demonstrate how the agreement meets the following criteria:

- evidence of one or more shared services with another school division; or,
- evidence of the savings or cost increases avoided as a result of shared services or a cooperative agreement for purchasing or other administrative practice; or,
- evidence that a savings has been achieved by contracting services with another school division.

The agreement must include a statement of assurance that it complies with all federal, state, and local laws and regulations.

Examples of agreements that may meet these criteria include, but are not limited to those that:

1. Provide for the consolidation or sharing of specialized educational services or educational support services;
2. Provide for the consolidation or sharing of specialized educational facilities in instructional areas such as career and technical education;
3. Identify administrative or support services that are duplicative and establish a process for the consolidation or sharing of administrative or support services;
4. Provide for joint professional development services;
5. Provide for the consolidation or sharing of technology applications and support;
6. Provide for the consolidation or sharing of operations and maintenance and custodial services;
7. Provide for shared, bulk, or volume purchasing;
8. Provide for privatization or outsourcing of support services with a contiguous school division.

Procedures

To be considered for adjusted Basic Aid funding under Section 22.1-98.2, *Code of Virginia*, a school division must submit to the Department of Education a cost or service-sharing plan with a contiguous division prior to September 1 of each fiscal year.

The content of the submitted cost or service-sharing plan must meet the above-listed criteria.

Receipt of adjusted Basic Aid funding will begin after approval of the plan by the Department of Education and approval of the adjusted payment by the Governor of Virginia.

The additional Basic Aid payments will be computed for the eligible school division on the basis of full year funding using the lowest composite index of a contiguous school division participating in the agreement.

All payments of additional Basic Aid pursuant to these procedures are subject to appropriation of state funds for this purpose.

State funding of additional Basic Aid does not reduce the required local effort of the eligible school division.

References

- Section 22.1-98.2, *Code of Virginia*
- Chapter 951, 2005 Acts of Assembly

First Review of Proposals Submitted Under the Public-Private Education Facilities and Infrastructure Act (PPEA) for the Consolidation of the Virginia Schools for the Deaf and the Blind (VSDB)

Mr. Dan Timberlake presented this item. Mr. Timberlake said that the 2005 General Assembly took action to continue the process for consolidating the two schools for the deaf and the blind into a single school at a single location. Mr. Timberlake said that the actions taken in the 2005 Session followed actions taken in two previous sessions. The two previous actions by the General Assembly created a task force to study the issues related to the consolidation of the two schools and then to conduct a feasibility study.

The 2003 General Assembly charged the Board of Education with responsibility for forming and conducting the work of the task force and for reporting its findings to the 2004 General Assembly. This task force, led by former Board of Education member Scott Goodman, submitted its findings to the 2004 General Assembly in a report titled, *Plan for Consolidating Services for the Deaf and/or Blind and Multi-Disabled Students Served by Virginia's Two Schools at Staunton and Hampton*.

Based on those findings, the 2004 General Assembly directed the Secretary of Education (et. al.) to conduct a feasibility study. The results of that feasibility study were presented to the 2005 General Assembly and are the basis of the latest actions of the General Assembly taken at their 2005 session.

In order to have the option to engage in the PPEA process, department staff has worked with the Department of General Services to solicit PPEA proposals for a consolidated school facility. As a result of these efforts, the following actions have taken place:

- A process and timeline was developed for interested parties to submit proposals under a PPEA solicitation.
- An advertisement announcing the anticipated solicitation of proposals under the PPEA appeared in The Washington Post, the Norfolk Virginian Pilot, the Richmond-Times Dispatch, and the Roanoke Times on Sunday, May 1, 2005.
- A Request for Proposals (RFP) was issued to the public (with a closing date of June 15, 2005) on Friday, May 6, 2005, soliciting PPEA proposals including options for the location of a consolidated school.
- An optional pre-proposal conference was held on May 20, 2005, in the James Monroe Building in Richmond, Virginia.
- On May 23 and May 24, 2005, an optional tour was conducted at the sites of the existing schools in Hampton and Staunton for parties interested in responding with proposals that would be located at one of the existing school sites.
- Finally, two proposals were received, and during June 2005 the Department of General Services coordinated the review of the PPEA proposals.

The Department of General Services officials will present the results of the review committee to the Board of Education for consideration. They will also respond to any questions related to the PPEA process. Ultimately, if the Board decides to pursue a PPEA project, the Department of General Services will be the “responsible public entity” that will manage the remainder of the PPEA process, which will include: collection of budget estimates for selected site options, movement to the phase of developing detailed proposals for one or more sites, and finally, entering a comprehensive agreement with a selected vendor for the site selected by the Board of Education.

Dr. Emblidge made a motion to go into executive session for the purpose of discussing proposals submitted under the Public-Private Education Facilities and Infrastructure Act for the consolidation of the Virginia Schools for the Deaf and Blind. This motion is made pursuant to Virginia Code Section 2.2-3711 section 30 which allows the Board to go into closed session to discuss the award of a public contract involving the expenditure of public funds including interviews with bidders or offers in discussing terms and scope of said contract where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body. The motion was seconded by Dr. Ward and carried unanimously. The Board went into executive session at 11:57 a.m.

