COMMONWEALTH of VIRGINIA
Board of Education Agenda

Date of Meeting: September 21, 2005 **Time:** As Shown
Location: Conference Rooms D & E, James Monroe State Office Building
101 North 14th Street, Richmond, Virginia

9:00 a.m. **FULL BOARD CONVENES** `

Moment of Silence

Pledge of Allegiance

Approval of Minutes of the July 27, 2005, Meeting of the Board

Public Comment

Consent Agenda

A. Final Review of Financial Report on Literary Fund

B. Final Review of Recommendations Concerning Applications for Literary Fund Loans

C. Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Funds or Placement on a Waiting List

D. First Review of Notice of Intended Regulatory Action (NOIRA) to Amend the Regulations Governing Secondary School Transcripts (8 VAC 20-160-10 et seq.)

E. Final 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

Action/Discussion on Board of Education Regulations

F. First Review of Proposed Regulations Governing the Review and Approval of Education Programs in Virginia (8 VAC 20-542-10 et seq.)

G. First Review of Permanent Regulations for Conducting Division-Level Academic Reviews (8 VAC 20-700-10 et seq.)

Action/Discussion Items

H. First Review of Options Prepared by Trammell Crow Under the Public-Private Education Facilities and Infrastructure Act (PPEA) for the Consolidation of the Virginia Schools for the Deaf and the Blind (VSDB)

I. First Review of Request to Extend Approval of an Alternative Accreditation Plan from Chesterfield County Public Schools

J. First Review of the Report on the *No Child Left Behind Act* State and Local Studies (HB 2602 and SB 1136, 2005 General Assembly)

K. First Review of the Direct Aid to Public Education Budget for the 2006-2008 Biennium

L. Final Review of the Board of Education's Comprehensive Plan: 2005-2010

M. First Review of the 2005 Annual Report on Public Charter Schools in the Commonwealth of Virginia

N. First Review of Modifications to the School-level Academic Review Process

O. First Review of Updates to the Student Conduct Policy Guidelines

P. First Review of Revisions to Remediation Recovery Guidelines

Q. First Review of Proposed Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure

R. First Review of a Proposal to Withhold School Accreditation for 2005-2006 for Nandua High School in Accomack County and Oak Grove Elementary in Richmond City

Reports

S. 23rd Annual Report from the Virginia Advisory Committee for the Education of the Gifted

DISCUSSION OF CURRENT ISSUES - by Board of Education Members and Superintendent of Public Instruction

ADJOURNMENT

IMMEDIATELY FOLLOWING ADJOURNMENT:

T. Public Hearing on Proposed Regulations Governing the Re-enrollment of Students Committed to the Department of Juvenile Justice (8 VAC 20-660-10 *et seq*.)

PUBLIC NOTICE:

The Board of Education members will meet for dinner at 6:30 p.m. at the Crowne Plaza Hotel on Tuesday, September 20, 2005. Items for the Board agenda may be discussed informally at that dinner. No votes will be taken, and it is open to the public.

Board of Education Agenda Item

Item: A. **Date:** September 21, 2005

Topic: Final Review of Financial Report on Literary Fund

Presenter: Mr. Daniel S. Timberlake, Assistant Superintendent for Finance

Telephone Number: (804) 225-2025 E-Mail Address: Daniel.Timberlake@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X__ Board review required by
- _X__ State or federal law or regulation
- ____ Board of Education regulation
- ____ Other: _____

__X_ Action requested at this meeting ____ Action requested at future meeting: _____ (date)

Previous Review/Action:

__X_ No previous board review/action

____ Previous review/action
date _____
action _____

Background Information:

In accordance with the provisions of the Code of Virginia, Chapter 10, Section 22.1-142, the Board of Education is responsible for the management of the Literary Fund. This report reflects the status of the Literary Fund and the status of the Reserve Fund, which is in the custody of the Virginia Public School Authority (VPSA). The report also reflects the total principal of the fund, as well as cash, investments, and all short and long term loans in both funds.

Summary of Major Elements

Attachment A reflects the financial position of the Literary Fund as of June 30, 2005. The information presented in this report reflects the commitments against the Literary Fund as of June 30, 2005.

Attachment B reflects the currently active projects as of June 30, 2005.

Attachment C represents a three-year income analysis of the Literary Fund.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends approval of the financial report (including all statements) on the status of the Literary Fund as of June 30, 2005.

Impact on Resources:

As funds become available in the Literary Fund, recommendations will be made to the Board for funding priority projects and those projects at the top of the First Priority Waiting List, with cash reduced as loan requests are processed.

Timetable for Further Review/Action:

The Department staff will prepare a quarterly financial report on this fund for Board approval. Information also will be presented each quarter, as part of another agenda item, regarding those projects on the two waiting lists.

Attachment A

BOARD OF EDUCATION
STATEMENT OF THE FINANCIAL POSITION OF THE LITERARY FUND
(as of June 2005)

Line Reference		June 30, 2005	May 31, 2005	Increase/(Decrease)
	PRINCIPAL BALANCE			
1.	Cash and investments maintained by State Treasurer	101,268,146.00	167,142,658.00	(65,874,512.00)
2.	Loans received from local school boards (secured by promissory notes)	12,253,719.00	14,514,048.00	(2,260,329.00)
3.	Cash and investments in custody of Virginia Public School Authority (VPSA)	-	-	-
4.	Long-term loans in custody of Virginia Public School Authority (VPSA)	368,010,701.00	368,658,254.00	(647,553.00)
5.	Total Principal of Literary Fund	**481,532,566.00**	**550,314,960.00**	(68,782,394.00)
	CURRENT COMMITMENTS AGAINST LITERARY FUND REVENUE			
6.	Balance due on active projects (Attachment B)	8,592,114.34	8,662,690.78	(70,576.44)
7.	Debt service on VPSA equipment notes [1]	171,092.00	171,092.00	-
8.	Interest rate subsidy [2]	-	-	-
9.	Trigon Reserve	5,657,429.00	5,657,429.00	-
10.	Transfer for Teacher Retirement [3]	-	131,854,700.00	(131,854,700.00)
11.	Other Encumberances held by Treasurer of Virginia	10,233.54	10,233.54	-
12.	Total of Literary Fund Commitments	**14,430,868.88**	**146,356,145.32**	**(131,925,276.44)**
	FUNDS AVAILABLE FOR CURRENT COMMITMENTS AND NEW LOANS			
13.	Cash and investments maintained by State Treasurer (Line 1)	101,268,146.00		
14.	Less commitments against Literary Fund Revenues (Line 12)	(14,430,868.88)		
15.	**Balance Available to Fund New Projects Currently on Waiting List - (Additional Funds Needed to Meet Commitments)**	86,837,277.12		

NOTES:

[1] Chapter 951 approved May 4, 2005, requires $64,511,600 to be set aside for debt service on equipment notes. (Payment of $3,232,495 in October; payment of $61,108,013 in April)

[2] Chapter 951 approved May 4, 2005, requires $5,000,000 to be set aside for an interest rate subsidy program. (Obligation now reflected in line 6.)

[3] Chapter 951 approved May 4, 2005, requires $131,854,700 to be transferred from the Literary Fund to pay teacher retirement in fiscal year 2005. (Payment made in June)

9/12/2005

Attachment B

ACTIVE PROJECTS AS OF JUNE 30, 2005

Application Number	School Division	School	Date Released by Board of Educatior	Funds Released	Funds Disbursed	Balance Due
10963	Augusta County	1999 Subsidy (Churchville Elem)	11/18/1999	1,439,546.00	1,415,188.31	24,357.69
10975	Clarke County	Johnson Williams Middle	9/28/2000	7,500,000.00	-	7,500,000.00
11058	Halifax County	Sydnor Jennings Elementary	6/20/2001	3,500,000.00	3,400,074.56	99,925.44
11150	Nottoway County	Crewe Primary (2004 Subsidy)	11/9/2004	191,790.06	161,571.70	30,218.36
11151	Nottoway County	Blackstone Primary (2004) Subsidy)	11/9/2004	54,631.84	40,392.93	14,238.91
11111	Patrick County	Woolwine Elementary (2002 Subsidy)	11/7/2002	50,763.00	44,263.00	6,500.00
11105	Russell County	Honaker Elementary (2002 Subsidy)	11/7/2002	325,917.27	312,225.59	13,691.68
11071	Smyth County	Chilhowie Elementary	9/26/2001	2,593,511.00	2,418,692.00	174,819.00
11070	Smyth County	Chilhowie Middle/High	9/26/2001	2,238,759.00	2,146,934.00	91,825.00
11131	Stafford County	Stafford Elementary (2003 Subsidy)	11/30/2003	659,305.31	659,177.94	127.37
11034	Sussex County	Sussex Central High	9/28/2000	7,500,000.00	7,118,661.00	381,339.00
11102	Washington County	Rhea Valley Elem (2001 Subsidy)	11/26/2001	168,673.00	112,885.31	55,787.69
11096	Washington County	Abingdon High (2003 Subsidy)	11/30/2003	34,942.97	10,234.00	24,708.97
11097	Washington County	John S. Battle High (2003 Subsidy)	11/30/2003	30,209.93	-	30,209.93
11098	Washington County	Holston High (2003 Subsidy)	11/30/2003	20,948.94	-	20,948.94
11099	Washington County	Patrick Henry High (2003 Subsidy)	11/30/2003	30,181.33	-	30,181.33
11100	Washington County	Valley Institute (2003 Subsidy)	11/30/2003	5,861.31	-	5,861.31
11078	Washington County	Wallace Middle	9/26/2001	439,704.00	439,616.00	88.00
11083	Washington County	Glade Spring Middle	9/26/2001	139,220.00	129,816.00	9,404.00
11063	Chesapeake City	Great Bridge Intermediate (2001 Subsid	9/26/2001	66,655.00	66,655.00	-
11062	Chesapeake City	Butts Road Intermediate (2001 Subsidy)	9/26/2001	85,594.00	77,881.32	7,712.68
11064	Chesapeake City	Greenbrier Intermediate (2001 Subsidy)	9/26/2001	85,594.00	85,594.00	-
10999	Franklin City	Franklin High School (1999 Subsidy)	11/18/1999	263,300.00	193,130.96	70,169.04
September, 2005				27,425,107.96	18,832,993.62	8,592,114.34

LITERARY FUND OF VIRGINIA Attachment C

INCOME ANALYSIS (2002-03 THRU 2004-05)

2002-03	Interest	Fines & Forfeitures	Unclaimed Property	Lottery Transfer	VPSA Transfer	Total
July	$335,562	$0	$0	$0	$0	$335,562
August	$393,014	$4,206,398	0	$1,020,393	0	5,619,805
September	$604,196	$4,021,573	0	$578,775	0	5,204,544
October	$1,510,810	$4,425,113	0	$1,044,794	0	6,980,717
November	$377,820	$4,515,153	0	$664,449	0	5,557,422
December	$273,541	$3,299,144	0	$436,899	0	4,009,584
January	$2,157,923	$3,387,862	0	$647,278	48,455,163	54,648,226
February	$354,322	$4,703,278	30,000,000	$635,618	0	35,693,218
March	$375,106	$4,038,001	0	$659,630	0	5,072,737
April	$2,308,339	$4,263,825	0	$703,270	0	7,275,434
May	$533,012	$4,278,760	0	$0	0	4,811,772
June	$2,919,696	$8,429,766	14,000,000	$5,913,477	0	31,262,939
	$12,143,341	$49,568,873	$44,000,000	$12,304,583	$48,455,163	$166,471,960

2003-04	Interest	Fines & Forfeitures	Unclaimed Property	Lottery Transfer	VPSA Transfer	Total
July	$7,560	$0	$0	$0	$0	$7,560
August	$401,611	$4,218,866	0	$0	0	4,620,477
September	$388,489	$4,193,908	0	$708,102	0	5,290,499
October	$953,432	$4,193,773	0	$1,464,273	0	6,611,478
November	$430,922	$7,370,275	0	$614,751	0	8,415,948
December	$331,088	$7,925,364	0	$979,623	0	9,236,075
January	$1,091,268	$5,970,204	0	$588,093	50,494,673	58,144,238
February	$409,446	$5,021,910	0	$0	0	5,431,356
March	$502,894	$4,577,460	30,000,000	$1,635,305	0	36,715,659
April	$1,660,228	$5,482,738	0	$739,989	0	7,882,955
May	$2,181,071	$4,840,637	0	$3,280,587	16,803,247	27,105,542
June	$5,501,604	$10,044,075	20,000,000	$3,024,259	1,056,509	39,626,447
	$13,859,613	$63,839,210	$50,000,000	$13,034,982	$68,354,429	$209,088,234

2004-05	Interest	Fines & Forfeitures	Unclaimed Property	Lottery Transfer	VPSA Transfer	Total
July	$5,866,405	$0	$0	$0	$0	$5,866,405
August	$6,459,099	$5,012,841	0	$0	0	11,471,940
September	$3,059,842	$4,747,251	0	$1,204,496	0	9,011,589
October	$4,141,436	$4,792,135	0	$1,471,795	0	10,405,366
November	$3,618,956	$4,667,022	0	$771,191	0	9,057,169
December	$4,017,896	$4,344,052	0	$355,016	0	8,716,964
January	$6,727,216	$4,286,240	0	$655,770	0	11,669,226
February	$4,330,837	$5,315,552	0	$1,356,005	0	11,002,394
March	$5,594,971	$5,007,919	40,000,000	$732,990	0	51,335,880
April	$5,303,323	$6,111,612	0	$1,073,403	0	12,488,338
May	$2,307,069	$5,507,407	0	$830,236	0	8,644,712
June	$6,077,510	$10,486,851	45,000,000	$859,765	3,626,638	66,050,764
	$57,504,560	$60,278,882	$85,000,000	$9,310,667	$3,626,638	$215,720,747

Board of Education Agenda Item

Item: B. **Date:** September 21, 2005

Topic: Final Review of Recommendations Concerning Applications for Literary Fund Loans

Presenter: Mr. Daniel S. Timberlake, Assistant Superintendent for Finance

Telephone Number: (804) 225-2025 **E-Mail Address:** Daniel.Timberlake@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X__ Board review required by
- _X__ State or federal law or regulation
- ____ Board of Education regulation
- ____ Other: _____

__X_ Action requested at this meeting ____ Action requested at future meeting: _____ (date)

Previous Review/Action:

__X_ No previous board review/action

____ Previous review/action
date _____
action _____

Background Information:

The recommendation for approval of the projects on Attachment A is in accordance with the Code of Virginia, Chapter 10, Section 22.1-146, which authorizes the Board of Education to make loans from the Literary Fund for the purpose of erecting, altering, or enlarging school buildings. Approval of an application constitutes the first step in a two-step process to secure a loan from the Literary Fund. The second step can occur only after Departmental receipt of final plans and specifications per Section 22.1-140 of the Code, coupled with a written request to the Department for release of funds, with the latter request also requiring Board approval.

Summary of Major Elements

Attachment A reflects two applications that have been reviewed by the Department. These applications have met all of the Board's requirements necessary to be approved for a Literary Fund loan and are currently under review by the Office of the Attorney General.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends approval of two applications totaling $11,000,000 subject to review and approval by the Office of the Attorney General pursuant to Section 22.1-156, Code of Virginia (Attachment A).

Impact on Resources:

There will be no impact on the resources of the Literary Fund until a locality receives approval from the Board of Education for the release of funds, construction begins on the approved project, and a request for reimbursement is submitted.

Timetable for Further Review/Action:

Recommendations similar to Attachment A will be presented to the Board on a quarterly basis as needed, if found in proper order after review by the Department and the Office of the Attorney General.

Attachment A

BOARD OF EDUCATION

APPLICATIONS PRESENTED FOR APPROVAL

It is recommended that the following applications be approved.

School Division	School	Amount	Comment
Halifax County	Halifax Middle	$7,500,000	New Construction (Plans Approved)
Henry County	Carver Elementary	3,500,000	New Construction (Plans Approved)
	Total	**$11,000,000**	

September, 2005

Board of Education Agenda Item

Item: C. **Date:** September 21, 2005

Topic: Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Funds or Placement on a Waiting List

Presenter: Mr. Daniel S. Timberlake, Assistant Superintendent for Finance

Telephone Number: (804) 225-2025 **E-Mail Address**: Daniel.Timberlake@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X_ Board review required by
- _X__ State or federal law or regulation
- ____ Board of Education regulation
- ____ Other: _____

_X__ Action requested at this meeting ____ Action requested at future meeting: _____ (date)

Previous Review/Action:

_X__ No previous board review/action

____ Previous review/action
date _____
action _____

Background Information:

The Literary Fund regulations of the Board establish two priorities for the Literary Fund Waiting lists. These priorities are summarized as follows:

Priority 1: Applications from localities having a composite index less than 0.6000 and an indebtedness less than $20 million to the Literary Fund (Attachment A).

Priority 2: Applications from localities having a composite index of 0.6000 or above or an indebtedness of $20 million or greater to the Literary Fund (Attachment B).

Attachment C is the Board of Education's current Approved Application List. This attachment identifies the Literary Fund applications that are approved as to form but are not included on either waiting list nor are they recommended for funding.

Summary of Major Elements:

To the extent funds are available, a recommendation for initial release of funds is presented for projects currently on the First Priority Waiting List or otherwise eligible for priority funding. To the extent funds are not available, new requests for the initial release of Literary Funds cannot be approved. As a result, such requests must be deferred and placed on either the First or Second Priority Waiting List in accordance with the Literary Fund regulations.

This item consists of five elements that require action by the Board of Education. These elements are:

1. Two new projects, totaling $11,000,000, listed on Attachment A are 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. When Roanoke City received the bids on the Westside Elementary School project, the bids were higher than the projected amount. Roanoke City has submitted a revised application for the project as follows:

	Original	Revised	Difference
Westside Elementary	$ 3,100,000	$3,850,000	$750,000

3. Hanover County submitted a letter dated July 20, 2005, requesting that one project (Stonewall Jackson 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.

4. King William County submitted a letter dated August 1, 2005, requesting that one project (King William High 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.

5. Two projects submitted by Accomack County (Arcadia Middle and Nandua Middle) have been moved to priority numbers 26 and 27. This move is to reflect where the projects actually should have been placed on the waiting list.

Superintendent's Recommendation:

No funds are available at this time to release loans for projects on the First Priority Waiting List.

The Superintendent of Public Instruction recommends that the Board of Education approve the actions described in the five elements listed under "Summary of Major Elements."

Impact on Resources:

Current Board policy provides that, upon initial release of funds, Literary Fund cash is reduced in the total amount of the approved loan to assure that cash is available as required for project completion. The disbursement of funds is based on actual invoices or other evidence of bills due and payable from the Literary Fund.

Timetable for Further Review/Action:

The staff will prepare items for the Board on this subject as needed. Based on the availability of funds, initial release of funds will be made or projects will be deferred and placed on the Waiting List.

Attachment A

BOARD OF EDUCATION - FIRST PRIORITY WAITING LIST

The following projects have been placed or are recommended for placement on the First Priority Waiting List with the actions as indicated in the last column. Projects recommended for action at this meeting are presented in italics.

Priority	Date Placed on Waiting List	School Division	School	Interest Rate	Amount	Cumulative Total	Action/Status
1	*September, 2003*	*Grayson County*	*Middle School*	*2%*	*750,000*	*750,000*	*Emergency Placement*
2	February, 2002	Orange County	Locust Grove Middle	4%	7,500,000	8,250,000	Funding Deferred
3	March, 2002	Hopewell City	Carter G. Woodson Middle	2%	1,100,000	9,350,000	Funding Deferred
4	*March, 2002*	*King William County*	*King William High*	*3%*	*7,500,000*	*16,850,000*	*Remove from List*
5	March, 2002	Buckingham County	Buckingham Middle	2%	7,500,000	24,350,000	Funding Deferred
6	April, 2002	Fluvanna County	Fluvanna High	3%	7,500,000	31,850,000	Funding Deferred
7	April, 2002	Orange County	Orange County High	4%	7,500,000	39,350,000	Funding Deferred
8	May, 2002	Amelia County	Amelia High	3%	2,500,000	41,850,000	Funding Deferred
9	May, 2002	Amelia County	Amelia Middle	3%	5,000,000	46,850,000	Funding Deferred
10	June, 2002	Prince George County	South Elementary	2%	5,911,575	52,761,575	Funding Deferred
11	June, 2002	Prince George County	Harrison Elementary	2%	7,044,000	59,805,575	Funding Deferred
12	July, 2002	Newport News City	General Stanford Elementary	2%	7,500,000	67,305,575	Funding Deferred
13	March, 2003	Franklin County	Windy Gap Elementary	3%	7,500,000	74,805,575	Funding Deferred
14	March, 2003	Lynchburg City	E. C. Glass High	3%	7,500,000	82,305,575	Funding Deferred
15	March, 2003	Lunenburg County	Lunenburg Middle	2%	7,500,000	89,805,575	Funding Deferred
16	June, 2003	King George County	King George Elementary	3%	7,500,000	97,305,575	Funding Deferred
17	June, 2003	Galax City	Galax Elementary	3%	2,000,000	99,305,575	Funding Deferred
18	June, 2003	Sussex County	Sussex Central Middle	3%	7,500,000	106,805,575	Funding Deferred
19	June, 2003	Floyd County	Check Elementary	3%	2,160,800	108,966,375	Funding Deferred
20	June, 2003	Floyd County	Floyd Elementary	3%	1,123,737	110,090,112	Funding Deferred
21	June, 2003	Floyd County	Indian Valley Elementary	3%	2,030,933	112,121,045	Funding Deferred
22	June, 2003	Floyd County	Willis Elementary	3%	1,820,531	113,941,576	Funding Deferred
23	June, 2003	Floyd County	Floyd High	3%	4,863,998	118,805,574	Funding Deferred

Attachment A

BOARD OF EDUCATION - FIRST PRIORITY WAITING LIST

The following projects have been placed or are recommended for placement on the First Priority Waiting List with the actions as indicated in the last column. Projects recommended for action at this meeting are presented in italics.

Priority	Date Placed on Waiting List	School Division	School	Interest Rate	Amount	Cumulative Total	Action/Status
24	June, 2003	Alleghany County	Falling Springs Elementary	2%	2,000,000	120,805,574	Funding Deferred
25	June, 2003	Alleghany County	Callaghan Elementary	2%	1,000,000	121,805,574	Funding Deferred
26	June, 2003	Alleghany County	Sharon Elementary	2%	1,000,000	122,805,574	Funding Deferred
27	June, 2003	Stafford County	New Elementary 2004	3%	7,500,000	130,305,574	Funding Deferred
28	*September, 2003*	*Accomack County*	*Arcadia Middle*	*2%*	*7,500,000*	*217,266,089*	*Placement Changed*
29	*September, 2003*	*Accomack County*	*Nandua Middle*	*2%*	*4,500,000*	*221,766,089*	*Placement Changed*
30	February, 2004	Mecklenburg County	South Hill Elementary	3%	7,500,000	137,805,574	Funding Deferred
31	February, 2004	Manassas Park City	Manassas Park High	3%	7,000,000	144,805,574	Funding Deferred
32	February, 2004	Rockingham County	Montevideo Middle	3%	6,600,000	151,405,574	Funding Deferred
33	February, 2004	Rockingham County	Elkton Middle	3%	7,000,000	158,405,574	Funding Deferred
34	April, 2004	Greene County	William Monroe High	3%	4,000,000	162,405,574	Funding Deferred
35	April, 2004	Greene County	William Monroe Middle	3%	5,000,000	167,405,574	Funding Deferred
36	April, 2004	Patrick County	Woolwine Elementary	2%	575,000	167,980,574	Funding Deferred
37	April, 2004	Patrick County	Patrick County High	2%	1,714,000	169,694,574	Funding Deferred
38	April, 2004	New Kent County	New Kent Primary	4%	2,596,515	172,291,089	Funding Deferred
39	April, 2004	New Kent County	G. W. Watkins Elementary	4%	7,500,000	179,791,089	Amount Changed
40	June, 2004	Page County	Page County High	2%	7,500,000	187,291,089	Funding Deferred
41	June, 2004	Page County	Luray High	2%	7,500,000	194,791,089	Funding Deferred
42	September, 2004	Roanoke City	Patrick Henry High	3%	7,500,000	202,291,089	Funding Deferred
43	September, 2004	Roanoke City	Fallon Park Elementary	3%	1,600,000	203,891,089	Funding Deferred
44	*September, 2004*	*Roanoke City*	*Westside Elementary*	*3%*	*3,850,000*	*207,741,089*	*Amount Changed*
45	*September, 2004*	*Hanover County*	*Stonewall Jackson Middle*	*4%*	*2,025,000*	*209,766,089*	*Remove from List*
46	January, 2005	Portsmouth City	Park View Elementary	2%	7,500,000	229,266,089	Funding Deferred

Attachment A

BOARD OF EDUCATION - FIRST PRIORITY WAITING LIST

The following projects have been placed or are recommended for placement on the First Priority Waiting List with the actions as indicated in the last column. Projects recommended for action at this meeting are presented in italics.

Priority	Date Placed on Waiting List	School Division	School	Interest Rate	Amount	Cumulative Total	Action/Status
47	January, 2005	Campbell County	Yellow Branch Elementary	2%	7,500,000	236,766,089	Funding Deferred
48	January, 2005	Russell County	Lebanon Primary	2%	4,000,000	240,766,089	Funding Deferred
49	January, 2005	Brunswick County	Brunswick High	2%	7,500,000	248,266,089	Funding Deferred
50	March, 2005	Hanover County	New 2006 Elementary	4%	7,500,000	255,766,089	Funding Deferred
51	June, 2005	Staunton City	A. R. Ware Elem	3%	7,500,000	263,266,089	Funding Deferred
52	June, 2005	Staunton City	T. C. McSwain Elem	3%	7,500,000	270,766,089	Funding Deferred
53	June, 2005	Wythe County	Max Meadows Elem	3%	4,100,000	274,866,089	Funding Deferred
54	June, 2005	Warren County	West Warren High	3%	7,500,000	282,366,089	Funding Deferred
55	June, 2005	Warren County	East Warren High	3%	7,500,000	289,866,089	Funding Deferred
56	June, 2005	Henry County	Mt. Olivet Elem	2%	3,000,000	292,866,089	Funding Deferred

New projects to be added with funding deferred until funds are approved for release by separate action by the Board of Education

57	*September, 2005*	*Halifax County*	*Halifax Middle*	*2%*	*7,500,000*	*300,366,089*	*Add/Funding Deferred*
58	*September, 2005*	*Henry County*	*G. W. Carver Elementary*	*2%*	*3,500,000*	*303,866,089*	*Add/Funding Deferred*

September, 2005

Attachment B

BOARD OF EDUCATION - SECOND PRIORITY WAITING LIST

The following projects have been placed or are recommended for placement on the Second Priority Waiting List with the actions as indicated in the last column. Projects recommended for action at this meeting are presented in italics.

Priority	Date Placed on Waiting List	School Division	School	Interest Rate	Amount	Cumulative Total

NO PROJECTS

September, 2005

Attachment C

LITERARY FUND OF VIRGINIA

APPROVED APPLICATION LIST

Application Number	School Division	SCHOOL	Application Amount	Date Approved by Board of Education
11105	Pulaski County	Pulaski High School	$1,200,000	February 5, 2002

*Reflects only those applications not on waiting lists

September, 2005

Board of Education Agenda Item

Item: D. **Date:** September 21, 2005

Topic: First Review of Notice of Intended Regulatory Action (NOIRA) to Amend the *Regulations Governing Secondary School Transcripts* (8 VAC 20-160-10 et seq.)

Presenter: Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

Telephone Number: (804) 225-2403 **E-Mail Address:** Anne.Wescott@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X_ Board review required by
- _X_ State or federal law or regulation
- ____ Board of Education regulation
- ____ Other: _____

_X_ Action requested at this meeting

____ Action requested at future meeting: _____ (date)

Previous Review/Action:

_X_ No previous board review/action

____ Previous review/action
date _____
action _____

Background Information:

The Board of Education is authorized to promulgate regulations pursuant to § 22.1-16 of the Code of Virginia. The last revisions to the *Regulations Governing Secondary School Transcripts* were made to some of the sections by the Board of Education in 2001. Other sections were last revised in 1988.

The *Regulations Governing Secondary School Transcripts* are composed of the following sections: Definitions, Effective date, Format options, Profile data sheet, AP courses, Elements for weighting. Changes in federal and state law have necessitated changes in other Board of Education regulations that relate to these regulations governing secondary school transcripts. In order to ensure that this regulation reflects the same terms and requirements as other Board of Education regulations, such as the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, and applicable sections of the Code of Virginia, such as the Standards of Quality, the *Regulations Governing Secondary School Transcripts* need to be reviewed and revised as appropriate.

A draft copy of the NOIRA is attached.

Summary of Major Elements

A preliminary list of issues that must be addressed concerning changes to the secondary school transcript regulations includes:

1. Changes to the definitions section to ensure that terms are defined in the same manner as other Board of Education regulations.

2. Deletion of the effective date section of the regulations. This section states that the regulations become effective beginning in the 1988-89 school year.

3. Revision of the requirement that school divisions must include the type of diploma on the student's secondary school transcript to ensure that the different types of diplomas are reflected, but that the inclusion of the information does not violate the Family Educational Rights and Privacy Act.

4. Review of the requirement that the profile data sheet include the student's rank in class.

5. Review of the sections concerning AP courses and the elements of weighting of advanced, accelerated, advanced placement, and honors level courses to ensure that they comport with other state requirements.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education waive first review and authorize Department of Education staff to proceed with the requirements of the Administrative Process Act regarding the Notice of Intended Regulatory Action for promulgating regulations.

Impact on Resources:

The impact on resources is not expected to be significant.

Timetable for Further Review/Action:

The timetable for further review/action will be determined by the requirements of the APA.

Virginia
Regulatory
Town Hall

townhall.virginia.gov

Notice of Intended Regulatory Action (NOIRA)
Agency Background Document

Agency name	Department of Education
Virginia Administrative Code (VAC) citation	8 VAC 20-160
Regulation title	Regulations Governing Secondary School Transcripts.
Action title	Revision of information requirements for secondary school transcripts and profile data sheets.
Document preparation date	August 29, 2005

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual.*

Purpose

Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.

The Regulations Governing Secondary School Transcripts provide definitions, format options for transcripts and profile data sheets, and the elements for weighting advanced, accelerated, advanced placement and honors level courses. One section of the regulations states that the regulations became effective beginning in the 1988-89 school year. The purpose of these proposed revisions is to remove the 1988-89 effective date provision, revise the definitions as necessary to comport with those in other Board of Education regulations, and revise the format options for the transcript and profile data sheets to reflect both Board of Education regulations and state and federal law. **T**he sections concerning class rankings, AP courses and the elements of weighting of advanced, accelerated, advanced placement, and honors level courses also need to be reviewed to ensure that they comport with best instructional practices, as well as other state requirements.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

Section 22.1-16 of the Code of Virginia vests the Board of Education with the authority to adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of Title 22.1.

Substance

Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed. Include the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. Delineate any potential issues that may need to be addressed as the regulation is developed.

A preliminary list of issues that will be addressed concerning changes to the secondary school transcript regulations includes:

1. Changes to the definitions section to ensure that terms are defined in the same manner as other Board of Education regulations.

2. Deletion of the effective date section of the regulations. This section states that the regulations become effective beginning in the 1988-89 school year.

3. Revision of the requirement that school divisions must include the type of diploma on the student's secondary school transcript to ensure that the different types of diplomas are reflected, but that the inclusion of the information does not violate the Family Educational Rights and Privacy Act.

4. Review of the requirement that the profile data sheet include the student's rank in class.

5. Review of the sections concerning AP courses and the elements of weighting of advanced, accelerated, advanced placement, and honors level courses to ensure that they comport with other state requirements.

Alternatives

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action.

The proposed action is to amend existing regulations. The current regulations should be revised for clarity and to ensure that there are no conflicts with existing Board of Education regulations and state law. There are no other viable alternatives.

Family impact

Assess the potential impact of the proposed regulatory action on the institution of the family and family stability.

There will be minimal impact on the institution of the family and family stability.

Board of Education Agenda Item

Item: E. **Date:** September 21, 2005

Topic: Final 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

Presenter: Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

Telephone Number: (804) 225-2403 **E-Mail Address:** Anne.Wescott@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X_ Board review required by
- ___ State or federal law or regulation
- ___ Board of Education regulation
- _X_ Other: Article VII of the Board by-laws

_X_ Action requested at this meeting

____ Action requested at future meeting: _____

Previous Review/Action:

___ No previous board review/action

_X_ Previous review/action

date July 27, 2005

action Accepted for first review

Background Information: 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); and
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 in order 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.

Summary of Major Elements: 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.

Two additional changes are recommended:

- At line 176, the sentence would be deleted and a new sentence inserted at line 179. The original sentence would be reorganized and the phrase "and a procedure" would be deleted. Administrative procedures are not matters of policy, and are generally not included in regulations. When administrative procedures are specified in regulations, changes cannot be readily made to adapt to new processes and technologies.
- On line 233, the phrase "if enrolled in such program" would be deleted because it is duplicative.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education approve the legislative proposal.

Impact on Resources: The impact on resources is not expected to be significant.

Timetable for Further Review/Action: The President of the Board of Education will request the General Assembly to consider the proposed legislation during the 2006 Session.

~~22.1-298. Regulations governing licensure.~~

~~A. The Board of Education shall, by regulation, prescribe the requirements for licensure of teachers. Regardless of the authority of any other agency of the Commonwealth to approve educational programs, only the Board of Education shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.~~

~~B. Such regulations shall include requirements that:~~

~~1. Every teacher seeking initial licensure take a professional teacher's examination prescribed by the Board;~~

~~2. Persons seeking licensure on and after July 1, 2000, complete study in attention deficit disorder and gifted education, including the use of multiple criteria to identify gifted students;~~

~~3. Persons seeking initial licensure on and after July 1, 2002, complete study in, among other things, (i) methods of improving communication between schools and families; (ii) ways of increasing family involvement in student learning at home and in school; and (iii) the Standards of Learning;~~

~~4. Persons seeking licensure with endorsements as teachers of the blind and visually impaired on and after July 1, 2000, demonstrate proficiency in reading and writing Braille;~~

~~5. Persons seeking initial licensure on and after July 1, 2003, complete study in instructional methods tailored to promote student academic progress and effective preparation for the Standards of Learning end-of-course and end-of-grade assessments;~~

~~6. Persons seeking licensure renewal on and after July 1, 2004, receive training in instructional methods tailored to promote student academic progress and effective preparation for the Standards of Learning end-of-course and end-of-grade assessments;~~

~~7. On and after July 1, 2003, persons seeking initial licensure or license renewal as teachers demonstrate proficiency in the use of educational technology for instruction; and~~

~~8. On and after July 1, 2004, persons seeking initial licensure as teachers and persons seeking licensure renewal as teachers for the first time after such date complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with~~

~~the Department of Social Services that are relevant to the specific teacher licensure routes.~~

~~C. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet the requirements of this section or any other requirement for licensure imposed by law.~~

~~D. The Board's licensure regulations shall also establish criteria and a procedure to allow persons seeking initial licensure as teachers through an alternative route as defined in Board regulations to substitute experiential learning in lieu of coursework.~~

~~E. The Board's licensure regulations shall also require that licensure for superintendents and principals, on and after July 1, 2000, be contingent upon acquiring the skills established in the Board's leadership standards.~~

~~In addition, the Board's licensure regulations shall also require that, on and after July 1, 2005, initial licensure for principals and other school leaders, as may be determined by the Board, be contingent upon passage of the School Leader's Licensure Assessment.~~

~~F. Persons seeking initial licensure who graduate from Virginia institutions of higher education shall, on and after July 1, 2002, only be licensed as instructional personnel by the Board of Education if the endorsement areas offered at such institutions have been assessed by a national accrediting agency or by a state approval process, with final accreditation by the Board of Education.~~

~~G. The Board shall prescribe a professional teacher's examination for administration by Virginia's public institutions of higher education as provided in § 23-9.2:3.4 to persons seeking entry into teacher education programs in such public institutions and shall establish a minimum passing score for such examination. The examination shall be sufficiently rigorous and the minimum score set as necessary to ensure that candidates have adequate academic and professional preparation to teach.~~

~~Candidates who fail to achieve the minimum score established by the Board shall not be denied entrance into the relevant teacher education programs solely on the basis of such failure and shall have the opportunity to address any deficiencies if enrolled in such program.~~

~~The Board of Education, in consultation with the State Council of Higher Education, shall develop guidelines for performance reports to be submitted by the public institutions of higher education pursuant to § 23-9.2:3.4. Such reports shall include annual data on the pass rates, by institution, of graduates of Virginia's institutions of higher education taking the state licensure examination and shall not include any information identifying individual graduates.~~

~~H. The Board's licensure regulations shall also provide for licensure by reciprocity:~~

~~1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards or a nationally recognized certification program approved by the Board of Education. The application for such individuals shall require evidence of such valid licensure and national certification and shall not require official student transcripts; and~~

~~2. For individuals who have obtained a valid out-of-state license that is in force at the time the application for a Virginia license is made. The individual must establish a file in the Department of Education by submitting a complete application packet, which shall include official student transcripts. A professional teacher's assessment for the purpose set forth in subsection G of this section and service requirements shall not be imposed for these licensed individuals.~~

~~I. Notwithstanding the provisions of this section and the Board's authority to license teachers, local school boards shall be authorized to issue valid three-year local eligibility licenses pursuant to § 22.1-299.3.~~

~~J. Upon the expiration of a three-year local eligibility license, the holder of such license shall be eligible, as appropriate for the degree issued to such person, for a collegiate professional license or a postgraduate professional license to be issued by the Department of Education upon satisfaction of the following conditions: (i) recommendation by the division superintendent and the school board for such licensure; (ii) the completion of three successful years of teaching experience while holding a valid three-year local eligibility license as certified by the division superintendent and school board; (iii) achieving a satisfactory score on the professional teacher's examinations required by the Board; and (iv) such standards as may be prescribed by the Board of Education.~~

~~K. As used in this section and the Board of Education's regulations for the licensure of school personnel:~~

~~"Accredited institution" means an institution of higher education accredited by a national or regional accrediting agency recognized by the United States Department of Education, or by a state approval process.~~

~~§ 23-9.2:3.4. Teacher education programs; reporting requirements.~~

~~A. The boards of visitors of those public institutions of higher education providing teacher education programs shall administer the entrance examination prescribed by the Board of Education pursuant to § 22.1-298 to all persons seeking entry into such teacher education programs.~~

~~Notwithstanding any other provision of this title to the contrary, such boards of visitors shall not deny candidates who fail to achieve the minimum score established by the Board entrance into the relevant teacher education programs solely on the basis of such failure, and shall require achievement of such minimum passing score as a condition of completing any approved teacher education program. Students failing to achieve the minimum passing score shall have the opportunity to address any deficiencies while enrolled in such teacher education program.~~

~~B. All Virginia public institutions of higher education that offer teacher education programs, master's degree programs in education or master's degree programs in administration shall submit annual performance reports as set forth in Board of Education guidelines and as required by subsection G of § 22.1-298. Such reports shall include annual data on the pass rates of graduates of such Virginia institutions of higher education taking the state licensure examination and shall not include any information identifying individual graduates.~~

22.1-298. Regulations governing licensure.

A. As used in this section:

"Alternate route to licensure" means a non-traditional route to teacher licensure available to individuals who meet the criteria specified in the regulations issued by the Board of Education.

"Licensure by reciprocity" means a process used to issue a license to an individual coming into Virginia from another state when that individual meets certain conditions specified in the Board of Education regulations.

"Professional teacher's assessment" means those tests mandated for licensure as prescribed by the Board of Education.

"Provisional license" means a nonrenewable license issued by the Board of Education for a specified period of time, not to exceed three years, to an individual who may be employed by a school division in Virginia and who generally meets the requirements specified in the Board of Education regulations for licensure, but who may need to take additional coursework or pass additional assessments to be fully licensed with a renewable license.

"Renewable license" means a license issued by the Board of Education for five years to an individual who meets the requirements specified in the Board of Education regulations.

B. The Board of Education shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license. Regardless

of the authority of any other agency of the Commonwealth to approve educational programs, only the Board of Education shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

Notwithstanding the provisions of this section and the Board's authority to license teachers, local school boards shall be authorized to issue valid three-year local eligibility licenses pursuant to § 22.1-299.3.

C. The Board of Educations regulations shall include requirements that a person seeking initial licensure:

1. Complete professional assessments as prescribed by the Board of Education;

2. Complete study in attention deficit disorder;

3. Complete study in gifted education, including the use of multiple criteria to identify gifted students; and

4. Complete study in methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and at school.

D. In addition, such regulations shall include requirements that:

1. Every person seeking initial licensure or renewal of a license demonstrate proficiency in the use of educational technology for instruction;

2. Every person seeking initial licensure or persons seeking licensure renewal as teachers for the first time shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes;

3. Every person seeking initial licensure or renewal of a license shall receive professional development in instructional methods tailored to promote student academic progress and effective preparation for the Standards of Learning end-of-course and end-of-grade assessments; and

4. Every person seeking licensure with an endorsement as a teacher of the blind and visually impaired shall demonstrate proficiency in reading and writing Braille.

E. The Board's regulations shall require that initial licensure for principals and assistant principals be contingent upon passage of an assessment as prescribed by the Board.

~~F.~~ [~~In addition, the Board's regulations shall establish criteria and a procedure to allow persons seeking initial licensure through an alternative route, as defined in Board regulations, to substitute experiential learning in lieu of coursework.~~

F. The Board shall establish criteria in its regulations to effectuate the substitution of experiential learning for coursework for those persons seeking initial licensure through an alternate route as defined in Board regulations.]

G. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet the requirements of this section or any other requirement for licensure imposed by law.

H. The Board's licensure regulations shall also provide for licensure by reciprocity:

1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards or a nationally recognized certification program approved by the Board of Education. The application for such individuals shall require evidence of such valid licensure and national certification and shall not require official student transcripts;

2. For individuals who have obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department of Education. The individual must establish a file in the Department of Education by submitting a complete application packet, which shall include official student transcripts. An assessment of basic skills as provided in § 22.1-298.1 and service requirements shall not be imposed for these licensed individuals; however, other licensing assessments, as prescribed by the Board of Education, shall be required; and

3. The Board may include other provisions for reciprocity in its regulations.

§22.1-298.1. Regulations governing education preparation programs.

A. As used in this section:

"Assessment of basic skills" means an assessment prescribed by the Board of Education that an individual must take prior to admission into an approved education preparation program, as prescribed by the Board of Education in its regulations.

B. Education preparation programs shall meet the requirements for accreditation and program approval, as prescribed by the Board of Education in its regulations.

C. The Board of Education regulations shall provide for education preparation programs offered by institutions of higher education, Virginia public school divisions, and certified providers for alternate routes to licensure.

D. The Board shall prescribe an assessment of basic skills for individuals seeking entry into an approved education preparation program and shall establish a minimum passing score for such assessment. The Board also may prescribe other requirements for admission to Virginia's approved education preparation programs in its regulations.

E. The Board shall establish accountability measures for approved education programs. Data shall be submitted to the Board on not less than a biennial basis.

§23-9.2:3.4. Education preparation programs offered by institutions of higher education.

A. Education preparation programs shall be required to meet the requirements for accreditation and program approval as prescribed by the Board of Education in its regulations.

B. As provided in § 22.1-298.1, the Board of Education shall prescribe an assessment of basic skills for individuals seeking entry into an approved education program and shall establish a minimum passing score for such assessment. The Board also may prescribe other requirements for admission to Virginia's approved education programs in its regulations.

C. Candidates who fail to achieve the minimum score established by the Board of Education may be denied entrance into the relevant education program on the basis of such failure; however, if enrolled in the program, they shall have the opportunity to address any deficiencies [~~if enrolled in such program~~].

Board of Education Agenda Item

Item: F. **Date:** September 21, 2005

Topic: First Review of Proposed *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542-10 et seq.)

Presenter: Dr. Thomas A. Elliott, Assistant Superintendent, Division of Teacher Education and Licensure

Telephone Number: (804) 371-2522 **E-Mail Address:** Thomas. Elliott@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X_ Board review required by

____ State or federal law or regulation
_X_ Board of Education regulation
____ Other: _____

_X_ Action requested at this meeting: Waive first review and give the Department of Education authority to continue the Administrative Process Act.

____ Action requested at future meeting: _____ (date)

Previous Review/Action:

____ No previous board review/action

_X_ Previous review/action
date: January 12, 2005
action: Authorization to proceed with Notice of Intended Regulatory Action (NOIRA) approved by the Board

Background Information:

As stipulated in Section 22.1-298 of the *Code of Virginia*, the Board of Education prescribes the requirements for the licensure of teachers and establishes other requirements for teacher preparation. Additionally, 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."

