

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

March 23, 2005

The Board of Education and the Board of Career and Technical Education met in Conference Rooms D & E at the James Monroe State Office Building, Richmond.

Mr. Thomas A. Jackson, President
Mr. 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. Jo Lynne DeMary, Superintendent for
Public Instruction

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Mr. Jackson asked for a moment of silence and led in the Pledge of Allegiance.

APPROVAL OF AGENDA

The following item was added to the agenda: First Review of the Establishment of a Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments.

APPROVAL OF MINUTES

Dr. Jones made a motion to approve the minutes of the February 23, 2005, meeting of the Board. The motion was seconded by Mr. Emblidge and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

RESOLUTIONS/RECOGNITIONS

A Resolution of Recognition was presented to Lynchburg City Public Schools, recipient of the Board of Education's Leadership in Cultural Diversity Education Award. The following persons from Lynchburg City Schools attended the meeting:

Dr. Paul McKendrick, superintendent
Mr. William A. Coleman, Jr., director for school/community relations
Mrs. Yvette H. Miller, director for student services
Mrs. Susan A. White, supervisor for instruction

Dr. Roger E. Jones, former superintendent for curriculum and instruction. Currently associate professor in Educational Leadership at Lynchburg College.

A Resolution of Recognition was presented to First Colonial High School, Virginia Beach City Public Schools, recipient of the Board of Education's Leadership in Cultural Diversity Education Award. The following persons from First Colonial High School attended the meeting:

Mr. Lionel Jackson, assistant principal
Mrs. Linda Durkee, computer resource specialist.

A Resolution of Recognition was presented to Virginia's 2005 Regional Teachers of the Year and the Virginia Teacher of the Year. They are as follows:

Region I – Pamela K. Edwards, Matoaca High School, Chesterfield County
Region II – Elizabeth M. O'Brien, Grafton High School, York County
Region III – Rita K. Truelove, John J. Wright Middle School, Spotsylvania County
Region V – Christy M. Davis, Thomas C. McSwain Elementary, Staunton
Region VI – Joseph L. Salmon, Roanoke Academy, Roanoke
Region VII – Gail A. Gilland, Damascus Middle School, Washington County
Region VIII – Andrea W. Verschaeve, Prince Edward County Middle School, Prince Edward County
Virginia's 2005 Teacher of the Year – Joseph Hills, Lake Braddock Secondary School, Fairfax County

PUBLIC COMMENT

The following persons spoke during public comment: Carolyn Canty, Andrew Guillen, Jr., and Elli Sparks.

CONSENT AGENDA

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

- Final Review of Financial Report on Literary Fund
- Final Review of Recommendations Concerning Applications for Literary Fund Loans
- Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List

Final Review of Financial Report on Literary Fund

The Department of Education's recommendation to approve the financial report (including all statements) on the status of the Literary Fund as of December 31, 2004, was approved with the Board's vote on the consent agenda.

Final Review of Recommendations Concerning Applications for Literary Fund Loans

The Department of Education's recommendation to approve one application in the amount of \$7,500,000 subject to review and approval by the Office of the Attorney General pursuant to Section 22.1-156, Code of Virginia, was approved with the Board's vote on the consent agenda.

DIVISION	SCHOOL	AMOUNT
Hanover County	New 2006 Elementary	\$7,500,000.00
TOTAL		\$7,500,000.00

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

The Department of Education's recommendation to approve the actions described in the following elements, was approved with the Board's vote on the consent agenda:

1. One new project totaling \$7,500,000 is eligible for placement on the First Priority Waiting List, subject to review and approval by the Office of the Attorney General pursuant to § 22.1-156, Code of Virginia.
2. Salem City submitted a letter dated January 24, 2005, requesting that the project for Andrew Lewis Middle School be removed from the First Priority Waiting List. The school board has acquired funding from sources other than the Literary Fund for this project.

ACTION/DISCUSSION ON BOARD OF EDUCATION REGULATIONS

First Review of Notice of Intended Regulatory Action (NOIRA) to Amend the Regulations Governing Literary Loan Applications in Virginia (8 VAC 20-100-10 et seq.)

Mr. Dan Timberlake, assistant superintendent for finance, presented this item. Mr. Timberlake said that the last revisions to the *Regulations Governing Literary Fund Loan Applications in Virginia* were made in 1995. Since that time, statutory provisions addressing the content of these regulations have been enacted or amended. Mr. Timberlake said that the Department of Education (DOE) requests permission to begin the process for revising the current regulations.

A preliminary list of issues that must be addressed concerning changes to the Literary Fund regulations includes:

1. Revision of the maximum loan amount – The 1998 General Assembly passed legislation that increased the maximum loan amount for a single project from \$5,000,000 to \$7,500,000.