Dr. Emblidge made a motion to come out of closed session. The motion was seconded by Dr. Jones and carried unanimously. The Board reconvened at 1:16 p.m.

Dr. Emblidge made a motion to certify, by roll call, that to the best of each member’s knowledge (i) only matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed and (ii) only matters identified in the motion to have the closed session were discussed. The motion was seconded by Dr. Jones and carried unanimously.

Board Roll Call:

Mr. David Johnson – Yes
Dr. Ward – Yes
Dr. Emblidge – Yes
Dr. Jones – Yes
Mr. Jackson –Yes

Mr. Thomas Johnson – Yes
Mrs. Castro – Yes
Mrs. Saslaw – Yes
Mr. Rotherham – Yes

Mr. Thomas Johnson made the following motion: The Board adopts the Trammel Crow proposal and authorizes the Department of Education and Department of General Services to move forward with Trammel Crow to examine options for the following:

1. Renovation and/or construction of a new facility at Staunton.
2. Renovation and/or construction of a new facility at Hampton.
3. Construction of a new facility at alternate locations as in accordance with the guidelines for the new facility in the Department of Education Feasibility Study.

The ultimate decision will come back to the Board to make a selection among the options. The motion was seconded by Dr. Jones and carried unanimously.

Final Review of Proposed Board of Education Meeting Dates for the 2006 Calendar Year

Dr. Margaret Roberts, executive assistant for the Board of Education, presented this item. D. Roberts said that in recent years, the Board of Education has met monthly except for the months of August and December. The April meeting is typically a two- or three-day planning session. In addition to the regular, monthly business meetings, the President may call special meetings of the full Board of Education and its committees, as deemed necessary.

The meeting dates listed below take into consideration the religious and secular holidays celebrated on or around the proposed meeting dates. Unless otherwise announced by the president of the Board, meetings will be held in Richmond.

Dr. Ward made a motion to approve the following 2006 meeting dates. The motion was seconded by Mrs. Saslaw and carried unanimously.

Board of Education Meeting Dates
2006
Wednesday, January 11, 2006
Wednesday, February 15, 2006
Wednesday, March 22, 2006
Wednesday- Thursday, April 26-27, 2006
Wednesday, May 24, 2006
Wednesday, June 28, 2006
Wednesday, July 26, 2006
Wednesday, September 27, 2006
Wednesday, October 25, 2006
Wednesday, November 29, 2006

REPORTS

Report on Findings of the School-Level Academic Review Process for 2004-2005

Mrs. Smith presented this item. Mrs. Smith said that The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA), 8 VAC 20-131-340.A., require any school rated as “accredited with warning” to undergo an academic review. It is the responsibility of the Department of Education to develop and administer the academic review process in accordance with guidelines adopted by the Board.

In 2004-2005, 255 schools were accredited with warning. Two divisions (Fairfax County and Waynesboro City) requested and received permission to conduct their own reviews for eight warned schools.

A total of 33 warned schools in four divisions (Lee County, Sussex County, Petersburg City, and Richmond City) were provided technical assistance as a part of the division-level review process. Four schools accredited with warning employed turnaround specialists and were not subject to traditional reviews. One regional school accredited with warning was changed from a school to a program. Fries Middle School in Grayson County was temporarily closed due to construction and a review could not be completed, leaving a total of 208 warned schools that received technical assistance through the school-level academic review process.

In 2004-2005 technical assistance provided by the school-level academic review process to warned schools was determined by a “tiered” approach. Tier I schools were provided more state-directed technical assistance than Tier II or Tier III schools. In 2004-2005, there were 63 Tier I reviews, 54 Tier II reviews, and 91 Tier III reviews.

Mrs. Smith said that an analysis of data from academic reviews conducted during the past school year revealed the following areas for improvement:

Curriculum alignment and instructional delivery

1. Differentiating instruction to meet the identified needs of individual students and groups of students.
2. Providing students with learning experiences that engage them in active learning.
3. Using student performance data to develop daily lesson plans that reflect consideration of the learning strengths and needs of students.

Professional development opportunities provided to staff

1. Designing an ongoing, school-based program of professional development that is based on the analyses of data and is aligned with the school’s goals for improving student achievement.
2. Monitoring the degree to which new practices are implemented and prescribed.
3. Providing opportunities for teachers to experiment, practice, and obtain feedback as they integrate newly learned skills into their repertoire of instructional practices.

Use of instructional time and school scheduling practices

1. Organizing instruction and structuring lessons to maximize student time-on-task.
2. Maintaining a high level of student engagement throughout the lesson.
3. Regularly monitoring the use of instructional time in classrooms.