Summary of Major Elements:

During recent years, national, state, and local educators as well as members of the general public have placed increased emphasis on the need to ensure in our nation's schools the provision of highly qualified teachers who in turn make a positive impact on prek-12 student achievement. Federal legislation such as the *2001 No Child Left Behind Act (NCLB)* and the *1998 Reauthorization of the Title II Higher Education Act (Title II HEA)* clearly express the need for increased accountability from states and institutions of higher education in the preparation, certification, and licensure of teachers and other school personnel.

The program approval process in Virginia is designed to ensure an alignment between approved education programs and the needs of prek-12 schools. Due to significant proposed revisions to the *Regulations Governing Approved Programs for Virginia Institutions of Higher Education,* (8 VAC 20-541-10 et. seq.), Effective July 1, 2001, the Board of Education proposes to promulgate new *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542-10 et. seq.).

The Advisory Board on Teacher Education and Licensure (ABTEL) is authorized to review and make recommendations to the Board of Education on teacher education program approval. Final authority for program approval rests with the Board of Education. At its May 11, 2005, meeting, ABTEL voted unanimously that revisions to the program approval process should include separation of the accreditation process from the program approval process, and the development of regulations focused on measures of accountability. During its September 12, 2005 meeting, ABTEL voted to support the proposed regulations for submission to the Board of Education.

Attached are a summary and the proposed *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542 –10 et seq.).

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education receive for first review the proposed *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542-10 et seq), and authorize Department of Education personnel to proceed with the requirements of the Administrative Process Act.

Impact on Resources:

If an on-site review of education programs is required, the host professional education program will fund expenses.

Timetable for Further Review/Action:

The Administrative Process Act calls for a public comment period. Following the comment period, amended regulations will be developed and presented to the Board of Education for final review and approval.

PROPOSED REGULATIONS GOVERNING

THE

REVIEW AND APPROVAL

OF

EDUCATION PROGRAMS IN VIRGINIA

8 VAC 20-542-10 et seq.

Statutory Authority:
§22.1-298 of the Code of Virginia

Division of Teacher Education and Licensure
Virginia Department of Education
P.O. Box 2120
Richmond, Virginia 23218-2120

PROPOSED REGULATIONS GOVERNING THE REVIEW AND APPROVAL OF

EDUCATION PROGRAMS IN VIRGINIA

8 VAC 20-542-10 et seq.

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Virginia Administrative Code

CHAPTER 542

REGULATIONS GOVERNING THE REVIEW AND APPROVAL OF EDUCATION PROGRAMS IN VIRGINIA

Part I
Definitions

8 VAC 20-542-10. Definitions.

The following words and terms when used in this chapter shall have the meanings indicated unless the context implies otherwise:

"Accreditation" means a process for assessing and improving academic and educational quality through voluntary peer review. This process informs the public that an institution has a professional education unit that has met national standards of educational quality.

"Accredited institution" means an institution of higher education accredited by a regional accrediting agency recognized by the United States Department of Education.

"Accredited program" means a professional education program accredited by the National Council for the Accreditation of Teacher Education (NCATE), the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.

"Biennial accountability measures" means those specific benchmarks set forth in Part IV, 8 VAC 20-542-40 to meet the standards required to obtain or maintain program approval status.

"Biennial report" means the report submitted to the Virginia Department of Education every two years by approved education programs.

"Candidates" means individuals enrolled in education programs.

"Candidates completing a program" means individuals who have successfully completed all coursework, required assessments, including those prescribed by the Board of Education, and supervised student teaching or required internship.

"Candidates exiting a program" means individuals who have successfully completed all coursework, regardless of whether the individuals attempted, passed, or failed required assessments, including those prescribed by the Board of Education, and/or who may not have completed supervised student teaching or required internship.

“Distance learning” means a formal educational process in which the majority of the instruction occurs when the learner and the instructor are not in the same place at the same time. In this process, information or distributed learning technology is the likely connector between the learner, the instructor, or the site of program origin.

“Diversity” means the wide range of differences among groups of people and individuals based on ethnicity, race, socioeconomic status, gender, exceptionalities, language, religion, and geographical area.

“Education program” means a planned sequence of courses and experiences leading to a degree, a state license, or preparation to provide professional education services in schools.

“Exceptionalities” means physical, mental, sensory, and emotional disabilities or differences, including gifted/talented abilities.

“Field experiences” means program components that are conducted in off-campus settings. They include classroom observations, tutoring, assisting teachers and school administrators, student teaching, and internships.

“Full-time faculty” means employees of a higher education institution with full-time assignments within the education program as instructors, professors, administrators, or other professional support personnel (e.g., student teaching supervisor or advisor).

“General education” means courses and other learning experiences in the liberal arts and sciences that candidates in baccalaureate programs typically complete in the first two or three years of their programs for the purpose of becoming liberally educated college students.

“Governance” means the system and structure for defining policy and administering procedures for the professional education program.

“Indicators” means operational definitions that suggest the kinds of evidence that professional education programs shall provide to demonstrate that a standard is met.

“Instructional technology” means the theory and practice of design, development, utilization, management, and evaluation of processes and resources for learning and the use of computers and other technologies.

“Licensing” means the official recognition by a state governmental agency that an individual has met state requirements and is, therefore, approved to practice as a licensed professional.

“Part-time faculty” means employees of a higher education institution who have less than a full-time assignment in the education program. Some part-time faculty are full-time employees of the college or university with a portion of their assignments in the

education program. Other part-time faculty are not full-time employees of the institution and are commonly considered adjunct faculty.

"Pedagogical studies" means courses and other learning experiences in which candidates study and apply concepts, theories, and research about effective teaching.

"Professional education faculty" means those individuals who teach one or more courses meeting essential competencies in endorsement areas, provide services to education students (e.g., advising or supervising student teaching) or administer some portion of the education program.

"Professional education program" means the institution, college, school, department, or other administrative body within a Virginia institution of higher education, or another entity for a defined educator preparation program that is primarily responsible for the preparation of teachers and other professional school personnel.

"Professional studies" means courses and other learning experiences to teach candidates the historical, economic, sociological, philosophical, and psychological foundations of schooling and education.

"Program approval" means the process by which a state governmental agency reviews an education program to determine if it meets the state's standards for the preparation of school personnel.

"Regional accrediting agency" means one of the six accrediting associations, including New England Association of Schools and Colleges; Middle States Association of Colleges and Schools; North Central Association of Colleges and Schools; Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools; and Western Association of Schools and Colleges, recognized by the United States Department of Education.

"Scholarly activities" means the active involvement in an individual's area of specialization as demonstrated through such faculty activities as research, articles published in refereed journals, program evaluation studies, documentation of ongoing activities, grant-seeking, and presentations at professional meetings.

"School faculty" means licensed practitioners in prek-12 schools who provide on-site instruction, supervision, and direction for candidates during field-based assignments.

"Standards of Learning for Virginia public schools" means the commonwealth's expectations for student learning and achievement in grades K-12 in English, mathematics, science, history/social science, technology, the fine arts, foreign language, health, and physical education, and driver education.

Part II

Administering the regulations

8 VAC 20-542-20. Administering the regulations.

A. Professional education programs shall obtain national accreditation from the National Council for the Accreditation of Teacher Education (NCATE), the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.

B. Teacher candidates shall complete academic degrees in the arts and sciences (or equivalent), except in health, physical, and career and technical education. Candidates in early/primary education (pre-K-6), middle education (6-8), and special education programs may complete a major in interdisciplinary studies or its equivalent.

C. Professional studies coursework and methodology, excluding field experiences, are limited to 24 semester hours for any baccalaureate degree program (or equivalent thereof) in early/primary education (prek-3), elementary education (prek-6), and special education. All other baccalaureate degree programs (or equivalent thereof) shall not exceed 18 semester hours of professional coursework and methodology, excluding field experiences.

D. Institutions of higher education seeking approval of an education program shall be accredited by a regional accrediting agency.

E. If a professional education program fails to maintain accreditation, enrolled candidates shall be permitted to complete their programs of study. Professional education programs shall not admit new candidates. Candidates shall be notified of program approval status.

F. Education programs shall ensure that candidates demonstrate proficiency in the use of educational technology for instruction and complete study in child abuse recognition and intervention.

G. Standards and procedures for the review and approval of each education program shall adhere to procedures for administering the regulations as defined in Part II, 8 VAC 20-542-20, Part IV, 8 VAC 20-542-40, Part V, 8 VAC 20-542-50, and Part VII, 8 VAC 20-542-70. These procedures shall result in biennial recommendations to the Board of Education for one of the following three ratings: “approved,” “approved with stipulations,” or “approval denied.”

H. Education programs shall be approved under these regulations biennially based on compliance with the criteria described in 8 VAC 20-542-40.

I. Education programs shall submit to the Department of Education, on behalf of each education program under consideration, a Program Compliance Certification Affidavit in accordance with Department procedures and timelines.

J. The education program administrator shall maintain copies of approved programs and required reports.

K. The Department of Education may conduct on-site visits to review programs and verify data.

L. The Advisory Board on Teacher Education and Licensure (ABTEL) is authorized to review and make recommendations to the Board of Education on approval of programs for school personnel. The Board of Education has final authority on program approval.

M. Modifications may be made by the Superintendent of Public Instruction in the administration of these regulations. Proposed modifications shall be made in writing to the Superintendent of Public Instruction, Commonwealth of Virginia.

Part III

Accreditation or a Process Approved by the Board of Education

8 VAC 20-542-30. Options for Accreditation or a Process Approved by the Board of Education.

A. Each professional education program shall obtain and maintain national accreditation from the National Council for the Accreditation of Teacher Education (NCATE), the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.

B. Each professional education program seeking accreditation through a process approved by the Board of Education shall be reviewed. A report of the review shall be submitted to the Board of Education in accordance with established timelines and procedures and shall include one of the following recommendations: 1) accredited; 2) accredited with stipulations; or 3) accreditation denied.

1. Accredited – The professional education program meets standards outlined in Part VI, 8 VAC 20-542-60.

2. Accredited with Stipulations – The professional education program has met the standards minimally, but significant weaknesses have been identified. Within a two year period, the professional education program shall fully meet standards as set forth in Part VI, 8 VAC 20-542-60.

3. Accreditation Denied – The professional education program has not met standards as set forth in Part VI, 8 VAC 20-542-60. The State Council of Higher Education for Virginia (SCHEV) shall be notified of this action by the Department of Education.

C. Professional education program accreditation that has been denied may be considered by the Board of Education after two years if a written request for review is submitted to the Department of Education.

D. Professional education programs seeking accreditation through NCATE, TEAC, or an accreditation process approved by the Board of Education shall adhere to the following requirements:

1. Accredited professional education programs shall be aligned with standards in Part VI, 8 VAC 20-542-60; and

2. Accredited professional education programs shall be aligned with competencies in Part VII, 8 VAC 20-542-70 of these regulations.

E. Professional education programs seeking accreditation through a process approved by the Board of Education shall follow procedures and timelines as prescribed by the Department of Education.

Part IV

Standards for Biennial Approval of Education Programs

8 VAC 20-542-40. Standards for Biennial Approval of Education Programs.

Approved education programs in Virginia shall have national accreditation or be accredited by a process approved by the Board of Education and demonstrate achievement biennially of the following accountability measures:

1. Candidate progress and performance on prescribed Board of Education licensure assessments.

Candidate passing rates, reported by percentages, shall not fall below 70 percent biennially for individuals completing and exiting the program. Achievement of an 80 percent biennial passing rate shall be required by July 1, 2010. Candidates completing a program shall have successfully completed all coursework, required assessments, including those prescribed by the Board of Education, and supervised student teaching or internship. Candidates exiting a program shall have successfully completed all coursework, regardless of whether the individuals attempted, passed, or failed required assessments, including those prescribed by the Board of Education, and/or who may not have completed supervised student teaching or required internship.

2. Candidate progress and performance on an assessment of basic skills as prescribed by the Board of Education for individuals seeking entry into an approved education preparation program.

Indicators of the achievement of this standard shall include the following:

a. results on Board of Education prescribed entry level assessments; and

b. documentation of tutorial assistance.

3. Structured and integrated field experiences to include student teaching requirements.

Indicators of the achievement of this standard shall include the following:

a. evidence that candidates receive quality structured and integrated field experiences that prepare them to work in diverse educational environments; and

b. evidence that at least 500 clock hours of field experiences for initial programs (including early exposure to prek-12 classroom experiences) to include a minimum of 300 clock hours of directed student teaching requirements are provided. Programs in administration and supervision shall provide at least 440 clock hours of field experiences with a minimum of 320 clock hours as part of a deliberately structured internship over the duration of a preparation program. The majority of the school level supervised experience shall take place during the school day in concentrated blocks of time when prek-12 students are present.

4. Evidence of opportunities for candidates to participate in hard-to-staff schools throughout the program experiences.

The indicator of the achievement of this standard shall include evidence that the professional education programs provide opportunities for candidates to have program experiences in hard-to-staff schools within each biennial period.

5. Evidence of contributions to prek-12 student achievement by candidates completing and exiting the program.

Indicators of the achievement of this standard shall include the following:

a. evidence to show that candidates know about, create, and use appropriate and effective assessments in teaching that shall provide dependable information about student achievement;

b. evidence to document faculty have made provisions for evaluating effects that candidates have on prek-12 student learning in the context of teaching as they design unit assessment systems and assessments for each program.

c. the education program assesses candidates' mastery of exit criteria and performance proficiencies, including the ability to affect student learning, through the use of multiple sources of data such as a culminating experience, portfolios, interviews, videotaped and observed performance in schools, standardized tests, and course grades.

6. Evidence of employer job satisfaction with candidates completing and exiting the program.

The indicator of the achievement of this standard shall include documentation that the education program has two years of evidence regarding candidate performance based on employer surveys.

7. Partnerships and collaborations based on prek-12 school needs.

Indicators of the achievement of this standard shall include the following:

a. documented evidence that the education program has established partnerships reflecting collaboratively designed program descriptions based on identified needs of the prek-12 community.

b. documented evidence that the administration and supervision program collaborates with partnering schools to identify and select candidates for school leadership programs who meet local needs, demonstrate both potential for and interest in school leadership, and meet the qualifications for admission to advanced programs.

8. A critical mass of candidates.

Indicators of the achievement of this standard shall include the following:

a. documented evidence that the education program meets approved biennial accountability measures of the number of candidates in the program; and

b. documented evidence that the education program, if identified as a critical shortage area, meets approved biennial accountability measures.

Part V

Application of Standards for Biennial Approval of Education Programs

8VAC 20-542-50. Application of the Standards.

A. As a prerequisite to program approval, the professional education program shall have national accreditation or be accredited by a process approved by the Board of Education as prescribed in Part III, 8 VAC 20-542-30 and Part IV, 8 VAC 20-542-60 Failure to do so will result in the education program being designated as "Approval Denied."

B. The education program's candidate passing rates shall not fall below 70 percent biennially for individuals completing and exiting the program. Achievement of an 80 percent biennial passing rate for individuals completing and exiting the program shall be required by July 1, 2010.

C. The education program is responsible to certify documented evidence that the following standards as set forth in Part IV, 8 VAC 20-542-40 have been met:

1. The education program shall demonstrate candidate progress and performance on an assessment of basic skills as prescribed by the Board of Education for individuals seeking entry into an approved education preparation program.

2. The education program shall provide structured and integrated field experiences.

3. The education program shall provide evidence of opportunities for candidates to participate in hard-to-staff schools throughout the program experiences.

4. The education program shall provide evidence of contributions to prek-12 student achievement by candidates completing and exiting the program.

5. The education program shall provide evidence of employer job satisfaction with candidates completing and exiting the program.

D. The education program shall develop biennial accountability measures to be reviewed and approved by the Board of Education for the following standards. The education program shall meet or provide documented evidence of progress made toward meeting the biennial accountability measures approved for these standards.

1. Partnerships and collaborations based on prek-12 school needs.

2. A critical mass of candidates.

E. After submitting to the Department of Education the information contained in Part V, 8 VAC 20-542-50, the education program shall receive one of the following three ratings:

1. Approved – The education program has met all standards set forth in Part IV, 8 VAC 20-542-40.

2. Approved with Stipulations – The education program has met standards A and B and is making documented progress toward meeting standards in C and D set forth in Part V, 8 VAC 20-542-50.

3. Approval Denied – The education program has not met standards A and B set forth in Part V, 8 VAC 20-542-50. The program shall be denied and the public notified. The program may resubmit a request for approval at the end of the next biennial period.

Part VI

Standards for Board of Education Approved Accreditation Process

8VAC 20-542-60. Standards for Board of Education Approved Accreditation Process.

A. Standard 1: Program Design: The professional education program shall develop and maintain high quality programs that are collaboratively designed and based on identified needs of the prek-12 community.

Indicators of the achievement of this standard shall include the following:

1. The program design includes a statement of program philosophy, purposes and goals.

2. The program design incorporates the specific knowledge and skills that are necessary for competence at the entry level for educational professionals.

3. The program design includes a knowledge base that reflects current research, best educational practice and the Virginia Standards of Learning.

4. The program is designed from a framework that is knowledge-based, evidenced-based and articulated and that has been collaboratively developed with various stakeholders.

5. The professional education programs for teachers, school leaders, and other school personnel shall develop the essential entry-level competencies needed for success in prek-12 schools by demonstrating alignment among the general, content, and professional courses and experiences.

Indicators of the achievement of this standard shall include the following:

a. The professional education program develops, implements, and evaluates programs, courses, and activities that enable entry-level candidates to develop the knowledge, skills, and dispositions identified in the program design framework.

b. The professional education program assesses candidates' attainment of the knowledge, skills, and dispositions identified in the program design framework.

c. The professional education program provides evidence that candidates have achieved the knowledge, skills, and dispositions identified in the program design framework.

6. The professional education program shall have multiple well-planned, sequenced, and integrated field experiences that include observations, practica, student teaching, internships, and other opportunities to interact with students and the school environment.

Indicators of the achievement of this standard shall include the following:

a. Field experiences provide opportunities for candidates to relate theory to actual practice in classrooms and schools, to create meaningful learning experiences for a variety of students, and to practice in settings with students of diverse backgrounds.

b. Field experiences provide opportunities for candidates to demonstrate competence in the professional teaching or administrative roles for which they are preparing, including opportunities to interact and communicate effectively with parents, community and other stakeholders.

c. Student teaching and other field experiences include a minimum of 500 clock hours, with at least 300 hours of that time spent in directed teaching activities at the level of endorsement. Programs in administration and supervision provide at least 440 clock hours of field experiences with a minimum of 320 clock hours as part of a deliberately structured internship over the duration of a preparation program.

d. Candidates in education programs complete field experiences, internships, or other supervised activities that allow them to develop and apply the new knowledge and skill gained in their programs.

e. Candidate performance in field experiences is evaluated and documented using multiple assessments, including feedback from education and arts and sciences faculty, school faculty, and peers, as well as self-reflection by

candidates.

7. Professional education faculty collaborate with arts and sciences faculty, school personnel, and other members of the professional community to design, deliver, assess, and renew programs for the preparation and continuing development of school personnel and to improve the quality of education in prek-12 schools.

Indicators of the achievement of this standard shall include the following:

a. Professional education faculty collaborate with the faculty who teach general and content courses to design and evaluate programs that shall prepare candidates to teach the Standards of Learning.

b. Partnership agreements ensure that professional education faculty collaborate with personnel in partnering schools and school divisions to design and evaluate programs, teaching methods, field experiences, and other activities.

c. Partnership agreements ensure that professional education faculty collaborate with personnel in partnering schools to assess candidates during observations, practica, student teaching, internships, and other field experiences.

d. Opportunities exist for professional education faculty, school personnel, and other members of the professional community to collaborate on the development and refinement of knowledge bases, conduct research, and improve the quality of education.

B. Standard 2: Candidate Performance on Competencies for Endorsement Areas - Candidates in education programs shall demonstrate the knowledge, skills, and dispositions to meet professional, state, and institutional standards to ensure student success. Candidates shall demonstrate the competencies specified in Part VII, 8 VAC 20-542-70.

1. Candidates in education programs have completed general education courses and experiences in the liberal arts and sciences and demonstrate the broad theoretical and practical knowledge necessary for teaching and prek-12 student achievement.

Indicators of the achievement of this standard shall include the following:

a. Candidates demonstrate that they have a full command of the English language; use standard English grammar; have rich speaking and writing vocabularies are knowledgeable of exemplary authors and literary works; and communicate effectively in educational, occupational, and personal areas.

b. Candidates demonstrate that they can solve mathematical problems, communicate and reason mathematically, and make mathematical connections.

c. Candidates demonstrate that they develop and use experimental design in scientific inquiry, use the language of science to communicate understanding of the discipline, investigate phenomena using technology, understand the history of scientific discovery, and make informed decisions regarding contemporary issues in science, including science-related careers.

d. Candidates demonstrate that they know and understand our national heritage; and have knowledge and skills in American and world history, geography, government/political science, and economics that create informed and responsible citizens who can understand, discuss, and participate in democratic processes.

e. Candidates demonstrate that they have supporting knowledge in fine arts, communications, literature, foreign language, health, psychology, philosophy and/or other disciplines that contribute to a broad-based liberal education.

f. Candidates pass basic entry level competency assessments prescribed by the Virginia Board of Education.

g. Candidates achieve passing scores on professional content assessments for licensure prescribed by the Board of Education prior to completing their programs.

2. Candidates in education programs shall demonstrate the knowledge, skills, and dispositions to work with a variety of students, including those from diverse backgrounds, and to have a positive effect on student learning.

Indicators of the achievement of this standard shall include the following:

a. Candidates demonstrate the ability to apply knowledge and skills related to the physical, neurological, social, emotional, intellectual, and cognitive development of children and youth; the complex nature of language acquisition and reading; and an understanding of contemporary educational issues including the prevention of child abuse, appropriate use of technology, and diversity.

b. Candidates demonstrate the ability to apply the principles of learning, methods for teaching reading, methods for teaching the content area, classroom management, selection and use of teaching materials, and evaluation of student performance.

c. Candidates demonstrate the ability to have a positive effect on student learning through judging prior student learning; planning instruction; teaching; and assessing, analyzing, and reflecting on student performance.

d. Candidates demonstrate the ability to use educational technology to enhance student learning, including the use of computers and other technologies in instruction, assessment, and professional productivity.

e. Candidates demonstrate the ability to analyze and use various types of data to plan and assess student learning.

3. Candidates in graduate programs for other school personnel demonstrate competencies for educational leadership roles as school superintendents, principals and/or assistant principals, central office administrators and supervisors, school counselors, reading specialists, mathematics specialists, or school psychologists. They demonstrate the knowledge and understanding to lead schools that use effective educational processes, achieve increased student learning, and make strong and positive connections to the community.

Indicators of the achievement of this standard shall include the following:

a. Candidates demonstrate understanding of the Virginia Standards of Learning and standards of appropriate specialty organizations, including how these standards relate to the leadership roles for which they are being prepared.

b. Candidates demonstrate the competencies specified in their intended licensure/endorsement areas as defined in Part VII, 8 VAC 20-542-70

c. Candidates achieve passing scores on the professional content assessments for licensure prescribed by the Board of Education prior to completing their programs.

d. Candidates demonstrate understanding of research, research methods, issues, trends, and research-based best practices that shall enhance the academic achievement of all prek-12 students and reduce academic achievement gaps among diverse prek-12 student groups.

e. Candidates demonstrate the ability to use educational technology, including computers and other technologies, in instruction, assessment, and professional development activities.

f. Candidates demonstrate the ability to use test data to revise instruction and enhance student achievement.

g. Candidates understand emerging issues that impact the school community and demonstrate the ability to collaborate with families, community members and other stakeholders.

h. Candidates demonstrate mastery of administration/supervision competencies through multiple sources of data such as internships, portfolios, and interviews, including employer satisfaction surveys.

C. Standard 3: Faculty in Professional Education Programs - Faculty in the professional education program represent well-qualified education scholars who are actively engaged in teaching and learning.

1. The full-time and part-time professional education faculty, including school faculty, adjunct faculty and others, represent diverse backgrounds, are qualified for their assignments and are actively engaged in the professional community.

Indicators of the achievement of this standard shall include the following:

a. Professional education faculty have completed formal advanced study; they have earned doctorates or the equivalent, or exceptional expertise in their field.

b. Professional education faculty have demonstrated competence in each field of endorsement area specialization.

c. Professional education faculty demonstrate understanding of current practice related to the use of computers and technology and integrate technology into their teaching and scholarship.

d. Professional education faculty demonstrate understanding of Virginia's Standards of Learning.

e. Professional education faculty demonstrate understanding of cultural differences and exceptionalities and their instructional implications.

f. Professional education faculty who supervise field experiences have had professional teaching experiences in prek-12 school settings.

g. Professional education faculty are actively involved with the professional world of practice and the design and delivery of instructional programs in prek-12 schools.

h. Professional education faculty are actively involved in professional associations and participate in education-related services at the local, state, national, and international levels in areas of expertise and assignment.

2. Teaching in the professional education program is of high quality and is consistent with the program design and knowledge derived from research and sound professional practice.

Indicators of the achievement of this standard shall include the following:

a. Professional education faculty use instructional teaching methods that reflect an understanding of different models and approaches to learning and student achievement.

b. The teaching of professional education faculty encourages candidates to reflect, think critically and solve problems.

c. The teaching of professional education faculty reflects knowledge and understanding of cultural diversity and exceptionalities.

d. The teaching of professional education faculty is continuously evaluated, and the results are used to improve teaching and learning within the program.

3. The professional education program ensures that policies and assignments are in keeping with the character and mission of the institution or other education program entity and allows professional education faculty to be involved effectively in teaching, scholarship, and service.

Indicators of the achievement of this standard shall include the following:

a. Workload policies and assignments accommodate and support the involvement of professional education faculty in teaching, scholarship, and service, including working in prek-12 schools, curriculum development, advising, administration, institutional committee work, and other internal service responsibilities.

b. Policies governing the teaching loads of professional education faculty, including overloads and off-site teaching, are mutually agreed upon and allow faculty to engage effectively in teaching, scholarship, and service.

c. Recruitment and retention policies for professional education faculty include an explicit plan with adequate resources to hire and retain a qualified and diverse faculty. The plan is evaluated annually for its effectiveness in meeting recruitment goals.

4. The professional education program ensures that there are systematic and comprehensive activities to enhance the competence and intellectual vitality of the professional education faculty.

Indicators of the achievement of this standard shall include the following:

a. Policies and practices encourage professional education faculty to be continuous learners.

b. Support is provided for professional education faculty and others who may contribute to professional education programs to be regularly involved in professional development activities.

c. Professional education faculty are actively involved in scholarly activities that are designed to enhance professional skills and practice.

d. Regular evaluation of professional education faculty includes contributions to teaching, scholarship, and service.

e. Evaluations are used systematically to improve teaching, scholarship, and service of the professional education faculty.

D. Standard 4: Governance and Capacity - The professional education program demonstrates the governance and capacity to prepare candidates to meet professional, state, and institutional standards.

1. The professional education program is clearly identified and has the responsibility, authority, and personnel to develop, administer, evaluate, and revise all education programs.

Indicators of the achievement of this standard shall include the following:

a. The professional education program has responsibility and authority in the areas of education faculty selection, tenure, promotion, and retention decisions; recruitment of candidates; curriculum decisions; and the allocation of resources for professional education program activities.

b. The program has a long-range plan that is regularly monitored to ensure the ongoing vitality of the professional education programs as well as the future capacity of its physical facilities.

c. Candidates, school faculty in partnering school divisions, adjunct faculty, and other members of the professional community are actively involved in the policy-making and advisory bodies that organize and coordinate programs of the professional education program.

d. Policies and practices of the professional education program are nondiscriminatory and guarantee due process to faculty and candidates.

2. The professional education program has adequate resources to offer quality programs that reflect the mission of the professional education program and support teaching and scholarship by faculty and candidates.

Indicators of achievement of this standard shall include the following:

a. The size of the professional education program, the number of candidates, and the number of faculty, administrators, clerical and technical support staff support the consistent delivery and quality of each program offered.

b. Facilities, equipment, technology, and other budgetary resources are sufficient for the operation and accountability of the professional education program.

c. Resources are allocated to programs in a manner that allows each program to meet its anticipated outcomes.

d. The institution provides training in and access to education-related electronic information, video resources, computer hardware, software, related technologies, and other similar resources to higher education faculty and candidates.

3. The professional education program shall ensure that full, part-time, and adjunct faculty are provided with appropriate resources such as office space, access to technology, teaching aids, materials and other resources necessary to ensure quality preparation of school personnel.

Part VII

Competencies for Endorsement Areas

8 VAC 20-542-70. Competencies for Endorsement Areas

The professional education program develops, maintains, and continuously evaluates high quality professional education programs that are collaboratively designed and based on identified needs of the prek-12 community. Candidates in education programs for teachers demonstrate competence in the core academic content areas that they plan to teach.

The indicator of the achievement of this standard shall include the following:

Candidates demonstrate an understanding of competencies including the core concepts and facts of the disciplines and the Virginia Standards of Learning for the content areas they plan to teach.

Early/Primary Education, Elementary Education, and Middle Education

8 VAC 20-542-80. Professional studies requirements for early/primary education, elementary education, and middle education.

Professional studies requirements for early/primary education, elementary education, and middle education:

1. Human growth and development (birth through adolescence). Skills in this area shall contribute to an understanding of the physical, social, emotional, and intellectual development of children and the ability to use this understanding in guiding learning experiences. The interaction of children with individual differences -- economic, social, racial, ethnic, religious, physical, and mental -- should be incorporated to include skills contributing to an understanding of developmental disabilities and developmental issues related to but not limited to attention deficit disorders, gifted education including the use of multiple criteria to identify gifted students, substance abuse, child abuse, and family disruptions.

2. Curriculum and instructional procedures.

a. Early/primary education prek-3 or elementary education prek-6 curriculum and instructional procedures. Skills in this area shall contribute to an understanding of the principles of learning; the application of skills in discipline-specific methodology; communication processes; selection and use of materials, including media and computers; and evaluation of pupil performance. The teaching methods, including for second language learners, gifted and talented students and those students with disabling conditions, shall be appropriate for the level of endorsement (prek-3 or prek-6) and be tailored to promote student academic progress and effective preparation for the Standards of Learning assessments. Study in methods of improving communication between schools and families, ways of increasing family involvement in student learning at home and in school and the Standards of Learning, and demonstrated proficiency in the use of educational technology for instruction shall be included. Persons seeking initial licensure as teachers and persons seeking licensure renewal as teachers for the first time shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes. Pre-student teaching experiences (field experiences) should be evident within these skills.

b. Middle education 6-8 curriculum and instructional procedures. Skills in this area shall contribute to an understanding of the principles of learning; the application of skills in discipline-specific methodology; communication processes; selection and use of materials, including media and computers; and evaluation of pupil performance. The teaching methods, including for second language learners, gifted and talented students and students with disabling conditions, shall be appropriate for the middle education endorsement and be

tailored to promote student academic progress and effective preparation for the Standards of Learning assessments. Study in methods of improving communication between schools and families, ways of increasing family involvement in student learning at home and in school, and the Standards of Learning shall be included. Demonstrated proficiency in the use of educational technology for instruction also shall be included. Persons seeking initial licensure as teachers and persons seeking licensure renewal as teachers for the first time shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes. Pre-student teaching experiences (field experiences) should be evident within these skills.

c. Instructional Design Based on Assessment Data. Skills in this area shall contribute to an understanding of the relationship among assessment, instruction and monitoring student progress to include student performance measures in grading practices, the ability to construct and interpret valid assessments using a variety of formats in order to measure student attainment of essential skills in a standards-based environment, and the ability to analyze assessment data to make decisions about how to improve instruction and student performance.

d. Classroom Management. Skills in this area shall contribute to an understanding and application of classroom management techniques and individual interventions, including techniques that promote emotional well-being and teach and maintain behavioral conduct and skills consistent with norms, standards, and rules of the educational environment. This area shall address diverse approaches based upon behavioral, cognitive, affective, social and ecological theory and practice.

e. Reading.

(1) Early/primary prek-3 and elementary education prek-6 -- language acquisition and reading. Skills listed for these endorsement areas represent the minimum competencies that a beginning teacher shall be able to demonstrate. These skills are not intended to limit the scope of a beginning teacher's program. Additional knowledge and skills that add to a beginning teacher's competencies to deliver instruction and improve student achievement should be included as part of a quality learning experience.

Skills in this area shall be designed to impart a thorough understanding of the complex nature of language acquisition and reading, to include: phonemic awareness, concept of print, phonics, fluency, vocabulary development, and comprehension strategies. Additional skills shall include

proficiency in writing strategies, as well as the ability to foster appreciation of a variety of literature and independent reading.

(2) Middle education -- language acquisition and reading in the content areas. Skills in this area shall be designed to impart an understanding of comprehension skills in all content areas, including a repertoire of questioning strategies, summarizing and retelling skills, and strategies in literal, interpretive, critical, and evaluative comprehension, as well as the ability to foster appreciation of a variety of literature and independent reading.

3. Supervised classroom experience.

The student teaching experience should provide for the prospective teacher to be in classrooms full time for a minimum of 500 clock hours (including pre- and post clinical experiences) with at least 300 clock hours spent supervised in direct teaching activities (providing direct instruction) at the level of endorsement. One year of successful full-time teaching experience in the endorsement area in any public school or accredited nonpublic school may be accepted in lieu of the supervised teaching experience. A fully licensed, experienced teacher shall be available in the school building to assist a beginning teacher employed through the alternate route.

8 VAC 20-542-90. Early/primary education prek-3.

The program for early/primary education prek-3 shall ensure that the candidate has demonstrated the following competencies:

1. Methods.

a. Understanding of the knowledge, skills, and processes to support learners in achievement of the Virginia Standards of Learning in English, mathematics, history and social science, science, and computer/technology;

b. The ability to integrate English, mathematics, science, health, history and social sciences, art, music, drama, movement, and technology in learning experiences;

c. The use of differentiated instruction and flexible groupings to meet the needs of learners at different stages of development, abilities, and achievement;

d. The use of appropriate methods, to help learners develop knowledge and basic skills, sustain intellectual curiosity, and problem solve;

e. The ability to utilize effective classroom management skills through methods that shall build responsibility and self-discipline and maintain a positive learning environment;

f. The ability to modify and manage learning environments and experiences to meet the individual needs of children, including children with disabilities, gifted children, children with limited proficiency in English, and children with diverse cultural needs;

g. The ability to use formal and informal assessments to diagnose needs, plan and modify instruction, and record student progress;

h. A commitment to professional growth and development through reflection, collaboration, and continuous learning;

i. The ability to analyze, evaluate, apply quantitative and qualitative research; and

j. The ability to use technology as a tool for teaching, learning, research, and communication.

2. Knowledge and skills.

a. Reading/English. Understanding of the content, knowledge, skills, and processes for teaching the Virginia Standards of Learning for English including: oral language (speaking and listening), reading, and writing, and how these standards provide the core for teaching English in grades prek-3 (early/primary licensure).

(1) Assessment and diagnostic teaching. The individual shall:

(a) Be proficient in the use of both formal and informal assessment and screening measures for the component of reading: phoneme awareness, letter recognition, decoding, fluency, vocabulary, reading levels, and comprehension; and

(b) Be proficient in the ability to use diagnostic data to tailor instruction for acceleration, intervention, remediation, and flexible skill-level groupings.

(2) Oral communication. The individual shall:

(a) Be proficient in the knowledge, skills, and processes necessary for teaching oral language (speaking and listening);

(b) Be proficient in developing students' phonological awareness skills;

(c) Demonstrate effective strategies for facilitating the learning of standard English by speakers of other languages and dialects;

(d) Demonstrate the ability to promote creative thinking and expression, as through storytelling, drama, choral/oral reading, etc.

(3) Reading/literature. The individual shall:

(a) Be proficient in explicit phonics instruction, including an understanding of sound/symbol relationships, syllables, phonemes, morphemes, decoding skills, and word attack skills;

(b) Be proficient in strategies to increase vocabulary/concept development;

(c) Be proficient in the structure of the English language, including an understanding of syntax;

(d) Be proficient in reading comprehension strategies for both fiction and nonfiction text predicting, retelling, summarizing and guiding students to make connections beyond the text;

(e) Demonstrate the ability to develop comprehension skills in all content areas;

(f) Demonstrate the ability to foster the appreciation of a variety of literature; and

(g) Understand the importance of promoting independent reading by selecting fiction and non-fiction books, at appropriate reading levels.

(4) Writing. The individual shall:

(a) Be proficient in the knowledge, skills, and processes necessary for teaching writing, including the domains of composing, written expression, and usage and mechanics and the writing process of planning, drafting, revising, editing, and sharing;

(b) Be proficient in systematic spelling instruction, including awareness of the purpose and limitations of "invented spelling," orthographic patterns, and strategies for promoting generalization of spelling study to writing; and

(c) Demonstrate the ability to teach the writing process: plan, draft, revise, edit, and share in the narrative, descriptive, and explanative modes.

(5) Technology. The individual shall demonstrate the ability to guide students in their use of technology for both process and product as they work with reading and writing.

b. Mathematics.

(1) Understanding of the mathematics relevant to the content identified in the Virginia Standards of Learning and how the standards provide the foundation for teaching mathematics in grades prek-3. Experiences with practical applications and the use of appropriate technology and manipulatives should be used within the following content:

(a) Number systems, their structure, basic operations, and properties;

(b) Elementary number theory, ratio, proportion and percent;

(c) Algebra: operations with monomials and polynomials; algebraic fractions; linear and quadratic equations and inequalities, linear systems of equations and inequalities; radicals and exponents; arithmetic and geometric sequences and series; algebraic and trigonometric functions; and transformations among graphical, tabular, and symbolic form of functions;

(d) Geometry: geometric figures, their properties, relationships, Pythagorean Theorem; deductive and inductive reasoning; perimeter, area, and surface area of 2- and 3-dimensional figures; coordinate and transformational geometry; and constructions;

(e) Probability and statistics: permutations and combinations; experimental and theoretical probability; prediction; graphical representations including box-and-whisker plots; measures of central tendency, range, and normal distribution; and

(f) Computer science: terminology, simple programming, and software applications.

(2) Understanding of the sequential nature of mathematics.

(3) Understanding of the multiple representations of mathematical concepts and procedures.

(4) Understanding of and the ability to use the five processes -- reasoning mathematically, solving problems, communicating mathematics effectively, and making mathematical connections, and using mathematical representations at different levels of complexity.

(5) Understanding of the contributions of different cultures toward the development of mathematics, and the role of mathematics in culture and society.

(6) Understanding of the role of technology and the ability to use calculators and computers in the teaching and learning of mathematics.

c. History and social sciences.

(1) Understanding of the knowledge, skills, and processes of history and the social science disciplines as defined in the Virginia Standards of Learning and how the standards provide the necessary foundation for teaching history and social sciences, including in:

(a) History.

(i) The contributions of ancient civilizations to American social and political institutions;

(ii) Major events in Virginia history from 1607 to the present;

(iii) Key individuals, documents, and events in United States history; and

(iv) The evolution of American's constitutional republic, its ideas, institutions, and practices.

(b) Geography.

(i) The use of maps and other geographic representations, tools, and technologies to acquire, process, and report information;

(ii) The relationship between human activity and the physical environment in the community and the world; and

(iii) Physical processes that shape the surface of the Earth.

(c) Civics.

(i) The privileges and responsibilities of good citizenship and the importance of the rule of law for the protection of individual rights;

(ii) The process of making laws in the United States and the fundamental ideals and principles of a republican form of government; and

(iii) The understanding that Americans are a people of diverse ethnic origins, customs, and traditions, who are united by the basic principles of a republican form of government and a common identity as Americans.

(d) Economics

(i) The basic economic principles that underlie the United States market economy;

(ii) The role of the individual and how economic decisions are made in the market place; and

(iii) The role of government in the structure of the United States economy.

(2) Understanding of the nature of history and the social sciences, and how the study of the disciplines assists students in developing critical thinking skills in helping them to understand:

(a) The relationship between past and present;

(b) The use of primary sources such as: artifacts, letters, photographs, and newspapers;

(c) How events in history are shaped both by the ideas and actions of people;

(d) Diverse cultures and shared humanity;

(e) Civic participation in a democracy; and

(f) The relationship between history, literature, art, and music.

d. Science.

(1) Understanding of the knowledge, skills, and processes of the Earth, life, and physical sciences as defined in the Virginia Science Standards of

Learning and how these standards provide a sound foundation for teaching science in the elementary grades.

(2) Understanding of the nature of science and scientific inquiry, including:

(a) The role of science in explaining and predicting events and phenomena; and

(b) The science skills of data analysis, measurement, observation, prediction, and experimentation.

(3) Understanding of the knowledge, skills, and processes for an active elementary science program, including the ability to:

(a) Design instruction reflecting the goals of the Virginia Science Standards of Learning;

(b) Conduct research projects and experiments in a safe environment;

(c) Organize key science content into meaningful units of instruction;

(d) Adapt instruction to diverse learners using a variety of techniques;

(e) Evaluate instructional materials, instruction, and student achievement; and

(f) Incorporate instructional technology to enhance student performance in science.

(4) Understanding of the content, processes, and skills of the Earth sciences, biology, chemistry, and physics supporting the teaching of elementary school science as defined by the Virginia Science Standards of Learning and equivalent to academic course work in each of these core science areas.

(5) Understanding of the core scientific disciplines to ensure:

(a) The ability to teach the processes and organizing concepts common to the natural and physical sciences; and

(b) Student achievement in science.

(6) Understanding of the contributions and significance of science, including:

(a) Its social and cultural significance;

(b) The relationship of science to technology; and

(c) The historical development of scientific concepts and scientific reasoning.

8 VAC 20-542-100. Elementary education prek-6.

The program in elementary education prek-6 may require that the candidate has completed an undergraduate major in interdisciplinary studies (focusing on the areas of English, mathematics, history and social sciences, and science) or in Virginia's core academic areas of English, mathematics, history and social sciences (i.e., history, government, geography and economics), or science and demonstrated the following competencies:

1. Methods.

a. Understanding of the needed knowledge, skills, and processes to support learners in achievement of the Virginia Standards of Learning in English, mathematics, history and social science, science, and computer/technology;

b. The ability to integrate English, mathematics, science, health, history and social sciences, art, music, drama, movement, and technology in learning experiences;

c. The use of differentiated instruction and flexible groupings to meet the needs of learners at different stages of development, abilities, and achievement;

d. The use of appropriate methods to help learners develop knowledge and basic skills, sustain intellectual curiosity, and problem solve;

e. The ability to utilize effective classroom management skills through methods that shall build responsibility and self-discipline and maintain a positive learning environment;

f. The ability to modify and manage learning environments and experiences to meet the individual needs of children, including children with disabilities, gifted children, and children with limited proficiency in English, and children with diverse cultural needs;

g. The ability to use formal and informal assessments to diagnose needs, plan and modify instruction, and record student progress;

h. A commitment to professional growth and development through reflection, collaboration, and continuous learning;

i. The ability to analyze, evaluate, and apply, quantitative and qualitative research; and

j. The ability to use technology as a tool for teaching, learning, research, and communication.

2. Knowledge and skills.

a. Reading/English. Understanding of the content, knowledge, skills, and processes for teaching the Virginia Standards of Learning for English including: oral language (speaking and listening), reading, writing, and literature, and how these standards provide the core for teaching English in grades prek-6 (elementary licensure).

(1) Assessment and diagnostic teaching. The individual shall:

(a) Be proficient in the use of both formal and informal assessment and screening measures for the components of reading: phoneme awareness, letter recognition,-decoding, fluency, vocabulary, reading level, and-comprehension; and

(b) Be proficient in the ability to use diagnostic data to tailor instruction, for acceleration, intervention, remediation and flexible skill-level groupings.

(2) Oral communication. The individual shall:

(a) Be proficient in the knowledge, skills, and processes necessary for teaching oral language (speaking and listening);

(b) Be proficient in developing students' phonological-awareness skills;

(c) Demonstrate effective strategies for facilitating the learning of standard English by speakers of other languages and dialects; and

(d) Demonstrate the ability to promote creative thinking and expression, as through storytelling, drama, choral/oral reading, etc.

(3) Reading/literature. The individual shall:

(a) Be proficient in explicit phonics instruction, including an understanding of sound/symbol relationships, syllables, phonemes, morphemes, decoding skills, and word attack skills;

(b) Be proficient in strategies to increase vocabulary/concept development;

(c) Be proficient in the structure of the English language, including an understanding of syntax and semantics;

(d) Be proficient in reading comprehension strategies for both fiction and nonfiction text, including questioning, predicting, summarizing, clarifying, and associating the unknown with what is known;

(e) Demonstrate the ability to develop comprehension skills in all content areas;

(f) Demonstrate the ability to foster appreciation of a variety of literature; and

(g) Understand the importance of promoting independent reading by selecting fiction and non-fiction books, at appropriate reading levels.