2. Technology purchases – The 1997 General Assembly passed legislation allowing the Board of Education to issue Literary Fund loans to purchase technology equipment.
3. Administrative changes – The Department of Education proposes adding language to the regulations requiring school divisions only to certify that qualifying expenditures are being reimbursed and allowing them to maintain in their own files the documentation supporting the reimbursement requests submitted for payment. Currently, the regulations require school divisions to submit that documentation to the department.

After Mr. Timberlake's presentation the Board discussed the process for fast track regulations. After a brief discussion, the Board asked Mr. Timberlake to bring the item back to the June meeting with proposed changes to the regulations under the fast-track provisions of the Administrative Process Act (Section s.s-4012.1 of the Code of Virginia).

First Review of Praxis I Cut Scores Proposed by the Advisory Board on Teacher Education and Licensure (ABTEL)

This item will be deferred until the Board receives a report from the special committee to study and make recommendations relative to teacher licensure assessments.

First Review of the Establishment of a Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments

The 1980 General Assembly amended the Code of Virginia to require a professional teacher's assessment for initial licensure. In 1999, the General Assembly added language in the Code of Virginia to require teacher preparation programs in Virginia's institutions of higher education to administer a professional teacher's assessment approved by the Board of Education as an entry requirement for prospective teachers. More recently, the federal *No Child Left Behind (NCLB)* Act of 2001 was enacted, with provisions that place major emphasis on teacher quality as a factor in improving student achievement. The federal definition of "highly qualified" requires that teachers demonstrate basic academic skills through an earned bachelor's degree and subject matter competence in each academic subject taught through academic majors or in the case of elementary teachers, the state's rigorous content assessment. The federal Title II Higher Education Act requires accountability provisions for teacher education programs that focus on the reporting of pass rates of graduates in the subject area they plan to teach. At the February 23, 2005, Board of Education meeting it was proposed that the time is appropriate for a re-examination of the teacher licensure assessments.

It is proposed that the Board of Education establish a Special Committee to Study and Make Recommendations to the Board Relative to Teacher Licensure Assessments. The committee will include representatives from the following:

- Members of the Board of Education;
- Members of the Virginia General Assembly;
- Members of the Advisory Board on Teacher Education and Licensure (ABTEL);

- The Virginia Congress of Parents and Teachers;
- The Virginia Education Association;
- The State Council for Higher Education in Virginia;
- An institution of higher education with an approved teacher education program;
- A local school division superintendent;
- A school principal; and
- A school division human resources director.

This committee would examine the use of teacher licensure assessments in Virginia and other states and make recommendations to the Board of Education. The committee's work would include, but not be limited to, an examination of appropriate sections of the Code, regulations governing licensure of teachers; the federal requirements regarding teacher quality; the use of teacher licensure assessments in other states; and options for using various teacher licensure assessments in the preparation and licensing of teachers. The proposed meeting dates for the committee are March 31, April 22, and May 24.

Mrs. Saslaw made a motion to approve the special committee of the Board to study and make recommendations relative to teacher licensure assessments. The motion was seconded by Mrs. Castro and carried unanimously.

First Review of a Recommendation to Continue Program Approval of Teacher Preparation Programs Reviewed in the Fall of 2004

Dr. Thomas Elliott, assistant superintendent for teacher education and professional licensure, presented this item. The *Regulations Governing Approved Programs for Virginia Institutions of Higher Education*, effective July 1, 2001, require colleges and universities that offer programs for the preparation of professional educators to obtain program approval from the Board of Education. In Virginia, 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.

Dr. Elliott said that the team recommendation for Roanoke College, the University of Virginia's College at Wise, and Randolph-Macon Woman's College is that the overall programs and the specific teaching or endorsement areas receive continuing full approval.

Dr. Jones made a motion to waive first review and approve continuing program approval for Roanoke College, the University of Virginia's College at Wise, and Randolph-Macon Women's College. The motion was seconded by Dr. Ward and carried unanimously.

First Review of Nominations to State Special Education Advisory Committee

Mr. Douglas Cox, assistant superintendent for special education, presented this item. The Individuals with Disabilities Education Act (IDEA) requires the establishment of this advisory committee to advise the State Education Agency on the education of children with disabilities.

Mr. Cox said that Dr. Michael Behrmann is recommended for appointment to represent institutions of higher education. The term of office is three years, beginning April 1, 2005.

Mrs. Saslaw made a motion to waive first review and accept the nomination of Dr. Michael Behrmann. The motion was seconded by Mrs. Castro and carried unanimously.