Use of data to make instructional and planning decisions

1. Using results of data analyses to design, monitor, and evaluate instructional programs, support services, and professional development activities.
2. Analyzing data over time to look for trends in student performance and to identify strengths and limitations of instructional programs and services.
3. Training staff in collecting and analyzing data to identify relevant goals and objectives for school improvement planning and to monitor the plan's implementation and evaluate improvements over time.

Mrs. Smith said that schools accredited with warning in 2005-2006 that received an academic review in 2004-2005 will begin the 2005-2006 school-level academic review process with technical assistance through follow-up visits. Follow-up visits will monitor the implementation of the school improvement plan and monitor the essential actions provided by the academic review team.

The Board accepted the report.

Report on the No Child Left Behind Act Cost Study Methodology (HB 2602 and SB 1136, 2005 General Assembly)

Mrs. Michelle Vucci, director for policy, and Dr. Robert Palaich, vice president, Augenblick, Palaich and Associates, Inc., presented this item.

Mrs. Vucci said that in the spring of 2004, the department joined a consortium of state departments of education sponsored by the Council of Chief State School Officers (CCSSO). This consortium was formed to develop a coordinated approach for analyzing the costs of the federal No Child Left Behind Act (NCLB). CCSSO is a nationwide, nonprofit organization composed of the officials who head each state's department of elementary and secondary education. CCSSO helps establish partnerships among member states to facilitate the study of educational issues.

The cost consortium was formed to pool resources to estimate the cost of implementing the requirements of NCLB. The CCSSO contracted with Augenblick, Palaich, and Associates, Inc. (APA) to develop a model framework that states could use to determine the activities required to implement NCLB and their associated costs. In addition to the benefits of a process developed in collaboration with other states, the use of a third party brings independent objectivity to the process.

The following school divisions are participating in the local cost study:

- Region I – Henrico County;
- Region II – Norfolk City;
- Region III - Fredericksburg City;
- Region IV – Fairfax County;
- Region V – Albemarle County;
- Region VI – Roanoke County;

Regional VII – Washington County; and
Region VIII – Halifax County.

The data collected for each of these school divisions will be used to generate a statewide cost per pupil that will be used to extrapolate the costs of NCLB for all Virginia school divisions.

Mr. Palaich's PowerPoint presentation was titled, "Estimating NCLB Cost for States and Districts."

The Board accepted the report. The Board will receive final review at the September Board meeting.

Report from the Board of Education's Charter School Application Review Committee on a Proposed Public Charter School

Mrs. Castro presented this item. Mrs. Castro said that Section 22.1-212.9 of the *Code of Virginia* provides that a public charter school applicant may submit its proposed charter application to the Board of Education for review and comment. The law stipulates that the Board shall examine the application for feasibility, curriculum, and financial soundness.

At its July 21, 2004, meeting, the Board of Education adopted a process and approved criteria for examining charter school applications. As part of the process, a committee was established to evaluate applications based on the established criteria.

The Community Public Charter School in Charlottesville, Virginia, submitted a charter school application to the Board of Education for review. The committee reviewed the application based on the criteria established by the Board and stipulated in the law.

The Board accepted the report. A full report will be transmitted to the Community Public Charter School.

DISCUSSION OF CURRENT ISSUES

There was no discussion of current issues.

EXECUTIVE SESSION

Dr. Jones made a motion to go into executive session under Virginia Code 2.2-3711.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 2:12 p.m.

Dr. Jones made a motion that the Board reconvene in open session. The motion was seconded by Dr. Ward and carried unanimously. The Board reconvened at 2:45 p.m.

Dr. Jones 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:

Mr. David Johnson – Yes

Dr. Ward – Yes

Dr. Jones – Yes

Mr. Jackson – Yes

Mrs. Castro – Yes

Mr. Rotherham – Yes

Dr. Jones made the following motions:

- Case #1: That the Board of Education approve the issuance of an additional license. Dr. Ward seconded the motion and it carried unanimously.
- Case #2: That the Board of Education revoke the license. Dr. Ward seconded the motion and it carried unanimously.
- Case #3: That the Board of Education request for renewal of license. Dr. Ward seconded the motion and it carried unanimously.
- Case #4: That the Board of Education approve the issuance of a license. Dr. Ward seconded the motion and it carried unanimously.
- Case #5: That the Board of Education deny the issuance of a license. Dr. Ward seconded the motion and it carried unanimously.
- Case #6: That the Board of Education approve continuance of license until the October Board meeting. Dr. Ward seconded the motion and it carried unanimously.
- Case #7: That the Board of Education approve continuance of license. Dr. Ward seconded the motion and it carried unanimously.
- Case #8: That the Board of Education approve provisional license. Dr. Ward seconded the motion and it carried unanimously.

Case #9: That the Board of Education approve issuance of license. Dr. Ward seconded the motion and it carried unanimously.

ADJOURNMENT

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Jackson adjourned the meeting at 2:49 p.m.

President

Secretary