(4) Writing. The individual shall:

(a) Be proficient in the knowledge, skills, and processes necessary for teaching writing, including the domains of composing, written expression, and usage and mechanics and the writing process of planning, drafting, revising, editing, and sharing.

(b) Be proficient in systematic spelling instruction, including awareness of the purpose and limitations of "invented spelling," orthographic patterns, and strategies for promoting generalization of spelling study to writing; and

(c) Demonstrate the ability to teach the writing process: plan draft, revise, edit, and share in the narrative, descriptive, and explanative modes.

(5) Technology. The individual shall demonstrate the ability to guide students in their use of technology for both process and product as they work with reading, writing, and research.

b. Mathematics.

(1) Understanding of the mathematics relevant to the content identified in the Virginia Standards of Learning and how the standards provide the foundation for teaching mathematics in grades prek-6. Experiences with practical applications and the use of appropriate technology and manipulatives should be used within the following content:

(a) Number systems, their structure, basic operations, and properties;

(b) Elementary number theory, ratio, proportion and percent;

(c) Algebra: operations with monomials and polynomials; algebraic fractions; linear and quadratic equations and inequalities, linear systems of equations and inequalities; radicals and exponents; arithmetic and geometric sequences and series; algebraic and trigonometric functions; and transformations among graphical, tabular, and symbolic form of functions;

(d) Geometry: geometric figures, their properties, relationships, Pythagorean Theorem; deductive and inductive reasoning; perimeter, area, and surface area of 2- and 3-dimensional figures; coordinate and transformational geometry; and constructions;

(e) Probability and statistics: permutations and combinations; experimental and theoretical probability; prediction; graphical representations including box-and-whisker plots; measures of central tendency, range, and normal distribution; and

(f) Computer science: terminology, simple programming, and software applications.

(2) Understanding of the sequential nature of mathematics.

(3) Understanding of the multiple representations of mathematical concepts and procedures.

(4) Understanding of and the ability to use the five processes -- reasoning mathematically, solving problems, communicating mathematics effectively, and making mathematical connections, and using mathematical representations at different levels of complexity.

(5) Understanding of the contributions of different cultures toward the development of mathematics, and the role of mathematics in culture and society.

(6) Understanding of the role of technology and the ability to use calculators and computers in the teaching and learning of mathematics.

c. History and social sciences.

(1) Understanding of the knowledge, skills, and processes of history and the social sciences disciplines as defined in the Virginia Standards of Learning and how the standards provide the necessary foundation for teaching history and social sciences, including in:

(a) History

(i) The contributions of ancient civilizations to American social and political institutions;

(ii) Major events in Virginia history from 1607 to the present;

(iii) Key individuals, documents, and events in United States history; and

(iv) The evolution of America's constitutional republic, its ideas, institutions, and practices.

(b) Geography.

(i) The use of maps and other geographic representations, tools, and technologies to acquire, process, and report information;

(ii) The relationship between human activity and the physical environment in the community and the world; and

(iii) Physical processes that shape the surface of the Earth;

(c) Civics.

(i) The privileges and responsibilities of good citizenship and the importance of the Rule of Law for the protection of individual rights;

(ii) The process of making laws in the United States and the fundamental ideals and principles of a republican form of government; and

(iii) The understanding that Americans are a people of diverse ethnic origins, customs, and traditions, who are

united by basic principles of a republican form of government and a common identity as Americans.

(d) Economics

(i) The basic economic principles that underlie the United States market economy;

(ii) The role of the individual and how economic decisions are made in the market place; and

(iii)The role of government in the structure of the United States economy.

(2) Understanding of the nature of history and social sciences and how the study of the disciplines assists students in developing critical thinking skills in helping them to understand:

(a) The relationship between past and present;

(b) The use of primary sources such as: artifacts, letters, photographs, and newspapers;

(c) How events in history are shaped both by the ideas and actions of people;

(d) Diverse cultures and shared humanity;

(e) Civic participation in a democracy; and

(f) The relationship between history, literature, art, and music.

d. Science.

(1) Understanding of the knowledge, skills, and processes of the Earth, life, and physical sciences as defined in the Virginia Science Standards of Learning and how these standards provide a sound foundation for teaching science in the elementary grades;

(2) Understanding of the nature of science and scientific inquiry, including:

(a) The role of science in explaining and predicting events and phenomena; and

(b) The science skills of data analysis, measurement, observation, prediction, and experimentation.

(3) Understanding of the knowledge, skills, and processes for an active elementary science program including the ability to:

(a) Design instruction reflecting the goals of the Virginia Science Standards of Learning;

(b) Conduct research projects and experiments in a safe environment;

(c) Organize key science content into meaningful units of instruction;

(d) Adapt instruction to diverse learners using a variety of techniques;

(e) Evaluate instructional materials, instruction, and student achievement; and

(f) Incorporate instructional technology to enhance student performance in science.

(4) Understanding of the content, processes, and skills of the Earth sciences, biology, chemistry, and physics supporting the teaching of elementary school science as defined by the Virginia Science Standards of Learning and equivalent course work reflecting each of these core science areas.

(5) Understanding of the core scientific disciplines to ensure:

(a) The ability to teach the processes and organizing concepts common to the natural and physical sciences; and

(b) Student achievement in science.

(6) Understanding of the contributions and significance of science including:

(a) Its social and cultural significance;

(b) The relationship of science to technology; and

(c) The historical development of scientific concepts and scientific reasoning.

8 VAC 20-542-110. Middle education 6-8.

The program in middle education 6-8 with at least one area of academic preparation shall ensure that the candidate has demonstrated the following competencies.

1. Methods.

a. Understanding of the required knowledge, skills, and processes to support learners in achievement of the Virginia Standards of Learning for grades 6-8;

b. The use of appropriate methods, including direct instruction, to help learners develop knowledge and skills, sustain intellectual curiosity, and solve problems;

c. The ability to plan and teach collaboratively to facilitate interdisciplinary learning;

d. The use of differentiated instruction and flexible groupings to meet the needs of preadolescents at different stages of development, abilities, and achievement;

e. The ability to utilize effective classroom management skills through methods that shall build responsibility and self-discipline and maintain a positive learning environment;

f. The ability to modify and manage learning environments and experiences to meet the individual needs of preadolescents, including children with disabilities, gifted children, and children with limited proficiency in the English language;

g. The ability to use formal and informal assessments to diagnose needs, plan and modify instruction, and record student progress;

h. A commitment to professional growth and development through reflection, collaboration, and continuous learning;

i. The ability to analyze, evaluate, apply, and conduct quantitative and qualitative research;

j. The ability to use technology as a tool for teaching, learning, research, and communication;

k. An understanding of how to apply a variety of school organizational structures, schedules, groupings, and classroom formats appropriately for middle level learners;

l. Skill in promoting the development of all students' abilities for academic achievement and continued learning; and

m. The ability to use reading in the content area strategies appropriate to text and student needs.

2. English.

a. Possession of the skills necessary to teach the writing process, to differentiate among the forms of writing (narrative, descriptive, informational, and persuasive), and to use computers and other available technology;

b. Understanding of and knowledge in grammar, usage, and mechanics and its integration in writing;

c. Understanding and the nature and development of language and its impact on vocabulary development and spelling;

d. Understanding of and knowledge in techniques and strategies to enhance reading comprehension and fluency;

e. Understanding of and knowledge in the instruction of speaking, and listening, and note taking; and

f. Knowledge of varied works from current and classic young adult literature appropriate for English instruction of fiction, non-fiction, and poetry.

3. History and social sciences.

a. Understanding of the knowledge, skills, and processes of history and the social science disciplines as defined by the Virginia History and Social Sciences Standards of Learning and how the standards provide the foundation for teaching history and social sciences, including in:

(1) United States history.

(a) The evolution of the American constitutional republic and its ideas, institutions, and practices from the colonial period to the present; the American Revolution, including ideas and principles preserved in significant Virginia and United States historical documents as required by §22.1-201 of the Code of Virginia (Declaration of American Independence, the general principles of the Constitution of the United States, the Virginia Statute of Religious Freedom, the charters of April 10, 1606, May 23, 1609, and March 12, 1612, of The Virginia Company, and the Virginia Declaration of Rights), and historical challenges to the American

political system (i.e., slavery, the Civil War, emancipation, and civil rights);

(b) The influence of religious traditions on the American heritage and on contemporary American society;

(c) The changing role of America around the world; the relationship between domestic affairs and foreign policy; global political and economic interactions;

(d) The influence of immigration on American political, social, and economic life;

(e) Origins, effects, aftermath and significance of the two world wars, the Korean and Vietnam conflicts, and the Post Cold War Era;

(f) Social, political, and economic transformations in American life during the 20th century; and

(g) Tensions between liberty and equality, liberty and order, region and nation, individualism and the common welfare, and between cultural diversity and civic unity.

(2) World history.

(a) The political, philosophical, and cultural legacies of ancient, American, Asian, African, and European civilizations;

(b) Origins, ideas, and institutions of Judaism, Christianity, Hinduism, Confucianism and Taoism, and Shinto, Buddhist and Islamic religious traditions;

(c) Medieval society and institutions; relations with Islam; feudalism and the evolution of representative government;

(d) The social, political, and economic contributions of selected civilizations in Africa, Asia, Europe, and the Americas;

(e) The culture and ideas of the Renaissance and the Reformation, European exploration, and the origins of capitalism and colonization;

(f) The cultural ideas of the Enlightenment and the intellectual revolution of the 17th and 18th centuries;

(g) The sources, results, and influence of the American and French revolutions;

(h) The social consequences of the Industrial Revolution and its impact on politics and culture;

(i) The global influence of European ideologies of the 19th and 20th centuries (liberalism, republicanism, social democracy, Marxism, nationalism, Communism, Fascism, and Nazism); and

(j) The origins, effects, aftermath, and significance of the two world wars.

(3) Civics and economics.

(a) Essential characteristics of limited and unlimited governments;

(b) Importance of the Rule of Law for the protection of individual rights and the common good;

(c) Rights and responsibilities of American citizenship;

(d) Nature and purposes of constitutions and alternative ways of organizing constitutional governments;

(e) American political culture;

(f) Values and principles of the American constitutional republic;

(g) Structures, functions, and powers of local and state government;

(h) Importance of citizen participation in the political process in local and state government;

(i) Structures, functions, and powers of the national government; and

(j) The structure and function of the United States market economy as compared with other economies.

b. Understanding of the nature of history and social sciences and how the study of these disciplines helps students go beyond critical thinking skills to help them appreciate:

(1) The significance of the past to their lives and to society;

(2) Diverse cultures and shared humanity;

(3) How things happen, how they change, and how human intervention matters;

(4) The interplay of change and continuity;

(5) Historical cause and effect;

(6) The importance of individuals who have made a difference in history and the significance of personal character to the future of society;

(7) The relationship among history, geography, civics, and economics; and

(8) The difference between fact and conjecture, evidence and assertion, and the importance of framing useful questions.

4. Mathematics.

a. Understanding of the knowledge and skills necessary to teach the Virginia Mathematics Standards of Learning and how curriculum may be organized to teach these standards to diverse learners;

b. Understanding of a core knowledge base of concepts and procedures within the discipline of mathematics, including the following strands: number and number sense; computation and estimation; geometry and measurement; statistics and probability; patterns, functions, and algebra;

c. Understanding of the sequential nature of mathematics and the mathematical structures inherent in the content strands;

d. Understanding of and the ability to use the five processes --becoming mathematical problem solvers, reasoning mathematically, communicating mathematically, and making mathematical connections, and representing and describing mathematical ideas, generalizations, and relationships using a variety of methods--at different levels of complexity;

e. Understanding of the history of mathematics, including the contributions of various individuals and cultures toward the development of mathematics, and the role of mathematics in culture and society;

f. Understanding of the major current curriculum studies and trends in mathematics;

g. Understanding of the role of technology and the ability to use graphing utilities and computers in the teaching and learning of mathematics;

h. Understanding of and the ability to select, adapt, evaluate and use instructional materials and resources, including professional journals and technology;

i. Understanding of and the ability to use strategies for managing, assessing, and monitoring student learning, including diagnosing student errors; and

j. Understanding of and the ability to use strategies to teach mathematics to diverse learners.

5. Science.

a. Understanding of the knowledge, skills, and processes of the Earth, life, and physical sciences as defined in the Virginia Science Standards of Learning and how these provide a sound foundation for teaching science in the middle grades.

b. Understanding of the nature of science and scientific inquiry, including:

(1) Function of research design and experimentation;

(2) Role of science in explaining and predicting events and phenomena; and

(3) Science skills of data analysis, measurement, observation, prediction, and experimentation.

c. Understanding of the knowledge, skills, and processes for an active middle school science program, including the ability to:

(1) Design instruction reflecting the goals of the Virginia Science Standards of Learning;

(2) Conduct research projects and experiments;

(3) Implement safety rules/procedures and ensure that students take appropriate safety precautions;

(4) Organize key science content into meaningful units of instruction;

(5) Adapt instruction to diverse learners using a variety of techniques;

(6) Evaluate instructional materials, instruction, and student achievement; and

(7) Incorporate instructional technology to enhance student performance in science.

d. Understanding of the content, processes, and skills of the Earth sciences, biology, chemistry, and physics supporting the teaching of middle school science as defined by the Virginia Science Standards of Learning and equivalent to academic course work in each of these core science areas.

e. Understanding of the core scientific disciplines to ensure:

(1) The placement of science in an appropriate interdisciplinary context;

(2) The ability to teach the processes and organize concepts common to the natural and physical sciences; and

(3) Student achievement in science.

f. Understanding of the contributions and significance of science to include:

(1) Its social and cultural significance;

(2) The relationship of science to technology; and

(3) The historical development of scientific concepts and scientific reasoning.

Prek-12 Endorsements, Special Education, Secondary Grades 6-12 Endorsements, and Adult Education

8 VAC 20-542-120. Professional studies requirements for prek-12 endorsements, special education, secondary grades 6-12 endorsements, and adult education.

Professional studies requirements for prek-12 endorsements, special education, secondary grades 6-12 endorsements, and adult education:

1. Human growth and development (birth through adolescence): Skills in this area shall contribute to an understanding of the physical, social, emotional, and intellectual development of children and the ability to use this understanding in guiding learning experiences. The interaction of children with individual differences -- economic, social, racial, ethnic, religious, physical, and mental -- should be incorporated to include skills contributing to an understanding of developmental disabilities and developmental issues related to but not limited to attention deficit disorders, gifted education including the use of multiple criteria to identify gifted students, substance abuse, child abuse, and family disruptions.

2. Curriculum and instructional procedures: Skills in this area shall contribute to an understanding of the principles of learning; the application of skills in discipline-specific methodology; communication processes; selection and use of materials,

including media and computers; and evaluation of pupil performance. Teaching methods appropriate for exceptional students, including for second language learners, gifted and talented and those with disabling conditions, and appropriate for the level of endorsement sought shall in included. Teaching methods shall be tailored to promote student academic progress and effective preparation for the Standards of Learning assessments. Methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and in school and the Standards of Learning shall be included. Demonstrated proficiency in the use of educational technology for instruction also shall be included. Persons seeking initial licensure as teachers and persons seeking licensure renewal as teachers for the first time shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes. Curriculum and instructional procedures for secondary grades 6-12 endorsements shall include middle and secondary education. Pre-student teaching experiences (field experiences) should be evident within these skills. For Prek-12, field experiences shall be at the elementary, middle, and secondary levels.

3. Instructional Design Based on Assessment Data: Skills in this area shall contribute to an understanding of the relationship among assessment, instruction and monitoring student progress to include student performance measures in grading practices, the ability to construct and interpret valid assessments using a variety of formats in order to measure student attainment of essential skills in a standards-based environment, and the ability to analyze assessment data to make decisions about how to improve instruction and student performance.

4. Classroom Management: Skills in this area shall contribute to an understanding and application of classroom management techniques and individual interventions, including techniques that promote emotional well-being and teach and maintain behavioral conduct and skills consistent with norms, standards, and rules of the educational environment. This area shall address diverse approaches based upon behavioral, cognitive, affective, social and ecological theory and practice.

5. Reading.

a. Adult education, prek-12, and secondary grades 6-12 -- reading in the content area. Skills in this area shall be designed to impart an understanding of comprehension skills in all content areas, including a repertoire of questioning strategies, summarizing and retelling skills, and strategies in literal, interpretive, critical, and evaluative comprehension, as well as the ability to foster appreciation of a variety of literature and independent reading.

b. Special Education--Language acquisition and reading.
Skills listed for these endorsement areas represent the minimum competencies that a beginning teacher shall be able to demonstrate. These skills are not

intended to limit the scope of a beginning teacher's program. Additional knowledge and skills that add to a beginning teacher's competencies to deliver instruction and improve student achievement should be included as part of a quality learning experience.

Skills in this area shall be designed to impart a thorough understanding of the complex nature of language acquisition and reading, to include: phonemic awareness, concept of print, phonics, fluency, vocabulary development, and comprehension strategies. Additional skills shall include proficiency in writing strategies, as well as the ability to foster appreciation of a variety of literature and independent reading.

6. Supervised classroom experience. The student teaching experience should provide for the prospective teacher to be in classrooms full time for a minimum of 500 clock hours (including pre- and post clinical experiences) with at least 300 clock hours spent supervised in direct teaching activities (providing direct instruction) in the endorsement area sought. If a prek-12 endorsement is sought, teaching activities shall be at the elementary and middle or secondary levels. Individuals seeking the endorsement in library media shall complete the supervised experience in a school library media setting. Individuals seeking an endorsement in an area of special education shall complete the supervised classroom experience requirement in the area of special education for which the endorsement is sought. One year of successful full-time teaching experience in the endorsement area in any public school or accredited nonpublic school may be accepted in lieu of the supervised teaching experience. A fully licensed, experienced teacher shall be available in the school building to assist a beginning teacher employed through the alternate route.

8 VAC 20-542-130. Adult education.

The program in adult education shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the nature or psychology of the adult learner or adult development;

2. Understanding of the knowledge, skills, and processes needed for the selection, evaluation, and instructional applications of the methods and materials for adult basic skills including:

a. Curriculum development in adult basic education or GED instruction;

b. Beginning reading for adults;

c. Beginning mathematics for adults;

d. Reading comprehension for adult education;

e. Foundations of adult education; and

f. Other adult basic skills instruction.

3. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing; and

4. One semester of supervised successful full-time (or an equivalent number of hours of part-time experience) teaching of adults.

8 VAC 20-542-140. Adult English as a second language (add-on endorsement).

The program in adult English as a second language shall ensure that the candidate has demonstrated the following competencies:

1. Knowledge in the growth and development of the adult learner;

2. Knowledge of teaching methods and materials in adult English as a second language;

3. Knowledge in adult language acquisition;

4. Knowledge of assessment methods in adult English as a second language instruction;

5. Skills in teaching the adult learner;

6. Understanding of the effects of socio-cultural variables in the instructional setting;

7. Skills in teaching a variety of adult learning styles;

8. Proficiency in cross-cultural communication;

9. Proficiency in speaking, listening, and reading; and

10. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-150. Career and technical education --agricultural education

The program in agricultural education shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the importance and relationship of agriculture to the economy of the community, the state, and the nation, including:

a. An awareness and appreciation for agriculture;

b. Knowledge of the occupational opportunities in agriculture and related fields;

c. Knowledge of the U.S. food and fiber system; and

d. Knowledge of the contributions of agriculture to the economy of the state and nation.

2. Understanding of the knowledge, skills, and processes involved in plant and soil sciences, including:

a. Production, use, and marketing of row crops, specialty crops, forage crops, fruits, small grains, vegetables, and cereal crops; and

b. Soil and water management.

3. Understanding of the knowledge, skills, and processes involved in the production, management, and marketing of animals, including:

a. Production of cattle, swine, poultry, dairy cows, sheep, aquaculture species, goats, and horses; and

b. Care and management of small companion animals.

4. Understanding of the knowledge, skills, and processes involved in agricultural mechanics, including:

a. Safe operation, repair, and maintenance of equipment, tools, and machinery used in agriculture;

b. Setting up and adjusting agriculture machinery;

c. Basic knowledge of a set of hand tools, measuring devices, and testing equipment used in agriculture;

d. Basic knowledge of energy transfer systems used in agriculture; and

e. Properties of metals used in tools and equipment.

5. Understanding of agricultural economics, including the various markets, international trade, government policies, and the operation and management of various agricultural businesses.

6. Understanding of the knowledge, skills, and processes involved in natural resources, including:

a. Care, management, and conservation of soil, air, water, and wildlife; and

b. Production and management of the forest.

7. Understanding of the importance and processes necessary for community resource development, including:

a. Fundamentals of the community development process;

b. Knowledge of public and private programs and resources available;

c. Knowledge of the promotion of community development; and

d. Knowledge of civic organizations and their purposes.

8. Knowledge of and the ability to teach:

a. How the biological, physical, and applied sciences relate to practical solutions of agricultural problems;

b. Leadership development skills; and

c. Agricultural competencies needed by secondary students to be successful in continuing their education and entering a related occupation.

9. Knowledge and skills necessary to teach leadership skills, organize and manage an effective co-curricular student organization (FFA) and implement the organization's activities as an integral part of instruction.

10. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

11. Understanding of and proficiency in instructional technology and microcomputer applications.

8 VAC 20-542-160. Career and technical education--business and information technology.

The program in business and information technology shall ensure that the candidate has demonstrated the following competencies:

1. Knowledge, skills, and principles of manual and automated accounting, including:

a. Accounting concepts, terminology, and applications;

b. Accounting systems; and

c. The basic accounting cycle of source documents, verifications, analyzing, recording, posting, trial balances, and preparing financial statements.

2. Knowledge and skills in economics necessary to:

a. Communicate basic economic principles as applied to the American economic system; and

b. Apply basic economic principles to consumerism.

3. Knowledge and skills in the foundations of business selected from the following areas:

a. Business law.

(1) Ability to recognize the legal requirements affecting business organization; and

(2) Ability to apply legal principles to business situations;

b. Business principles.

(1) Ability to identify, explain, and apply contemporary business principles; and

(2) Ability to identify and explain the advantages and disadvantages of various business organizational structures; and

(3) Knowledgeable in the foundations of international business, the global business environment, international business communications, and global business ethics;

c. Management. Understanding and analyzing of basic management functions, tools, theories, and leadership styles to explore and solve problems in business organizations, economics, international business, and human relations issues;

d. Marketing and Entrepreneurship.

(1) Understanding of basic marketing concepts in sales techniques, advertising, display, buying, wholesale/retail, distribution, service occupations, market analysis, warehousing, and inventory control; and

(2) Understanding of the unique characteristics of an entrepreneur and the knowledge and skills necessary for an entrepreneurial venture;

e. Finance.

(1) Knowledgeable about and skilled in the areas of money management, record keeping, and banking needed for sound financial decision making; and

(2) Understanding of the basic concepts of economics, insurance, credit, and other related topics.

4. Knowledge and skills in all of the following communications and information technologies:

a. Communications.

(1) Ability to communicate in a clear, courteous, concise, and correct manner for personal and professional purposes through the foundations of listening, writing, reading, speaking, non-verbal cues, and following written/oral directions;

(2) Ability to use information systems and technology to expedite and enhance the effectiveness of communications and telecommunications; and

(3) Ability to gather, evaluate, use, and cite information from information technology sources.

b. Impact of technology on society. Knowledge to assess the impact of information technology on society.

c. Computer architecture. Ability to describe current and emerging computer architecture; configure, install, and upgrade hardware; and diagnose and repair hardware problems.

d. Operating systems, environments, and utilities. Ability to identify, evaluate, select, install, use, upgrade, customize, and diagnose and solve problems with various types of operating systems, environments, and utilities.

e. Application software (e.g., word processing, database, spreadsheet, graphics, Web design, desktop/presentation/multimedia and imaging, and emerging technologies).

(1) Ability to identify, evaluate, select, install, use, upgrade, and customize application software; and

(2) Ability to diagnose and solve problems resulting from an application software's installation and use.

f. Input technologies. Ability to use input technologies (e.g., touch keyboarding*, speech recognition, handwriting recognition, Personal Digital Assistants–PDAs-and other hand-held devices, touch screen or mouse, scanning, and other emerging input technologies) to enter, manipulate, and format text and data. *Touch keyboarding is required.

g. Database management systems. Ability to use, plan, develop, and maintain database management systems.

h. Programming and application development. Ability to help students design, develop, test, and implement programs that solve business problems.

i. Networking and communications infrastructures.

(1) Facilitate students' development in the skills to design, deploy, and administer networks and communications systems; and

(2) Facilitate students' ability to use, evaluate, and deploy communications and networking applications.

j. Information management.

(1) Ability to plan the selection and acquisition of information technologies (hardware and software);

(2) Ability to instruct students in the development of technical and interpersonal skills and knowledge to support the user community; and

(3) Ability to describe, analyze, develop, and follow policies for managing privacy and ethical issues in organizations and in a technology-based society.

5. Career Development

a. Experience in a supervised career in business and information technology through cooperative education, internship, shadowing, mentorship, and/or work experience; and

b. Ability to provide instruction in self-awareness as it relates to career exploration and development, career research, workplace expectation, and career planning.

6. Knowledge and skills necessary to teach leadership skills, organize and manage an effective co-curricular student organization and implement the organization's activities as an integral part of instruction.

7. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8. Knowledge and skills necessary to apply basic mathematical operations to solve business problems.

8 VAC 20-542-170. Career and technical education – family and consumer sciences.

The program in family and consumer sciences shall ensure that the candidate has demonstrated the following competencies:

1. Knowledge of the developmental processes of childhood, preadolescence, adolescence, and adulthood/aging and in creating and maintaining an environment in which family members develop and interact as individuals and as members of a group;

2. Knowledge of the decision-making processes related to housing, furnishings, and equipment for individuals and families with attention given to special needs and the diversity of individuals;

3. The ability to plan, purchase, and prepare food choices that promote nutrition and wellness;

4. Knowledge of the management of resources to achieve individual and family goals at different stages of the life span;

5. Knowledge of the sociological, psychological, and physiological aspects of clothing and textiles for individuals and families;

6. Knowledge of the management of families, work, and their inter-relationships;

7. Knowledge of occupational skill development and career planning;

8. Knowledge of the use of critical science and creative skills to address problems in diverse family, community, and work environments;

9. Knowledge and skills necessary to teach leadership skills, organize and manage an effective co-curricular student organization and implement the organization's activities as an integral part of instruction;

10. The ability to plan, develop, teach, supervise, and evaluate programs in occupational programs at the secondary, postsecondary, and adult levels;

11. The ability to organize and implement Family, Career, and Community Leaders of America (FCCLA) programs as an integral part of classroom instruction; and

12. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-180. Career and technical education –health and medical sciences.

The program in health and medical sciences shall ensure that the candidate has demonstrated the following competencies:

1. Knowledge of teaching methods.

a. Instructional planning--ability to determine the needs and interests of students;

b. Organizing instruction--ability to prepare teacher-made instructional materials for clinical laboratory experience;

c. Instructional execution--ability to use techniques for simulating patient care and demonstrating manipulative skills;

d. Application of technology in the classroom; and

e. Instructional evaluation--ability to determine grades for students in classroom and clinical settings.

2. Knowledge of program management.

a. Planning--ability to organize an occupational advisory committee;

b. Curriculum development--ability to keep informed of current curriculum content and patient care practices;

c. Planning and organizing teaching/occupational laboratory for laboratory simulations/demonstrations;

d. Understanding of the process for issuing credentials for health workers;

e. Understanding of the health care industry; and

f. Evaluation--ability to conduct a student follow-up study.

3. Knowledge and skills necessary to teach leadership skills, organize and manage an effective co-curricular student organization and implement the organization's activities as an integral part of instruction.

4. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-190. Career and technical education--industrial cooperative training (add-on endorsement).

The program in industrial cooperative training (ICT) shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of industrial education and its role in the development of technically competent, socially responsible, and culturally sensitive individuals with potential for leadership in skilled technical work and professional studies;

2. Understanding of and the ability to relate experiences designed to develop skills in the interpretation and implementation of industrial education philosophy in accordance with changing demand;

3. The knowledge and experience of systematically planning, executing, and evaluating individual and group instruction;

4. Understanding of the competencies necessary for effective organization and management of laboratory instruction;

5. Understanding of the competencies necessary for making physical, social, and emotional adjustments in multicultural student-teacher relationships;

6. Understanding of the competencies necessary for developing and utilizing systematic methods and instruments for appraising and recording student progress in the vocational classroom;

7. Understanding of the ability to provide technical work experience through cooperative education or provide a method of evaluating previous occupational experience commensurate with the minimum required standard;

8. Understanding of the competencies necessary to assist students in job placement and in bridging the gap between education and work;

9. Understanding of the awareness of the human relations factor in industry with emphasis on the area of cooperation among labor, management, and the schools;

10. Understanding of the teacher's role in the school and community;

11. Understanding of the content, skills, and techniques necessary to teach a particular trade area;

12. Understanding of the competencies necessary to organize and manage an effective student organization; and

13. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-200. Career and technical education --marketing education.

The program in marketing education shall ensure that the candidate has demonstrated the following competencies:

1. Knowledge of marketing, merchandising, marketing mathematics, communication theory and techniques, advertising and sales promotion, personal selling, and management through a variety of educational and work experiences;

2. Knowledge of planning, developing, and administering a comprehensive program of marketing education for high school students and adults;

3. Knowledge of organizing and using a variety of instructional methods and techniques for teaching youths and adults;

4. Knowledge of conducting learning programs that include a variety of career objectives and recognize and respond to individual differences in students;

5. Knowledge of assisting learners of different abilities in developing skills needed to qualify for further education and employment;

6. Knowledge of acquiring knowledge of career requirements and opportunities in marketing, merchandising, and management;

7. Knowledge and skills necessary to teach leadership skills, organize and manage an effective co-curricular student organization and implement the organization's activities as an integral part of instruction;

8. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing; and

9. Knowledge of utilizing current technological applications as these relate to marketing functions.

8 VAC 20-542-210. Career and technical education--technology education.

The program in technology education shall ensure that the candidate has demonstrated the following competencies:

1. Understanding and utilization of technology, including the human activities of:

a. Designing and developing technological systems;

b. Determining and controlling the behavior of technological systems;

c. Utilizing technological systems; and

d. Assessing the impacts and consequences of technological systems.

2. Understanding of technological knowledge, including:

a. The nature and evolution of technology;

b. Technological concepts and principles; and

c. Technological resources, impacts, consequences, and linkages with other fields.

3. Understanding and utilization of the major systems of technology, including the:

a. Synthesis of the processes for creating, encoding, transmitting, receiving, decoding, storage, and retrieval of information using communication systems in a global information society;

b. Application of the principles and processes characteristic of contemporary and future production systems, including the research, engineering design and testing, planning, organization, resources, and distribution; and

c. Integration and organization of transportation systems, including land, sea, air, and space as a means of transporting people, goods, and services in a global economy.

4. Understanding and utilization of the knowledge, skills, and processes for teaching in a laboratory environment, including:

a. Laboratory safety rules, regulations, processes and procedures;

b. Ability to organize technological content into effective instructional units;

c. Ability to deliver instruction to diverse learners;

d. Ability to evaluate student achievement, curriculum materials and instructional processes;

e. Ability to incorporate new and emerging instructional technologies to enhance student performance; and

f. Understanding the concepts and procedures for developing a learner's technological literacy.

5. Knowledge and skills necessary to teach leadership skills, organize and manage an effective co-curricular student organization and implement the organization's activities as an integral part of instruction;

6. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-220. Career and technical education--trade and industrial education.

The program in trade and industrial education shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of industrial education and its role in the development of technically competent, socially responsible, and culturally sensitive individuals with potential for leadership in skilled technical work and/or professional studies;

2. Understanding of and the ability to relate experiences designed to develop skills in the interpretation and implementation of industrial education philosophy in accordance with changing demand;

3. The knowledge and experience of systematically planning, executing, and evaluating individual and group instruction;

4. Knowledge of the competencies necessary for effective organization and management of laboratory instruction;

5. Knowledge of the competencies necessary for making physical, social, and emotional adjustments in multicultural student-teacher relationships;

6. Knowledge of the competencies necessary for developing and utilizing systematic methods and instruments for appraising and recording student progress in the vocational classroom;

7. Knowledge of the ability to provide technical work experience through cooperative education or provide a method of evaluating previous occupational experience commensurate with the minimum required standard;

8. Knowledge of the competencies necessary to assist students in job placement and in otherwise bridging the gap between education and work;

9. Understanding of the awareness of the human relations factor in industry, with emphasis on the area of cooperation among labor, management, and the schools;

10. Knowledge of the teacher's role in the school and community;

11. Understanding of the content, skills, and techniques necessary to teach a particular trade area;

12. Knowledge of the competencies necessary to organize and manage an effective student organization; and

13. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-230. Career and technical education --vocational special needs (add-on endorsement).

The program in vocational special needs (add-on endorsement) shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of vocational special needs programs and services; characteristics of students who are disadvantaged, disabled, and gifted; and program development, implementation, and evaluation.

2. Understanding of instructional methods and resources in career-vocational, community-based, and transition programs for targeted populations in career and technical education, including:

a. Use of learning and teaching styles to plan and deliver instruction;

b. Use of vocational assessment results to plan individual instruction strategies;

c. Ability to plan and manage a competency-based education system;

d. Ability to adapt curriculum materials to meet special student needs;

e. Use of a variety of classroom management techniques to develop an enhanced learning environment;

f. Use of different processes to improve collaboration with colleagues, parents, and the community; and

g. Ability to plan learning experiences that prepare individuals for transition to more advanced education and career development options.

3. Understanding of the planning, delivery, and management of work-based education programs such as community surveying, cooperative education, simulation, directed observation, shadowing, mentoring, and internship.

4. Understanding of strategies for enabling students to learn all aspects of particular industries--planning, management, finances, technical and production skills, labor and community issues, health and safety, environmental issues, and the technology associated with the specific industry.

5. Understanding of career/life planning procedures, transitioning processes and procedures, and career-search techniques.

6. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-240. Computer science.

The program in computer science shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of mathematical principles that are the basis of many computer applications;

2. Knowledge of structured program and algorithm design, and data structures;

3. Knowledge of programming and evaluating programs in at least two widely used, high-level, structured programming languages;

4. Knowledge of programming languages including definition, structure, and comparison;

5. Knowledge of the functions, capabilities, and limitations of computers;

6. Knowledge of mainframe, minicomputer, and microcomputer systems and their applications;

7. An ability to use currently available software for word processing, calculation/spreadsheet, database management, and communications; and

8. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-250. Dance arts prek-12.

The program in dance arts shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of the dance arts discipline as defined in the Virginia Standards of Learning and how they provide a foundation needed to teach dance arts;

2. Understanding of the knowledge, skills, and processes for teaching dance arts to meet the developmental levels of students in prek-12, including the following:

a. Knowledge of and experience in planning, developing, administering, and evaluating a program of dance arts education;

b. Knowledge and understanding for teaching dance arts, including: performance and production, cultural context and dance history, judgment and criticism, and aesthetics;

c. Ballet, folk, jazz, and modern dance with an area of concentration in one of these areas;

d. Scientific foundations, including human anatomy, kinesiology, and injury prevention and care for dance arts;

e. The relationship of dance arts and culture and the influence of dance on past and present cultures, including history of dance;

f. Knowledge and understanding of artistic copyright laws;

g. Assessment strategies to foster, support, and enhance student dance arts learning;

h. Related areas of the fine arts, such as music, theater arts, and the visual arts; and

i. Observation and student teaching experiences at the elementary, middle, and secondary levels.

3. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-260. Driver education (add-on endorsement).
The program in driver education shall ensure that the candidate has demonstrated the following competencies:

1. Basic understanding of the administration of a driver education program **as** required by §22.1-205 of the Code of Virginia and the *Curriculum and Administrative Guide for Driver Education in Virginia* including:

a. Coordination and scheduling of classroom and in-car instruction;

b. Skill and content knowledge assessment;

c. Student safety and other legal issues;

d. The juvenile licensing process;

e. Motor Vehicle section of the Code of Virginia**;**

f. Vehicle procurement and equipment requirements; and

g. Instructional technologies.

2. Basic content knowledge needed to understand and teach classroom and in-car driver education including:

a. Traffic laws**,** signs, signals, pavement markings, and right-of-way rules**;**

b. Licensing procedures, and other legal responsibilities associated with the driving privilege; and vehicle ownership;

c. Vehicle control skills;

d. Interaction with other highway users (pedestrians, animals, motorcycles, bicycles, trucks, buses, trains, trailers, motor homes, ATVs, and other recreational users);

e. Time, space, visibility and risk management skills;

f. Alcohol and other drugs and driving;

g. Passive and active restraint systems;

h. Vehicle maintenance;

i. Risk reducing behaviors**;** i.e. **(**aggressive driving, fatigue and distracted driving**);**

j. Natural laws and driving;

k. Adverse driving conditions and handling emergencies; and

l. Planning a safe trip.

3. Basic content knowledge needed to understand and teach the driver education laboratory phase including:

a. Simulation and other instructional technologies;

b. Multiple-car range;

c. Route planning;

d. Basic and evasive maneuvers;

e. Vehicle control from instructor's seat;

f. Manual transmission; and

g. Administration of the driver's license road skills examination and

procedures for licensing students with disabilities.

4. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-270. English.

The program in English shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of English as defined in the Virginia Standards of Learning;

2. Skills necessary to teach the writing process and the different forms of writing (narrative, descriptive, expository, persuasive, and informational) and to employ available technology;

3. Knowledge of grammar, usage, and mechanics and their integration in writing;

4. Understanding of the nature and development of language including vocabulary appropriate to the topic, audience, and purpose;

5. Knowledge of reading strategies and techniques used to enhance reading comprehensive skills;

6. Knowledge of speaking and listening skills;

7. Knowledge of varied works from British, American, world, and ethnic/minority literature appropriate for English instruction; and

8. The ability to provide experiences in communication arts, such as journalism, dramatics, debate, forensics, radio, television, films and other media.

8 VAC 20-542-280. English as a second language prek-12.

The program in English as a second language shall ensure that the candidate has demonstrated the following competencies:

1. Knowledge of general linguistics and English linguistics;

2. Skills in elementary and secondary teaching methods and student assessment for English as a second language;

3. Skills in the teaching of reading to include the five areas of reading instruction: phonemic awareness, phonics, fluency, vocabulary and text comprehension as well as the similarities and differences between reading in a first language and reading in a second language;

4. Knowledge of the effects of socio-cultural variables in the instructional setting;

5. Proficiency in spoken and written English;

6. Knowledge of another language and its structure; and

7. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-290. Foreign language prek-12.

A. The specific language of the endorsement shall be noted on the license.

B. Foreign language prek-12 --languages other than Latin.

1. The program in the foreign language shall ensure that the candidate has:

a. Demonstrated the following competencies:

(1) Understanding of authentic speech at a normal tempo;

(2) Ability to speak with a command of vocabulary, pronunciation, and syntax adequate for expressing thoughts to a native speaker not used to dealing with foreigners;

(3) Ability to read and comprehend authentic texts of average difficulty and of mature content;

(4) Ability to write a variety of texts including description and narration with clarity and correctness in vocabulary and syntax;

(5) Knowledge of geography, history, social structure and artistic and literary contributions of the target societies;

(6) Ability to interpret contemporary lifestyles, customs, and cultural patterns of the target societies;

(7) Understanding of the application of basic concepts of phonology, syntax, and morphology to the teaching of the foreign language;

(8) Knowledge of the national standards for foreign language learning, current proficiency-based objectives of the teaching of foreign languages at the elementary and secondary levels, elementary and secondary methods and techniques for attaining these objectives, the assessment of foreign language skills, the use of media in teaching languages, current curricular developments, the relationship of language study to other areas

of the curriculum, and the professional literature of foreign language teaching; and

(9) Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing; and

b. Participated in opportunities for significant foreign language study or living experiences in this country or abroad, or both.

C. Foreign language prek-12 --Latin.

1. The program in Latin shall ensure that the candidate has demonstrated the following competencies:

a. Ability to read and comprehend Latin in the original;

b. Ability to pronounce Latin with consistent classical (or ecclesiastical) pronunciation;

c. Knowledge of the vocabulary, phonetics, morphology and syntax of Latin and the etymological impact of Latin;

d. Ability to discuss the culture and civilization of Greco-Roman society, including history, daily life, art, architecture, and geography;

e. Ability to explain the relationship of Greco-Roman culture and civilization to subsequent cultures and civilizations;

f. Knowledge of major literary masterpieces and their relationship to the historical and social context of the society;

g. Competency in (i) current methodologies for teaching Latin at the elementary and secondary levels; (ii) lesson planning, scope and sequencing of material, instructional strategies and assessment under the guidance of an experienced Latin teacher; and

h. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

D. Foreign language prek-12 --American Sign Language.

1. The program in American Sign Language shall ensure that the candidate has:

a. Demonstrated the following competencies:

(1) Understanding of native users of American Sign Language at a normal tempo;

(2) Ability to sign with a command of vocabulary, nominal behaviors, and syntax adequate for expressing thoughts to an American Sign Language user not accustomed to dealing with non-American Sign Language users;

(3) Knowledge of history, social structure and artistic and literary contributions of the deaf culture;

(4) Ability to interpret contemporary lifestyles, customs, and cultural patterns of the deaf culture;

(5) Understanding of the application of basic concepts of phonology (e.g., hand shapes, types of signs, orientation on the body, sign movements), syntax, and morphology to the teaching of the American Sign Language;

(6) Knowledge of the national standards for foreign language learning, current proficiency-based objectives of the teaching of foreign languages at the elementary and secondary levels, elementary and secondary methods and techniques for attaining these objectives, the assessment of foreign language skills, the use of media in teaching languages, current curricular developments, the relationship of language study to other areas of the curriculum, and the professional literature of foreign language teaching; and

(7) Understanding of and proficiency in English grammar, usage, and mechanics and their integration in writing.

b. Participation in opportunities for significant study of the linguistics of American Sign Language and immersion experiences in the deaf culture.

8 VAC 20-542-300. Gifted education (add-on endorsement).

The program in gifted education shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of principles of the integration of gifted education and general education, including:

a. Strategies to encourage the interaction of gifted students with students of similar and differing abilities; and

b. Development of activities to encourage parental and community involvement in the education of the gifted, including the establishment and maintenance of an effective advisory committee.

2. Understanding of the characteristics of gifted students, including:

a. Varied expressions of advanced aptitudes, skills, creativity, and conceptual understandings;

b. Methodologies that respond to the affective (social-emotional) needs of gifted students; and

c. Gifted behaviors in special populations (i.e., those who are culturally diverse, economically disadvantaged, or physically disabled).

3. Understanding of specific techniques to identify gifted students using diagnostic and prescriptive approaches to assessment, including:

a. The selection, use, and evaluation of multiple assessment instruments and identification strategies;

b. The use of both subjective and objective measures to provide relevant information regarding the aptitude/ability or achievement of potentially gifted students;

c. The use of authentic assessment tools such as portfolios to determine performance, motivation/interest and other characteristics of potentially gifted students;

d. The development, use, and reliability of rating scales, checklists, and questionnaires by parents, teachers and others;

e. The evaluation of data collected from student records such as grades, honors, and awards;

f. The use of case study reports providing information concerning exceptional conditions; and

g. The structure, training, and procedures used by the identification and placement committee.

4. Understanding and application of a variety of educational models, teaching methods, and strategies for selecting materials and resources that ensure:

a. Academic rigor through the development of high-level proficiency in all core academic areas utilizing the Virginia Standards of Learning as a baseline;

b. The acquisition of knowledge and development of products that demonstrate creative and critical thinking as applied to learning both in and out of the classroom; and

c. The development of learning environments that guide students to become self-directed, independent learners.

5. Understanding and application of theories and principles of differentiating curriculum designed to match the distinct characteristics of gifted learners to the programs and curriculum offered to gifted students, including:

a. The integration of multiple disciplines into an area of study;

b. Emphasis on in-depth learning, independent and self-directed study skills and metacognitive skills;

c. The development of analytical, organizational, critical, and creative thinking skills;

d. The development of sophisticated products using varied modes of expression;

e. The evaluation of student learning through appropriate and specific criteria; and

f. The development of advanced technological skills to enhance student performance.

6. Understanding of contemporary issues and research in gifted education, including:

a. The systematic gathering, analyzing, and reporting of formative and summative data; and

b. Current local, state, and national issues and concerns.

7. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8. The program shall include a practicum that shall include a minimum of 45 instructional hours of successful teaching experiences with gifted students in a heterogeneously grouped (mixed ability) classroom and a homogeneously grouped (single ability) classroom.

8 VAC 20-542-310. Health and physical education prek-12.

The program in health and physical education prek-12 shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of health and physical education as defined in the Virginia Standards of Learning.

2. Understanding basic human anatomy and physiology needed to teach quality health and physical education.

3. Understanding of the basic scientific principles under girding human movement as they apply to:

a. Health-related fitness (flexibility, muscular strength, cardiovascular endurance, and body composition); and

b. Skill-related fitness (coordination, agility, power, balance, speed and reaction).

4. Basic understanding of the administration of a health and physical education program, including:

a. Instruction;

b. Student safety and other legal issues;

c. Assessment; and

d. Its role in comprehensive school health.

5. Understanding of the knowledge, skills, and processes for teaching health education, including:

a. Personal health and fitness;

b. Mental and emotional health;

c. Nutrition, body image and weight management;

d. Tobacco, alcohol, and other drugs;

e. Safety and emergency care (first aid, CPR, universal precautions);

f. Injury prevention and rehabilitation;

g. Consumer health and information access;

h. Communicable and non-communicable diseases prevention and treatment;

i. Environmental health;

j. Community health and wellness; and

k. Violence prevention, resistance skills and conflict mediation.

6. Understanding of the knowledge, skills, and processes for teaching physical education, including:

a. Sequential prek-12 instruction in a variety of movement forms that include:

(1) Cooperative activities;

(2) Outdoor and adventure activities;

(3) Rhythms and dance; and

(4) Team and individual activities;

b. Activities for the physically and mentally challenged; and

c. Activities designed to help students understand, develop, and value personal fitness.

7. Understanding of and ability to teach:

a. The relationship between a physically active lifestyle and health;

b. The cultural significance of dance, leisure, competition, and sportsmanship; and

c. The use of new and emerging instructional technology.

8. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-320. History and social sciences.

The program in history and social sciences shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of history and the social science disciplines as defined by the Virginia History and Social Sciences Standards of Learning and how the standards provide the foundation for teaching history and the social sciences, including in:

a. United States history.

(1) The evolution of the American constitutional republic and its ideas, institutions, and practices from the colonial period to the present; the

American Revolution, including ideas and principles preserved in significant Virginia and United States historical documents as required by §22.1-201 of the Code of Virginia (Declaration of American Independence, the general principles of the Constitution of the United States, the Virginia Statute of Religious Freedom, the charters of April 10, 1606, May 23, 1609, and March 12, 1612, of the Virginia Company, and the Virginia Declaration of Rights); and historical challenges to the American political system;

(2) The influence of religious traditions on American heritage and contemporary American society;

(3) The influence of immigration on American political, social, and economic life;

(4) The origins, effects, aftermath and significance of the two world wars, the Korean and Vietnam conflicts, and the Post Cold War Era;

(5) The social, political, and economic transformations in American life during the 20th century;

(6) The tensions between liberty and equality, liberty and order, region and nation, individualism and the common welfare, and between cultural diversity and national unity; and

(7) The difference between a democracy and a republic.

b. World history.

(1) The political, philosophical, and cultural legacies of ancient American, Asian, African, and European civilizations;

(2) The origins, ideas, and institutions of Judaism, Christianity, Hinduism, Confucianism and Taoism, and Shinto, Buddhist and Islamic religious traditions;

(3) Medieval society, institutions, and civilizations; feudalism and the evolution of representative government;

(4) The social, political, and economic contributions of selected civilizations in Africa, Asia, Europe, and the Americas;

(5) The culture and ideas of the Renaissance and the Reformation, European exploration, and the origins of capitalism and colonization;

(6) The cultural ideas of the Enlightenment and the intellectual revolution of the 17th and 18th centuries;

(7) The sources, results, and influences of the American and French revolutions;

(8) The social consequences of the Industrial Revolution and its impact on politics and culture;

(9) The global influence of European ideologies of the 19th and 20th centuries (liberalism, republicanism, social democracy, Marxism, nationalism, Communism, Fascism, and Nazism); and

(10) The origins, effects, aftermath and significance of the two world wars, the Korean and Vietnam conflicts, and the Post Cold War Era.

c. Civics/government and economics.

(1) The essential characteristics of limited and unlimited governments;

(2) The importance of the Rule of Law for the protection of individual rights and the common good;

(3) The rights and responsibilities of American citizenship;

(4) The nature and purposes of constitutions and alternative ways of organizing constitutional governments;

(5) American political culture;

(6) Values and principles of the American constitutional republic;

(7) The structures, functions, and powers of local and state government;

(8) Importance of citizen participation in the political process in local and state government;

(9) The structures, functions, and powers of the national government;

(10) The role of the United States in foreign policy and national security;

(11) The structure of the federal judiciary;

(12) The structure and function of the United States market economy as compared with other economies.

(13) Knowledge of the impact of the government role in the economy and individual economic and political freedoms.

(14) Knowledge of economic systems in the areas of productivity and key economic indicators; and

(15) The analysis of global economic trends.

d. Geography.

(1) Use of maps and other geographic representations, tools, and technologies to acquire, process, and report information;

(2) Physical and human characteristics of places;

(3) Relationship between human activity and the physical environment;

(4) Physical processes that shape the surface of the Earth;

(5) Characteristics and distribution of ecosystems on the Earth;

(6) Characteristics, distribution, and migration of human populations;

(7) Patterns and networks of economic interdependence;

(8) Processes, patterns, and functions of human settlement;

(9) How the forces of conflict and cooperation influence the division and control of the Earth's surface;

(10) How physical systems affect human systems;

(11) Changes that occur in the meaning, use, distribution, and importance of resources; and

(12) Applying geography to interpret the past and the present and to plan for the future.

2. Understanding of history and social sciences to appreciate the significance of:

a. Diverse cultures and shared humanity;

b. How things happen, how they change, and how human intervention matters;

c. The interplay of change and continuity;

d. How people in other times and places have struggled with fundamental questions of truth, justice, and personal responsibility;

e. The importance of individuals who have made a difference in history and the significance of personal character to the future of society;

f. The relationship among history, geography, civics, and economics;

g. The difference between fact and conjecture, evidence and assertion, and the importance of framing useful questions;

h. How ideas have real consequences;

i. The importance of primary documents and the potential problems with second-hand accounts; and

j. How scientific and technological advances affect the workplace, healthcare, and education.

3. Understanding of the use of the content and processes of history and social sciences instruction, including:

a. Fluency in historical analysis skills;

b. Skill in debate, discussion, and persuasive writing;

c. The ability to organize key social science content into meaningful units of instruction;

d. The ability to provide instruction using a variety of instructional techniques;

e. The ability to evaluate primary and secondary instructional resources, instruction, and student achievement; and

f. The ability to incorporate appropriate technologies into social science instruction.

4. Understanding of the content, processes, and skills of one of the social sciences disciplines at a level equivalent to an undergraduate major, along with sufficient understanding of the three supporting disciplines to ensure:

a. The ability to teach the processes and organizing concepts of social science;

b. An understanding of the significance of the social sciences;

c. Student achievement in the social sciences.; and

d. An understanding of the media influence on contemporary America.

5. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-330. Journalism (add-on endorsement).

The program in journalism (add-on endorsement) shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the history and functions of journalism in American culture including the value of freedom of speech and press and the complexity of legal and ethical issues;

2. Understanding of the knowledge of and experience in theory and practice of both print and nonprint media including design and layout production and the use of technology; and

3. Possession of skills in journalistic management and the processes of interviewing and writing, including news articles, features, ad copy, obituaries, reviews, editorials, and captions; their differences and the ability to analyze and evaluate journalism.

8 VAC 20-542-340. Keyboarding (add-on endorsement).

The program in keyboarding (add-on endorsement) shall ensure that the candidate has demonstrated the following competencies:

1. Possession of skills in fingering and keyboard manipulation techniques to model and provide touch keyboarding instruction;

2. Ability to provide instruction that allows students to develop touch fingering techniques in a kinesthetic response to the keyboard required for rapid, accurate entry of data and information; and

3. Ability to provide instruction for current procedures in formatting documents.

8 VAC 20-542-350. Library media prek-12.

The program in library media prek-12 shall ensure that the candidate has demonstrated the following competencies:

1. Proficiency in selecting, evaluating, organizing, and processing materials and equipment;

2. Proficiency in the production and use of a variety of media (print and nonprint);

3. Proficiency in organizing, managing, and evaluating media programs;

4. Proficiency in applying the principles of curriculum planning, learning, and teaching as they relate to informational skills and to the role of the library-media specialist as a resource person and as a member of the educational team;

5. Understanding of the knowledge, skills, and processes of the issues surrounding ethical access and use of information, including copyright, intellectual freedom, privacy, and security; and

6. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-360. Mathematics.

The program in mathematics shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of the Virginia Mathematics Standards of Learning and how curriculum may be organized to teach these standards to diverse learners;

2. Understanding of a core knowledge base of concepts and procedures within the discipline of mathematics, including the following strands: number systems and number theory; geometry and measurement; analytic geometry; statistics and probability; functions and algebra; calculus; and discrete mathematics;

3. Understanding of the sequential nature of mathematics and the mathematical structures inherent in the content strands;

4. Understanding of the connections among mathematical concepts and procedures and their practical applications;

5. Understanding of and the ability to use the five processes --becoming mathematical problem solvers, reasoning mathematically, communicating mathematically, making mathematical connections, and using mathematical representations --at different levels of complexity;

6. Understanding of the history of mathematics, including the contributions of different individuals and cultures toward the development of mathematics and the role of mathematics in culture and society;

7. Understanding of major current curriculum studies and trends in mathematics;

8. Understanding of the role of technology and the ability to use graphing utilities and computers in the teaching and learning of mathematics;

9. Understanding of and the ability to select, adapt, evaluate and use instructional materials and resources, including professional journals and technology;

10. Understanding of and the ability to use strategies for managing, assessing, and monitoring student learning, including diagnosing student errors;

11. Understanding of and the ability to use strategies to teach mathematics to diverse learners; and

12. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-370. Mathematics--Algebra I (add-on endorsement).

The program in Algebra I shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the mathematics relevant to the content identified in the Mathematics Standards of Learning and how the standards provide the foundation for teaching middle level mathematics through Algebra I. The use of technology shall be used in enhancing the student's ability to develop concepts, compute, solve problems, and apply mathematics in practical applications with the mathematics content, including:

a. The structure of real numbers and subsets, basic operations, and properties;

b. Elementary number theory, ratio, proportion, and percent;

c. Algebra, trigonometry, and analytic geometry: operations with monomials and polynomials; algebraic fractions; linear, quadratic, and higher degree equations and inequalities; linear systems of equations and inequalities; nonlinear systems of equations; radicals and exponents; complex numbers; arithmetic and geometric sequences and series; algebraic, trigonometric, logarithmic, exponential, absolute value, and step functions; domain and range of functions; composite and inverse functions; one-to-one mapping; transformations between graphical, tabular and symbolic form of functions; direct and inverse variation; line and curve of best fit; conics; and recognition and application of trigonometric identities;

d. Calculus: applications of limits and standard integration and differentiation;

e. Linear algebra: matrices, vectors, and linear transformations;

f. Measurement systems, including U.S. customary and metric;

g. Geometry: geometric figures, their properties, relationships, and application of the Pythagorean Theorem; using deductive axiomatic methods of proof and inductive reasoning; perimeter, area and surface area of two- and three-dimensional figures; coordinate and transformational geometry; and constructions;

h. Probability and statistics: experimental and theoretical probability; prediction; graphical representations, including box-and-whisker plots; and measures of central tendency, range, standard deviation, and simple distributions;

i. Discrete mathematics: symbolic logic, sets, permutations and combinations, functions that are defined recursively, and linear programming; and

j. Computer science: terminology, simple programming, and software applications.

2. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-380. Music education--instrumental prek-12.

The program in music education--instrumental prek-12 shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of the music discipline as defined in the Virginia Standards of Learning and how they provide a necessary foundation integral to teaching instrumental music.

2. Understanding of the common elements of music --rhythm, melody, harmony, timbre, texture, dynamics, form --and their relationship with each other and to employ this understanding in the analysis of music.

3. Effective musicianship through the development of:

a. Basic skills in conducting, in score reading, in teaching musical courses and in rehearsal techniques for choral and instrumental music;

b. Skills in composing, arranging, and adapting music to meet the classroom needs and ability levels of school performing groups;

c. Skills in providing and directing creative experiences and improvising when necessary;

d. Proficiency, sufficient for classroom instruction, on keyboard or other accompanying instrument; and

e. The ability to perform in ensembles.

4. Knowledge of music history and literature with emphasis on the relationship of music to culture and the ability to place compositions in historical and stylistic perspective.

5. Knowledge of a comprehensive program of music education based upon sound philosophy, content, and methodology for teaching in elementary, middle, and secondary schools.

6. Observation and professional laboratory experiences with pupils in elementary, middle, and secondary schools, including instruction of instrumental groups.

7. Specialization on a musical instrument and functional teaching knowledge on each of the string, brass, woodwind, and percussion instruments.

8.Competency in rehearsing and conducting combined instrumental and vocal groups. In addition, the program shall provide instruction in business procedures, organization, and management of large and small instrumental ensembles, with knowledge of vocal techniques in rehearsing and conducting combined instrumental and vocal groups.

9. Knowledge and understanding of artistic copyright laws.

10. Knowledge and understanding of safety, including performance and studio.

11. Assessment strategies to foster, support, and enhance student music learning.

12. Related areas of the fine arts, such as dance arts, theatre arts, and the visual arts.

13. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing. ion in writing.

8 VAC 20-542-390. Music education--vocal/choral prek-12.

A. The program in music education--vocal/choral prek-12 shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of the music discipline as defined in the Virginia Standards of Learning and how they provide a necessary foundation integral to teaching instrumental music.

2. Understanding of the common elements of music --rhythm, melody, harmony, timbre, texture, dynamics, form --and their relationship with each other and to employ this understanding in the analysis of music.

3. Effective musicianship through the development of:

a. Basic skills in conducting, in score reading, in teaching musical courses, and in rehearsal techniques for choral and instrumental music;

b. Skills in composing, arranging, and adapting music to meet the classroom needs and ability levels of school performing groups;

c. Skills in providing and directing creative experiences and improvising when necessary;

d. Proficiency, sufficient for classroom instruction, on keyboard or other accompanying instrument; and

e. The ability to perform in ensembles.

4. Knowledge of music history and literature with emphasis on the relationship of music to culture and the ability to place compositions in historical and stylistic perspective.

5. Knowledge of a comprehensive program of music education based upon sound philosophy, content, and methodology for teaching in elementary, middle, and secondary schools.

6. Observation and professional laboratory experiences with pupils at elementary, middle, and secondary levels, including instruction of choral groups.

7. Specialization in the methods, materials, and media appropriate to the teaching of vocal/choral and general music at elementary, middle, and secondary levels.

8. Competency in rehearsing and conducting choral ensembles and combined vocal and instrumental school groups. In addition, the program shall provide instruction in business procedures, organization, and management of large and small choral ensembles, with knowledge of instrumental techniques in rehearsing and conducting combined vocal and instrumental school groups.

9. Knowledge and understanding of artistic copyright laws.

10. Knowledge and understanding of safety, including performance and studio.

11. Assessment strategies to foster, support, and enhance student music learning.

12. Related areas of the fine arts, such as dance arts, theatre arts, and the visual arts.

13. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-400. Science--biology.

The program in biology shall ensure that the candidate demonstrates the following competencies:

1. Understanding of the knowledge, skills, and processes of the four core science disciplines as defined in the Virginia Science Standards of Learning and how these provide a sound foundation for teaching biology.

2. Understanding of the nature of science and scientific inquiry, including the:

a. Function of research design and experimentation;

b. Role and nature of the theory in explaining and predicting events and phenomena; and

c. Role of observation, measurement, data, and evidence in verifying and validating scientific concepts and principles.

3. Understanding of the knowledge, skills, and processes for teaching laboratory science, including the ability to:

a. Design instruction reflecting the goals of the Virginia Science Standards of Learning;

b. Conduct research projects and experiments;

c. Implement laboratory safety rules/procedures and ensure that students take appropriate safety precautions;

d. Organize key biological content into meaningful units of instruction;

e. Adapt instruction to diverse learners using a variety of techniques;

f. Evaluate student achievement, instructional materials, and teaching practices; and

g. Incorporate instructional technology to enhance student performance.

4. Understanding of the content, processes, and skills of biology, equivalent to an undergraduate degree in biology, with course work in genetics/molecular biology, botany, zoology, anatomy/physiology, and ecology.

5. Understanding of basic physics, chemistry (including organic chemistry), the Earth sciences, and mathematics (including statistics) to ensure:

a. The placement of biology in an appropriate interdisciplinary context;

b. The ability to teach the processes and organizing concepts common to the natural and physical sciences; and

c. Student achievement in biology.

6. Understanding of the contributions and significance of biology, including:

a. Its social and cultural significance;

b. The relationship of biology and other sciences to technology; and

c. The historical development of scientific concepts and scientific reasoning.

7. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-410. Science--chemistry.

The program in chemistry shall ensure that the candidate demonstrates the following competencies:

1. Understanding of the knowledge, skills, and processes of the four core science disciplines as defined in the Virginia Science Standards of Learning and how they provide a sound foundation for teaching chemistry.

2. Understanding of the nature of science and scientific inquiry including the:

a. Function of research design and experimentation;

b. Role and nature of the theory in explaining and predicting events and phenomena; and

c. Role of observation, measurements, data, and evidence in verifying and validating scientific concepts and principles.

3. Understanding of the knowledge, skills, and processes for teaching laboratory science, including the ability to:

a. Design instruction reflecting the goals of the Virginia Science Standards of Learning;

b. Conduct research projects and experiments;

c. Implement laboratory safety rules/procedures and ensure that students take appropriate safety precautions;

d. Organize key chemistry content into meaningful units of instruction;

e. Adapt instruction to diverse learners using a variety of techniques;

f. Evaluate student achievement, instructional materials, and teaching materials; and

g. Incorporate instructional technology to enhance student performance.

4. Understanding of content, processes, and skills of chemistry, equivalent to an undergraduate degree in chemistry, with course work in inorganic chemistry, organic chemistry, physical chemistry, and analytical chemistry.

5. Understanding of basic physics, biology, the Earth sciences, and mathematics (including statistics and calculus) to ensure:

a. The placement of chemistry in an appropriate interdisciplinary context;

b. The ability to teach the processes and organizing concepts common to the natural and physical sciences; and

c. Student achievement in chemistry.

6. Understanding of the contributions and significance of chemistry, including:

a. Its social and cultural significance;

b. The relationship of chemistry and other sciences to technology; and

c. The historical development of scientific concepts and scientific reasoning.

7. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-420. Science--Earth science.

The program in Earth science shall ensure that the candidate demonstrates the following competencies:

1. Understanding of the knowledge, skills, and processes of the four core science disciplines as defined in the Virginia Science Standards of Learning and how these provide a sound foundation for teaching Earth science.

2. Understanding of the nature of science and scientific inquiry, including the:

a. Function of research design and experimentation;

b. Role and nature of the theory in explaining and predicting events and phenomena; and

c. Role of observation, measurement, data, and evidence in verifying and validating scientific concepts and principles.

3. Understanding of the knowledge, skills, and processes for teaching laboratory science, including the ability to:

a. Design instruction reflecting the goals of the Virginia Science Standards of Learning;

b. Conduct research projects and experiments;

c. Implement laboratory safety rules/procedures and ensure that students take appropriate safety precautions;

d. Organize key Earth science content into meaningful units of instruction;

e. Adapt instruction to diverse learners using a variety of techniques;

f. Evaluate student achievement, instructional materials, and teaching practices; and

g. Incorporate instructional technology to enhance student performance.

4. Understanding of the content, processes, and skills of Earth science, equivalent to an undergraduate degree in geology (or a related area), with course work in geology, oceanography, meteorology, and astronomy.

5. Understanding of basic physics, chemistry (including organic chemistry), biology, and mathematics to ensure:

a. The placement of Earth science in an appropriate interdisciplinary context;

b. The ability to teach the processes and organizing concepts common to the natural and physical sciences; and

c. Student achievement in Earth science.

6. Understanding of the contributions and significance of Earth science, including:

a. Its social and cultural significance;

b. The relationship of Earth science and other sciences to technology; and

c. The historical development of scientific concepts and scientific reasoning.

7. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-430. Science--physics.

The program in physics shall ensure that the candidate demonstrates the following competencies:

1. Understanding of the knowledge, skills, and processes of the four core science disciplines as defined in the Virginia Science Standards of Learning and how these provide a sound foundation for teaching physics.

2. Understanding of the nature of science and scientific inquiry, including the:

a. Function of research design and experimentation;

b. Role and nature of the theory in explaining and predicting events and phenomena; and

c. Role of observation, measurement, data, and evidence in verifying and validating scientific concepts and principles.

3. Understanding of the knowledge, skills, and processes for teaching laboratory science, including the ability to:

a. Design instruction reflecting the goals of the Virginia Science Standards of Learning;

b. Conduct research projects and experiments;

c. Implement laboratory safety rules/procedures and ensure that students take appropriate safety precautions;

d. Organize key physics content into meaningful units of instruction;

e. Adapt instruction to diverse learners using a variety of techniques;

f. Evaluate student achievement, instructional materials, and teaching materials; and

g. Incorporate instructional technology to enhance student performance.

4. Understanding of content, processes, and skills of physics, equivalent to an undergraduate degree in physics, with course work in mechanics, electricity and magnetism, and optics.

5. Understanding of basic chemistry, biology, the Earth sciences, and mathematics (including statistics and calculus) to ensure:

a. The placement of physics in an appropriate interdisciplinary context;

b. The ability to teach the processes and organizing concepts common to the natural and physical sciences; and

c. Student achievement in physics.

6. Understanding of the contributions and significance of physics, including:

a. Its social and cultural significance;

b. The relationship of physics and other sciences to technology; and

c. The historical development of scientific concepts and scientific reasoning.

7. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-440. Special education early childhood (birth-age 5).

The program in special education early childhood (birth through age five) is designed to ensure through course work and field experiences in a variety of settings that the candidate has demonstrated the following competencies:

1. Understanding of the nature and characteristics of major disabling and at-risk conditions, including:

a. Trends for service delivery to the birth-through-age-five population;

b. An overview of early childhood special education;

c. Historical perspective of special education; and

d. Social development issues.

2. Understanding of the foundation of the legal aspects associated with students with disabilities, including:

a. Legislative and judicial mandates related to education and special education;

b. The Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act;

c. Legal decisions related to persons with disabilities;

d. Current regulations and procedures governing special education to include individualized education program (IEP) development and/or individualized family service plan (IFSP); and

e. Disciplinary practices, policies and procedures and alternative placements/programs in schools.

3. Knowledge of the selection, administration, and interpretation of formal and informal assessment techniques for young children with disabling and at-risk conditions and their families.

4. Understanding of the methods for providing instructional programs for early intervention, including:

a. Service delivery options;

b. Development of individualized education programs (IEPs) and individualized family service plans (IFSPs);

c. Curriculum development and implementation to ensure developmentally appropriate intervention techniques in the areas of self-help, motor, cognitive, social/emotional, and language.

5. Understanding of behavior management and the application of principles of learning and child development to individual and group management using a variety of techniques that are appropriate to the age of that child.

6. Understanding of speech and language development and intervention methods, including the effects of disabling and at-risk conditions on young children.

7. Understanding of and experiences with the medical aspects of young children with disabling and at-risk conditions and the management of neurodevelopmental and motor disabilities, including emergency care and the role of health care professionals in the lives of individuals with disabilities.

8. Skills in consultation, case management, and collaboration, including techniques in working with children, families, educators, related service providers, and other human service professionals which include:

a. Service coordination;

b. Interagency coordination;

c. Integration with nondisabled peers;

d. Transition facilitation; and

e. Training, managing, and monitoring paraprofessionals.

9. Understanding of normal child growth and development from birth through age five.

10. Understanding of the theories and techniques of family-centered intervention, including:

a. Multicultural issues and influence; and

b. Family issues.

11. Understanding of the standards of professionalism.

12. Completion of supervised experiences at the preschool level in a variety of settings, including but not limited to home-based, school-based, and community-based.

8 VAC 20-542-450. Special education hearing impairments prek-12.

The program in special education hearing impairments prek-12 is designed to ensure through course work and field experiences in a variety of settings that the candidate has demonstrated the following competencies:

1. Understanding of the characteristics of individuals with disabilities, including the following:

a. Characteristics of children and youth with disabilities: developmental and cognitive;

b. Characteristics of individuals with hearing impairments, including socio-cultural influences and health-related problems; and

c. Foundations of the education and culture of persons with hearing impairments.

2. Understanding of the foundation of the legal aspects associated with students with disabilities and students with hearing impairments, including:

a. Legislative and judicial mandates related to education and special education;

b. The Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act;

c. Legal decisions related to persons with disabilities;

d. Current regulations and procedures governing special education, including individualized education program (IEP) development, individualized family service plan (IFSP), and transition services; and

e. Disciplinary practices, policies and procedures and alternative placements/programs in schools.

3. Understanding of the foundation of assessment and evaluation with an emphasis on individuals who are hearing impaired, including:

a. Administering, scoring, and interpreting assessments, including norm-referenced, criterion-referenced, and curriculum-based individual and group assessments;

b. Interpreting assessments for eligibility, placement, and program uses;

c. Techniques to collect, record, and analyze information from observing students;

d. Diagnostic instruction using assessment data;

e. Techniques for recognizing capacity and diversity and its influence on student assessment and evaluation; and

f. Using data from student program evaluation.

4. Understanding of service delivery, classroom management, and instruction, including:

a. The application of current research in practice;

b. Classroom organization and curriculum development;

c. Curriculum adaptations and accommodations;

d. The development of language/literacy skills;

e. The use of technology;

f. Classroom management, including behavior support systems and individual planning;

g. Methods and procedures for teaching persons with hearing impairments;

h. Instructional programming and modifications of curriculum to facilitate integration of students with disabilities into the continuum of programs and services with peers without disabilities;

i. Individual and group behavior management techniques; and

j. Career and vocational aspects of individuals with disabilities, including persons with hearing impairments, in society.

5. Skills in consultation, case management, and collaboration, including:

a. Coordinating service delivery with other professionals in collaborative work environments;

b. Training, managing, and monitoring paraprofessionals;

c. Involving families in the education of their children with disabilities; and

d. Cooperating with community agencies and resources.

6. Understanding of speech, language, and hearing development, including:

a. Speech and language development and the effects of disabling conditions and cultural diversity on typical language development;

b. The effects of hearing impairments and cultural diversity on language development;

c. Anatomy of speech structures, auditory and visual mechanisms, production, transmission and psychophysical characteristics of sound; and

d. General and specific effects of hearing impairment on production and reception of speech.

7. Understanding of audiology, including:

a. Diagnosis in hearing evaluation, testing procedures and characteristics of amplification devices and their application to the instructional processes; and

b. Individual, group amplification systems, cochlear implant systems and other assistive/augmentative communication devices with emphasis on utilization in educational environments.

8. Understanding of communication modalities to include various modalities of communication, including cued speech, speech reading, verbal communication, and demonstrated proficiency in sign language communication.

9. Understanding of the standards for professionalism.

10. Completion of supervised classroom experiences at the elementary and secondary levels with students who have hearing impairments.

8 VAC 20-542-460. Special Education - special education adapted curriculum K-12.

A. The program in special education is designed to ensure through course work and field experiences in a variety of settings that the candidate has demonstrated the following core competencies to prepare children and youth for participation in the general education curriculum and within the community to the maximum extent possible. The candidate shall also complete the competencies in at least one of the endorsement areas of Special Education Adapted Curriculum K-12, in addition to those required under professional studies, including reading and language acquisition.

1. Foundations – Characteristics, Legal and Medical Aspects

a. Knowledge of the foundation for educating students with disabilities, including:

(1) Historical perspectives, models, theories, philosophies, and trends that provide the basis for special education practice;

(2) Characteristics of children and youth with disabilities relative to age, varying levels of severity, and developmental differences manifested in cognitive, linguistic, physical, psychomotor, social, or emotional functioning;

(3) Normal patterns of development (i.e., physical, psychomotor, cognitive, linguistic, social, emotional development and their relationship to the various disabilities);

(4) Medical aspects of disabilities;

(5) The dynamic influence of the family system and cultural/environmental milieu and related issues pertinent to the education of students with disabilities;

(6) Educational implications of the various disabilities; and

(7) Understanding of ethical issues and the practice of accepted standards of professional behavior.

b. An understanding and application of the legal aspects, regulatory requirements, and expectations associated with identification, education, and evaluation of students with disabilities, including:

(1) Legislative and judicial mandates related to education and special education (e.g., the Individuals with Disabilities Education Act, §504 of the Rehabilitation Act of 1973,the Americans with Disabilities Act, the No Child Left Behind Act of 2001, etc.);

(2) Current regulations governing special education (e.g., individualized education program (IEP) development; disciplinary practices, policies, and procedures; and alternative placements/programs in schools); and

(3) "Rights and responsibilities" of parents, students, teachers, and schools as they relate to individuals with disabilities and disability issues.

2. Assessments and Management of Instruction and Behavior

a. An understanding and application of the foundation of assessment and evaluation related to best special education practice, including:

(1) Ethical issues and responsibilities in the assessment of individuals with disabilities;

(2) Procedures for screening, prereferral, referral, and eligibility determinations;

(3) Factors that may influence assessment findings such as cultural, behavioral, and learning diversity;

(4) Administration, scoring, and interpretation of commonly used individual and group instruments, including norm-referenced, criterion-referenced, and curriculum-based measures as well as task analysis, observation, portfolio, and environmental assessments; and

(5) Synthesis and interpretation of assessment findings for eligibility, program planning, and program evaluation decisions.

b. An understanding and application of service delivery, curriculum, and instruction of students with disabilities, including:

(1) Classroom organization and curriculum development;

(2). Scope and sequence of the general education curriculum;

(3) Complex nature of language acquisition and reading (reading competencies in Professional studies requirements): Reading, special education – language acquisition and reading: Skills in this area shall be designed to impart a thorough understanding of the complex nature of language acquisition and reading to include: phonemic awareness, an understanding of sound/symbol relationships, explicit phonics instruction, syllables, phonemes, morphemes, decoding skills, word attack skills, and a knowledge of how phonics, syntax, and semantics interact. Additional skills shall include proficiency in a wide variety of comprehension strategies, as well as the ability to foster appreciation of a variety of literature and independent reading;

(4) Complex nature of numeracy acquisition and the sequential nature of mathematics;

(5) Alternative ways to teach content material including curriculum adaptation and curriculum modifications;

(6) Procedures to develop, provide, and evaluate instruction consistent with students' individual needs;

(7) Strategies to promote successful integration of students with disabilities with their nondisabled peers;

(8) Use of technology to promote student learning; and

(9) Structure and organization of general education classrooms and other instructional settings representing the continuum of special education services (to include field experiences).

c. An understanding and application of classroom management techniques and individual interventions, including techniques which:

(1) Promote emotional well-being and teach and maintain behavioral conduct and skills consistent with norms, standards, and rules of the educational environment;

(2) Address diverse approaches based upon behavioral, cognitive, affective, social and ecological theory and practice;

(3) Provide positive behavioral supports; and

(4) Are based on functional assessment of behavior.

d. The ability to prepare students and work with families to promote successful student transitions throughout the educational experience to include post-secondary training, employment, and independent living which addresses an understanding of long-term planning, career development, life skills, community experiences and resources, self-advocacy and self-determination, guardianship, and legal considerations.

3. Collaboration

a. Skills in consultation, case management, and collaboration, including:

(1) Coordination of service delivery with related service providers, general educators, and other professions in collaborative work environments to include:

(a) Understanding the Standards of Learning (SOL), the structure of the curriculum, and accountability systems across K-12;

(b) Understanding and assessing the organization and environment of general education classrooms across the K-12 setting;

(c) Implementation of collaborative models, including collaborative consultation, co-teaching, and student intervention teams;

(d) Procedures to collaboratively develop, provide, and evaluate instructional and behavioral plans consistent with students' individual needs;

(e) Understanding the roles and responsibilities of each member of the collaborative team;

(f) Application of effective communication strategies with a variety of stakeholders in the collaborative environment;

b. Training, managing, and monitoring paraprofessionals;

c. Involvement of families in the education of their children with disabilities

d. Understanding the standards of professionalism

e. Cooperating with community agencies and other resource providers;

f. Models and strategies for promoting students’ self-advocacy skills;

B. The program in special education adapted curriculum K-12 shall ensure through course work and field experiences in a variety of settings that the candidate seeking endorsement in special education adapted curriculum has the special education core competencies and the specific competency requirements specified in this section. The candidate shall demonstrate the following competencies to prepare children and youth to acquire the functional, academic, and community living skills necessary to reach an appropriate level of independence and be assessed in progress toward an adapted curriculum while participating in programs with non-disabled peers to the fullest extent possible:

1. Characteristics

a. Demonstrate knowledge of the characteristics, learning and support needs of students with disabilities (K-12), whose cognitive impairments or adaptive skills require adaptations to the general curriculum, including, but not limited to, students with:

(1) Moderate to severe mental retardation or developmental delay;

(2) Autism;

(3) Multiple disabilities;

(4) Traumatic brain injury;

(5) Sensory impairments as an additional disability to those referenced above.

b. Knowledge of characteristics shall include:

(1) Medical, sensory needs, and position and handling needs of children with multiple disabilities;

(2) Speech and language development and communication and impact on educational, behavioral and social interactions;

(3) Impact of disability on self-determination and self-advocacy skills;

(4) Historical and legal perspectives, models, theories, philosophies, and trends related to specific student populations.

2. Individualized Education Program Implementation

a. Apply knowledge of assessment and evaluation throughout the K-12 grade levels to:

(1) Construct, use, and interpret a variety of standardized and nonstandardized data collection techniques, such as task analysis, observation, portfolio assessment and other curriculum-based measures;

(2) Make decisions about student progress, instruction, program, modifications, accommodations, placement, and teaching methodology;

(3) Demonstrate the use of assessment, evaluation, and other information to develop and implement individual educational planning and group instruction with students with disabilities in an adapted curriculum across the K-12 grade levels, including:

(a) functional behavior assessment;

(b) behavioral intervention plans incorporating positive behavioral supports;

(c) least restrictive environment and inclusion models;

(d) general education curriculum adaptation and modification;

(e) IEP implementation linking to standards of learning general curriculum;

(f) transition between grade levels, settings, and environments;

(g) communication methods and systems;

(h) assistive technology applications and instruction;

(i) community integration;

(j) vocational skill development;

(k) instructional strategies;

(l) knowledge of community service systems;

(m) essential life skills for independent home and community living.

3. Transitioning

a. Demonstrate the ability to prepare students and work with families to provide successful student transitions throughout the educational experience to include

postsecondary training, employment, and independent living which addresses an understanding of long-term planning, career development, life skills, community experiences and resources, self-advocacy, and self-determination, guardianship and legal considerations.

(1) Skills in consultation, case management, and collaboration for students with varying degrees of disability severity.

(a) Coordinate service delivery with general educators, related service providers, and other providers;

(b) Awareness of community resources agencies and strategies to interface with community agencies when developing and planning IEPs;

(c) Knowledge of related services and accommodations that pertain to postsecondary transitions that increase student access to postsecondary education and community resources;

(d) Ability to coordinate and facilitate meetings involving parents, students, outside agencies, and administrators.

(2) Understand the difference between entitlement and eligibility for agency services as students move to the adult world including a basic understanding of Social Security Income benefits planning, work incentive, Medicaid, and community independent living.

(3) Recognize uses of technology and seek out technology at postsecondary settings that shall aid the student in their education, work, and independent living.

(4) Recognize and plan for individual student potential and their capacity to meet high academic, behavioral, and social expectations and the impact of academic and social success on personal development:

(5) Knowledge of person-centered planning strategies to promote student involvement in planning;

(6) Knowledge of generic skills that lead to success in school, work and community, including time management, preparedness, social interactions, and communication skills.

(7) Understand social skill development and the unique social skills deficits and challenges associated with disabilities:

(a) Assesses social skill strengths and needs;

(b) Plans and uses specialized social skills strategies.

(8) Knowledge of use and implementation of vocational assessments to encourage and support students' self-advocacy and self-determination skills.

(9) Knowledge of legal issues surrounding age of majority and guardianship.

C. Completion of supervised classroom experiences with students with disabilities and an adapted curriculum K-12.

8 VAC 20-542-470. Special Education - special education general curriculum K-12.

A. The program in special education is designed to ensure through course work and field experiences in a variety of settings that the candidate has demonstrated the following core competencies to prepare children and youth for participation in the general education curriculum and within the community to the maximum extent possible. The candidate shall also complete the competencies in at least one of the endorsement areas of Special Education General Curriculum K-12, in addition to those required under professional studies, including reading and language acquisition.

1. Foundations – Characteristics, Legal and Medical Aspects

a. Knowledge of the foundation for educating students with disabilities, including:

(1) Historical perspectives, models, theories, philosophies, and trends that provide the basis for special education practice;

(2) Characteristics of children and youth with disabilities relative to age, varying levels of severity, and developmental differences manifested in cognitive, linguistic, physical, psychomotor, social, or emotional functioning;

(3) Normal patterns of development (i.e., physical, psychomotor, cognitive, linguistic, social, emotional development and their relationship to the various disabilities);

(4) Medical aspects of disabilities;

(5) The dynamic influence of the family system and cultural/environmental milieu and related issues pertinent to the education of students with disabilities;

(6) Educational implications of the various disabilities; and

(7) Understanding of ethical issues and the practice of accepted standards of professional behavior.

b. An understanding and application of the legal aspects, regulatory requirements, and expectations associated with identification, education, and evaluation of students with disabilities, including:

(1) Legislative and judicial mandates related to education and special education (e.g., the Individuals with Disabilities Education Act, §504 of the Rehabilitation Act of 1973,the Americans with Disabilities Act, the No Child Left Behind Act of 2001, etc.);

(2) Current regulations governing special education (e.g., individualized education program (IEP) development; disciplinary practices, policies, and procedures; and alternative placements/programs in schools); and

(3) "Rights and responsibilities" of parents, students, teachers, and schools as they relate to individuals with disabilities and disability issues.

2. Assessments and Management of Instruction and Behavior

a. An understanding and application of the foundation of assessment and evaluation related to best special education practice, including:

(1) Ethical issues and responsibilities in the assessment of individuals with disabilities;

(2) Procedures for screening, prereferral, referral, and eligibility determinations;

(3) Factors that may influence assessment findings such as cultural, behavioral, and learning diversity;

(4) Administration, scoring, and interpretation of commonly used individual and group instruments, including norm-referenced, criterion-referenced, and curriculum-based measures as well as task analysis, observation, portfolio, and environmental assessments; and

(5) Synthesis and interpretation of assessment findings for eligibility, program planning, and program evaluation decisions.

b. An understanding and application of service delivery, curriculum, and instruction of students with disabilities, including:

(1) Classroom organization and curriculum development;

(2) Scope and sequence of the general education curriculum;

(3) Complex nature of language acquisition and reading (reading competencies in Professional studies requirements): Reading, special education – language acquisition and reading: Skills in this area shall be designed to impart a thorough understanding of the complex nature of language acquisition and reading to include: phonemic awareness, an understanding of sound/symbol relationships, explicit phonics instruction, syllables, phonemes, morphemes, decoding skills, word attack skills, and a knowledge of how phonics, syntax, and semantics interact. Additional skills shall include proficiency in a wide variety of comprehension strategies, as well as the ability to foster appreciation of a variety of literature and independent reading;

(4) Complex nature of numeracy acquisition and the sequential nature of mathematics;

(5) Alternative ways to teach content material including curriculum adaptation and curriculum modifications;

(6) Procedures to develop, provide, and evaluate instruction consistent with students' individual needs;

(7) Strategies to promote successful integration of students with disabilities with their nondisabled peers;

(8) Use of technology to promote student learning; and

(9) Structure and organization of general education classrooms and other instructional settings representing the continuum of special education services (to include field experiences).

c. An understanding and application of classroom management techniques and individual interventions, including techniques which:

(1) Promote emotional well-being and teach and maintain behavioral conduct and skills consistent with norms, standards, and rules of the educational environment;

(2) Address diverse approaches based upon behavioral, cognitive, affective, social and ecological theory and practice;

(3) Provide positive behavioral supports; and

(4) Are based on functional assessment of behavior.

d. The ability to prepare students and work with families to promote successful student transitions throughout the educational experience to include post-secondary training, employment, and independent living which addresses an understanding of long-term planning, career development, life skills, community experiences and resources, self-advocacy and self-determination, guardianship, and legal considerations.

3. Collaboration

a. Skills in consultation, case management, and collaboration, including:

(1) Coordination of service delivery with related service providers, general educators, and other professions in collaborative work environments to include:

(a) Understanding the Standards of Learning (SOL), the structure of the curriculum, and accountability systems across K-12;

(b) Understanding and assessing the organization and environment of general education classrooms across the K-12 setting;

(c) Implementation of collaborative models, including collaborative consultation, co-teaching, and student intervention teams;

(d) Procedures to collaboratively develop, provide, and evaluate instructional and behavioral plans consistent with students' individual needs;

(e) Understanding the roles and responsibilities of each member of the collaborative team;

(f) Application of effective communication strategies with a variety of stakeholders in the collaborative environment;

b. Training, managing, and monitoring paraprofessionals;

c. Involvement of families in the education of their children with disabilities

d. Understanding the standards of professionalism

e. Cooperating with community agencies and other resource providers;

f. Models and strategies for promoting students’ self-advocacy skills;

B. The program in special education general curriculum K-12 shall ensure through course work and field experiences in a variety of settings that the candidate seeking endorsement in special education general curriculum has the special education core competencies and the specific competency requirements specified in this section.

1. Characteristics

a. Demonstrate knowledge of definitions, characteristics, and learning and behavioral support needs of students with disabilities who are accessing the general education curriculum at the elementary, middle, and high school levels, including but not limited to, students with:

(1) Learning disabilities;

(2) Emotional disturbance;

(3) Mental retardation;

(4) Developmental delay;

(5) Autism;

(6) Other health impaired;

(7) Traumatic brain injury;

(8) Multiple disabilities.

b. Knowledge of characteristics shall include:

(1) Age-span/developmental issues;

(2) Levels of severity;

(3) Cognitive functioning;

(4) Language development;

(5) Emotional and behavioral adjustment;

(6) Social development;

(7) Medical aspects;

(8) Cultural/ethnic and socioeconomic factors.

2. Individualized Education Program Implementation

a. Apply knowledge of assessment and evaluation throughout the K-12 grade levels to:

(1) Construct, use, and interpret a variety of standardized and nonstandardized data collection techniques, such as task analysis, observation, portfolio assessment and other curriculum-based measures;

(2) Make decisions about student progress, instruction, program, accommodations, placement, and teaching methodology for students with disabilities who are accessing the general education curriculum and the standards of learning.

(3) Demonstrate the use of assessment, evaluation, and other information to develop and implement individual educational planning and group instruction with students with disabilities who are accessing the general education curriculum across the K-12 grade levels, including:

(a) identify and apply differentiated instructional methodologies including systematic instruction, multisensory approaches, learning cognitive strategies, study skills, diverse learning styles, and technology use;

(b) teach skills and remediate deficits in academic areas at the elementary, middle, and secondary levels;

(c) provide explicit instruction of reading and math at appropriate developmental/grade level in a systematic and cumulative manner to students with disabilities who are accessing the general education curriculum;

(d) knowledge and understanding of the scope and sequence of the standards of learning at the elementary, middle, and secondary levels;

(e) promote the potential and capacity of individual students to meet high academic, behavioral, and social expectations;

(f) design alternative ways to teach content material including modifying curriculum in both directive and nondirective methodologies;

(g) use assistive and instructional technology in order to access the general education curriculum;

(h) implement and evaluate group management techniques and individual interventions that teach and maintain emotional, behavioral and social skills;

(i) implement and monitor IEP specified accommodations within the general education classroom.

3. Transitioning

a. Demonstrate the ability to prepare students and work with families to provide successful student transitions throughout the educational experience to include postsecondary training, employment, and independent living which addresses an understanding of long-term planning, career development, life skills, community experiences and resources, self-advocacy, and self-determination, guardianship and legal considerations.

(1) Skills in consultation, case management, and collaboration for students with varying degrees of disability severity.