First Review of Alignment of Board of Education “Highly Qualified” Policies to Requirements for Special Education Teachers Under the Individuals with Disabilities Education Improvement Act of 2004

Mr. Cox and Dr. Elliott presented this item. On November 19, 2004, Congress passed Public Law 108-446, the *Individuals with Disabilities Education Improvement Act of 2004* (IDEIA). One significant element of the new statute is the term “highly qualified” as applied to special education teachers. IDEIA links its definition of “highly qualified” to the No Child Left Behind Act (NCLB) definition but modifies it as it applies to special education teachers. A teacher who is highly qualified under IDEIA is considered highly qualified for purposes of NCLB. Specifically, the new law requires that all special education teachers who teach core academic subjects to students with disabilities meet “highly qualified” requirements either as elementary teachers or subject-area teachers.

Mr. Cox presented the proposed Board of Education requirements to be a highly qualified special education teacher, and Dr. Elliott presented the proposed requirements to the HOUSSE.

Dr. Ward made a motion to accept for first review the proposed policies for special education teachers to become highly qualified. The motion was seconded by Mr. Rotherham and carried unanimously. The Board will conduct final review at its meeting April meeting.

First Review of Proposed Criteria for Virginia Board of Education Review of Private Educational Management Companies

Dr. Linda Wallinger, assistant superintendent for instruction, presented this item. Dr. Wallinger said that the Board of Education is committed to assisting schools and school divisions that have failed to make progress toward student achievement goals by reviewing and approving models and programs that have proven to be successful with low-achieving students.

Dr. Wallinger said that in the past, the Board has approved instructional models and programs for use by schools implementing various requirements of the *No Child Left Behind Act of 2001* (NCLB).

There was a short discussion on the proposed criteria that the Board of Education will use to assist school divisions in identifying potential private educational management companies. Mr. Rotherham requested another bullet labeled “issue of effectiveness” be added to the proposed criteria.

Mr. Emblidge made a motion to accept for first review the proposed criteria for approval of the private educational management companies to provide services to Virginia Schools. The motion was seconded by Mrs. Saslaw and carried unanimously. The item will be submitted for final review at the April meeting of the Board.

First Review of the Computer Technology Standards of Learning for Grades K-12

Mr. Lan Neugent, assistant superintendent for technology, presented this item. Mr. Neugent said that the Board of Education adopted a schedule for review and revisions to the Standards of Learning at its September 22, 2004 meeting. Accordingly, the Computer/Technology standards are scheduled for review and revision in 2005. (Code of Virginia § 22.1-253.13:1-2 states the following: By October 1, 2000, the Board of Education shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.)

A review of comments on the existing Computer/Technology Standards for Grades K-12 revealed several major areas of concern:

- There is insufficient emphasis on the ethical and responsible use of computers.
- Computer/technology skills should not be taught in isolation; but integrated in all areas of the curriculum.
- Instruction of computer skills should not be limited to specific grade levels or content areas.
- Students need earlier exposure to a variety of technologies and software applications.

Mr. Neugent said that in response to input, a set of standards were drafted that address the concerns of educational technology stakeholders and that reflects a consensus of identification of technology skills and competencies that students in grades K-12 should exhibit. A framework, similar to those developed by other states as well as professional and research organizations, was used to describe the progressive development of skills and competencies in six categories:

- Basic Operations and Concepts
- Social, Ethical, and Human Issues
- Technology Productivity Tools
- Technology Research Tools
- Technology Problem-Solving and Decision-Making Tools
- Technology Communication Tools

Since the introduction of the current Computer/Technology Standards in 1995 and 2000, the use of technology in schools and classrooms has increased and the use of newer, more advanced technologies has become commonplace. The proposed standards are organized into

four grade ranges: K-2, 3-5, 6-8, and 9-12. This provides greater opportunity for students to develop, reinforce, and amplify their skills.

Dr. Ward made a motion to approve the proposed Computer Technology Standards of Learning for Grades K-12 for distribution and for comment at a public hearing to be conducted at its meeting on May 25, 2005. The motion was seconded by Dr. Jones and carried unanimously.

REPORTS

Status Update on the Recommendations of the Joint Committee of the Board of Education and Board of Health Regarding the Feasibility of Developing an Education Curriculum for Proper Nutrition and Exercise for Students in Grades K-12

Dr. Cindy Cave, director of student services, and Ms. Lynne Fellin, acting director of school nutrition programs, presented this item. A joint committee of the Board of Health and the Board of Education was established in 2004 to study the feasibility of developing an education curriculum for proper nutrition and exercise for students in grades K-12. The committee also examined broader issues concerning nutrition and physical activity among K-12 students. The final report of the joint committee was received by the Board of Education at its October 2004 meeting.