(a) Coordinate service delivery with general educators, related service providers, and other providers;

(b) Awareness of community resources agencies and strategies to interface with community agencies when developing and planning IEPs;

(c) Knowledge of related services and accommodations that pertain to postsecondary transitions that increase student access to postsecondary education and community resources;

(d) Ability to coordinate and facilitate meetings involving parents, students, outside agencies, and administrators.

(2) Understand the difference between entitlement and eligibility for agency services as students move to the adult world including a basic understanding of Social Security Income benefits planning, work incentive, Medicaid, and community independent living.

(3) Recognize uses of technology and seek out technology at postsecondary settings that shall aid the student in their education, work, and independent living.

(4) Recognize and plan for individual student potential and their capacity to meet high academic, behavioral, and social expectations and the impact of academic and social success on personal development:

(a) Knowledge of person-centered planning strategies to promote student involvement in planning;

(b) Knowledge of generic skills that lead to success in school, work and community, including time management, preparedness, social interactions, and communication skills.

(5) Understand social skill development and the unique social skills deficits and challenges associated with disabilities:

(a) Assesses social skill strengths and needs;

(b) Plans and uses specialized social skills strategies.

(6) Knowledge of use and implementation of vocational assessments to encourage and support students' self-advocacy and self-determination skills.

(a) Knowledge of legal issues surrounding age of majority and guardianship.

C. Completion of supervised classroom experiences with students with disabilities and the general curriculum K-12.

8 VAC 20-542-480 Special Education - speech -language pathology assistants prek-12.

A. The program in speech-language pathology assistance shall ensure, through coursework and field experience in a variety of settings, that the candidate seeking an endorsement in speech-language pathology assistance shall, under the direction and supervision of a speech-language pathologist, provide speech-language pathology support.

The candidate shall demonstrate the following competencies:

1. Knowledge and understanding of normal processes of communication, oral and written, as defined in the Virginia Standards of Learning and how these are interrelated in forming a sound foundation for the understanding of speech and language acquisition.

2. Knowledge of the foundation for educating students with disabilities including:

a. Historical perspectives, models, theories, philosophies, and trends that provide the basis for special education practice;

b. Characteristics of children and youth with disabilities relative to age, varying levels of severity, and developmental differences manifested in cognitive, linguistic, physical, psychomotor, social, or emotional functioning;

c. Normal patterns of development (i.e., physical, psychomotor, cognitive, linguistic, social, emotional development and their relationship to the various disabilities);

d. Medical aspects of disabilities;

e. The dynamic influence of the family system and cultural/environmental milieu and related issues pertinent to the education of students with disabilities;

f. Educational implications of the various disabilities; and
Understanding of ethical issues and the practice of accepted standards of professional behavior.

3. An understanding and application of the legal aspects and regulatory requirements associated with identification, education, and evaluation of students with disabilities including:

a. Legislative and judicial mandates related to education and special education (e.g., the Individuals with Disabilities Education Improvement Act (IDEIA), Section 504 of the Rehabilitation Act 1973, and the Americans with Disabilities Act);

b. Current regulations governing special education [e.g. individualized education program (IEP) development, disciplinary practices, policies, and procedures and alternative placements/programs in schools]; and

c. “Rights and responsibilities” of parents, students, teachers, and schools as they relate to individuals with disabilities and disability issues.

4. An understanding and application of classroom management techniques and individual interventions, including techniques which:

a. Promote emotional well-being and which teach and maintain behavioral conduct and skills consistent with norms, standards, and rules of the educational environment;

b. Address diverse approaches based upon behavioral, cognitive, affective, social and ecological theory and practice;

c. Provide positive behavioral supports; and

d. Are based on functional assessment of behavior.

5. Understanding of the basic knowledge, skills, and processes of:

a. Normal speech, language, communication, and hearing development;

b. Language acquisition and reading to include: phonemic awareness, understanding of sound symbol relationships, phonics, syntax, semantics and comprehension of oral and written language

c. Communication across the life span.

6. Understanding of the basic knowledge, skills, and processes of:

a. Various types of speech, language, voice and hearing classifications, causes and manifestations; and

b. Relationships among speech language, voice and hearing problems, especially multiple disabling conditions.

7. An understanding and application of service delivery practices including:

a. Professional issues and ethics for speech-language assistants

b. Assisting the speech-language pathologist in service delivery

c. Technical skills in speech and language disorders

d. Basic techniques in the provision of speech and language support services

8. An understanding and application of workplace behaviors including:

a. Relating to clients/patients in a supportive and professional manner

b. Following supervisor's instructions

c. Maintaining confidentiality

d. Communicating in oral and written formats

e. Following health and safety precautions

9. A basic understanding and application of cultural factors in communication including:

a. Language and culture

b. Nonverbal communication

c. Sign language and other manually coded systems

d. Bilingualism and multicultural issues

B. Completion of a minimum of 500 clock hours in supervised education experiences for the job responsibilities and workplace behaviors of the speech-language pathology assistant. One-half of these hours shall include observation experiences to include direct, on-site observation of by a nationally certified speech-language pathologist. One half of these hours shall include fieldwork experiences in a public school setting supervised by a nationally certified speech-language pathologist.

C. Endorsement Requirements. The candidate shall have completed a baccalaureate degree in speech-language pathology or communication disorders from an accredited institution.

8 VAC 20-542-490. Special education visual impairments prek-12.

The program in special education visual impairments prek-12 is designed to ensure through course work and field experiences in a variety of settings that the candidate has demonstrated the following competencies:

1. Understanding of the characteristics of individuals with disabilities, including:

a. Characteristics of children and youth with disabilities: developmental and cognitive;

b. Language development and the effects of disabling conditions and cultural diversity on language development; and

c. Characteristics of individuals with visual impairments, including impact of visual impairment on infants' and children's growth and development, child and adolescent emotional and social development, and family interaction patterns.

2. Understanding of the foundation of the legal aspects associated with students with disabilities and students with visual impairments, including:

a. Legislative and judicial mandates related to education and special education;

b. The Individuals with Disabilities Education Act (IDEA), §504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act;

c. Legal decisions related to persons with disabilities;

d. Current regulations and procedures governing special education, including individualized education program (IEP) development, individualized family service plan (IFSP), and transition services; and

e. Disciplinary practices, policies and procedures and alternative placements/programs in schools.

3. Understanding of the foundation of assessment and evaluation with an emphasis on individuals with visual impairments, including:

a. Administering, scoring, and interpreting assessments, including norm-referenced, criterion-referenced, and curriculum-based individual and group assessments;

b. Interpreting assessments for eligibility, placement, and program uses;

c. Techniques to collect, record and analyze information;

d. Diagnostic instruction using assessment data;

e. Techniques for recognizing capacity and diversity and its influence on student assessment and evaluation;

f. Using data from student program evaluation; and

g. Low vision practices and procedures, which include assessment and instructional programming for functional vision.

4. Understanding of service delivery, classroom management, and instruction, including:

a. The application of current research;

b. Classroom organization and curriculum development;

c. Curriculum adaptations and accommodations;

d. The development of language/literacy skills;

e. The use of technology;

f. Classroom management, including behavior support systems and individual planning;

g. Methods and procedures for teaching students with visual impairments;

h. Instructional programming and modifications of curriculum to facilitate integration of students with disabilities programs and services with peers without disabilities;

i. Individual and group behavior management techniques;

j. Career and vocational aspects of individuals with disabilities, including persons with visual impairments, in society, including knowledge of careers, vocational opportunities, and transition from school to work; and

k. Social and recreational skills and resources for individuals with visual impairments, including methods and materials for assessing and teaching activities of daily living.

5. Understanding of consultation, case management, and collaboration including:

a. Coordinating service delivery with other professionals in collaborative work environments;

b. Training, managing, and monitoring paraprofessionals;

c. Involving families in the education of their children with disabilities; and

d. Interfacing with community agencies and resources.

6. Understanding of the foundations of Braille reading and writing, including:

a. Teaching reading and writing of grade 2 Braille on both a Braille writer and a "slate and stylus"; and

b. Knowledge of other codes, including Nemeth, music code, and computer Braille.

7. Understanding of anatomy, physiology, and diseases of the eye and the educational implications.

8. Understanding of the standards of professionalism.

9. Completion of supervised classroom experiences at the elementary and secondary levels with students who have visual impairments.

8 VAC 20-542-500. Speech communication (add-on endorsement).

The program in speech communication shall ensure that the candidate has demonstrated the following competencies:

1. Understanding and knowledge of oral communication, including language acquisition involving the processes of expressive and receptive language and voice production involving the aesthetics of speech;

2. Understanding and knowledge of common speech production patterns, including articulation, pronunciation, and dialectical variances as these relate to standard English patterns;

3. Understanding of and proficiency in effective communication, including interpersonal communication, the art of persuasion, oral interpretation, group discussion, mass communication, public speaking, and debate; and the ability to critique such communication interactions;

4. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-510. Theater arts prek-12.

The program in theater arts prek-12 shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of the theater arts discipline as defined in the Virginia Standards of Learning and how these provide a necessary foundation integral to teaching theater arts.

2. Understanding of the knowledge, skills and processes for teaching theater arts to the developmental levels of students in prek-12, including the following:

a. Experience in planning, developing, administering, and evaluating a program of theater arts education;

b. Knowledge and understanding for teaching theatre arts, including: performance and production, cultural context and theatre history, judgment and criticism, and aesthetics;

c. Directing;

d. Technical theater, including lighting, set design, stage craft, costuming, makeup, and safety;

e. Performance, including acting and acting styles;

f. Dramatic literature;

g. The relationship of theater and culture and the influence of theater on past and present cultures, including the history of theater;

h. Knowledge and understanding of artistic copyright laws;

i. Knowledge and understanding of safety, including performance and studio;

h. Assessment strategies to foster, support, and enhance student theatre arts learning; and

k. Related areas of theater arts, such as ~~ar~~t, dance arts, ~~and~~ music, and the visual arts.

l. Observation and student teaching experiences at the elementary, middle and secondary levels.

3. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-520. Visual arts prek-12.

The program in visual arts prek-12 shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of the visual arts discipline as defined in the Virginia Standards of Learning, and how they provide a necessary foundation for teaching the visual arts;

2. Understanding of the knowledge, skills, and processes for teaching art appropriate to the developmental levels of students in prek-12 including the following areas:

a. Knowledge and experience in planning, developing, administering, and evaluating a program of visual arts education;

b. Two-dimensional media and concepts: basic and complex techniques and concepts in two-dimensional design, drawing, painting, printmaking, computer graphics and other electronic imagery;

c. Three-dimensional media and concepts: basic and complex techniques and concepts in three-dimensional design, sculpture, ceramics, fiber arts, and crafts;

d. Knowledge and understanding for teaching the visual arts, including: visual communication and production, cultural context and art history, judgment and criticism, and aesthetics;

e. The relationship of visual arts and culture and the influence of visual arts on past and present cultures;

f. Related areas of visual arts, such as architecture, dance arts, music, theater arts, photography, and other expressive arts;

g. Knowledge and understanding of technological and artistic copyright laws;

h. Knowledge and understanding of safety, including use of toxic art material in various aspects of studio and classroom work;

i. Assessment strategies to foster, support, and enhance student visual arts learning; and

j. Observation and student teaching experiences at the elementary, middle and secondary levels.

3. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

Administration and Supervision and Personnel Support

8 VAC 20-542-530. Administration and supervision prek-12.

Approved program route to Level I administration and supervision prek-12 endorsement. To become eligible for a Level I endorsement license under this option, the candidate shall:

1. Hold a master's degree from a regionally accredited college or university;

2. Complete an approved program in administration and supervision from a regionally accredited college or university, or through an entity receiving accreditation through a process approved by the Board of Education, including;

a. Knowledge understanding, and application of planning, assessment, and instructional leadership that builds collective professional capacity, including;

(1) Principles of student motivation, growth, and development as a foundation for age- and grade-appropriate curriculum, instruction, and assessment;

(2) Collaborative leadership in gathering and analyzing data to identify needs to develop and implement a school improvement plan that results in increased student learning;

(3) Planning, implementation, and refinement of standards-based curriculum aligned with instruction and assessment;

(4) Collaborative planning and implementation of a variety of assessment

techniques, including examination of student work, that yield individual, class, grade level, and school level data as a foundation for identifying existing competencies and targeting areas in need of further attention;

(5) Incorporation of differentiated and effective instruction that responds to individual learner needs including appropriate response to cultural, ethnic, and linguistic diversity;

(6) Integration of technology in curriculum and instruction to enhance learner understanding;

(7) Identification, analysis, and resolution of problems using effective problem-solving techniques;

(8) Communication of a clear vision of excellence, linked to mission and core beliefs that promotes continuous improvement consistent with the goals of the school division.

b. Knowledge understanding, and application of systems and organizations, including;

(1) Systems theory and the change process of systems, organizations and individuals, using appropriate and effective adult learning models;

(2) Aligning organizational practice, division mission, and core beliefs for developing and implementing strategic plans;

(3) Information sources and processing, including data collection and data analysis strategies;

(4) Using data as a part of ongoing program evaluation to inform and lead change;

(5) Developing a change management strategy for improved student outcomes;

(6) Developing empowerment strategies to create personalized learning environments for diverse schools;

(7) Effective communication skills including consensus building, negotiation, and mediation skills.

c. Knowledge understanding and application of management and leadership skills that achieve effective and efficient organizational operations, including;

(1) Alignment of curriculum and instruction and assessment of the educational program to achieve high academic success at the school and division/district level;

(2) Principles and issues of supervising and leading others to ensure a working and learning climate that is safe, secure, and respectful of a diverse school community;

(3) Management decisions that ensure successful teaching and learning including, human resources management and development, theories of motivation, change in school culture, innovation and creativity, conflict resolution, adult learning and professional development models;

(4) Principles and issues related to fiscal operations of school management;

(5) Principles and issues related to school facilities and use of space and time;

(6) Legal issues impacting school operations and management;

(7) Technologies that support management functions;

(8) Application of data-driven decision making to initiate and continue improvement in school and classroom practices and student achievement.

d. Knowledge understanding and application of the conditions and dynamics impacting a diverse school community, including;

(1) Emerging issues and trends within school/community relations;

(2) Working collaboratively with staff, families, and community members to secure resources and to support the success of a diverse population;

(3) Developing appropriate public relations and public engagement strategies and processes;

(4) Principles of effective two-way communication, including consensus building and negotiation skills;

(5) Integration of technology to support communication efforts.

e. Knowledge understanding and application of the purpose of education and the role of professionalism in advancing educational goals, including;

(1) Historically and philosophically grounded philosophy of education that reflects commitment to principles of honesty, fairness, caring, and equity in day-to-day professional behavior;

(2) Integration of high quality, content rich, job-embedded professional learning that respects the contribution of all faculty and staff members in building a diverse professional learning community;

(3) Reflective understanding of theories of leadership and their application to decision-making in the school setting;

(4) Intentional and purposeful effort to model professional, moral, and ethical standards as well as personal integrity in all interactions;

(5) Intentional and purposeful effort to model continuous professional learning and to work collegially and collaboratively with all members of the school community to support the school's goals and enhance its collective capacity.

f. Knowledge understanding and application of basic leadership theories and influences that impact schools including;

(1) Concepts of leadership including systems theory, change theory, learning organizations and current leadership theory;

(2) Historical leadership theories including organizational theory, motivational theory, political and social systems theory to practical situations;

(3) Identify and respond to internal and external forces and influences on a school;

(4) Identify and apply the processes of educational policy development at the state, local, and school level; and

(5) Identify and demonstrate ways to influence educational policy development at the state, local, and school level.

g. Embedded learning strategies for improved student learning totaling at least 120 clock hours including;

(1) Experiential activities that complement, implement, and parallel the university curriculum;

(2) Activities that emphasize student work with practical application that shall take place in the internship, the practicum field experience, as well as throughout the university program.

3. Complete 440 clock hours, with a minimum of 320 clock hours of a deliberately structured and supervised internship that provides exposure to multiple sites (elementary, middle, high, central office, agency) with diverse student populations. These experiences shall be an integral component of a Virginia Board of Education approved preparation program. The internship shall be focused on learning for all students and shall occur in a public school or accredit nonpublic school; and

4. Satisfy the requirements for the school leaders licensure assessment prescribed by the Board of Education (Individuals seeking an initial administration and supervision endorsement who are interested in serving as central office instructional personnel are not required to take and pass the school leaders assessment prescribed by the Board of Education.)

8 VAC 20-542-540. Mathematics specialist for elementary and middle education.

A. A mathematics specialist is a teacher in the elementary or middle grades who has interest and special preparation in mathematics content, scientifically based research in the teaching and learning of mathematics, diagnostic and assessment methods, and leadership skills. The school-based mathematics specialist shall serve as a resource in professional development, instructing children who have learning difficulties in mathematics, curriculum development and implementation, mentoring new teachers, and parent and community education.

B. The mathematics specialist program shall ensure that the candidate has completed at least three years of successful classroom teaching experience in which the teaching of mathematics was an important responsibility and demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of the Virginia Mathematics Standards of Learning and how curriculum may be organized to teach these standards to diverse learners;

2. Understanding of a core knowledge base of concepts and procedures within the discipline of mathematics, including the following strands: number systems and number theory; geometry and measurement; statistics and probability; and functions and algebra;

3. Understanding of the sequential nature of mathematics and the mathematical structures inherent in the content strands;

4. Understanding of the connections among mathematical concepts and procedures and their practical applications;

5. Understanding of and the ability to use the five processes — becoming mathematical problem solvers, reasoning mathematically, communicating mathematically, making mathematical connections, and using mathematical representations — at different levels of complexity;

6. Understanding of the history of mathematics, including the contributions of different individuals and cultures toward the development of mathematics and the role of mathematics in culture and society;

7. Understanding of major current curriculum studies and trends in mathematics;

8. Understanding of the role of technology and the ability to use graphing utilities and computers in the teaching and learning of mathematics;

9. Understanding of and the ability to select, adapt, evaluate and use instructional materials and resources, including professional journals and technology;

10. Understanding of and the ability to use strategies for managing, assessing, and monitoring student learning, including diagnosing student errors;

11. Understanding of and the ability to use strategies to teach mathematics to diverse learners;

12. Understanding of leadership skills needed to improve mathematics programs at the school and division levels, including the needs of high and low-achieving students and of strategies to challenge them at appropriate levels; child psychology, including personality and learning behaviors; educational measurement and evaluation; and effective professional development approaches; and

13. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

8 VAC 20-542-550. Reading specialist.

The reading specialist program shall ensure that the candidate has demonstrated the following competencies:

1. Assessment and diagnostic teaching. The candidate shall:

a. Demonstrate expertise in the use of formal and informal screening, diagnostic and progress monitoring assessment for language proficiency, concepts of print, phoneme awareness, letter recognition, decoding, fluency, vocabulary, reading levels, comprehension; and

b. Demonstrate expertise in the ability to use diagnostic data to tailor instruction for acceleration, intervention, remediation, and flexible skill-level groupings.

2. Oral communication. The candidate shall:

a. Demonstrate expertise in the knowledge, skills, and processes necessary for teaching oral language (speaking and listening);

b. Demonstrate expertise in developing students' phonological awareness skills;

c. Demonstrate effective strategies for facilitating the learning of standard English by speakers of other languages and dialects;

d. Demonstrate an understanding of the unique needs of students with language differences and delays; and

e. Demonstrate the ability to promote creative thinking and expression, as through storytelling, drama, choral/oral reading, etc.

3. Reading/literature. The candidate shall:

a. Demonstrate expertise in explicit phonics instruction, including an understanding of sound/symbol relationships, syllables, phonemes, morphemes, decoding skills, and word attack skills;

b. Demonstrate expertise in the morphology of English including inflections, prefixes, suffixes, roots, and word relationships;

c. Demonstrate expertise in strategies to increase vocabulary;

d. Demonstrate expertise in the structure of the English language, including and understanding of syntax, semantics, and vocabulary development;

e. Demonstrate expertise in reading comprehension strategies, including a repertoire of questioning strategies, understanding the dimensions of word meanings, teaching predicting, summarizing, clarifying, and associating the unknown with what is known.

f. Demonstrate expertise in the ability to teach strategies in literal, interpretive, critical, and evaluative comprehension.

g. Demonstrate the ability to develop comprehension skills in all content areas;

h. Demonstrate the ability to foster appreciation of a variety of literature; and

i. Understand the importance of promoting independent reading and reading reflectively by selecting quality literature, including fiction and nonfiction, at appropriate reading levels.

4. Writing. The candidate shall:

a. Demonstrate expertise in the knowledge, skills, and processes necessary for teaching writing, including the domains of composing, written expression, and usage and mechanics and the writing process of planning, drafting, revising, editing, and sharing.

b. Demonstrate expertise in systematic spelling instruction, including awareness of the purpose and limitations of "invented spelling," orthographic patterns, and strategies for promoting generalization of spelling study to writing; and

c. Demonstrate expertise to teach the writing process: plan draft, revise, edit, and share in the narrative, descriptive, and explanative modes.

5. Technology. The candidate shall demonstrate expertise in their use of technology for both process and product as they work to guide students with reading, writing, and research.

6. Leadership and specialization. The candidate shall:

a. Demonstrate an understanding of child psychology, including personality and learning behaviors;

b. Demonstrate an understanding of the needs of high achieving students and of strategies to challenge them at appropriate levels;

c. Demonstrate an understanding of the significance of cultural contexts upon language;

d. Demonstrate an understanding of varying degrees of learning disabilities;

e. Demonstrate expertise with educational measurement and evaluation including validity, reliability, and normative comparisons in test design and selections;

f. Demonstrate expertise to interpret grade equivalents, percentile ranks, normal curve equivalents, and standards scores.

g. Demonstrate the ability to instruct and advise teachers in the skills necessary to differentiate reading instruction for both low and high achieving readers;

h. Demonstrate the ability to organize and supervise the reading program within the classroom, school, or division;

i. Demonstrate effective communication skills in working with a variety of groups, including parents, teachers, administrators, community leaders, etc.; and

j. Demonstrate knowledge of current research and exemplary practices in English/reading.

8 VAC 20-542-560. School Counselor prek-12.

The school counselor prek-12 program shall ensure that the candidate has demonstrated the following competencies:

1. The ability to support students by cooperatively working with parents/guardians and teachers.

2. Understanding of the principles and theories of human growth and development throughout the lifespan and their implications for school guidance and counseling.

3. Understanding of the social and cultural foundations of education and their implications for school guidance and counseling programs.

4. Understanding of lifespan career development.

5. Understanding of the skills and processes for counseling students to include:

a. Individual and group counseling for academic development;

b. Individual and group counseling for career development; and

c. Individual and group counseling for personal/social development.

6. Understanding of the knowledge, skills, and processes for providing developmental group guidance, including:

a. Academic development;

b. Career development; and

c. Personal/social development.

7. Understanding of the skills and processes related to the school counseling program at the elementary, middle, and secondary levels, including:

a. Characteristics of learners at the elementary, middle, and secondary levels;

b. Program planning;

c. Coordination;

d. Consultation; and

e. Staffing patterns.

8. Understanding of the knowledge, skills, and processes of student appraisal and assessment relative to school guidance and counseling programs, including:

a. Individual assessment; and

b. Group assessment.

9. Understanding of the counseling professional, including:

a. Legal considerations;

b. Ethical considerations; and

c. Professional issues and standards.

10. Understanding of the skills and processes of research and evaluation aimed at improving school guidance and counseling programs.

8 VAC 20-542-570. School psychology.

The school psychology program shall ensure that the candidate has demonstrated the following competencies:

1. Knowledge, skills, and processes for assessing students' cognitive abilities, academic performance, interpersonal emotional/social functioning, and sensory-motor functioning.

2. Understanding of the knowledge, skills, and processes for direct and indirect intervention, including:

a. Counseling on an individual, group, or family basis;

b. Consulting with administrators, teachers, parents, and other professionals about student problems and appropriate change strategies; and

c. Designing and implementing behavior change programs.

3. Psychological foundations of human functioning (biological bases of behavior; cultural diversity; infant, child, and adolescent development; personality theory; human learning; and social bases of behavior) to ensure student academic achievement and student growth and development.

4. Educational foundations of schooling (education of exceptional learners, instructional and remedial techniques, and organization and operations of schools) to ensure effective collaboration with other school professionals.

5. Statistics and research design.

6. School psychology profession, including:

a. History and foundations of school psychology;

b. Legal and ethical issues;

c. Professional issues and standards; and

d. Role and function of the school psychologist.

8 VAC 20-542-580. School social worker.

The school social worker program shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes for direct and indirect intervention, including:

a. Counseling on an individual, group, or family basis;

b. Consulting with administrators, teachers, parents, and other professionals about student problems and appropriate change strategies; and

c. Networking with school programs and community agencies to provide essential services for families and children.

2. Understanding of child development, psychopathology, social and environmental conditioning, cultural diversity and family systems.

3. Understanding of the knowledge, skills, and processes for effective casework practice.

4. Understanding of the organization and operations of school systems.

5. Understanding of the knowledge, skills, and processes involved with assessing and programming for exceptional students.

6. Understanding of the school social work profession, including:

a. History and foundations of school psychology;

b. Legal and ethical issues;

c. Professional issues and standards; and

d. The role and function of the school social worker.

8 VAC 20-542-590. Special education speech-language disorders prek-12.

A. The program in special education speech-language disorders prek-12 shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of communication, oral and written, as defined in the Virginia Standards of Learning and how these are interrelated in forming a sound foundation for the understanding of speech and language acquisition.

2. Understanding of the knowledge, skills and processes of:

a. Normal development and the use of speech, voice, hearing, and language; and

b.Basic sciences (biology and physics) and the basic communication sciences (acoustics, physiological processes of speech, hearing and linguistics), and

c. Language acquisition and reading to include: phonemic awareness understanding of sound symbol relationships, phonics, syntax, semantics and comprehension of oral and written language.

3. Understanding of current principles, procedures, techniques, and instruments in:

a. The evaluation of speech, language, voice and hearing;

b. Psycho-educational assessments; and

c. Research design.

4. Understanding of the knowledge, skills, and processes of:

a. Various types of disorders of speech, language, voice and hearing classifications, causes, and manifestations; and

b. Relationships among speech, language, voice and hearing problems, especially multiple disabling conditions.

5. Understanding of the knowledge, skills, and processes for the use of

a. Augmentation in the habilitation, prevention and rehabilitation of disorders of articulation.

b. The selection and use of evidenced based practices in the language, fluency, voice, resonance, and hearing.

6. Understanding of the knowledge, skills, and processes of the evaluation and treatment of disorders of the oral and pharyngeal mechanisms as they relate to communication, including but not limited to dysphasia.

7. A level of knowledge and skill in the use of:

a. Augmentative and alternative communication devices,

b. Modes of communication and

c. Strategies and techniques that promote or facilitate communication

8. Understanding of the knowledge, skills, and processes of service delivery and instruction, including:

a. Organization and administration of public school programs to provide services for persons with speech-language disorders; and

b. Services available from related fields for those with communication disorders.

9. Understanding of the knowledge, skills, and processes for educating special populations, including:

a. Historical perspective;

b. Characteristics of learners: developmental and cognitive;

c. Medical aspects;

d. Linguistic/multicultural aspects;

e. Family aspects; and

f. Program evaluation.

10. Understanding of the knowledge, skills, and processes involved in the legal aspects associated with students with disabilities, including:

a. Legislative and judicial mandates related to special education;

b. Legal decisions related to persons with disabilities;

c. Advocacy and self-determination;

d. Guardianship;

f. Behavior management; and

g. Disciplinary practices, policies and procedures, and alternative placements/programs in schools.

11. The ability to understand and manage behavior, including:

a. Behavior support systems;

b. Individual planning; and

c. Research in current practice.

12. Understanding of the current knowledge and scope of the profession and sensitivity to issues of diversity.

B. Completion of 375 clock hours of direct client contact, of which 100 shall be in a supervised educational setting and a minimum of 200 clock hours shall be in speech-language pathology. These clinical clock hours shall be distributed in each of the following areas: diagnosis, management of language disorders, management of voice disorders, management of articulation disorders, management of fluency disorders, and audio logy.

8 VAC 20-542-600. Vocational evaluator.

The vocational evaluator program shall ensure that the candidate has demonstrated the following competencies:

1. Understanding of the foundations of vocational evaluation and career assessment, including philosophy and process of vocational evaluation/assessment, use of occupational and labor market information, and functional aspects of disability.

2. Understanding of the basic concepts and skills of planning for and delivering vocational evaluation and career assessment services, including the use of vocational interviewing, individualized service planning, report development and communication, and use of modifications and accommodations.

3. Understanding of the content, processes, and skills necessary to administer and report findings of standardized testing, including knowledge of tests and measurements and selection and use of appropriate instruments.

4. Understanding and knowledge of specific assessment techniques and skills and the processes for conducting vocational evaluation and career assessment, including:

a. Job and training analysis;

b. Work samples and systems;

c. Situational and community-based assessment;

d. Behavioral observation; and

e. Learning and functional skills assessment.

Attachment 1

PROPOSED REVISIONS TO THE REGULATIONS GOVERNING REVIEW AND APPROVAL OF EDUCATION PROGRAMS IN VIRGINIA

8 VAC 20-542-10. Definitions

- Selected definitions have been revised to conform with changes in Parts II through VII of the proposed regulations:

  - "Accredited institution" means an institution of higher education accredited by a regional accrediting agency recognized by the United States Department of Education.

  - "Accredited program" means a professional education program accredited by the National Council for the Accreditation of Teacher Education (NCATE), or the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.

  - "Biennial accountability measures" means those specific benchmarks set forth in Part IV, 8 VAC 20-542-40 to meet the standards required to obtain or maintain program approval status.

  - "Biennial report" means the report submitted to the Virginia Department of Education every two years by approved education programs.

  - "Candidates" means individuals enrolled in education programs.

  - "Candidates completing a program" means individuals who have successfully completed all coursework, required assessments, including those prescribed by the Board of Education, and supervised student teaching or required internship.

  - "Candidates exiting a program" means individuals who have successfully completed all coursework, regardless of whether the individuals attempted, passed, or failed required assessments, including those prescribed by the Board of Education, and/or who may not have completed supervised student teaching or required internship.

  - "Regional accrediting agency" means one of the six accrediting associations, including New England Association of Schools and Colleges; Middle States Association of Colleges and Schools; North Central Association of Colleges and Schools; Southern Association of Colleges and Schools; Western Association of Schools and Colleges, recognized by the United States Department of Education.

8 VAC 20-542-20. Administering the Regulations

- The following modifications have been incorporated in this section:

    - Professional education programs shall obtain national accreditation from the National Council for the Accreditation of Teacher Education (NCATE), the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.

    - Teacher candidates shall complete academic degrees in the arts and sciences (or equivalent), except in health, physical, and career and technical education. Candidates in early/primary education (pre-K-6), middle education (6-8), and special education programs may complete a major in interdisciplinary studies or its equivalent.

    - Professional studies coursework and methodology, excluding field experiences, are limited to 24 semester hours for any baccalaureate degree program (or equivalent thereof) in early/primary education (prek-3), elementary education (prek-6), and special education. All other baccalaureate degree programs (or equivalent thereof) shall not exceed 18 semester hours of professional coursework and methodology, excluding field experiences.

    - Institutions of higher education seeking approval of an education program shall be accredited by a regional accrediting agency.

    - If a professional education program fails to maintain accreditation, enrolled candidates shall be permitted to complete their programs of study. Professional education programs shall not admit new candidates. Candidates shall be notified of program approval status.

    - Education programs shall ensure that candidates demonstrate proficiency in the use of educational technology for instruction and complete study in child abuse recognition and intervention.

    - Standards and procedures for the review and approval of each education program shall adhere to procedures for administering the regulations as defined in Part II, 8 VAC 20-542-20, Part IV, 8 VAC 20-542-40, Part V, 8 VAC 20-542-50, and Part VII, 8 VAC 20-542-70. These procedures shall result in biennial recommendations to the Board of Education for one of the following three ratings: “approved,” “approved with stipulations,” or “approval denied.”

    - Education programs shall be approved under these regulations biennially based on compliance with the criteria described in 8 VAC 20-542-40.

- Education programs shall submit to the Department of Education, on behalf of each education program under consideration, a Program Compliance Certification Affidavit in accordance with Department procedures and timelines.

- The education program administrator shall maintain copies of approved programs and required reports.

- The Department of Education may conduct on-site visits to review programs and verify data.

8 VAC 20-542-30. Accreditation or a Process Approved by the Board of Education

- Each professional education program shall obtain and maintain national accreditation from the National Council for the Accreditation of Teacher Education (NCATE), the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education..

- Each professional education program seeking accreditation through a process approved by the Board of Education shall be reviewed. A report of the review shall be submitted to the Board of Education in accordance with established timelines and procedures and shall include one of the following recommendations: 1) accredited; 2) accredited with stipulations; or 3) accreditation denied.

    - Accredited – The professional education program meets standards outlined in Part VI, 8 VAC 20-542-60.

    - Accredited with Stipulations – The professional education program has met the standards minimally, but significant weaknesses have been identified. Within a two year period, the professional education program shall fully meet standards as set forth in Part VI, 8 VAC 20-542-60.

    - Accreditation Denied – The professional education program has not met standards as set forth in Part VI, 8 VAC 20-542-60. The State Council of Higher Education for Virginia (SCHEV) shall be notified of this action by the Department of Education. Professional education program accreditation that has been denied may be considered by the Board of Education after two years if a written request for review is submitted to the Department of Education.

- Professional education programs seeking accreditation through a process approved by the Board of Education shall adhere to the following requirements:

    1. Alignment with the accreditation standards in Part VI, 8 VAC 20-542-60; and

    2. Alignment with the competencies for endorsement areas in Part VII, 8 VAC 20-542-70 of these regulations.

8 VAC 20-542-40. Standards for Biennial Approval of Education Programs

- Approved education programs in Virginia shall have national accreditation or be accredited by a process approved by the Board of Education and demonstrate achievement biennially of the following accountability measures:

    1. candidate progress and performance on prescribed Board of Education licensure assessments;

    2. candidate progress and performance on an assessment of basic skills as prescribed by the Board of Education for individuals seeking entry into an approved education preparation program;

    3. structured and integrated field experiences to include directed student teaching requirements;

    4. evidence of opportunities for candidates to participate in hard-to-staff schools throughout the field experiences;

    5. evidence of contributions to prek-12 student achievement by candidates completing and exiting the program;

    6. evidence of employer job satisfaction with candidates completing and exiting the program;

    7. partnerships and collaborations based on prek-12 school needs; and

    8. critical mass of candidates for biennial program approval.

8 VAC 20-542-50. Application of Standards for Biennial Approval of Education Programs

- As a prerequisite to program approval, the professional education program shall have national accreditation or be accredited by a process approved by the Board of Education as prescribed in Part III, 8 VAC 20-542-30 and Part IV, 8 VAC 20-542-60 Failure to do so will result in the education program being designated as "Approval Denied."

- The education program's candidate passing rates shall not fall below 70 percent biennially for individuals completing and exiting the program. Achievement of an 80 percent biennial passing rate for individuals completing and exiting the program shall be required by July 1, 2010.

- The education program is responsible to certify documented evidence that standards as set forth in Part IV, 8 VAC 20-542-40 have been met.

- The education program shall develop biennial accountability measures to be reviewed and approved by the Board of Education for the following standards. The education program shall meet or provide documented evidence of progress made toward meeting the biennial accountability measures approved for these standards.

    1. Partnerships and collaborations based on prek-12 school needs.

    3. A critical mass of candidates.

- After submitting to the Department of Education the information contained in Part V, 8 VAC 20-542-50, the education program shall receive one of the following three ratings:

    1. Approved – The education program has met all standards set forth in Part IV, 8 VAC 20-542-40.

    2. Approved with Stipulations – The education program has met standards A and B and is making documented progress toward meeting standards in C and D set forth in Part V, 8 VAC 20-542-50.

    3. Approval Denied – The education program has not met standards A and B set forth in Part V, 8 VAC 20-542-50. The program shall be denied and the public notified. The program may resubmit a request for approval at the end of the next biennial period.

8 VAC 20-542-60. Standards for Board of Education Approved Accreditation Process

- Standards for the Board of Education approved accreditation process are set forth in Part VI, 8 VAC 20-542-60 of the proposed regulations.

8 VAC 20-542-70. Competencies for Endorsement Areas

- The competencies in the 1998 *Regulations Governing the Licensure of School Personnel* were modified and moved to the *Proposed Regulations Governing Review and Approval of Education Programs in Virginia*.

8 VAC 20-542-80. Professional studies requirements for early/primary education, elementary education, and middle education; and
8 VAC 20-542-120. Professional studies requirements for prek-12 endorsements, special education, secondary grades 6-12 endorsements, and adult education.

- Removed coursework on Foundations of Education;

- Added coursework on Instructional Design Based on Assessment Data and coursework on Classroom Management;
- Added language regarding second language learners;
- Revised student teaching experience to require a minimum of 500 clock hours with at least 300 clock hours in direct teaching activities.

8 VAC 20-542-460. Special Education - special education adapted curriculum K-12; and
8 VAC 20-542-470. Special Education - special education general curriculum K-12.

- Removed endorsements in special education-emotionally disturbances, special education-mental retardation, special education-severe disabilities, and special education-specific learning disabilities.
- Established new endorsements in special education adapted curriculum K-12 and special education general curriculum K-12**.**

8 VAC 20-542-480 Special Education - speech-language pathology assistants prek-12.

- Established a new endorsement for speech-language pathology assistants.

8 VAC 20-542-530. Administration and supervision prek-12.

- Added the requirement of a school leaders assessment as prescribed by the Board of Education for individuals seeking an initial endorsement for administration and supervision as a principal or an assistant principal;
- Added requirement for completion of internship, to include 440 clock hours, with a minimum of 320 clock hours of a deliberately structured and supervised experience.

8 VAC 20-542-540. Mathematics specialist for elementary and middle education.

- Established an endorsement in mathematics specialist for elementary and middle education.

8 VAC 20-542-590. Special education speech-language disorders prek-12.

- Moved the special education speech-language disorders prek-12 endorsement to the pupil personnel services support section of the regulations.

Board of Education Agenda Item

Item: G. **Date:** September 21, 2005

Topic: First Review of Permanent *Regulations for Conducting Division-Level Academic Reviews* (8 VAC 20-700-10 et seq.)

Presenter: Mrs. Anne D. Wescott, Assistant Superintendent for Policy and Communications

Telephone Number: (804) 225-2403 **E-Mail Address:** Anne.Wescott@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X_ Board review required by
- _X_ State or federal law or regulation
- ___ Board of Education regulation
- ___ Other: _____

_X_ Action requested at this meeting

_X_ Action requested at future meeting: _____ (date)

Previous Review/Action:

____ No previous board review/action

_X_ Previous review/action
date October 28, 2004
action The Board of Education approved emergency regulations for this process.

Background Information:

House Bill 1294, passed by the General Assembly and signed into law on April 15, 2004, amended § 22.1-253.13:8 of the Code of Virginia to give the Board of Education the authority to require division-level academic reviews in school divisions where findings of school-level academic reviews show that the failure of the schools to reach full accreditation is related to the local school board's failure to meet its responsibilities under the *Standards of Quality*. House Bill 1294 included a second enactment clause specifying:

> "That the Board of Education shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment."

On April 28, 2004, the Board of Education approved the process by which division-level academic reviews are to be conducted. On June 23, 2004, the Board of Education approved the criteria by which school divisions will be selected for division-level academic reviews. On October 28, 2004, the Board of Education approved the emergency regulations after receiving recommendations from the Attorney General's Office.

During the 2004-2005 school year, personnel from the Department of Education, along with individuals under contract to conduct school-level academic reviews, conducted division-level academic reviews at the request of four school divisions. In addition, one school division requested permission to substitute the results of an external review by a recognized private organization. All of these divisions are currently implementing divisionwide corrective action plans as required by § 22.1-253.13:3 of the Code of Virginia (Standard 3 of the Standards of Quality).

Summary of Major Elements

The proposed permanent regulations do not deviate substantially from the emergency regulations. However, as a result of the department's experience with reviews conducted during the 2004-2005 school year, some changes were necessary to provide more flexibility to tailor reviews to the perceived needs of school divisions chosen for reviews in the future. The proposed changes include the following:

- The proposed regulation would remove the requirement that the school division be "in improvement" status under federal law and instead would permit the Board to review the overall accountability status of school divisions instead of only those designated as "in improvement." Individual schools in the divisions may be underperforming but the division not designated as being "in improvement."

- The proposed revisions to the Board's accrediting standards for public schools include new ratings that may be awarded schools that are not fully accredited. The proposed language would not restrict the Board from considering school divisions that have low performing schools rated other than "accredited with warning"

- Some of the detailed structure of the review would be removed. The proposed regulation provides greater flexibility to the Board of Education and Department of Education to construct reviews to meet the perceived need of the school division being reviewed.

- The proposed regulation would require that the local school board hold a public hearing on the improvement plan prior to submitting it to the Board of Education and to make periodic reports on its actions to the public in addition to submitting reports to the Board of Education.

A summary of the proposed permanent regulations is found in the attached Regulatory Town Hall Document Form TH-02.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board waive first review and approve the attached proposed regulations for conducting division-level academic reviews and authorize personnel of the Department of Education to proceed with the remaining steps required by the Administrative Process Act.

Impact on Resources: Funds for academic reviews have been approved for the 2004-2006 biennium to conduct the division-level academic reviews.

Timetable for Further Review/Action: The Department of Education will notify local school divisions and the public of the provisions in the proposed regulations and submit final regulations to the Board of Education for approval following public comment and completion of appropriate stages required by the Administrative Process Act.

Board of Education
8VAC20-700-10
PERMANENT REGULATIONS GOVERNING DIVISION-LEVEL ACADEMIC REVIEWS

8VAC20-700-10. Definitions.

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

"Department" means the Virginia Department of Education.

"Division-level academic review" means the process used to analyze a school division's systems and practices to determine the degree to which the local school board is meeting its responsibilities under the Standards of Quality.

"External review" means a division-level academic review conducted by an organization or agency at the request of a local school board.

8VAC20-700-20. Criteria for Selection for Review.

The Board of Education shall consider the following criteria in selecting school divisions for division-level academic reviews:

1. The school division's accountability determination for student achievement, as required in federal law; and
2. The percentage of students attending schools that are not fully accredited in the division exceeds the statewide average; and
3. School academic review findings in the division report the failure of the division's schools to reach full accreditation is related to the school board's noncompliance with the Standards of Quality.

8VAC20-700-30. Structure of the Review.

A. All division-level academic reviews shall be conducted in accordance with procedures adopted by the Board of Education, which may include, but not be limited to: on-site reviews; interviews of school division personnel; review and observation of operational practices; and, the analysis of data related to compliance with state and federal laws and regulations.

B. The Department of Education is authorized to contract with organizations or agencies to conduct division-level academic reviews.

C. Reports of the academic review findings shall be given to the division superintendent, the chair of the local school board, and the Board of Education.

8VAC20-700-40. Division Improvement Plans and Corrective Actions.

A. School divisions shall develop division improvement plans, including corrective actions for increasing student achievement and correcting any areas of noncompliance determined through the division-level academic review. The school board shall hold a public hearing on the improvement plan at least 15 days prior to the approval of the plan by the board. These plans shall be approved by the local school board and submitted to the Board of Education for approval within 60 business days of the issuance of the division-level academic review report. Upon Board of Education approval, the division improvement plan and corrective actions shall become part of the school division's divisionwide comprehensive, unified, long-range plan required by the Standards of Quality.

B. The division superintendent and chair of the local school board may request an extension of the due date for the division improvement plan and corrective actions for good cause shown by appearing before the Board of Education to explain the rationale for the request and provide evidence that a delay will not have an adverse impact upon student achievement.

C. The Board of Education shall monitor the implementation of the division improvement plan and corrective actions developed by a school division as part of the division-level academic review process. This plan must include a schedule for reporting the school division's progress toward completion of the corrective actions to the Board of Education and the public. Any school division not implementing corrective actions, not correcting areas of noncompliance, or failing to develop, submit, and implement required plans and status reports shall be required to report its lack of action directly to the Board of Education and the public.

D. Areas of noncompliance that remain uncorrected shall be reported in the Board of Education's *Annual Report to the Governor and General Assembly on the Condition and Needs of Public Schools in Virginia*. The Board of Education may take additional action to seek compliance with school laws pursuant to the relevant provisions of the Code of Virginia.

8VAC20-700-50. External Reviews.

A. The Board of Education may accept a division-level review conducted by an organization or agency upon the request of a local school board if the review meets or exceeds the requirements for reviews conducted by the Department as prescribed in 8VAC20-700-30. Agencies that conduct these reviews must employ individuals whose qualifications meet or exceed those of individuals who serve as Department representatives for the purpose of conducting academic reviews. The Board of

Education shall monitor the implementation of any required corrective actions developed by the school division as prescribed in 8VAC20-700-40.

B. Requests for approval of an external review process submitted to the Board must include, at a minimum, the following documentation:

1. A description of the organization or agency that will conduct the review;
2. The scope and dates of the review;
3. Qualifications of the individuals who will conduct the review;
4. Certification from the chairman of the local school board and division superintendent that the review will meet or exceed the requirements for academic reviews adopted by the Board.

C. Upon completion of the external review process, the division superintendent shall submit a copy of the final report provided by the reviewer to the Department of Education within 60 days of receipt of the report, and comply with the required follow-up activities prescribed in 8VAC 20-700-40 including a review of the report in a public meeting of the school board prior to submission.

Virginia
Regulatory
Town Hall

townhall.virginia.gov

Proposed Regulation
Agency Background Document

Agency name	Virginia Board of Education
Virginia Administrative Code (VAC) citation	8 VAC 20 - 700
Regulation title	Proposed Regulations for Conducting Division-Level Academic Reviews
Action title	Division-Level Academic Reviews
Document preparation date	August 24, 2005

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual.*

Brief summary

In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.

House Bill 1294, passed by the General Assembly and signed into law on April 15, 2004, gave the Board of Education the authority to require division-level academic reviews in school divisions where findings of school-level academic reviews show that the failure of the schools to reach full accreditation is related to the local school board's failure to meet its responsibilities under the *Standards of Quality*. House Bill 1294 also required, in part:

> "That the Board of Education shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment."

The Board of Education promulgated emergency regulations as a result of this requirement that will expire February 15, 2006.

The proposed regulations, which will replace the emergency regulations, do not deviate substantially from the provisions of the emergency regulations.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

The Code of Virginia, § 22.1-16, vests the Board of Education with the authority to promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of Title 22.1. Section 22.1-253.13:3 of the Code of Virginia includes the following provision: "When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board of Education an improvement plan, setting forth specific actions and a schedule designed to ensure that schools within its division achieve full accreditation status. Such plans shall be part of the relevant school division's six-year improvement plan pursuant to § 22.1-253.13:6." The legislation effecting this provision also required the Board to promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal and the problems the proposal is intended to solve.

The regulation is necessary to protect the health, safety, and welfare of citizens, particularly those of school age. It is essential to provide the structure for the Board of Education and staff of the Department of Education for the orderly conduct of division-level academic reviews in selected school divisions that have underperforming schools or fail to meet the requirements of the Standards of Quality. It outlines the process and procedures for conducting the division-level academic review and for local school boards to submit a corrective action plan to the Board of Education. In addition, it defines some flexibility for options for reviews to be conducted by agencies or organizations other than the Department of Education when appropriate.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the "Detail of changes" section.)

The proposed permanent regulations do not deviate substantially from the emergency regulations. However, as a result of the department's experience with reviews conducted during the 2004-2005 school year, some changes were necessary to the structure of the review section to provide more flexibility to tailor reviews to the perceived needs of school divisions chosen for reviews in the future. In addition, the section detailing division improvement plans and corrective actions has been strengthened to provide more guidance to local school boards in the development of those plans and actions.

Issues

Please identify the issues associated with the proposed regulatory action, including:

1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;

2) the primary advantages and disadvantages to the agency or the Commonwealth; and

3) other pertinent matters of interest to the regulated community, government officials, and the public.

If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.

The Constitution of Virginia requires the Board of Education to provide for the general supervision of the system of free public education in the Commonwealth. The Standards of Quality for public schools (э 22.1-253.13:1 et seq. of the *Code of Virginia*) set the minimum requirements for local school boards to maintain a quality educational program in the various school divisions in the state. The proposed regulations provide the Board of Education a mechanism to review the program provided in the school division when there is a probability that a local school board is failing to comply with the Standards of Quality and children are attending underperforming schools. Performance standards for schools are set by the Board of Education in 8 VAC 20-131-10 et seq., *Regulations Establishing Standards for Accrediting Public Schools in Virginia.* These standards and the provision that school boards maintain schools that are fully accredited are also required by the Standards of Quality.

These regulations will provide the Board of Education with the structure to monitor low-performing school divisions as needed and, thus, ensure that children in the Commonwealth are receiving a high-quality education. The Commonwealth as a whole benefits from a better-educated citizenry.

Economic impact

Please identify the anticipated economic impact of the proposed regulation.

Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures	The cost to the state to implement the regulation will vary from year-to-year depending on the number of school divisions identified for review and the size and scope of the review. Funds have been appropriated by the General Assembly for conducting reviews during the 2004-2006 biennium.
Projected cost of the regulation on localities	The cost of the regulation to affected entities will vary depending on the need for corrective action on the part of the local school division.
Description of the individuals, businesses or other entities likely to be affected by the regulation	The affected entities are local school divisions (boards) and the schools within the divisions selected for review.
Agency's best estimate of the number of such entities that will be affected	The number of affected entities will vary from year to year depending on the performance of schools within the various school divisions.
Projected cost of the regulation for affected individuals, businesses, or other entities	The cost of the regulation to affected entities will vary depending on the need for corrective action on the part of the local school division.

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action.

No alternatives were considered, as the agency believes this is the least burdensome or intrusive means of assisting local school divisions to improve the services provided to students and the community at large.

Public comment

Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.

There were no comments during the Emergency/NOIRA stage.

Commenter	Comment	Agency response

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability.

The proposed regulatory action will impact the institution of the family and family stability in that the reviews conducted as a result of the implementation of the regulation will result in an improved educational program in the division(s) reviewed. This program improvement will benefit the children who attend public schools and provide for a better-educated citizenry that, in turn, will improve the economic status of the family.

Detail of changes

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.

If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all changes between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.

For changes to existing regulations, use this chart:

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
8 VAC 20-700-20		The emergency regulation requires that a school division be identified as "in improvement" under federal law to be targeted for review. The emergency regulation also requires a designation of "accredited with warning" under state regulations as a condition of consideration for a division-level review.	The proposed regulation removes this requirement and permits the Board to review the overall status of school divisions instead of only those designated as "in improvement." Individual schools in the divisions may be underperforming but the division not designated as "in improvement." The proposed revisions to the Board's accrediting standards for public schools include new ratings that may be awarded schools that are not fully accredited. The proposed language would not restrict the Board from considering school divisions that have low performing schools rated other than "accredited with warning"
8 VAC 20-700-30		The emergency regulation spells out all facets of the structure of the academic review.	Some of the detailed structure of the review has been removed. The proposed regulation provides greater flexibility to the Board of Education and Department of Education to construct reviews to meet the perceived need of the school division being reviewed.
8 VAC 20-700-40		The emergency regulation requires that the local school board approve the improvement plan before submitting it to the Board of Education and periodically report its actions to the Board of Education.	The proposed regulation will require that the local school board hold a public hearing on the improvement plan prior to submitting it to the Board of Education and to make periodic reports on its actions to the public in addition to submitting reports to the Board of Education.

Board of Education Agenda Item

Item: H. **Date:** September 21, 2005

Topic: First Review of Options Prepared by Trammell Crow Company Under the Public-Private Education Facilities and Infrastructure Act (PPEA) for the Consolidation of the Virginia Schools for the Deaf and the Blind (VSDB)

Presenter: Mr. Daniel S. Timberlake, Assistant Superintendent for Finance
Mr. Raymond E. Goins, Trammell Crow Company, et al.

Telephone Number: (804) 225-2025 **E-Mail Address:** Daniel.Timberlake@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

____ Board review required by
- ____ State or federal law or regulation
- ____ Board of Education regulation
- X Other: Appropriation Act, Chapter 951, 2005 Acts of Assembly

X Action requested at this meeting ____ Action requested at future meeting:

Previous Review/Action:

____ No previous board review/action

X Previous review/action
date April 20, 2005; July 27, 2005
action Report on the Requirements of the Appropriation Act; Selection of Trammell Crow as Vendor Under the Provisions of the Public-Private Education Facilities and Infrastructure Act (PPEA)

Background Information:

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. 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 (see Attachment A). 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 (see Attachment B). 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.

The latest action by the General Assembly follows the findings of the feasibility study and requires further action by the Board of Education to make decisions about the process for consolidation including site selection and the method for achieving the capital requirements necessary to consolidate the schools. The newest requirements placed on the Board of Education are described in language in the appropriation act, Chapter 951, 2005 Acts of Assembly (see Attachment C).

At the Board's planning session in April 2005, staff presented the requirements contained in the appropriation act and outlined the process that the department would follow in order to position the Board with as much information as possible to make the decisions required by the appropriation act. The most immediate Board action stipulated in the appropriation act required the Board to make decisions about the location of a consolidated school and whether or not to pursue a process for obtaining a single school through the Public-Private Education Facilities and Infrastructure Act (PPEA).

Following the April planning session, department staff worked with the Department of General Services (DGS) to solicit proposals under the PPEA for a vendor that could deliver a facility that met the program requirements outlined in the feasibility study and that would permit the two schools to be consolidated into one as directed by the General Assembly. At its July 2005 meeting, the Board decided to utilize the PPEA process and selected Trammell Crow Company as the vendor with which the PPEA process would continue.

The Board took further action to direct Trammell Crow Company to prepare estimates of cost for various sites and to present those estimates at the September 2005 meeting. Specifically, the motion adopted by the Board stated:

> *"The Board adopts the Trammell Crow proposal and authorizes the Department of Education and Department of General Services to move forward with Trammell 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."*

Summary of Major Elements

Since the July Board meeting, department staff, DGS staff, and Trammell Crow have met numerous times to develop the information requested by the Board. Trammell Crow will present the results of their work and will offer options for sites where the two schools could be consolidated and the costs associated with those options. Trammell Crow will respond to any questions related to their work.

At this stage of the PPEA process, the decision to proceed is not dependent upon site selection; however, Trammell Crow would need further direction from the Board to move to the next phase of the project.

DGS staff will respond to any questions related to the PPEA process. Ultimately, if the Board decides to continue with the PPEA process, it must do so with DGS as directed by the language in the appropriation act. DGS will be the “responsible public entity” that will manage the PPEA process including: collection of the 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 for the site selected by the Board of Education.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education take action regarding the selection of a site so that the department may include that decision in the report that is due to the Governor and the General Assembly on October 1, 2005.

Impact on Resources:

The impact on resources will depend upon the action chosen by the Board of Education. The General Assembly has authorized up to $61.5 million for this project if the PPEA process is used.

Timetable for Further Review/Action:

The timetable for further action will depend upon the action chosen by the Board of Education at this meeting. The Department of Education and the Department of General Services must provide an update on the final location selected by the Board of Education and on the planning and construction process to the Governor and the Chairmen of the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health by October 1, 2005.

Attachment A

First Action by the General Assembly Regarding the Consolidation of the Virginia Schools for the Deaf and the Blind

First Appeared in Chapter 1042, 2003 Acts of Assembly
Item 138, Appropriation Act

"S.1. The Board of Education shall 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 task force shall include at least one member of the Board of Education; the Superintendent of Public Instruction; the Superintendent of the Virginia School for the Deaf and the Blind at Staunton; the Superintendent of the Virginia School for the Deaf, Blind and Multi-Disabled at Hampton; the co-chairmen of the Advisory Commission on the Virginia Schools for the Deaf and the Blind; one parent of a currently enrolled student from each of the schools; and one representative each from the Department for the Blind and Vision Impaired, the Department for the Deaf and Hard-of-Hearing, the Department of Rehabilitative Services, and the Department of Mental Health, Mental Retardation and Substance Abuse Services.

2. 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 receiving services. All options for serving students shall be considered. The plan shall also include the steps necessary to achieve consolidation, funding requirements and/or savings, alternative uses of facilities, and a suggested timeline for achieving consolidation.

3. All agencies of the Commonwealth shall provide assistance to the task force in its development of the plan, upon request. The task force shall submit its plan to the Governor and the Chairmen of the House Appropriations and Education, and the Senate Finance and Education and Health Committees by November 1, 2003."

Attachment B

Second Action by the General Assembly Regarding the Consolidation of the Virginia Schools for the Deaf and the Blind

First Appeared in Chapter 4, 2004 Acts of Assembly, Special Session I
Item 135, Appropriation Act

"F. Out of this appropriation, $100,000 the first year from the general fund is provided for the following capital needs assessment and feasibility study. In the pre-planning phase for the consolidation at a single campus, the Secretaries of Education, Health and Human Resources, Administration, and Finance, together with the State Board of Education, the Department of Education, the two schools for the deaf, blind, and multi-disabled, the Woodrow Wilson Rehabilitation Center, the Department of General Services, and the Department of Planning and Budget shall complete a capital needs assessment and feasibility study for consolidating the State's two existing schools for the deaf, blind, and multi-disabled. The Secretaries of Education, Health and Human Resources, Administration, and Finance shall submit a joint report on the capital needs assessment and feasibility study to the Governor and the Chairmen of the House Committees on Appropriations and Education, and the Senate Committees on Finance and Education and Health by October 1, 2004. 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 at the new location no later than September 1, 2007, including the closing of the existing sites and disposition of the properties as well as a mechanism to assist the local school divisions with program development for those children who will not continue at the new school."

Attachment C

Third Action by the General Assembly Regarding the Consolidation of the Virginia Schools for the Deaf and the Blind

First Appeared in Chapter 951, 2005 Acts of Assembly
Item 136, Appropriation Act

"D.1. 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.

2.a. The State Board of Education, 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 State Board of Education no later than July 31, 2005.

b. In the event that the State Board of Education selects a PPEA proposal, the Department of General Services is authorized to enter into an agreement for construction of the new school at a total cost not to exceed $61.5 million.

3. The Departments of Education and General Services shall provide an update on the final location selected by the State Board of Education and on the planning and construction process to the Governor and the Chairmen of the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health by October 1, 2005. At a minimum, the report shall address:

a. Revised cost estimates and proposed timelines for construction of the new facility for consolidating services for the students served by Virginia's two schools at Staunton and Hampton;

b. In cooperation with the Department of Planning and Budget, revised projected operating budgets for fiscal years 2007 through 2010, including any one-time transition costs;

c. The status of proposed mechanisms to assist school divisions with programs for children transferring into local school divisions rather than continuing enrollment at the new school location;

d. Detailed cost estimates of possible program enhancements, including specialized technology, expanding services to include deaf children with emotional disabilities; and

e. Potential alternative uses of the existing campuses in Hampton and Staunton."

Site Alternatives

For the

Consolidation

of the two

Virginia Schools for the Deaf, Blind & Multi-Disabled

THE TEAM

Trammell Crow Company

Winter & Company

BCWH
ARCHITECTURE . INTERIORS . PLANNING . CONSULTING

DPR Construction Inc.

eperitus
Insight for Education

SCHEMATIC CONCEPT of NEW SCHOOL

Site Organization

The design of the new campus provides efficient travel of students and staff during the day from dormitories to classes to and ancillary services.

The design relationships where identified needed were identified through interviews with the VSDB Superintendents, observation on the campuses and review of other current state school projects.

Future planning will identify such factors as the positioning of each department, classes within the educational building, staff offices and distances between buildings.

Playgrounds and areas to promote student interaction will be placed at key locations between buildings.

SCHEMATIC CONCEPT of NEW SCHOOL

Site Organization

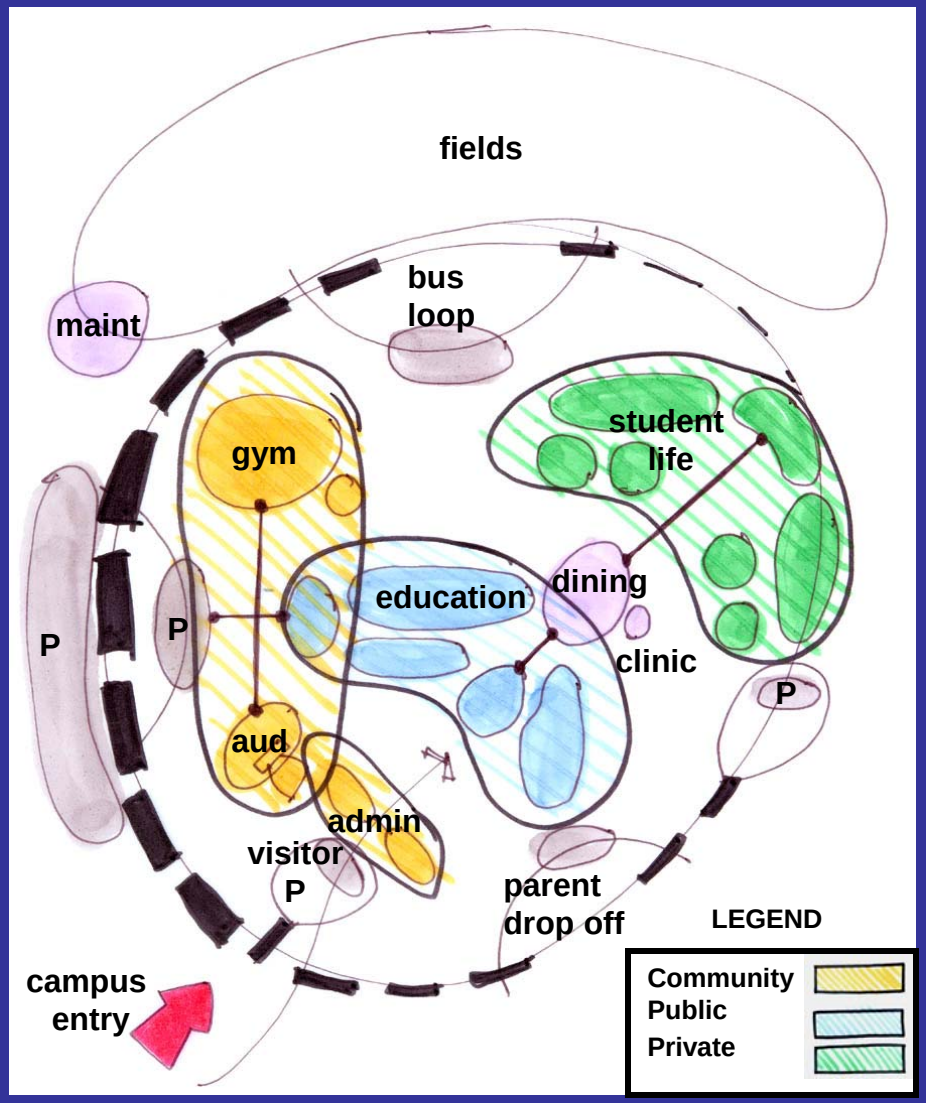
One public entry & secure perimeter

Vehicle traffic & parking at perimeter separate from pedestrian paths

Pedestrian paths linking functional zones

Three zones of use community, public, & private

Areas for play and socializing

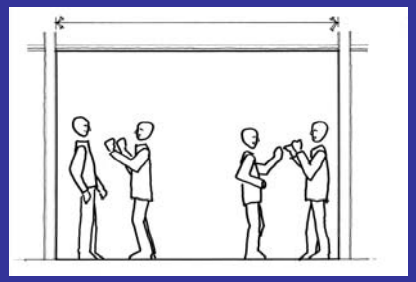


SCHEMATIC CONCEPT of NEW SCHOOL

"State-of-the-Art" Building Characteristics

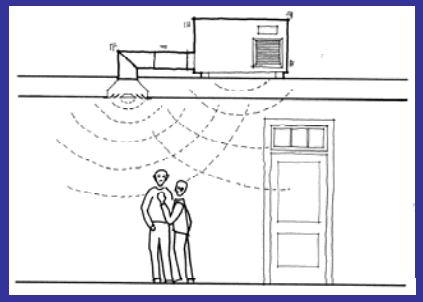
Fully accessible building & site design

Visual feasibility across campus
- appropriate lighting
- appropriate shading systems
- reduction of visual obstructions



Space for signing in corridors

Acoustic design for classrooms & other spaces
- mechanical vibration control
- appropriate reverberation control
- external noise control



Reduce mechanical vibration

Integration of a technology plan
- Smartboards
- Assistive technologies throughout campus
- Campus network

Anticipation/flexibility for future teaching and technology

SCHEMATIC CONCEPT of NEW SCHOOL

Greenfield

Site

Master Plan

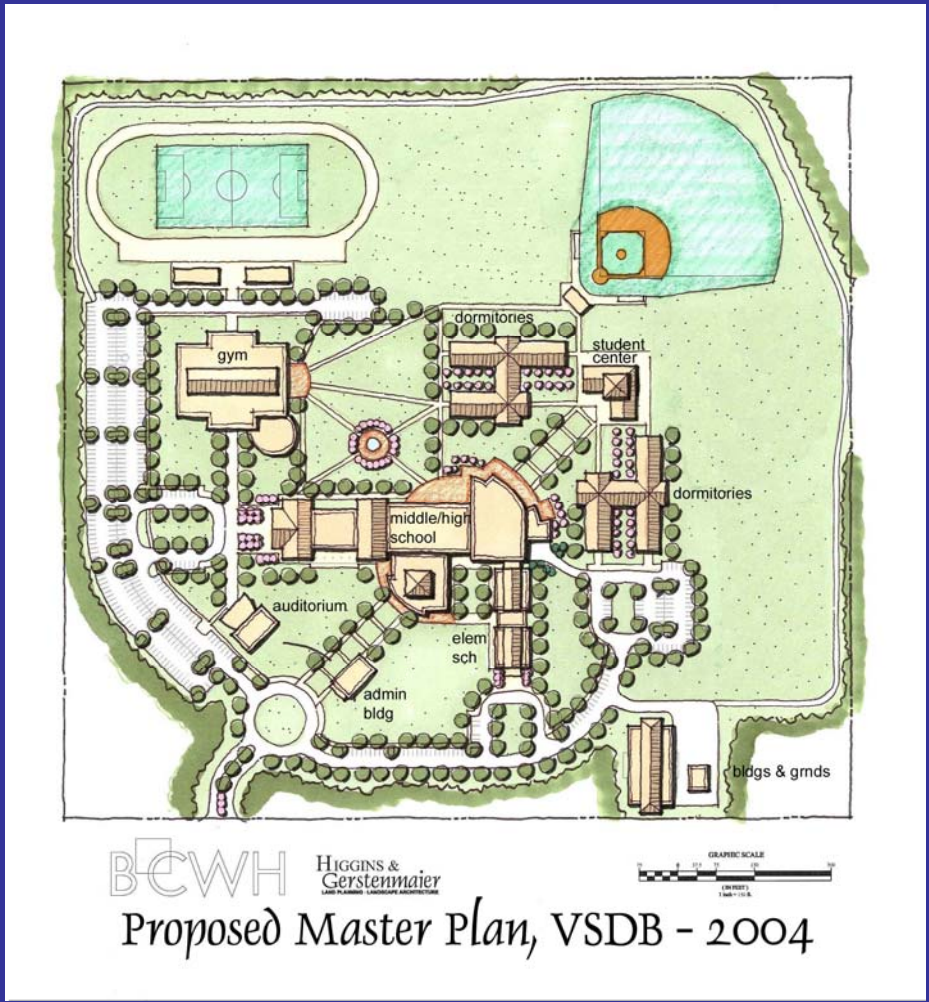
Distinct & separate buildings promote separation of school & home life

Pedestrian paths promote student movement and informal gathering

Areas for play and socializing

Visual supervision

Athletic fields available for community use

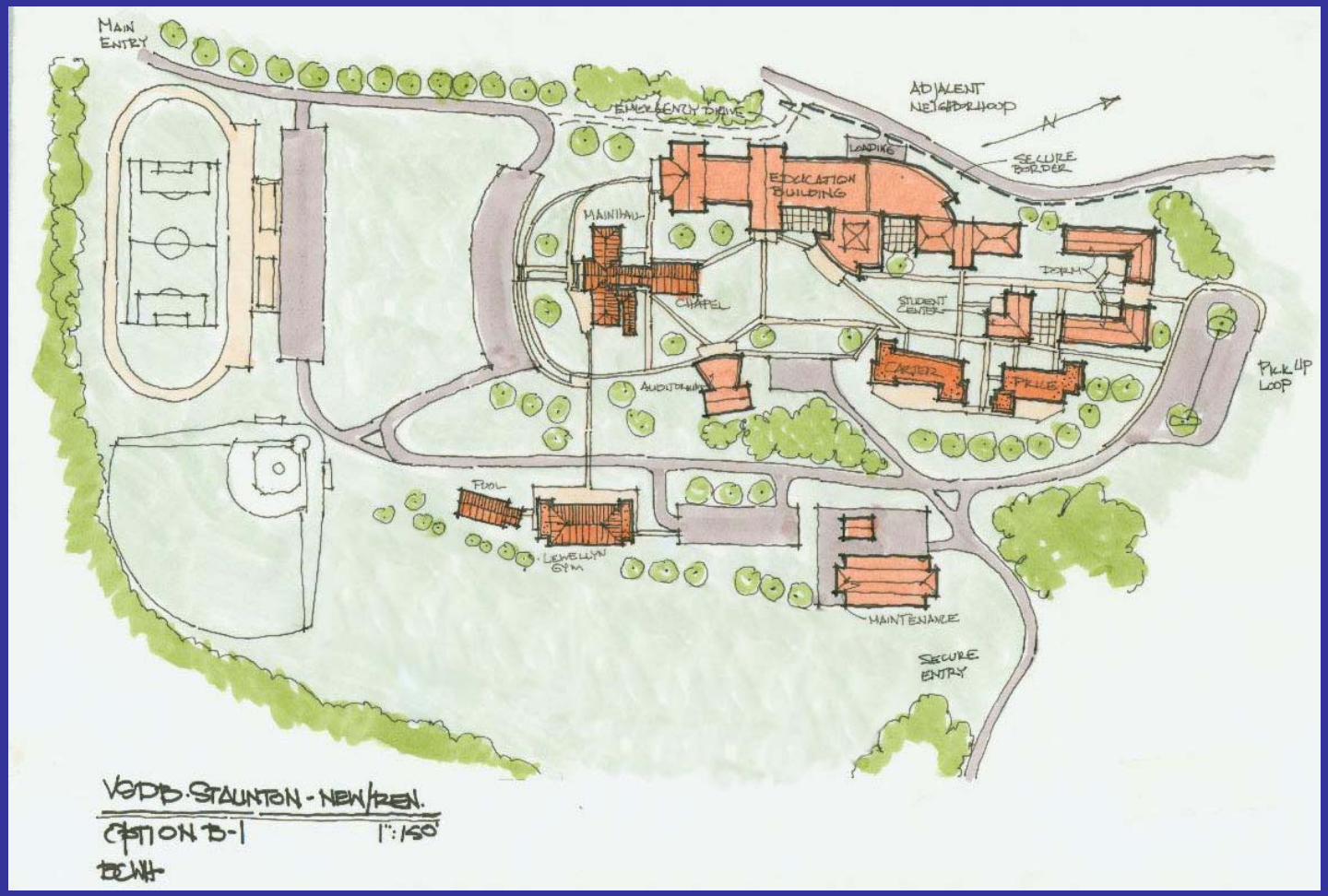


SCHEMATIC CONCEPT - STAUNTON

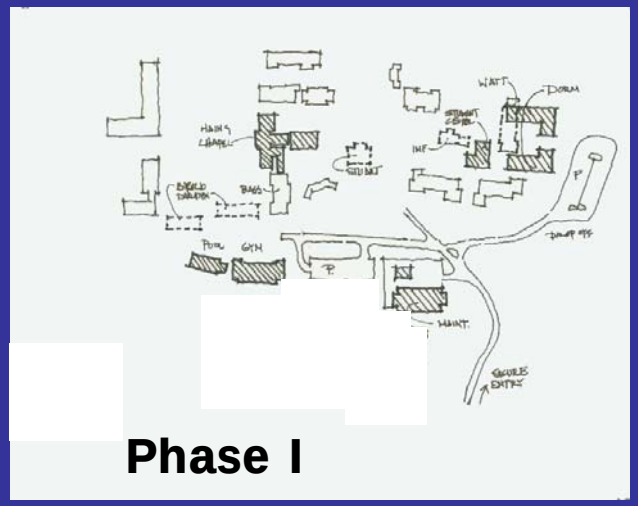
Staunton

Site

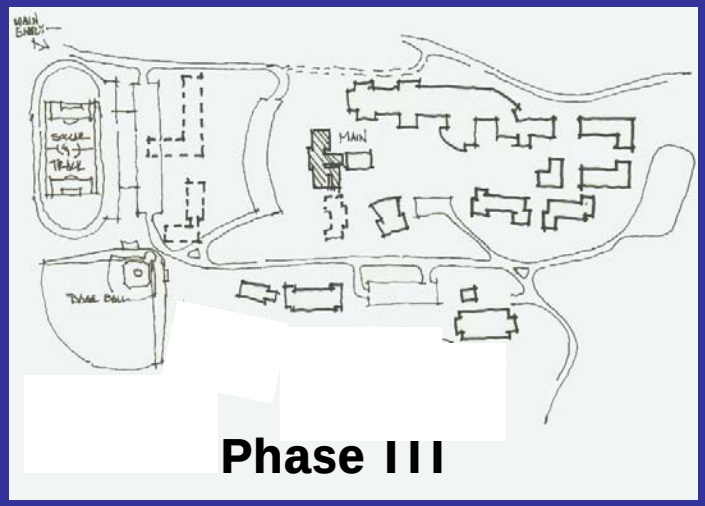
Master Plan



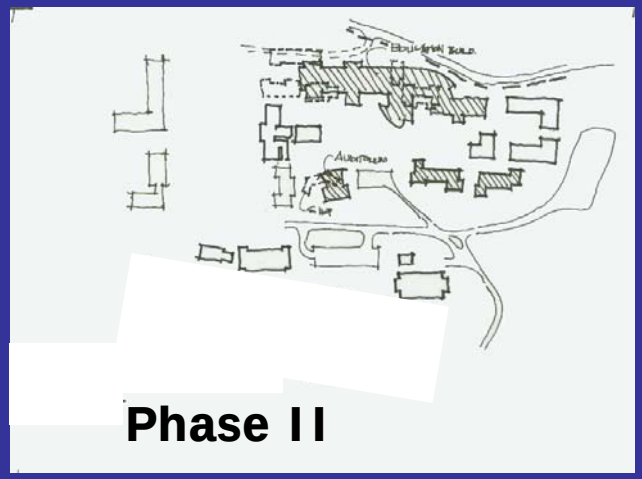
Staunton Proposed Phasing



Phase I



Phase III



Phase II

SCHEMATIC CONCEPT - HAMPTON

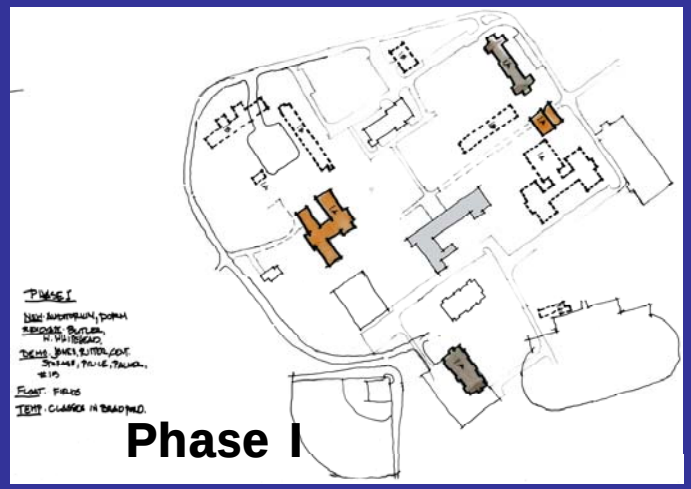
Hampton

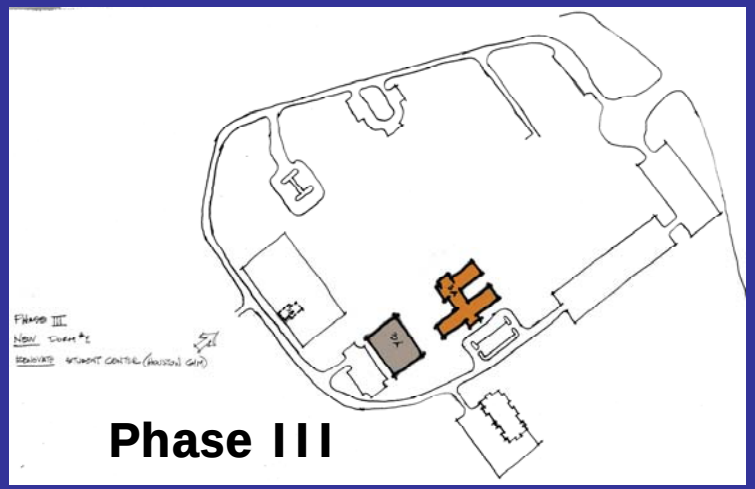
Site

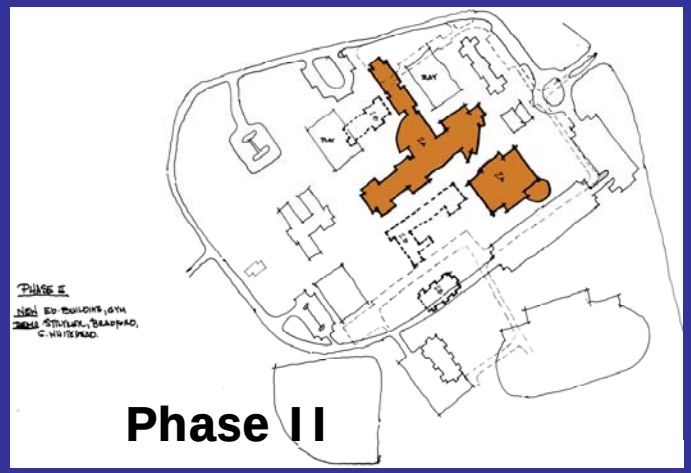
Master Plan

[redacted]

Hampton Proposed Phasing

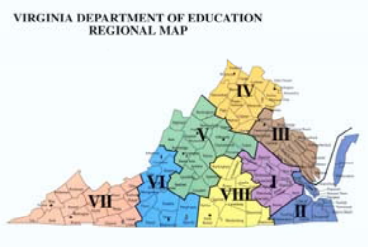






SITE SELECTION CHARACTERISTICS

Geographic characteristics that support the mission



Criteria	Region 1	Region 5	VSDB-S Region 5	VSDBM-H Region 2
	Richmond Metro	Charlottesville Metro	Staunton	Hampton
1. Community Characteristics				
*Shared programming option with local school division	TBD	TBD	TBD	TBD
*Opportunities for Voc-Ed and Community-based employment	√	√	√	√
Access to leisure & social activities	√	√	√	√
Existence of deaf community	TBD	TBD	√	√
Existence of blind community	TBD	TBD	√	√
College/university nearby for partnership	√	√	√	√
Safe Neighborhood	2	TBD	1	3
*Access to nearby hospital	√	√	√	√
2. Location				
*Central in the state	√	√		
*Easy access to major travel systems for transporting students	√	√	√	√
Easy access to the community (marketplace, bus stops, etc)	√	√	√	√
Adequate land (50+ acres)	√	√	√	√
Adequate growth potential for the school on the site	√	√	√	√
Not bounded by a major traffic artery	√	√	√	√
3. Staffing				
Attracts new staff	√	√	√	√
Promotes Retention of Existing Staff	TBD	TBD	√	√
4. Cost Feasibility				
Near Major Utilities	√	√	√	√

TBD - To Be Determined

ORDER-of-MAGNITUDE OPERATING COSTS COMPARISION

CURRENT SITE COMPARISION

OPERATIONS COST COMPARISON

GREENFIELD	GSF	utility	$/YR/SF	subtotal cost
*Estimated				
Gross building area	**202,861**	gas/elec	$ 1.18	$ 239,376
		phone/data	$ 0.21	$ 42,601
		water/sewer	$ 0.07	$ 14,200
		maint/custodial	$ 3.36	$ 681,613
Site cost 50 acres	50	grounds maint	$ 750.00	$ 37,500
Operations Cost				**$ 1,015,290**

HAMPTON	GSF	utility	$/YR/SF	subtotal cost
*2004 actual cost				
Gross building area on campus	**202,310**	gas/elec	$ 1.41	$ 285,921
		phone/data	$ 0.34	$ 68,724
		water/sewer	$ 0.16	$ 32,469
		maint/custodial	$ 3.93	$ 795,750
Site cost 75 acres		grounds maint	inc above	
Cost offset for 285 Hampton City Schools children				$ (211,470)
Operations Cost				**$ 971,393**

STAUNTON	GSF	utility	$/YR/SF	subtotal cost
*2004 actual cost				
Gross building area in service	**363,625**	gas/elec/#2 oil	$ 0.84	$ 306,386
		phone/data	$ 0.13	$ 47,272
		water/sewer	$ 0.07	$ 24,913
		maint/custodial	$ 1.29	$ 468,060
Site cost 72.8 acres	73	grounds maint	$ 1,931.77	$ 140,633
Operations Cost				**$ 987,264**

APPROX PLANT OPERATIONS SAVINGS

Hampton & Staunton 2004	$ 1,958,657
estimated Greenfield 2004	$ 1,015,290
Estimated savings based on 2004 costs	**$ 943,367**

Greenfield	250	students	$ 4,061
Hampton	74	students	$ 13,127
Staunton	120	students	$ 8,227

ORDER-of-MAGNITUDE OPERATING COSTS COMPARISION

NEW / RENOVATED SITE COMPARISON

NEW/RENOVATED FACILITY COMPARISON

GREENFIELD		$/YR/SF		COST	
202,861	gas/elec	$	1.18	$	239,376
	phone/data	$	0.21	$	42,601
	water/sewer	$	0.07	$	14,200
	maint/custodial	$	3.36	$	681,613
50	grounds maint	$	750.00	$	37,500
					$ 1,015,290

HAMPTON		$/YR/SF		COST	
223,792	gas/elec	$	1.18	$	264,075
	phone/data	$	0.21	$	46,996
	water/sewer	$	0.07	$	15,665
	maint/custodial	$	3.36	$	751,942
50	grounds maint	$	750.00	$	37,500
					$ 1,116,179

STAUNTON		$/YR/SF		COST	
271,912	gas/elec	$	1.18	$	320,856
	phone/data	$	0.21	$	57,101
	water/sewer	$	0.07	$	19,034
	maint/custodial	$	3.36	$	913,624
50	grounds maint	$	750.00	$	37,500
					$ 1,348,115

BUDGET COMPARISON

	REGION 1 RICHMOND METRO AREA	REGION 5 CHARLOTTESVILLE METRO AREA	STAUNTON	HAMPTON
LAND	$5,250,000	$10,000,000	$-	$-
HARD COST	$63,548,000	$63,548,000	$76,835,150	$70,722,895
FF&E Budget Technology & Equipment Relocations	$4,200,000	$4,200,000	$4,700,000	$4,700,000
SOFT COSTS Design, Testing, Permits, & Fees	$11,160,402	$11,160,402	$13,336,009	$12,578,089
TOTAL CONSTRUCTION CONSOLIDATION COST	$84,158,402	$88,908,402	$94,871,159	$88,000,984

Board of Education Agenda Item

Item: I. **Date:** September 21, 2005

Topic: First Review of a Request to Extend Approval of an Alternative Accreditation Plan from Chesterfield County Public Schools

Presenters: Dr. Billy K. Cannaday, Superintendent, Chesterfield County Public Schools
Ms. Anne Wescott, Assistant Superintendent for Policy and Communications

Telephone Number: (804) 225-2403 **E-Mail Address:** Anne.Wescott@doe.virginia.gov

Origin:

___ Topic presented for information only (no board action required)

_X_ Board review required by
___ State or federal law or regulation
___ Board of Education regulation
_X_ Other: The Board's approval of the alternative accreditation plan included the provision that future extensions of the plan would be contingent upon the submission of an evaluation showing that the stated objectives of the program and evaluative criteria had been met.

_X_ Action requested at this meeting

___ Action requested at future meeting: _____ (date)

Previous Review/Action:

____ No previous board review/action

_X_ Previous review/action
date July 21, 2004 – Approval of the Alternative Accreditation Plan from Chesterfield County Public Schools

Background Information: The Standards of Accreditation, in 8 VAC 20-131-280, says: "Special purpose schools such as regional, special education, alternative, or career and technical schools that serve as the student's school of principal enrollment shall be evaluated on standards appropriate to the programs offered in the school and approved by the Board…" The Board of Education's guidelines for this regulation says, in part: "In accordance with the provisions of 8 VAC 20-131-330 of these standards, local school boards may seek waivers of provisions of the standards to address the unique needs of these special purpose schools. Such requests may include an alternative accreditation plan."

Chesterfield County Public Schools received the first approval of an alternative accreditation plan granted by the Board of Education. A one-year alternative accreditation plan for Perrymont Middle School was approved on July 21, 2004, with the provision that future extensions would be contingent upon the submission of an evaluation showing that the stated objectives of the program and evaluative criteria had been met.

Summary of Major Elements: Perrymont Middle School is an alternative school that serves students who have fallen significantly behind academically. The objective of the program is to prepare students in the 6th, 7th, and 8th grades who are significantly behind in academic and behavioral fundamentals to enter and complete high school. The program of instruction includes the following components:

- The focus is on reading, writing, and mathematics; history and science instruction is embedded in instruction in reading, writing, and mathematics;
- Students are taught study skills and self-management skills;
- The school day is longer (6 ½ hours); and
- The pupil-teacher ratio is currently 12:1.

As a part of the approval of the alternative accreditation plan, the Board approved waivers of the following provisions of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*:

- "The middle schools 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." (8 VAC 20-131-90.B)
- "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." (8 VAC 20-131-90.B)
- "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." (8 VAC 20-131-90.D, waived for science and history/social science)
- "Schools shall be evaluated by the percentage of the school's eligible students who achieve a passing score on the SOL tests or other additional tests approved by the board as outlined in 8 VAC 20-131-110.B of these regulations in the four core academic areas administered in the school." (8 VAC 20-131-280.C.5 waived for science and history/social science)

In the approved alternative accreditation plan, school accreditation is based on the following criterion:

- 70 percent of students functioning as 8th graders will pass the 8th grade Standards of Learning assessments in reading, writing, and mathematics, and will be promoted to the 9th grade.

For school year 2004-05, Chesterfield County reports the following:

- 100 of the 125 students enrolled at Perrymont were deemed to be functioning at the 8th grade level at mid-year last year, and 107 were promoted to the 9th grade.

- Based on the spring 2005 Standards of Learning test results:
  - ✓ 71.6 percent passed the mathematics Standards of Learning test, compared to 61 percent last year;
  - ✓ Students gained 33 points in mathematics, compared to their 5th grade pass rate;
  - ✓ 61 percent passed the reading Standards of Learning test, compared to 53 percent last year;
  - ✓ Students gained 1.3 points in reading, compared to their 5th grade pass rate;
  - ✓ 40 percent passed the writing Standards of Learning test, compared to 49 percent last year;
  - ✓ Students lost 22 points in writing, compared to their 5th grade pass rate;

- Perrymont Middle School made Adequate Yearly Progress (AYP) for the 2005-06 school year, based on 2004-05 test results.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board waive first review and approve the request to extend the alternative accreditation plan for three years.

Impact on Resources: The impact on resources is not expected to be significant.

Timetable for Further Review/Action: Chesterfield County Public Schools may be granted an additional extension at the end of the three year period contingent upon the submission of an evaluation showing that the stated objectives of the program and evaluative criteria are continuing to be met.

THE ALTERNATIVE ACCREDITATION MODEL FOR PERRYMONT MIDDLE SCHOOL IN CHESTERFIELD COUNTY – A STATUS REPORT AND REQUEST FOR AN EXTENSION

Presented to the State Board of Education
September 21, 2005

By Dr. Billy K. Cannaday,
Superintendent
Chesterfield County Public Schools

BACKGROUND

- In July 2004 the Board of Education approved an alternative accreditation model for Perrymont Middle, an alternative middle school serving students from across Chesterfield County

- The school was redesigned to serve middle grade students who are:
    - overage in grade,
    - two or more years below grade level in reading and mathematics and
    - lacking the skills of self-management to ensure their success in high school.