The summary recommendations of the joint committee's final report were as follows:

- 1) Develop curriculum for proper nutrition and physical education. The report recommendation was curriculum development should continue to be the responsibility of local school divisions with guidance and technical assistance provided by the Virginia Department of Education with consultation from the Virginia Department of Health.
- 2) Establish state guidelines for school divisions to use in developing a nutrition and physical activity policy at the local level. Goals for the state guidelines and recommendations were provided in the report.
- 3) Establish a mechanism for state level evaluations and technical assistance. Recommendations for evaluation and technical assistance were provided in the report.
- 4) Continue collaboration between the Departments of Education and Health on issues concerning the health of the school age population. The report recommendation was to continue to focus on developing school-based strategies for preventing childhood obesity.

The Board of Education requested the department study the joint committee report recommendations and advise the Board on the feasibility of implementation. This status report provides information regarding implementation of the following recommendations:

- Establish state guidelines for school divisions to use in developing a nutrition and physical activity policy at the local level;
- Establish a mechanism for state level evaluation and technical assistance; and

- Continue collaboration between the Departments of Education and Health.

Dr. Cave and Ms. Fellin pointed out the implementation of these recommendations and use of the scorecard are voluntary for local school divisions. The fiscal impact for local school divisions that choose to implement the recommendations would be managed at the local level. Examples of potential fiscal impact are changes to the school schedule to provide additional time for physical education and recess, development of new bid specifications for foods and beverages to meet the recommended guidelines, and alternate sources of revenue if sales volume decreases when the nutrition standards are applied or if the cost of products sold increases. The scorecard is free to school divisions and is currently supported by the department with school nutrition administrative funds.

The Board accepted the status report from the joint committee's recommendation.

Statewide Performance Report Summary for Career and Technical Education

Ms. Elizabeth Russell, director for career and technical education, presented this item. Ms. Russell said that the Board of Education approved the Virginia System of Performance Standards and Measures as part of the 2000-2004 State Plan for Career and Technical Education (CTE). The federal Perkins act requires that the results on the negotiated state-adjusted levels of performance for both secondary and postsecondary CTE be communicated to the Board and other audiences. Each school division and the Virginia Community College System will receive an annual report of performance.

The Board accepted the Career and Technical Education Statewide Annual Performance Report.

DISCUSSION OF CURRENT ISSUES

Mrs. Castro made a motion to adopt a resolution for Sleep Awareness Week, March 28-April 3, 2005. The Resolution reads as follows:

RESOLUTION OF APPRECIATION

National Sleep Awareness Week
March 28—April 3, 2005

Whereas, sleep deprivation and sleep disorders are estimated to cost Americans over \$100 billion annually in-lost productivity, medical expenses, sick leave, and property and environmental damage; and

Whereas, research conducted by the National Sleep Foundation finds that nearly seven out of 10 Americans said they experience frequent sleep problems; and

Whereas, the research also found that more than two-thirds of all children (69%) experience one or more sleep problems a few nights a week resulting in daytime fatigue, naps, and concentration difficulties; and

Whereas, the National Institutes of Health have identified adolescents and young adults (ages 12 to 25 years) as a population at high risk for problem sleepiness; and

Whereas, drowsiness or fatigue has been identified as a principle cause in 100,000 police-reported traffic crashes each year, killing more than 1,500 Americans and injuring another 71,000, according to the National Highway Traffic Safety Administration;

Whereas, young drivers age 25 or under are involved in more than one-half of fall-asleep crashes; and

Whereas according to sleep experts, teens need at least 8.5 – 9.25 hours of sleep each night, compared to an average of seven to nine hours each night for most adults;

Now, Therefore, Be It Resolved that the Virginia Board of Education salutes the National Sleep Foundation for its efforts to promote health and wellness of all people, especially America's young people, through its National Sleep Awareness Week, March 28 through April 3, 2005, which is a major public education and awareness campaign in cooperation with thousands of partners to promote the importance of quality sleep to health, productivity and safety;

Be It Further Resolved that a copy of this resolution be forwarded to the leadership of the National Sleep Foundation as a statement of gratitude for its fine work on behalf of the health of America's young people.

Adopted in Richmond, Virginia, This Twenty-third Day of March 2005.

The motion was seconded by Dr. Jones and carried unanimously.

Dr. DeMary introduced Mr. Jay R. Moyer, Deputy Secretary's Regional Representative, U. S. Department of Education.

The Board met for dinner at the Crowne Plaza Hotel on March 22, 2005. Present were Mr. Jackson, Mrs. Castro, Mr. Emblidge, Mr. David Johnson, Mr. Thomas Johnson, Dr. Jones, Mr. Rotherham, 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.

ADJOURNMENT

There being no further business of the Board of Education and Career and Technical Education, Mr. Jackson adjourned the meeting at 11: 48 a.m.

President

Secretary