- The Board of Education approved accreditation for Perrymont based on:
    - 70% of students deemed to be functioning as 8th graders will pass the SOL tests in Reading, Writing & Mathematics; students may take the grade level assessments for 6th and 7th grade to measure progress but only the 8th grade results will be used to calculate accreditation
    - History and science embedded in instruction in those three
    - Physical education based on a school wide walking program and free play
    - The teaching of study and self-management skills
    - Evaluation that includes follow-up with students as 9th graders
    - A longer school day (6 ½ hours)
    - Lower PTR (budgeted 17:1; actual 12:1)

- Waivers inherent in the approval:
    - Minimum of eight courses in 8th grade
    - Middle school electives
    - 140 clock hours of instruction in history and science
    - Accreditation based on the four core subjects

THE 2004-05 SCHOOL YEAR RESULTS

- Perrymont served 125 students, 100 of which were deemed to be functioning at the 8th grade level at mid-year and participated in SOL 8th grade tests in the spring of 05
  - Mathematics
    - 71.6% passed compared to 61% last year
    - Students gained 33 points against their 5th grade scores
  - Reading
    - 61% passed compared to 53% last year
    - Students gained 1.3 points against their 5th grade scores
  - Writing
    - 40% passed compared to 49% last year
    - Students lost 22 points against their 5th grade score

- CCPS Response
  - Mathematics successes from
    - 90 minutes of instruction per day
    - Prescribed curriculum and pacing
    - Team planning resulting in common lessons
    - Common systematic monitoring (weekly and quarterly assessments)
    - Central support from specialists and directors
    - ARDT used to assess areas of strength and challenge and to monitor progress
  - Improvements being sought in Writing and Reading in 2005-06 through
    - Have adopted 6 Traits and 4 Square to integrate teaching of reading and writing this year in 165 minutes per day
    - Have replaced the TABE with the DRA and *AMP Reading* to allow for comprehensive reading diagnostic at beginning of year and quarterly for progress, regrouping for instruction, and better prediction for testing

PLANNED FOLLOW-UP AND EVALUATION

- Follow-up evaluation - 107 students were promoted to 9th grade
  - Will be interviewed by their Perrymont teachers after the first 4 weeks; questions will focus on:
    - How Perrymont prepared them to be successful in high school core subjects, study skills and self-management
    - Problem areas for them, including remediation needs, relationships with peers, family issues
    - Comments sections for students to send messages back to certain Perrymont teachers will be provided
  - Academic results, attendance, participation in extracurricular activities, and discipline will be reviewed after first 9 weeks of this school year

REQUEST FOR EXTENSION

- Efforts and results are being examined and revised to find the most successful approaches for these students to experience success for the long-term

- Request a three-year approval of the alternative accreditation plan with annual reports submitted to the Board of Education on our learnings and progress

Board of Education Agenda Item

Item: J. **Date:** September 21, 2005

Topic: Report on the No Child Left Behind Act State and Local Cost Studies (HB 2602 and SB 1136, 2005 General Assembly)

Presenter: Ms. Michelle Vucci, Director of Policy
Dr. Robert Palaich, Vice President, Augenblick, Palaich and Associates, Inc.

Telephone Number: 804-225-2092 **E-MailAddress:** michelle.vucci@doe.virginia.gov

Origin:

___ Topic presented for information only (no board action required)

____ Board review required by
- ____ State or federal law or regulation
- ____ Board of Education regulation
- ____ Other: _____

_X_ Action requested at this meeting

___ Action requested at future meeting: _____

Previous Review/Action:

____ No previous board review/action

_X_ Previous review/action
date July 27, 2005
action Information only.

Background Information: The 2005 General Assembly required the Board of Education to examine the fiscal and policy implications for the state and local school divisions in the event that Virginia continues its compliance with, or withdraws from participation in, NCLB. The Board's findings are to be conveyed to the House Education and Appropriations committees and to the Senate Education and Health and Finance committees no later than October 1. When this mandate was issued, DOE was already under way with its cost analysis, primarily because of its participation in a consortium of state departments of education, sponsored by the Council of Chief State School Officers (CCSSO). The CCSSO contracted with Augenblick, Palaich and Associates (APA) to develop a model framework for states and school divisions to use to

determine the activities and costs to implement NCLB. Virginia used this model framework and also contracted with APA for assistance on both studies.

Summary of Major Elements: Both the state and local Virginia reports discuss the implementation of NCLB in the context of the Commonwealth's well-established existing system of assessment, accountability and support. Consistent with the APA/CCSSO framework, both studies only identify estimated costs that would not exist without NCLB. The measurement period for the study ranges from 2003-2004 to 2007-2008.

Both the state and local reports include a cost to revenue comparison. For both Virginia reports, the revenue base examines only NCLB directly-related federal revenues as identified by the U.S. Department of Education (USED), not other federal revenues such as the federal Individuals with Disabilities Education Act (IDEA). The projected revenues are also based upon state/federal fiscal year award amounts and do not take into consideration those federal grants carried over as unexpended in post-award years.

State Report - The state report uses 2004-2005 as the base year for analysis. Cost drivers for the state report include: 1) testing requirements for new grades and for students needing accommodations; 2) the administration of NCLB and Title programs (including the Reading First program); 3) high quality educators, and 4) technical assistance. The costs included in the state report include an accounting for 23 additional federally-funded positions authorized by the 2005 General Assembly specifically for NCLB. Appendices

Local Report - Eight school divisions, one from each region, agreed to participate in the local cost study. These divisions are: 1) Albemarle County; 2) Fairfax County; 3) City of Fredericksburg; 4) Halifax County; 5) Henrico County; 6) City of Norfolk; 7) Roanoke County; and 8) Washington County. These divisions comprise approximately 14 percent of all Title I schools and contained almost one-fourth of Virginia's total student population for the 2003-2004 school year, which is the base year for this study. APA, working with the department, collected base year cost data for these school divisions and used these data to build a statistical model that extrapolates statewide cost estimates. Appendices

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board waive first review and authorize the department to submit these reports to the House Committees on Education and Appropriations and the Senate Committees on Education and Health and Finance no later than October 1, 2005, as required by HB 2602 and SB 1136.

Impact on Resources: N/A

Timetable for Further Review/Action: Once the Board approves these reports, they will be submitted to the Governor and General Assembly no later than October 1.

Board of Education Agenda Item

Item: K **Date:** September 21, 2005

Topic: First Review of the Direct Aid to Public Education Budget for the 2006-2008 Biennium

Presenter: Mr. Daniel S. Timberlake, Assistant Superintendent for Finance

Telephone Number: 225-2025 **E-Mail Address:** daniel.timberlake@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X_ Board review required by
- _X_ State or federal law or regulation
- ____ Board of Education regulation
- ____ Other: _____

_X_ Action requested at this meeting ___ Action requested at future meeting: _____

Previous Review/Action:

_X_ No previous board review/action

____ Previous review/action
date _____
action _____

Background Information:

The Direct Aid to Public Education budget for the 2006-2008 biennium is being presented to the Board of Education for first review. In the summer of each odd-numbered year, the Direct Aid to Public Education budget is re-benchmarked for the next biennium. This re-benchmarking is part of the biennial budget development process that involves the Board of Education, the Governor, and the General Assembly. The re-benchmarked budget represents the state cost of continuing the existing Direct Aid to Public Education programs with updates in the input data used to determine the cost of the programs.

Summary of Major Elements:

The cost projections presented in this item represent changes in funding based on standard technical revisions made to Direct Aid accounts for each year of the 2006-2008 biennium. These cost projections do not reflect any changes in policy or technical methodology. The projections are based strictly on current approved methodologies or changes specifically approved and directed by the General Assembly and the Governor. The budget figures presented in this item represent the state cost of continuing the current Direct Aid programs in the 2006-2008 biennium with the required revisions and updates to input data using the approved funding methodologies. Attachment A summarizes the Direct Aid funding

process and the new budgetary structure for Direct Aid effective for the 2006-2008 biennium. Attachment B shows the major input data used in re-benchmarking Direct Aid costs for the 2006-2008 biennium.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board waive first review and adopt this proposed budget that continues current Direct Aid programs in the 2006-2008 biennium re-benchmarked on standard technical revisions without proposed changes in funding policy. It is further recommended that staff be directed to update and revise costs as additional technical revisions are completed consistent with the current funding methodology and policy adopted by the Board.

Finally, it is recommended that the Department submit the re-benchmarked budget for Direct Aid accounts to the Governor together with the remaining policy changes to the SOQ that were adopted by the Board in June 2003. Those policy changes were re-estimated using the same data and assumptions used in the re-benchmarked Direct Aid budget. No other policy changes to the SOQ are recommended at this time.

Impact on Resources:

The 2006-2008 Direct Aid budget approved by the Board will be sent to the Governor for action and ultimately for inclusion in his budget for the 2006-2008 biennium. This budget will establish the level of state funding required by the foundation program established in the Standards of Quality (SOQ), as well as other Direct Aid accounts. The current proposed changes resulting from re-benchmarking the Direct Aid accounts would increase state costs for public education by approximately $986.0 million in the 2006-2008 biennium (see Attachment C). The re-benchmarked cost of the unfunded SOQ changes proposed by the Board total $191.5 million. Together, these re-benchmarked costs would increase Direct Aid funding by $1.18 billion in the 2006-2008 biennium.

Timetable for Further Review/Action:

None.

An Overview of Direct Aid to Public Education Funding

I. New Service Area Structure

- Beginning in the 2006-2008 biennium, the commonwealth will use a new budgetary structure (i.e., "service areas") for budgeting state Direct Aid to Public Education funds.

- The Department of Planning and Budget (DPB) worked with the Department of Education to match current budget programs/subprograms and planning activities to form a common service area structure. Consequently, the new Direct Aid to Public Education service areas are similar to the previously used structure for Direct Aid account budgeting.

- The new structure refines the grouping of individual accounts that have the same purpose and creates a single service area for federal fund appropriations.

- Service areas:
    - Are what agencies do for the citizen or for other agencies
    - Consist of allocations of resources toward a specific objective
    - Form the basic unit of both budgeting and of planning

- The new Direct Aid to Public Education service areas are:
    - Standards of Quality for Public Education (SOQ)
    - Financial Incentive Programs for Public Education
    - Financial Assistance for Categorical Programs
    - Financial Assistance for School Facilities
    - Financial Assistance for Supplemental Education
    - Federal Assistance to Local Education Programs

- The new service areas generally correlate with the existing budget structure; the service area structure further differentiates the school construction and lottery funds from the Group II - Incentive Accounts, where these funds were previously housed into a separate "Facilities" service area.

- Funding information will still be communicated to school divisions at the program account levels, which have not changed with the new budget structure.

- The rebenchmarking of Direct Aid to Public Education funds for the 2006-2008 biennium uses this new service area structure and information is presented using the service area structure.

- The new detailed service area information by individual account is as follows:

Changes in Direct Aid Budget Structure, 2004-2006 to 2006-2008		
Account Name	**"New" – 2006-2008 Direct Aid Budget Structure** (Service Area)	**"Old" – 2004-2006 Direct Aid Budget Structure** (Program/Subprogram & DOE Structures)
Basic Aid	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
English as a Second Language	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Gifted Education	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Group Life	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Prevention, Intervention & Remediation	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Remedial Summer School	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Sales Tax	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Social Security	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Special Education	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Textbooks	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Vocational Education	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
VRS Retirement	Standards of Quality for Public Education (SOQ)	Group 1 - SOQ
Lottery	Financial Assistance for School Facilities	Group 2 - Incentive Accounts
School Construction	Financial Assistance for School Facilities	Group 2 - Incentive Accounts
Alternative Education	Financial Incentive Programs for Public Education	Group 3 - Categorical Accounts
At-Risk	Financial Incentive Programs for Public Education	Group 2 - Incentive Accounts
At-Risk Four Year Olds	Financial Incentive Programs for Public Education	Group 2 - Incentive Accounts
Compensation Supplement	Financial Incentive Programs for Public Education	Group 1 - SOQ
Early Reading Intervention	Financial Incentive Programs for Public Education	Group 2 - Incentive Accounts
Enrollment Loss	Financial Incentive Programs for Public Education	Group 1 - SOQ
Governor's School	Financial Incentive Programs for Public Education	Group 3 - Categorical Accounts
ISAEP	Financial Incentive Programs for Public Education	Group 2 - Incentive Accounts
Mentor Teacher Program	Financial Incentive Programs for Public Education	Group 4 - Direct Grants
Education for a Lifetime	Financial Incentive Programs for Public Education	Group 4 - Direct Grants
K-3 Class Size Reduction	Financial Incentive Programs for Public Education	Group 2 - Incentive Accounts
Project Graduation	Financial Incentive Programs for Public Education	Group 4 - Direct Grants
School Breakfast	Financial Incentive Programs for Public Education	Group 3 - Categorical Accounts
SOL Algebra Readiness	Financial Incentive Programs for Public Education	Group 2 - Incentive Accounts
Special Ed Cat - Inservice	Financial Incentive Programs for Public Education	Group 3 - Categorical Accounts
Special Ed Cat - Regional Tuition	Financial Incentive Programs for Public Education	Group 3 - Categorical Accounts
Special Ed Cat - Voc Ed / Special Ed	Financial Incentive Programs for Public Education	Group 3 - Categorical Accounts
SOL Web Based Technology Initiative	Financial Incentive Programs for Public Education	Group 2 - Incentive Accounts
Adult Education	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
Adult Literacy	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
Electronic Classroom	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
Foster Care	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
Indian Children	Financial Assistance for Categorical Programs	Group 4 - Direct Grants

School Lunch	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
Special Ed Cat - Homebound	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
Special Ed Cat - State Operated Programs	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
Special Ed Cat - Special Ed in Jails	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
Vocational Ed - Cat	Financial Assistance for Categorical Programs	Group 3 - Categorical Accounts
VPSA Notes (Debt Service Paid by Lit Fund)	Financial Assistance for Categorical Programs	Group 2 - Incentive Accounts
Career and Tech. Education Resource Ctr.	Financial Assistance for Supplemental Education	Group 4 - Direct Grants
Jobs for Virginia Graduates	Financial Assistance for Supplemental Education	Group 4 - Direct Grants
Project Discovery	Financial Assistance for Supplemental Education	Group 4 - Direct Grants
Small School Division Assistance	Financial Assistance for Supplemental Education	Group 4 - Direct Grants
Southside VA Reg. Technology Consortium	Financial Assistance for Supplemental Education	Group 4 - Direct Grants
Southwest Education Consortium	Financial Assistance for Supplemental Education	Group 4 - Direct Grants
VA Career Education Foundation	Financial Assistance for Supplemental Education	Group 4 - Direct Grants
William King Regional Arts Center	Financial Assistance for Supplemental Education	Group 4 - Direct Grants
Wolftrap	Financial Assistance for Supplemental Education	Group 4 - Direct Grants

II. Rebenchmarking Information

- All of the Direct Aid accounts have been updated for the following data inputs that impact funding levels. These data inputs include:
    - Funded salary amounts
    - Average daily membership projections
    - Fall membership
    - Base-year expenditure data from the Annual School Report
    - Vocational education student and program counts
    - Special education child counts
    - Standardized test score data and free lunch eligibility for remedial education
    - Updates to division superintendent, school board, nurse, and transportation costs
    - Enrollment projections for remedial summer school and ESL programs
    - Prevailing textbook costs
    - Prevailing health care costs
    - Inflation factors

- The following data inputs will need to be updated; however, data needed to make the appropriate revisions are not available at this time:
    - Revised composite index for the 2006-2008 biennium
    - Lottery and sales tax projections
    - Revised fringe benefit rates from VRS
    - Triennial census information
    - Final enrollment projections

- All of these updates are technical in nature and they do not involve changes in policy or funding methodology, other than those already approved and directed by General Assembly action.

- Attachments B and C contain specific information related to the rebenchmarking updates made to Direct Aid accounts.

III. Standards of Quality for Public Education

- The Standards of Quality determine the majority of state Direct Aid funding. Total state funding will be more than $5.0 billion in FY 2007 and $5.1 billion in FY 2008. SOQ accounts represent approximately 89 percent of total state funding for public education annually.

- The Constitution of Virginia establishes the SOQ. The specific requirements of the SOQ are prescribed in statute. Funding for the SOQ is determined primarily by the instructional staffing ratios established in the SOQ as well as recognized support costs that are funded on a standard and prevailing cost basis.

- The Constitution states that the Board of Education shall prescribe the standards, "subject to revision only by the General Assembly."

- There are seven key components of the SOQ funding formula:
    1. Number of students
    2. Staffing ratios for teachers and other funded positions
    3. Salaries of teachers and other funded positions
    4. Fringe benefit rates
    5. Standard and prevailing support costs
    6. Inflation factors
    7. Prevailing federal revenues related to support costs

- The SOQ budget includes funding for all of the programs required by the SOQ. Attachment F illustrates the SOQ funding process.

- Localities must provide a local match for SOQ programs based on their individual composite index of local ability-to-pay. Attachment G illustrates the formula for the composite index of local ability-to-pay.

- SOQ accounts include:
    - Basic Aid
    - English as a Second Language
    - Gifted Education
    - Prevention, Intervention and Remediation
    - Remedial Summer School
    - Special Education

- Textbooks
- Vocational Education
- Fringe Benefits (Instructional Positions)
- Sales Tax

- The SOQ accounts that provide funding for instructional services represent the instructional costs for those programs based on the required number of instructional positions and the salaries that are funded.

- Basic Aid also includes the support costs for expenses such as pupil transportation, operations and maintenance, and administration; these costs are funded on a statewide prevailing cost basis.

- Once a total cost is determined for each account, the cost is then converted to a per pupil amount. The per pupil amounts are then multiplied by the average daily membership (ADM) for each school division. From this, the total cost for each SOQ account is determined.

- For Basic Aid, the total cost is first reduced by the amount of sales tax that will be distributed to each school division. Attachment H provides additional information on the effect of sales tax distribution on Basic Aid.

- The remaining amount for Basic Aid and the total amount for the other SOQ accounts are then split into state and local shares based on each locality's composite index of local ability-to-pay.

- Approximately 80 percent of SOQ funding is for salaries and benefits of public school employees. The funded salaries for SOQ instructional positions for the 2006-2008 biennium are shown in Attachment E.

IV. Incentive, Categorical, School Facilities, Supplemental Education

- Incentive, categorical, school facilities, and supplemental education funding makes up the balance of state spending for Direct Aid.

- Incentive-based programs represent approximately $323 million in FY 2007 and $329 million in FY 2008; this represents approximately six percent of total state funding for Direct Aid.

- Incentive-based programs provide additional education funding that goes beyond the levels required to meet the Standards of Quality.

- Incentive-based programs are voluntary programs, but in order to receive the state funds, school divisions must agree to meet additional requirements, such as:
    - Certifying they will offer the specific program
    - Meeting the requirements established for the program
    - Providing a local match of funds

- Many of the funding formulas for these programs use a poverty adjustment that is based on free lunch eligibility rates as a proxy for students at-risk.

- Incentive-based programs include:
    - Alternative Education
    - At-Risk
    - At-Risk Four-Year Olds
    - Compensation Supplement
    - Early Reading Intervention
    - Enrollment Loss
    - Governor's School
    - ISAEP
    - Mentor Teacher Program
    - K-3 Class Size Reduction
    - School Breakfast
    - SOL Algebra Readiness
    - Special Education – Inservice
    - Special Education – Regional Tuition
    - Special Education – Vocational Education
    - SOL Web Based Technology Initiative
    - Education for a Lifetime
    - Project Graduation

- Categorical programs represent approximately $72 million in FY 2007 and $75 million in FY 2008; this represents approximately one percent of total state funding for Direct Aid.

- Categorical funding provides for additional education programs that go beyond the Standards of Quality.

- State or federal statutes or federal regulation mandates much of this funding. These programs are usually targeted to the particular needs of specific populations.

- Categorical programs include:
    - Adult Education
    - Adult Literacy
    - Electronic Classroom
    - Foster Care
    - Indian Children
    - School Lunch
    - Special Education - Homebound
    - Special Education – State Operated Programs
    - Special Education - Jails
    - Vocational Ed - Categorical

- Under the new service area budget structure, the "school facilities" service area now includes two accounts that were previously budgeted as incentive accounts:
    - Lottery funds
    - School Construction Grants Program

- School facilities programs represent approximately $191 million annually; this represents three percent of total state Direct Aid funding. The revenue estimates for Lottery for 2006-2008 will be available in Fall 2005; the amount for Lottery shown in Attachment D represents the current FY 2006 Lottery revenue estimate.

- Supplemental education programs represent approximately $2.5 million annually. Supplemental education programs are not available to school divisions statewide, and serve a unique purpose as stated in the appropriation act.

- Supplemental education programs include:
    - Career and Technical Education Resource Center
    - Jobs for Virginia Graduates
    - Project Discovery
    - Small School Division Assistance
    - Southside Virginia Regional Technology Consortium
    - Southwest Education Consortium
    - Virginia Career Education Foundation
    - William King Regional Arts Center
    - Wolftrap Institute for Early Learning

Virginia Department of Education
2006-2008 Direct Aid to Public Education Base Budget

Updates to the SOQ Model Data Base for 2006-2008
Overview of Major Data Elements Used in Calculations

	FY 2006	2006-2008
A. Student Enrollment Data		
Fall Membership	2002-2003	2004-2005
Special Education Child Count	December 1, 2002	December 1, 2004
Vocational Education Child Count	2002-2003	2004-2005
Prevention, Intervention and Remediation *(SOL English & Math Test Scores)*	2000, 2001, 2002	Three-year average (2001-02; 2002-03; 2003-04)
Prevention, Intervention and Remediation *(Free Lunch Eligibility Data)*	October 2002	Three-year average (October 2002, October 2003, October 2004)
B. Expenditure Data	2001-2002 Annual School Report	2003-2004 Annual School Report
C. Fringe Benefit Rates		
Instructional VRS Retirement	7.17%	7.17% - To be updated Fall 2005
Non-instructional VRS Retirement	4.94%	4.94% - To be updated Fall 2005
Social Security/Medicare	7.65%	7.65%
Group Life Insurance	0.00%	0.00% - To be updated Fall 2005
Health Care Premium *(Funded with Inflation)*	$3,269	$4,301
D. Composite Index *(Base-Year Data)*	2001	2003
E. Non-Personal Support Inflation Factors *(Unweighted average)*	4.66%	7.30%
F. Textbooks *(Funded Per Pupil Amount with Inflation)*	$63.12	$101.81
G. Average Daily Membership Projections *(Original)*	1,187,813 (FY 2006)	1,200,947 (FY 2007), 1,214,410 (FY 2008)

Virginia Department of Education

2006-2008 Direct Aid to Public Education Base Budget

Factors Affecting Additional State Funds Required for the 2006-2008 Biennium

Incremental State Cost from Base-Year FY 2006 to FY 2007 and FY 2008

	Rebenchmarking Step	FY 2006 to FY 2007 Increment	FY 2006 to FY 2008 Increment	Total 2006-2008 Increment
1.	Remove Compensation Supplement and 13 month fringe benefit rollover from FY 2006 base cost	($75,101,717)	($75,101,717)	($150,203,434)
2.	Reset Support Inflation Factors to 0% *(This action better isolates the cost of updating base-year expenditures to FY 2004 in Step 4 and the cost of updating inflation factors to 2006-2008 in Step 13.)*	($66,908,257)	($66,908,257)	($133,816,514)
3.	Update Average Daily Membership Projections	$50,640,828	$88,378,924	$139,019,752
4.	Update Base-Year Expenditures, Enrollment and Cost Projections *(FY04 Instructional/Support Expenditures, FY05 School-level Enrollment, Project Costs Forward to FY07 and FY08; update federal revenue deduction amounts)*	$117,778,140	$117,049,747	$234,827,887
5.	Update Transportation Costs	$61,960,686	$61,980,003	$123,940,689
6.	Update Nurse, Division Superintendent & School Board Costs	$4,499,208	$4,493,766	$8,992,974
7.	Update Special, Vocational, and English as a Second Language Child Counts	($16,080,619)	($10,952,083)	($27,032,702)
8.	Update SOQ Remediation Test Score and Free Lunch Eligibility Data	$10,882,069	$10,392,241	$21,274,310
9.	Update Funded Instructional Salaries	$127,245,336	$128,506,858	$255,752,194
10.	Update Health Care Cost	$68,554,055	$69,245,929	$137,799,984
11.	Update Textbook Per Pupil Amount	$23,010,774	$23,224,777	$46,235,551
12.	Update Remedial Summer School Projections	$3,191,498	$5,370,117	$8,561,615
13.	Update Inflation Factors to 2006-2008	$110,715,204	$111,758,293	$222,473,497
14.	Update Incentive Accounts	$16,603,403	$23,455,363	$40,058,766
15.	Update Categorical Accounts	$5,154,335	$8,179,881	$13,334,215
16.	Update K-3 Class Size Reduction Program	$14,749,432	$14,829,552	$29,578,984
18.	Update Appropriations to Fully Fund DOE Calculated FY 2006 Cost [1]	$7,577,295	$7,577,295	$15,154,590
	SUBTOTAL - Rebenchmarking Increments + Updated FY 2006 Appropriations	**$464,471,670**	**$521,480,689**	**$985,952,359**

[1] This value is the additional appropriation that is needed to fully fund the Department of Education's calculated state cost. The majority of this requested additional appropriation is to fully fund the cost of the At Risk Four Year Old program in FY 2007 and FY 2008. In FY 2006, the appropriated cost for the At Risk Four Year Old program assumed a $6.5 million cost savings for non-participation in the program. The values shown here represent the added cost of assuming full participation in the At Risk Four Year Old program in FY 2007 and FY 2008. The remainder of the additional appropriations fully fund the FY 2006 base cost across other accounts.

Virginia Department of Education

2006-2008 Direct Aid to Public Education Base Budget

Factors Affecting Additional State Funds Required for the 2006-2008 Biennium

Incremental State Cost from Base-Year FY 2006 to FY 2007 and FY 2008

	Rebenchmarking Step	FY 2006 to FY 2007 Increment	FY 2006 to FY 2008 Increment	Total 2006-2008 Increment
19.	BOE Recommendation - Elementary Principal *(Increase to one full-time position in every elementary school)*	$6,672,326	$6,709,205	$13,381,531
20.	BOE Recommendation - Assistant Principal *(One full-time assistant principal per 400 students in grades K-12)*	$48,822,814	$49,409,291	$98,232,105
21.	BOE Recommendation - Reading Specialist *(One position per 1,000 students in grades K-12)*	$36,250,743	$36,513,323	$72,764,066
22.	BOE Recommendation - Speech Language Pathologist Caseload *(Reduce caseload from 68 to 60 students)*	$3,491,814	$3,584,718	$7,076,532
	SUBTOTAL - BOE Recommendations	**$95,237,697**	**$96,216,537**	**$191,454,234**
	TOTAL:	**$559,709,367**	**$617,697,226**	**$1,177,406,593**

Virginia Department of Education

2006-2008 Direct Aid to Public Education Base Budget

Updates to Direct Aid Accounts for 2006-2008

Includes updates for Funded Salaries, Average Daily Membership, Base-year Expenditure Data, Fall Membership, Vocational Education Student and Program Counts, Special Education Child Counts, and SOL Test Score Data, Incentive and Categorical Account Information

Service Area I

SOQ Accounts	FY 2006 Base State Cost	FY 2007 Updated State Cost	Variance	FY 2006 Base State Cost	FY 2008 Updated State Cost	Variance	2006-2008 Biennium Variance
Basic Aid	$2,574,201,392	$2,984,391,306	$410,189,914	$2,574,201,392	$3,017,720,456	$443,519,064	$853,708,978
Sales Tax	$1,091,031,692	$1,091,031,692	$0	$1,091,031,692	$1,091,031,692	$0	$0
Textbooks	$42,083,311	$68,420,762	$26,337,451	$42,083,311	$69,057,080	$26,973,769	$53,311,220
Vocational Education	$54,947,437	$60,573,900	$5,626,463	$54,947,437	$60,984,768	$6,037,331	$11,663,794
Gifted Education	$26,035,512	$27,736,452	$1,700,940	$26,035,512	$27,995,356	$1,959,844	$3,660,784
Special Education	$342,529,983	$338,401,365	($4,128,618)	$342,529,983	$340,968,763	($1,561,220)	($5,689,838)
Prevention, Intervention and Remediation	$63,372,640	$61,630,110	($1,742,530)	$63,372,640	$61,676,497	($1,696,143)	($3,438,673)
VRS Retirement	$139,000,765	$148,728,056	$9,727,291	$139,000,765	$150,043,578	$11,042,813	$20,770,104
Social Security	$149,219,804	$158,614,957	$9,395,153	$149,219,804	$159,970,622	$10,750,818	$20,145,971
Group Life	$0	$0	$0	$0	$0	$0	$0
English as a Second Language	$26,452,794	$32,020,752	$5,567,958	$26,452,794	$37,231,053	$10,778,259	$16,346,217
Remedial Summer School	$24,928,647	$28,120,145	$3,191,498	$24,928,647	$30,298,764	$5,370,117	$8,561,615
Group I SUB-TOTAL:	**$4,533,803,977**	**$4,999,669,497**	**$465,865,520**	**$4,533,803,977**	**$5,046,978,629**	**$513,174,652**	**$979,040,172**

Service Area II

School Facilities	FY 2006 Base State Cost	FY 2007 Updated State Cost	Variance	FY 2006 Base State Cost	FY 2008 Updated State Cost	Variance	2006-2008 Biennium Variance
Lottery	$163,507,784	$163,507,784	$0	$163,507,784	$163,507,784	$0	$0
School Construction	$27,499,997	$27,499,994	($3)	$27,499,997	$27,499,999	$2	($1)
Group II SUB-TOTAL:	**$191,007,781**	**$191,007,778**	**($3)**	**$191,007,781**	**$191,007,783**	**$2**	**($1)**

Virginia Department of Education

2006-2008 Direct Aid to Public Education Base Budget

Updates to Direct Aid Accounts for 2006-2008

Includes updates for Funded Salaries, Average Daily Membership, Base-year Expenditure Data, Fall Membership, Vocational Education Student and Program Counts, Special Education Child Counts, and SOL Test Score Data, Incentive and Categorical Account Information

Service Area III

Incentive Accounts	FY 2006 Base State Cost	FY 2007 Updated State Cost	Variance	FY 2006 Base State Cost	FY 2008 Updated State Cost	Variance	2006-2008 Biennium Variance
Alternative Education	$5,563,652	$5,679,541	$115,889	$5,563,652	$5,680,381	$116,729	$232,618
At-Risk	$55,164,128	$63,027,137	$7,863,009	$55,164,128	$62,896,264	$7,732,136	$15,595,145
At-Risk Four Year Olds	$46,639,520	$58,718,707	$12,079,187	$46,639,520	$59,264,149	$12,624,629	$24,703,816
Compensation Supplements	$51,889,333	$0	($51,889,333)	$51,889,333	$0	($51,889,333)	($103,778,666)
Early Reading Intervention	$11,082,541	$11,730,541	$648,000	$11,082,541	$11,855,602	$773,061	$1,421,061
Enrollment Loss	$7,419,950	$8,088,919	$668,969	$7,419,950	$7,861,206	$441,256	$1,110,225
Governor's School	$9,992,256	$10,982,441	$990,185	$9,992,256	$11,317,426	$1,325,170	$2,315,355
ISAEP	$2,248,346	$2,247,581	($765)	$2,248,346	$2,247,581	($765)	($1,530)
Mentor Teacher Program	$1,475,000	$1,475,000	$0	$1,475,000	$1,475,000	$0	$0
Education for a Lifetime	$6,593,854	$6,593,854	$0	$6,593,854	$6,593,854	$0	$0
K-3 Class Size Reduction	$66,232,129	$81,443,828	$15,211,699	$66,232,129	$81,523,948	$15,291,819	$30,503,518
Project Graduation	$2,774,478	$2,774,478	$0	$2,774,478	$2,774,478	$0	$0
School Breakfast Program	$1,172,020	$1,172,020	($0)	$1,172,020	$1,172,020	($0)	($1)
SOL Algebra Readiness	$7,449,908	$8,556,311	$1,106,403	$7,449,908	$8,576,309	$1,126,401	$2,232,804
Special Education - Inservice	$600,000	$600,000	$0	$600,000	$600,000	$0	$0
Special Education - Regional Tuition	$52,550,159	$59,208,735	$6,658,576	$52,550,159	$65,135,211	$12,585,052	$19,243,628
Special Education - Voc Ed	$200,089	$200,089	$0	$200,089	$200,089	$0	$0
SOL Web Based Technology Initiative *(dist. of NGF VPSA note proceeds)*	$58,702,000	$58,988,000	$286,000	$58,702,000	$59,300,000	$598,000	$884,000
Group III SUB-TOTAL:	**$329,047,363**	**$322,499,182**	**($6,548,181)**	**$329,047,363**	**$329,173,518**	**$126,155**	**($6,422,027)**

Virginia Department of Education

2006-2008 Direct Aid to Public Education Base Budget

Updates to Direct Aid Accounts for 2006-2008

Includes updates for Funded Salaries, Average Daily Membership, Base-year Expenditure Data, Fall Membership, Vocational Education Student and Program Counts, Special Education Child Counts, and SOL Test Score Data, Incentive and Categorical Account Information

Service Area IV

Categorical Accounts	FY 2006 Base State Cost	FY 2007 Updated State Cost	Variance	FY 2006 Base State Cost	FY 2008 Updated State Cost	Variance	2006-2008 Biennium Variance
Adult Education	$1,051,800	$1,051,800	$0	$1,051,800	$1,051,800	$0	$0
Adult Literacy	$2,580,000	$2,580,000	$0	$2,580,000	$2,580,000	$0	$0
Electronic Classroom	$2,256,908	$2,256,908	$0	$2,256,908	$2,256,908	$0	$0
Foster Care	$10,259,191	$11,109,888	$850,697	$10,259,191	$12,047,112	$1,787,921	$2,638,618
Indian Children	$53,805	$53,805	$0	$53,805	$53,805	$0	$0
School Nutrition	$5,801,932	$5,801,932	$0	$5,801,932	$5,801,932	$0	$0
Special Education - Homebound	$5,468,733	$6,445,147	$976,414	$5,468,733	$7,078,860	$1,610,127	$2,586,541
Special Education - Jails	$2,784,950	$2,868,499	$83,549	$2,784,950	$2,954,553	$169,603	$253,152
Special Education - State Operated Programs	$26,350,276	$29,593,951	$3,243,675	$26,350,276	$30,962,505	$4,612,229	$7,855,903
Vocational Education - Categorical	$10,100,829	$10,100,829	$0	$10,100,829	$10,100,829	$0	$0
Debt Service on VPSA Equipment Notes *(NGF)*	$62,079,725	$66,549,968	$4,470,243	$62,079,725	$66,895,905	$4,816,180	$9,286,423
Group IV SUB-TOTAL:	**$66,708,424**	**$71,862,758**	**$5,154,334**	**$66,708,424**	**$74,888,304**	**$8,179,880**	**$13,334,214**

Virginia Department of Education

2006-2008 Direct Aid to Public Education Base Budget

Updates to Direct Aid Accounts for 2006-2008

Includes updates for Funded Salaries, Average Daily Membership, Base-year Expenditure Data, Fall Membership, Vocational Education Student and Program Counts, Special Education Child Counts, and SOL Test Score Data, Incentive and Categorical Account Information

Total - SOQ	$4,533,803,977	$4,999,669,497	$465,865,520	$4,533,803,977	$5,046,978,629	$513,174,652	$979,040,172
Total - School Facilities	$191,007,781	$191,007,778	($3)	$191,007,781	$191,007,783	$2	($1)
Total - Incentive	$329,047,363	$322,499,182	($6,548,181)	$329,047,363	$329,173,518	$126,155	($6,422,027)
Total - Categorical	$66,708,424	$71,862,758	$5,154,334	$66,708,424	$74,888,304	$8,179,880	$13,334,214
TOTAL COST* *(Service Areas I, II, III & IV):*	**$5,120,567,545**	**$5,585,039,215**	**$464,471,670**	**$5,120,567,545**	**$5,642,048,234**	**$521,480,689**	**$985,952,359**

* Total amounts for FY 2007 and FY 2008, and the biennium total does not include the cost of the four proposed Board of Education SOQ changes, or the SOL Web Based Technology Initiative and VPSA Debt Service amounts.

Virginia Department of Education

2006-2008 Direct Aid to Public Education Base Budget

Updates to the SOQ Model Data Base for 2006-2008

Comparison of Prevailing and Funded Salaries for Standards of Quality (SOQ) Instructional Positions
2004-2006 and 2006-2008 Biennia

	2004-2006 Prevailing Salary [1] (FY 2002 Data)	**2006-2008 Prevailing Salary [2]** (FY 2004 Data)	**Percent Increase**	**2004-2006 Funded Salary [3]** (Prevailing salary increased by 2.25%)	**2006-2008 Funded Salary [4]** (Prevailing salary increased by 3.00%)	**Percent Increase**	**2004-2006 Funded Salary with COCA [5]** (Includes cost of competing adjustment of 9.83%)	**2006-2008 Funded Salary with COCA [5]** (Includes cost of competing adjustment of 9.83%)	**Percent Increase**
Elementary Teacher	$36,708	$38,525	4.9%	$37,534	$39,681	5.7%	$41,224	$43,582	5.7%
Elementary Assistant Principal	$51,390	$54,201	5.5%	$52,546	$55,827	6.2%	$57,711	$61,315	6.2%
Elementary Principal	$63,141	$66,817	5.8%	$64,562	$68,822	6.6%	$70,908	$75,587	6.6%
Secondary Teacher	$38,769	$40,403	4.2%	$39,641	$41,615	5.0%	$43,538	$45,706	5.0%
Secondary Assistant Principal	$56,103	$58,043	3.5%	$57,365	$59,784	4.2%	$63,004	$65,661	4.2%
Secondary Principal	$69,384	$73,076	5.3%	$70,945	$75,268	6.1%	$77,919	$82,667	6.1%
Instructional Aide	$12,520	$13,426	7.2%	$12,802	$13,828	8.0%	$14,060	$15,187	8.0%

[1] Linear weighted average salaries based on FY 2002 base-year data.

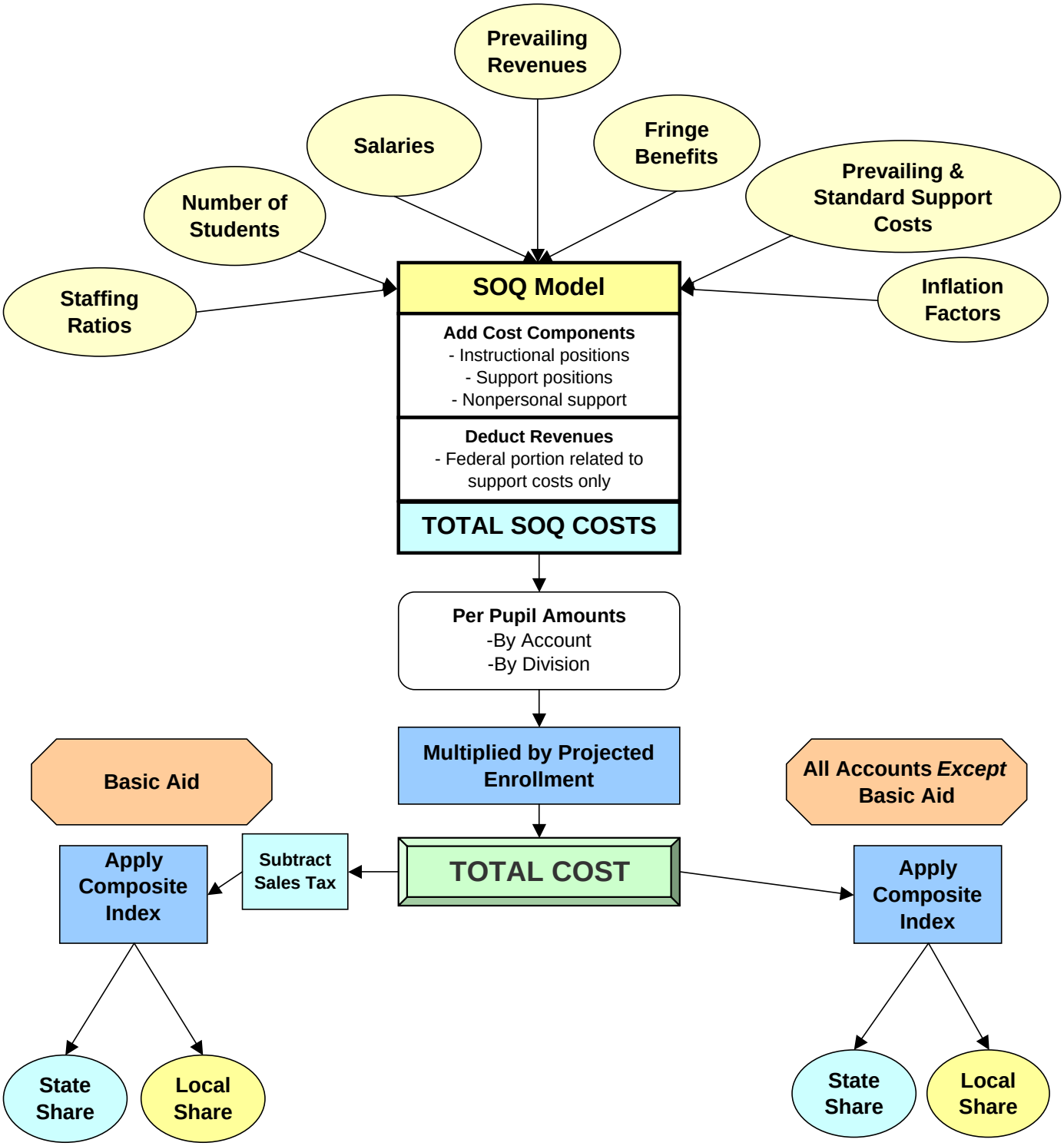
[2] Linear weighted average salaries based on FY 2004 base-year data.

[3] The FY 2002 linear weighted average salaries adjusted for the salary increases granted for SOQ positions in the 2002-2004 state budget (2.25%).

[4] The FY 2004 linear weighted average salaries adjusted for the salary increases granted for SOQ positions in the 2004-2006 state budget (3.00%).

[5] School divisions within Planning District Eight receive the cost of competing adjustment (COCA): Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City and Manassas Park City.

SOQ Funding Process



Composite Index of Local Ability-to-Pay Formula

ADM Component =

$$.5\left[\frac{\dfrac{\text{Local True Value of Property}}{\text{Local ADM}}}{\dfrac{\text{State True Value of Property}}{\text{State ADM}}}\right] + .4\left[\frac{\dfrac{\text{Local Adjusted Gross Income}}{\text{Local ADM}}}{\dfrac{\text{State Adjusted Gross Income}}{\text{State ADM}}}\right] + .1\left[\frac{\dfrac{\text{Local Taxable Retail Sales}}{\text{Local ADM}}}{\dfrac{\text{State Taxable Retail Sales}}{\text{State ADM}}}\right]$$

Population Component =

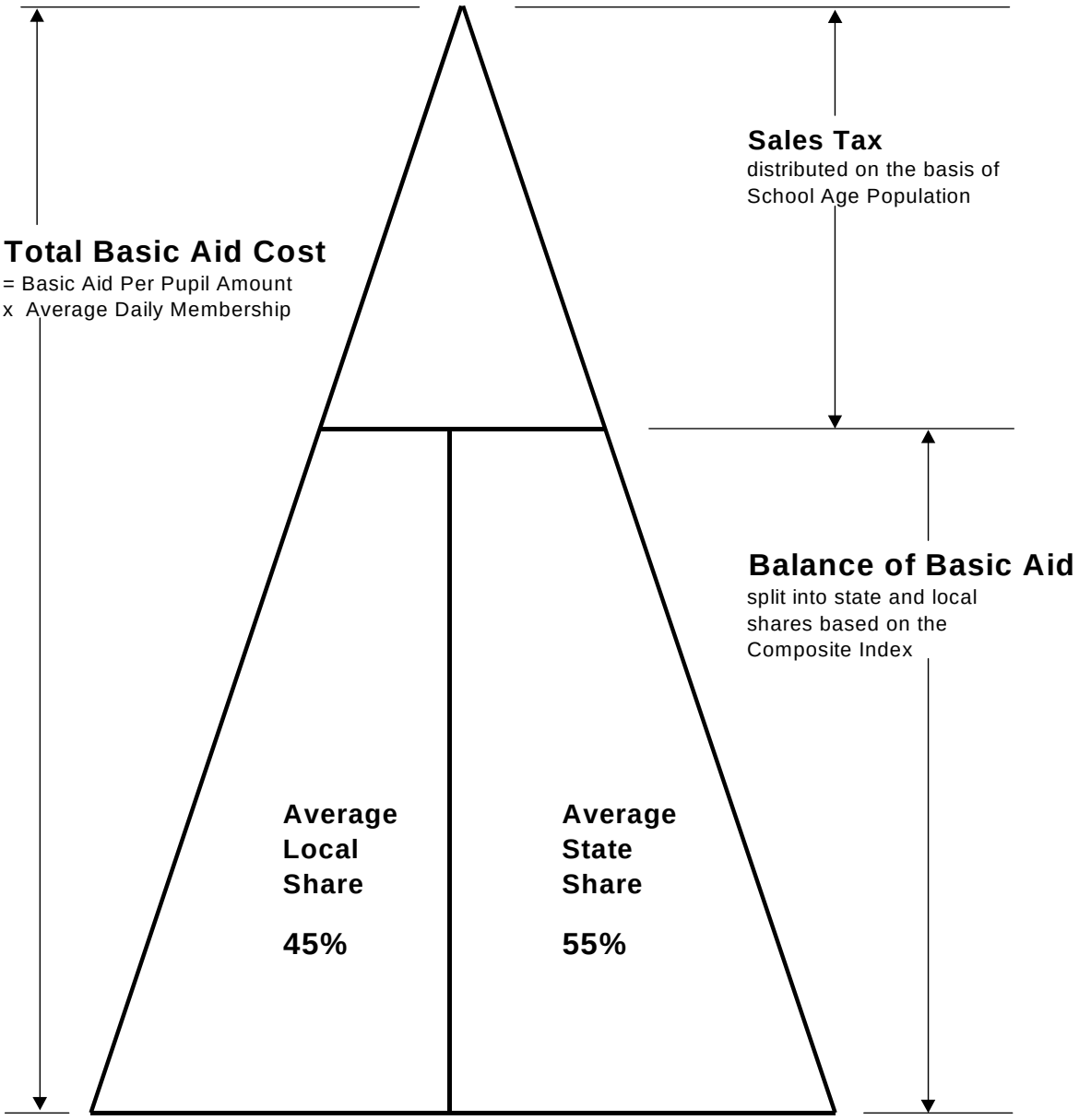
$$.5\left[\frac{\dfrac{\text{Local True Value of Property}}{\text{Local Population}}}{\dfrac{\text{State True Value of Property}}{\text{State Population}}}\right] + .4\left[\frac{\dfrac{\text{Local Adjusted Gross Income}}{\text{Local Population}}}{\dfrac{\text{State Adjusted Gross Income}}{\text{State Population}}}\right] + .1\left[\frac{\dfrac{\text{Local Taxable Retail Sales}}{\text{Local Population}}}{\dfrac{\text{State Taxable Retail Sales}}{\text{State Population}}}\right]$$

Local Composite Index =

((.6667 x ADM Component) + (.3333 x Population Component)) x 0.45 (average local share)

State and Local Shares of Total Basic Aid Cost

Sales tax reduces the total cost of basic aid



Note: State and local shares will vary by locality based on each locality's composite index.

Board of Education Agenda Item

Item: L. **Date:** September 21, 2005

Topic: Final Review of the Board of Education's Comprehensive Plan: 2005-2010

Presenter: Dr. Margaret N. Roberts, Executive Assistant to the Board of Education

Telephone: 804/ 225-2924 **E-mail:** Margaret.Roberts@doe.virginia.gov

Origin:

___ Topic presented for information only (no board action required)

___ Board review required by
_X State or federal law or regulation
____ Board of Education regulation
___ Other: Board of Education By-laws

_X_ Action requested at this meeting:

___ Action requested at future meeting:

Previous Review/Action:

___ No previous board review/action

_X_ Previous review/action:
date: April 2005; June 2005
____ action: Received report on the requirements in the Code of Virginia regarding the Board of Education's comprehensive plan and discussed priorities to be included in the revised plan; Accepted draft plan and authorized the Department of Education to distribute it for public comment.

Background Information: The Standards of Quality, as amended by the 2005 General Assembly (effective July 1, 2005), establishes the requirement that Board of Education adopt a comprehensive, long-range plan. In the past, the Standards of Quality required the Board of Education to develop a *six-year* plan. The amended language calls for a *comprehensive, long-range* plan.

The 2005 amendments to the Standards of Quality are as follows:

§ 22.1-253.13:6. Standard 6. Planning and public involvement.

A. The Board of Education shall ~~revise, extend and~~ adopt ~~biennially~~ a statewide ~~six-year~~ *comprehensive, unified, long-range* plan ~~that~~ *based on data collection, analysis, and evaluation. Such plan* shall be developed with statewide participation. *The Board shall review the plan biennially and adopt any necessary revisions.* The Board shall post ~~such~~ *the* plan on the Department of Education's website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying.

This plan shall include the objectives of public education in Virginia, *including strategies for improving student achievement then maintaining high levels of student achievement;* an assessment of the extent to which these objectives are being achieved~~,~~*;* a forecast of enrollment changes*;* and an assessment of the needs of public education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent to which these Standards of Quality have been achieved and the objectives of the statewide ~~six-year~~ *comprehensive* plan have been met. The Board shall also develop, consistent with*, or as a part of,* its ~~six-year~~ *comprehensive* plan, a detailed ~~six-year~~ *comprehensive, long-range* plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the ~~six-year~~ *comprehensive* plan for educational technology and may require the revision of such plan as it deems necessary.

The Board of Education's *Six-Year Plan: 2003-2008* was adopted in January 2003 and is currently in effect. The document describes the Board's current priorities. In addition to detailing the Board of Education's priorities, the *Six-Year Plan: 2003-2008* contains timelines and activities related to implementing the various components of the priorities. Since the six-year plan was adopted in January 2003, many of the activities associated with the priorities have been completed or are now substantially underway.

At its annual planning session in April 2005, the Board of Education engaged in an in-depth discussion related to revising and updating the current six-year plan, as required by the Code. During the discussion, which was led by Ms. Brenda Welburn, executive director of the National Association of State Boards of Education (NASBE), the Board of Education members identified critical issues and needs for public education in Virginia. In addition to the needs and priorities identified in the current six-year plan, the Board identified emerging critical issues, including the following:

Critical education issues for public education in Virginia:

- Helping chronically low-performing divisions and schools
- Providing technical assistance to divisions and schools that do not make AYP
- Helping to correct dysfunctional school boards
- Exploring and promoting alternative paths toward school improvement
- Helping school divisions meet complex requirements of state and federal laws and regulations

Meeting state-level requirements under state and federal laws and regulations in ways that are helpful to local divisions
Revamping high school programs to make the programs as relevant and productive as possible for meeting student needs
Maintaining and improving the system of school accreditation
Helping to provide strong career and technical education programs
Revamping and improving the academic review process, including the division-level review process
Expanding instructional support services (i.e., guidance counseling programs)
Attracting and retaining high quality teachers/administrators
Ensuring quality teacher preparation and licensure programs and policies
Helping to provide high quality professional development for classroom teachers and other school personnel
Advocating for better, competitive teacher salaries
Assisting children with the most need
Preventing dropouts and devising alternative programs to address their needs
Maintaining services and support for high achieving students
Closing the achievement gap among groups of students
Addressing the needs of minority and ESL students
Advocating for and partnering with other entities involved in early childhood education programs, especially those programs for the birth to age 5 group
Serving students in the middle; i.e., the average child

Following the Board of Education's discussion in April, the Department of Education staff developed a draft comprehensive plan, which was reviewed by the Board of Education at its meeting on June 22, 2005. The Board accepted the draft of the plan and authorized the Department of Education to distribute it for public comment.

The draft plan was distributed to division superintendents, the leadership of major statewide and regional professional organizations, and several hundred citizens who have requested to be informed of the Board's activities. In addition, a notice of the public comment period and the draft plan were posted on the Board of Education's Web site. All interested persons and organizations were asked to review the plan and submit their suggestions and comments. Comments were accepted by mail, e-mail, or fax. A summary of the public comments is attached (Attachment B below on page 39), and the draft of the comprehensive plan has been modified to incorporate the suggestions made during the public comment period.

Summary of Major Elements: The Board of Education is requested to review the final draft (Attachment A) of the comprehensive plan to ensure that the text accurately and completely reflects the views and priorities of the Board.

The draft comprehensive plan outlines eight objectives, along with strategies/activities to meet the objectives that will provide the framework for the Board of Education's focus for the near future:

Objective 1: The Board of Education will improve the quality standards for all public schools in Virginia.

Objective 2: The Board of Education will provide leadership to help schools and school divisions close the achievement gap and increase the academic success of all students.

Objective 3: The Board of Education will work to ensure meaningful, on-going professional development for teachers and administrators.

Objective 4: The Board of Education will support accountability for all schools, with a focus on assisting chronically low-performing schools and school divisions.
Objective 5: The Board of Education will work cooperatively with partners to help ensure that young children are ready for school.

Objective 6: The Board of Education will assist teachers to improve the reading skills of all students, kindergarten through grade 12.

Objective 7: The Board of Education will continue efforts to enhance the training, recruitment, and retention of highly qualified teachers, educational support personnel, and administrators, with a focus on the needs of "hard to staff" schools.

Objective 8: The Board of Education will provide leadership for implementing the provisions of state and federal laws and regulations smoothly and with minimal disruption to local divisions.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education adopt the final Comprehensive Plan: 2005-2010.

Impact on Resources: Staff at the Department of Education prepared the attached materials; therefore, there is an administrative impact related to preparing the text of the report and the information and data contained therein. In addition, there is a minimal administrative impact for preparing, photocopying, and mailing the report to the intended recipients. The fiscal impact of distributing the report is minimal (distributed on-line rather than in hard copy). There will be a fiscal impact related to implementing many of the priority actions specified in the report, and such fiscal impact data will be determined at appropriate intervals during the time period covered by the comprehensive plan (2005-2010).

Timetable for Further Review/Action: Following the Board of Education's final adoption of the comprehensive plan, the Department of Education will forward it to the General Assembly using the guidelines for distribution that have been set by the Division of Legislative Services. The comprehensive plan will also be posted on the Board of Education's Web page. In addition, department staff will work closely with the Board's various advisory committees to obtain recommendations to assist the Board in implementing its objectives as outlined in the comprehensive plan.

The comprehensive plan will be updated in 2007, as required by the Code of Virginia.

ATTACHMENT A

DRAFT:

BOARD OF EDUCATION
COMPREHENSIVE PLAN: 2005-2010

Board of Education
Commonwealth of Virginia

Members of the Board of Education
As of May 30, 2005

Mr. Thomas M. Jackson, Jr., President
Post Office Box 130
Hillsville, VA 24343

Mrs. Isis M. Castro
2404 Culpeper Road
Alexandria, VA 22308

Dr. Mark E. Emblidge, Vice President
413 Stuart Circle, Suite 130
Richmond, VA 23220

Mr. David L. Johnson
3103 B Stony Point Road
Richmond, VA 23235

Mr. Thomas G. Johnson, Jr.
One Commercial Place, Suite 1800
Norfolk, VA 23510

Dr. Gary L. Jones
7016 Balmoral Forest Road
Clifton, VA 20124

Mr. Andrew J. Rotherham
750 Montei Drive
Earlysville, VA 22936

Mrs. Eleanor B. Saslaw
4418 Random Court
Annandale, VA 22003

Dr. Ella P. Ward
1517 Pine Grove Lane
Chesapeake, VA 23321

Superintendent of Public Instruction

Dr. Jo Lynne DeMary
Virginia Department of Education

BOARD OF EDUCATION
COMPREHENSIVE PLAN: 2005-2010
Executive Summary

As required by § 22.1-253.13:6, Code of Virginia, the Board of Education's *Comprehensive Plan: 2005-2010* contains the following information:

- Statements of the Board of Education's vision and mission, which provide the framework for leadership, advocacy, and oversight for the public education system in Virginia. The statements are forward-looking and acknowledge the myriad programs and services of Virginia's public schools as well as the increasingly diverse needs of students.
- An assessment of the extent to which the objectives for public education are being met, which shows that for the past six years in which the current accreditation requirements have been in place, Virginia's public schools have steadily improved. However, the results also show that full accreditation is a goal yet to be achieved by some schools. Moreover, there remains a persistent and troubling achievement gap among groups of students, and many need costly, intensive instructional support to succeed in school.
- Projections showing that Virginia's public school enrollment of 1.2 million students will grow by about 43,000, or four percent, between 2005 and 2008.
- Demographic trends showing clearly that diverse population groups (i.e., limited English proficient and economically disadvantaged families) are increasingly making up a larger proportion of the overall population and that Virginia is experiencing shortages of teachers in certain subject areas. These trends pose serious challenges for public education.
- The objectives for public education, which are as follows:

  Objective 1: The Board of Education will improve the quality standards for all public schools in Virginia.

  Objective 2: The Board of Education will provide leadership to help schools and school divisions close the achievement gap and increase the academic success of all students.

  Objective 3: The Board of Education will work to ensure meaningful, on-going professional development for professional educational personnel.

  Objective 4: The Board of Education will support accountability for all schools, with a focus on assisting chronically low-performing schools and school divisions.

  Objective 5: The Board of Education will work cooperatively with partners to help ensure that young children are ready for school.

  Objective 6: The Board of Education will assist teachers to improve the reading skills of all students, kindergarten through grade 12.

  Objective 7: The Board of Education will continue efforts to enhance the training, recruitment, and retention of highly qualified teachers, educational support personnel, and administrators, with a focus on the needs of "hard to staff" schools.

  Objective 8: The Board of Education will provide leadership for implementing the provisions of state and federal laws and regulations smoothly and with minimal disruption to local divisions.

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BOARD OF EDUCATION
COMPREHENSIVE PLAN: 2005-2010

Introduction

The Board of Education's *Comprehensive Plan 2005-2010* covers the six-year time period of 2005 through 2010 and updates the objectives set forth in the Board's previous plan, which was entitled *Six-Year Plan: 2003-2008*. Building upon the previous plan, the two-year update reflected in this document provides the framework for resources and policy development to continue Virginia's forward momentum in student achievement.

Statutory requirement for revising the Comprehensive Plan

§ 22.1-253.13:6. Standard 6. Planning and public involvement.
A. The Board of Education shall adopt a statewide comprehensive, unified, long-range plan based on data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review the plan biennially and adopt any necessary revisions. The Board shall post the plan on the Department of Education's website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying.

This plan shall include the objectives of public education in Virginia, including strategies for improving student achievement then maintaining high levels of student achievement; an assessment of the extent to which these objectives are being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent to which these Standards of Quality have been achieved and the objectives of the statewide comprehensive plan have been met. The Board shall also develop, consistent with, or as a part of, its comprehensive plan, a detailed comprehensive, long-range plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the comprehensive plan for educational technology and may require the revision of such plan as it deems necessary…

The Board of Education's *Comprehensive Plan: 2005-2010* contains data on enrollment projections and other important demographic trends, a description of the Board of Education's objectives for public education in Virginia, a brief description of strategies used for improving student achievement and maintaining high levels of student achievement, and an assessment of the extent to which the Board's objectives are being achieved. Also, highlights of the strategies employed to meet the Board's objectives are described.

As noted in the above, the Code requires that the Board of Education include in its comprehensive plan an assessment of the needs of public education and a plan to integrate educational technology into the Standards of Learning and the curricula, including career and technical education programs. Pursuant to that requirement, the Board of Education has adopted three additional documents: (1) the Board of Education's annual report on the condition and needs of the public schools; (2) the *Six-Year Plan for Technology*; and (3) the state plan for career and technical education. When viewed with the comprehensive plan contained herein, the documents provide a comprehensive view of the Board's priorities, the condition and needs upon which the priorities are based, and the future direction and needs of our system of public

education. The Board of Education's annual report on the condition and needs of the public schools may be viewed at http://www.pen.k12.va.us/VDOE/VA_Board/home.shtml and the *Six-Year Plan for Technology* may be viewed at http://www.pen.k12.va.us/VDOE/Technology/OET/resources.shtml#etp. Information about Virginia's career and technical programs may be viewed at http://www.pen.k12.va.us/VDOE/Instruction/CTE/.

Of particular note, the Board of Education's priorities and performance targets for Virginia's public schools are embedded throughout the provisions of the Standards of Quality, the Standards of Accreditation, and the Standards of Learning. These and other key policy and regulatory documents of the Board of Education may be viewed on the Department of Education's Web site: www.doe.virginia.gov. The *No Child Left Behind Act of 2001* also contains performance expectations for the state and for the school divisions and the individual schools within the divisions.

Board of Education vision statement: 2005-2010

The vision of the Board of Education and the Superintendent of Public Instruction, in cooperation with local school boards and other partners, is to create an excellent statewide system of public education that equips all students with the knowledge and skills to excel in postsecondary education and careers and to become capable, responsible, and self-reliant citizens.

Board of Education mission statement: 2005-2010

The mission of the Board of Education and the Superintendent of Public Instruction, in cooperation with local school divisions, is to provide leadership, assistance, and oversight for Virginia's public schools in order to improve the achievement of all students by advocating for proven strategies to address the individual and diverse learning needs of students, establishing high standards for learning, measuring student performance, providing accountability to the public, and increasing opportunities for lifelong learning.

Assessment of progress in achieving objectives

In Virginia, academic standards are in place, and educators are implementing them. Virginia has a valid and reliable assessment system to gauge student progress, and accountability goals are set for English, mathematics, science, and history and social science. More than eight out of ten public schools in Virginia are now fully accredited, based on, among other key indicators, the performance of students on Standards of Learning (SOL) assessments. This shows remarkable improvement since 1998, when only two percent of our public schools were fully accredited.

In the elementary school arena for 2005, the number of elementary schools achieving the commonwealth's highest school-quality rating increased, even though the targets for achievement in reading, history, and science were higher than in previous years. In short, for the past six years in which the current accreditation requirements have been in place, Virginia's public schools have steadily improved.

In the secondary schools, more than 94 percent of the high school seniors who made up the class of 2004 graduated on schedule. This is an important milestone because members of the class of 2004 were the first students required to pass Standards of Learning tests to earn a diploma. Even with the tougher achievement requirements, the percentage of seniors who earned a diploma in 2004 is only two-tenths of a percentage point less than the previous five-years average of 94.5 percent. In 2003, 95.2 percent of the students in the senior class earned a diploma. In 2002, 94.3 percent of seniors earned a diploma—the same percentage as 2004, when the new graduation requirements took effect. Additional information regarding the assessment of the extent to which the Board's objectives are being met is contained in Appendix A.

The gratifying student achievement and progress seen so far should not obscure the challenges that remain. The Board of Education's school improvement efforts have been in place long enough that we can see not only results, but also the most persistent needs and problems. During the past several years, Virginians have seen continuous improvement in student academic performance and in school accreditation results. However, the test results also show that there remains a persistent and troubling achievement gap among groups of students, and many need costly, intensive instructional support to succeed in school.

Major challenges are ahead for Virginia's public schools as teachers and other educators address the varied and complex learning needs of their students. Full accreditation is a goal not yet achieved by all of Virginia's schools, and educators seek better and proven strategies and instructional methods to help students improve their academic performance. All teachers need solid professional development to learn new skills and sharpen their current ones, and maintaining a highly qualified teaching force is critical to the goals of our public schools.

Enrollment projections for Virginia's schools

The period covered by the comprehensive plan will be a time of great demographic change for Virginia as a whole, and especially for Virginia's public education system. The 2000 U.S. Census data show that Virginia was the 16th fastest growing state, with a population increase from 6.2 to 7.1 million in the 1990s. During that time period, over two-thirds of Virginia's population growth came from minority residents.

Almost 1.2 million students were enrolled in Virginia's public schools for the 2004-2005 school year (Fall membership count). Since 1994, total enrollment has increased by more than 123,000 students, a 12 percent growth rate during the ten-year period. According to the latest statistics provided by the Virginia Department of Education (see table below), enrollment will continue to increase during the next several years. Between 2004 and 2008, enrollment is projected to grow by about 43,000 students, or four percent, to a statewide total of 1,214,013 students.

Statewide Fall Membership Projections

Fiscal Year	Fall Membership
2004: Actual	1,170,797
2005: Actual	1,180,735
2006: Projected	1,192,624
2007: Projected	1,205,686
2008: Projected	1,219,051

Important demographic trends for Virginia's schools

The growth in enrollment of students in kindergarten through twelfth grade poses steep challenges for schools. Especially difficult challenges include training and retaining teachers, principals, and instructional support staff; helping children who have widely varying learning needs such as students who do not speak English or who have disabilities that affect learning; and addressing the time-consuming and complex requirements of the state and federal laws and regulations governing public school programs. This requires more funding at all levels. These and other challenges become more acute for the public schools in light of Virginia's changing demographics, which show clearly that diverse population groups (i.e., limited English proficient and economically disadvantaged) are increasingly making up a larger proportion of the overall population.

Demographic information is important because it indicates the needs of schools and students now and in the near future— a future for which Virginia's schools and students must be prepared. Important demographic trends include the following:

Growth in the enrollment of Limited English Proficient (LEP) students:
With more immigrants having arrived in the United States during the 1990s than any other single decade, the number of public school students in need of additional language instruction has increased dramatically in recent years. In Virginia, the English as a Second Language (ESL) population has doubled in just the past five years, and this trend is expected to continue. Virginia's ESL students are at all stages of learning English and have varying educational backgrounds in their first languages. While the broad objectives of the English Standards of Learning (and all other content area SOLs) will ultimately be the same for all students, those learning English as a second language often need extra time, support and exposure to English. In an effort to meet the needs of these students, school divisions have instituted a variety of programs to provide instruction in English as a second language.

A major trend seen in the demographic data is that Virginia's schools can expect to experience continued growth in the enrollment of the Limited English Proficient population. According to the Weldon Cooper Center for Public Policy at the University of Virginia, more than 30 percent of Virginia's population increase between 1990 and 2000 was due to growth in the foreign-born population, up from only 16 percent a decade earlier. Most, but certainly not all, of that growth

occurred in Northern Virginia, where 70 percent of the state's foreign-born population lived in 2000. More than 75 percent of Virginia's school divisions have Limited English Proficient (LEP) students enrolled. In 1994, Virginia's public schools enrolled a total of 20,000 LEP students. In 2004, that number had increased to 67,000.

Data gathered by the Virginia School Boards Association's Limited English Proficient caucus indicates that, on average, over 50 percent of a division's LEP students are likely to have been born in America. While more than two-thirds of Virginia's LEP students are enrolled in a division in the northern Virginia region, pockets of sizable concentrations of LEP students dot many areas of the state. Not all growth occurred in northern Virginia or metro areas. Harrisonburg, Galax, and Winchester developed large Hispanic populations in the last decade. According to the Weldon Cooper Center for Public Policy, Harrisonburg's foreign-born population grew in the past 10 years by almost 3,000; Winchester's foreign-born population tripled; and Galax grew from 46 foreign-born residents to almost 600, representing almost a tenth of its total population

Diversity of economic and educational opportunity factors:
For the 2004-2005 school year, slightly more than one-third (33.5 percent) of the students in Virginia's public schools were eligible for free and reduced-price lunch. The percent varies widely across the school divisions, from a high of more than 72 percent to a low of 5 percent. Census data show that poverty remains stubbornly concentrated in cities, inner suburbs, and rural areas. Further, according to the 2000 census, there are 700,000 adults in Virginia without high school credentials who can benefit from adult education.

Teacher preparation and teacher shortages:
The predicted teacher supply for Virginia shows that the teaching force is expected to shrink by four percent between the years 2000 and 2015; however, the student enrollment in the public schools is expected to grow by four percent during that same time period. Thus, the supply of teachers is going down, while the student population is going up. The number of minority teachers in Virginia continues to decline. Nationally, the number of minority teachers will decrease from 13 percent in 1994 to five percent in 2005. Virginia's teaching force follows this same trend.

Finding highly qualified teachers for LEP students is difficult. The most recent data provided by the Virginia Department of Education indicate that in 2001-2002, 30 students graduated from Virginia colleges and universities with endorsement in English as a Second Language (ESL). This number is insufficient to meet the needs of the fastest growing subgroup in the Commonwealth.

Acute teacher shortages in Virginia are seen in the areas of special education, science, (Earth science, space science, and chemistry) and mathematics. In 2004-2005, Earth Science is the area of most severe shortage. To further compound the problem, thirteen percent of Virginia's special education teachers are not fully licensed, with some areas as high as 62 percent.

Board of Education
Objectives for 2005-2010

The Board of Education's objectives are constantly evolving. The objectives are revised every two years; therefore, they must be viewed as a continuous process of assessment and evaluation, all of which lead to adjustments as needed. Perhaps most importantly, the Board of Education's objectives, as well as the strategies and activities to implement the objectives, are tied closely to the requirements state and federal statutes and regulations and on the availability and appropriation of funding for public education.

Objective 1: The Board of Education will improve the quality standards for all public schools in Virginia.

Rationale:
The Board of Education's constitutional responsibility is "to determine and prescribe" the Standards of Quality (SOQ) for Virginia's school divisions. During 2003, the Board conducted a comprehensive review of the SOQ. The prescribed amendments were presented to the 2004 session of the General Assembly, and many of the amendments were adopted and funded by the legislature. To follow that success, the 2005 session of the General Assembly adopted and funded many of the remaining recommendations that had been prescribed by the Board.

The Board of Education is continuing to revise and update the SOQ to ensure that the standards are adequate and appropriate for today's schools and students; therefore, in 2005, the Board is considering additional amendments to the SOQ. That process is on-going. In the future, the Board of Education will review and revise the Standards of Quality at periodic intervals to reaffirm the commonwealth's commitment to high education standards. The Board will work closely with the General Assembly and other partners in this regard.

The Standards of Accreditation were last revised in 2000. Those regulations included provisions that served as a transition to the current more rigorous requirements for school accountability and student achievement. Those transitional provisions are now obsolete or outdated. Furthermore, Virginia's accountability system has matured, and it is time to undertake a comprehensive review of the accrediting standards, especially in the areas of consequences for those schools that fail to meet the accountability requirements, and incentives for schools that are achieving success.

Strategies/Activities to meet Objective 1:

- Review and revise the Standards of Quality: 2005, 2007, and 2009.
- Review and revise the Standards of Accreditation.

Objective 2: The Board of Education will provide leadership to help schools and school divisions close the achievement gap and increase the academic success of all students.

Rationale:
The Board of Education's priority for providing challenging academic standards is intended to be student-centered, results-oriented, and supportive of local flexibility. This priority also

provides the foundation of what the members of the Board of Education want to achieve: a successful and accountable system of public education for all of Virginia's citizens. This supports the Board's firm belief that students will rise to the challenge of high standards if they are given the support they need by teachers who have the resources and training needed to get the job done.

The "achievement gap" refers to the disparity in academic performance between groups of students. The term is used to describe the troubling performance gaps between many African-American and Hispanic students, at the lower end of the performance scale, and their Caucasian, non-Hispanic peers, as well as the similar academic disparity between students from low-income and more affluent families and localities. The disparity also shows up in the performance and graduation rates for the students with disabilities compared to their non-disabled peers. The achievement gap has become a focal point of Virginia's education improvement efforts. "Closing the gap' does not mean simply raising the performance of low-performing children; rather, the Board of Education is working to set challenging standards for all children, including those now performing at high levels.

In Virginia, African-American and Hispanic students have made great strides in narrowing the achievement gap that separates them from their Caucasian peers. According to the Education Trust, Virginia has one of the nation's smallest achievement gaps between Caucasian and Hispanics. In 2003, Virginia's eighth-grade Hispanic students had the highest National Assessment of Educational Progress (NAEP) writing scores for Hispanic students in any state. But while Caucasian and Asian students' performance on our assessments is distributed evenly across the spectrum, from low to high, the performance of African-American and Hispanic children falls disproportionately at the lower end of the scale, and fewer of these students are meeting the standard on achievement tests. The disparity in performance among the groups widens as the students progress through elementary to secondary schools.

The federal No Child Left Behind Act also takes aim at the achievement gap. It requires states to disaggregate student achievement data by subgroups of students so that performance gains for all children can be tracked. The law also contains a host of accountability measures that penalize schools that are unable to show achievement gains by all subgroups of students: students with disabilities; limited English proficient students; economically disadvantaged students; and major racial/ethnic groups. The hope is that these strict accountability measures will spur across-the-board gains in achievement.

Successful strategies to close the achievement gap must be emphasized in schools across the state. These strategies should include not only address academic concerns but positive school discipline as well. Parents need to be included and involved for strategies to be successful—especially parents of children with special needs. Teachers and administrators need to know how to use test results and other data to understand their students' skills gaps. To do this, professional training on how to link data to instructional strategies is critical in order for teachers to understand how to use data and test results to make changes in their instructional programs.

Another aspect of closing the achievement gap and raising the academic performance of all students is that college attendance and receipt of a bachelor's degree increase employment opportunities and income potential. While exact numbers are not available, approximately 50

percent of Virginia's high school graduates enroll in a four-year college right after graduation. Approximately 23 percent enroll in a two-year college program, and an additional 12 percent enroll in a proprietary school, training program, or the military. Certainly, the Board of Education's role is to help ensure that all students are well prepared academically, regardless of their post-high school plans and aspirations. In a world of turbulent changes, every kind of occupation has seen a dramatic increase in education requirements. Jobs that require educated workers are growing the fastest. Many, if not most, high-paying jobs and careers in the near future will require higher levels of education or training than in the past. This has a direct impact on industry certification programs and opportunities in our public schools.

Strategies/Activities to meet Objective 2:

- Review and revise the Standards of Learning:
    - Computer/Technology: 2005
    - Fine Arts: 2006
    - Foreign Language: 2007
    - Health, Physical Education, and Driver Education: 2008
    - History and Social Sciences: 2008
    - Mathematics: 2009
    - English: 2009
    - Science: 2010
- Support professional development and technical assistance for instructional staff, especially in low-performing schools.
- Support a focus on civics and financial literacy to ensure the preparation of all students to be productive citizens.
- Review the English Proficiency Standards and revise as necessary.
- Support programs and initiatives to expand opportunities for students to earn a high school diploma.
- Establish policies regarding the new numeracy and literacy assessments for students with disabilities pursuing the modified standard diploma.
- Establish policies regarding the revised Virginia Alternate Assessment Program.
- Establish modified achievement standards for students with disabilities who can make significant progress but may not reach grade-level achievement standards within the same time frame as other students.

Objective 3: The Board of Education will work to ensure meaningful, on-going professional development for professional educational personnel.

Rationale:

Effective professional development is seen as increasingly vital to school success and satisfaction for professional educational personnel. With schools today facing an array of complex challenges—from working with an increasingly diverse population of students, to integrating new technology in the classroom, to meeting the requirements of NCLB—education leaders have stressed the need for teachers to be able to build on their instructional knowledge

Clearly, teachers, administrators, and educational support staff in struggling schools need additional assistance to turn their schools around. Small divisions, especially those with a significant LEP population, have great difficulty providing training opportunities to their teachers. We would urge you to focus particular attention on this subset of school divisions.

Some assistance is provided already through initiatives of the Governor, General Assembly, and the Department of Education. NCLB provides additional funding for professional development for classroom teachers. Yet improving learning opportunities for all children will require more than individual talents or school-by-school efforts. It will demand systemwide approaches that touch every child in every school in every school division across the state.

For high-caliber professional development programs to take root, actions of the Board of Education must place emphasis on the importance of strong leadership on the part of the school principal and educational support personnel. The Board must stress the need for innovative and coordinated management of funding and teachers' time and advocate for greater financial and administrative support, both at the state and local levels.

Strategies/Activities to meet Objective 3:

- Support professional development and technical assistance for professional educational personnel, working with professional education associations and teacher educators.
- Promote the identification of industry certifications opportunities for all teachers who lack such credentials.
- Support, in conjunction with local divisions, professional development strategies that the local schools, especially those in small school divisions, will use to help ensure the development of highly qualified professional educational personnel and paraprofessionals.

Objective 4: The Board of Education will support accountability for all schools, with a focus on assisting chronically low-performing schools and school divisions.

Rationale:

A priority of the Board of Education will be to support highly effective school accountability and improvement at the local school and at the division level as well. In 2002, a national study group on low-performing schools, formed by the National Association of State Boards of Education (NASBE), arrived at four powerful points of consensus—points with which the Virginia Board of Education concurs as it focuses its attention on Virginia's chronically low-performing schools and school divisions. The Board of Education concurs that:

1. No school fails because its students cannot succeed. Given appropriate support and an environment that is infused with expectations of academic excellence, students at risk of failure can and do succeed everyday.
2. Achievement gaps among groups of students are not acceptable. States can no longer ask if all schools can achieve high standards; the only appropriate question, especially in light of the requirements of the No Child Left Behind legislation, is how to close the existing gaps quickly and effectively.

3. It is also not acceptable that children with great needs —those in poverty, of color, or with disabilities —are often attending the lowest-performing schools and do not have access to the academic resources that foster achievement.
4. The central goal of all education policies and programs needs to be school improvement for greater student achievement.

The Virginia Board of Education has resolved to focus much of its efforts on turning around low-performing schools and on implementing policies and programs that foster high-performing schools. To that end, the Board will focus its attention on five critical elements common to high-performing schools, defined as follows by the NASBE study group:

Element 1. Improving Low-Performing Schools Requires Effective School Leadership: Effective schools research of the last twenty years, combined with research that examines the critical components necessary to turn around low-performing schools, makes clear the importance of good leadership. Numerous studies arrive at similar conclusions about the importance of school leadership in fostering a school culture and implementing school programs geared toward high student achievement.

Element 2. Schools and Students Need High-Quality Teachers: Low-performing schools cannot be turned around without high-quality teachers. Studies that look at the impact of teachers on student learning have found that measures of teacher expertise accounted for more variation in student reading and mathematics achievement in kindergarten through grade 12 than students' socioeconomic status. Other studies have found that students who are assigned to ineffective teachers for several years in a row have significantly lower achievement and lower gains than students assigned to highly effective teachers.

Element 3. Improving Low-Performing Schools Requires Teachers who Participate in High-Quality, Targeted Professional Development: Professional development matters: teachers and educational staff with more professional growth opportunities are more effective than those with fewer opportunities. Particularly in low-performing schools, high-quality professional development is "the linchpin of teacher quality."

Element 4. Successful Schools Have a Good Curriculum and Instructional Supports: Teachers need high-quality curriculum and instruction in order to impact student achievement. A study in North Carolina found, for example, that regardless of students' prior academic experiences, given a rigorous curriculum with challenging tasks and appropriate assessments in small settings, students learn. Another study points out the pernicious nature of under-performance: of non-proficient eighth graders, 85 percent will stay that way through high school. The 15 percent of under-performing students who do manage to break the mold have done so by being exposed to an intensive academic high school curriculum.

Element 5. Improving Low-Performing Schools Requires Staff to Make Frequent and Appropriate Use of Data to Inform Continuous Improvement: School improvement efforts can plateau early unless strategies for school improvement are based on data that illuminate root causes of low performance and help schools prioritize their needs. Schools that serve high proportions of at-risk students and that truly excel at improving teaching and learning do it by gathering and analyzing data often and basing decisions about school, classroom, and student interventions on diagnostic information.

The Board of Education uses all of the elements listed above to refine and improve its policies and programs to build capacity for improvement among all schools, especially low-performing schools. Moreover, the Board has new authority that modifies the current school compliance process within the SOQ to authorize the Board of Education to require an academic review of any school division that, through the school academic review process, fails to implement the SOQ. The new provisions also require the reviewed school division to submit for approval by the Board a corrective action plan setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. The Board adopted criteria and procedures for conducting division-level academic reviews and improved the procedures used in conducting school-level reviews.

One key element to school improvement is the fast, reliable collection of data for use by teachers and other professionals. To make sound, data-driven educational decisions on behalf of their students, schools and school divisions need access to student records and other educational data that provide a written picture of a student's academic performance.

Clearly, the academic review and the division-level review procedures that the Board of Education has put in place will help ensure that programs are maximally effective and resources are targeted to areas of greatest need. The Board will work to improve the review procedures and develop effective ways to help schools and divisions.

<u>Strategies/Activities to meet Objective 4:</u>

- Receive periodic reports of findings of academic review teams, review and adopt policies to address recommendations in team reports, and continue to refine the academic review and division level review procedures.
- Adopt strategies for closing the achievement gap between high- and low-performing groups of students.
- Support efforts to establish a state-level education information management system (EIMS) that will enable the department to meet increasing state and federal reporting requirements and enable stakeholders at all levels of education to make informed educational decisions based on accurate and timely information.
- Promote technical assistance on research-based instructional interventions that help improve the academic achievement in schools that are low-performing and those that are identified as in need of improvement under the NCLB Act.
- Continue to review and approve instructional methods and/or models for implementation in low-performing schools.
- Address measures to be taken in schools whose accreditation is denied.
- Support programs that assist schools and students meet performance expectations.

Objective 5: The Board of Education will work cooperatively with partners to help ensure that young children are ready for school.

Rationale:
Research shows that from the time of birth to the first day of kindergarten, development proceeds at a pace exceeding that of any subsequent stage of life. Efforts to understand this process have revealed the many remarkable accomplishments of the pre-school years, as well as the serious problems that confront some young children and their families. Striking disparities in what children know and can do are evident well before they enter kindergarten.

These differences are strongly associated with social and economic circumstances, and they are predictive of subsequent academic performance. Addressing and remediating these disparities are critical tasks, both for the children whose life opportunities are at stake and for the state whose goals demand that children be prepared to begin school, achieve academic success, and ultimately achieve economic independence and engage constructively with others as adult citizens.

Leadership for and oversight of programs for pre-school-age children are predominately out of the purview and authority of the Board of Education. Nonetheless, the Board recognizes that getting pre-school age children ready to enter school is critically important to later success in school. The strong link between a child's early learning environment and later school success is clear; therefore the Board of Education will seek new and effective ways to work cooperatively with other agencies and organizations concerned with the development of children of pre-school age.

Strategies/Activities to meet Objective 5:

- Establish academic standards to support preparation for pre-school students to be ready to successfully enter into kindergarten.
- Continue to cooperate with other entities involved in developing and implementing *Virginia's Foundation Blocks for Early Learning: Standards for Literacy and Mathematics*.
- Support the Virginia Preschool Initiative.
- Support the Title I Preschool programs.
- Support the Early Childhood Special Education Program.
- Support the Even Start Family Literacy Program.
- Seek ways to cooperate with and encourage the Head Start programs.

Objective 6: The Board of Education will assist teachers to improve the reading skills of all students, kindergarten through grade 12.

Rationale:
Reading is essential to success in our society. The ability to read is highly valued and important for social and economic advancement. Most children learn to read well; however, failure to learn to read adequately for continued school success is much more likely among poor children, children of color, and nonnative speakers of English. Despite the many ways in which Virginia's schools have improved over the past few years, there is little reason for complacency.

The Board is keenly aware that developing reading skills in the early grades is not the total answer to academic success. The Board will focus attention not only on the basic reading skills taught in the early elementary grades, but on the reading ability of the middle and secondary years as well. Inevitably, this will require some students to learn new skills—and some teachers to learn new strategies for teaching their students the important skills of how to read purposefully, select materials that are of interest, learn from those materials, figure out the meanings of unfamiliar words, integrate new information with information previously known, resolve conflicting content in different texts, differentiate fact from opinion, and recognize the perspective of the writer. These are all skills critical to reading comprehension.

Strategies/Activities for meeting Objective 6:

- Ensure the communications and literacy skills of teachers by implementing the requirement for the reading assessment for initial licensure for teachers in the early grades.
- Provide leadership for preschool to adult literacy initiatives, including programs that address the needs of speakers of languages other than English.
- Support teacher preparation programs and pre-service programs for teachers to improve their skills in teaching reading

Objective 7: The Board of Education will continue efforts to enhance the training, recruitment, and retention of highly qualified teachers, educational support personnel, and administrators, with a focus on the needs of "hard to staff" schools.

Rationale:

In Virginia and across the country, growing number of school divisions, foundations and national organizations are zeroing in on this key question: What can be done to help improve school leadership at all levels? A recent publication by the National Association of State Boards of Education summed up the need for leadership: "Effective schools research of the last twenty years, combined with research that examines the critical components necessary to turn around low-performing schools, makes clear the importance of good leadership." The Board of Education can play an important role to coordinate and explore effective strategies for ensuring quality and results, chiefly through efforts in principal training and professional development.

Certainly, the school counselor can be a key support for on-going progress of the school and every effort must be taken to ensure that school counselors—like principals and other school leaders— have the resources to do their job effectively. Counselors take the frontline of responsibility in helping guide students into challenging coursework to ensure that they are prepared for the world beyond high school: college, technical training, military enlistment, or employment. The explosion of readily available information on careers, financial aid, and college courses of study has placed additional demands on school counselors.

However, the reality of day-to-day pressures at the school means that some school counselors spend a significant amount of time on non-counseling activities, such as testing, covering classes, and registrar activities. In 2004, the Board of Education adopted *Standards for School Counseling Programs in Virginia Public Schools*, which can provide a valuable guide to local school leaders when reviewing the duties of the guidance and counseling staff, especially when

duties other than counseling responsibilities can impair their ability to serve students. Finding effective ways to help improve counselor effectiveness would benefit the entire school community.

The No Child Left Behind Act (NCLB) places major emphasis upon teacher quality as a factor in improving student achievement. The new requirement that there be a highly qualified teacher in every core academic classroom by 2005-2006 is an important backdrop for the Board of Education's priorities.

Helping the "hard-to-staff" schools is a critically important focus for the Board of Education. "Hard to staff" schools are defined as those that have great difficulty in finding and retaining qualified and effective teachers. These schools are high-poverty inner-city schools or rural schools that, as a consequence of their location in economically depressed or isolated districts, offer comparatively low salaries and lack the amenities with which other divisions attract and retain teachers. This makes it difficult not only for the schools to maintain stability, but also to develop a strong learning environment. In 2004, Virginia had 230 schools defined as "hard-to-staff" and these schools present unique challenges to the state as a whole.

Shortages in teachers, support staff, such as counselors, and administrators are particularly acute for hard-to-staff schools, many of which are located in rural or high poverty areas. Providing the best-qualified teachers and staff to the neediest students is a constant struggle for these schools, particularly those in rural areas and in then inner cities.

The Board of Education supports providing additional state funding for teacher salaries as an essential part of recruiting and retaining teachers of the highest quality. Virginia is in the process of implementing its plan to ensure that all teachers of core academic subjects meet the federal definition of highly qualified by the end of the 2005-2006 school year, and to get the highest quality teachers, salaries for teachers must be competitive with other comparable professions. Based on the 2002-2003 data (the last year data are available) Virginia ranked 21st in the nation in average teacher salaries, with Virginia's average classroom salary falling $3,152 (6.9 percent) below the national average.

Getting teachers with content preparation in every classroom, continuing to improve the licensure of teachers and providing beginning teachers with mentors are essential to attract and retain high quality professionals in the state's teaching force.

<u>Strategies/Activities to meet Objective 7:</u>

- Support initiatives to increase the number of high quality teachers, especially for hard-to-staff schools, such as the mentoring programs in hard-to-staff schools, the Virginia Middle School Teacher Corps, and other incentive programs for qualified teachers.
- Support executive education opportunities, such as the Turnaround Specialist Program to assist established school administrators in providing skilled leadership in chronically low-performing schools.

- Support the implementation of recommendations for the preparation of school leaders outlined by the Commission to Review, Study and Reform Educational Leadership.
- Ensure that incentives for National Board Certification are aligned with efforts to help hard-to-staff schools including placing National Board Certified Teachers in such schools, encouraging teachers from these schools to pursue National Board Certification, and introducing a service component in state school improvement efforts into state supports for National Board teachers.
- Support full compliance with NCLB and IDEA requirements for highly qualified paraprofessionals, general, and special education teachers and for professional development of teachers.
- Promote increasing the pool of teachers entering the profession through the career switcher program to teach in general and critical shortage areas.
- Support strategies for recruitment and retention of highly qualified teachers through the Teacher Quality Enhancement grant.
- Adopt revisions to regulations governing preparation and licensure requirements for school personnel.
- Support ways to attract and retain career and technical education teachers whose training and expertise meet the demands of students and employers in the commonwealth.

Objective 8: The Board of Education will provide leadership for implementing the provisions of state and federal laws and regulations smoothly and with minimal disruption to local divisions.

No Child Left Behind Act of 2001:
The No Child Left Behind Act (NCLB) has expanded the federal role in education and has become a focal point of education policy. Coming at a time of wide public concern about the state of education, the legislation sets in place requirements that reach into virtually every public school in America. At the core of NCLB are a number of measures designed to drive broad gains in student achievement and to hold states and schools more accountable for student progress.

The Board of Education has expressed overall support for the law's stringent accountability mandates as important levers improving performance for all children. The Board has worked diligently in its efforts to ensure that the state complies with all requirements of NCLB. Nonetheless, given its scope and detail, the No Child Left Behind Act has been the source of considerable controversy and debate in the education community. The Board of Education has been a part of the on-going debate and has applied for and subsequently pushed USED to approve certain waivers and amendments to its accountability workbook. Further requests are pending.

Reauthorized *Carl D. Perkins Act*:
Congress recently reauthorized one of the primary pieces of federal legislation governing career and technical, the Carl D. Perkins Vocational and Technical Education Act, which is the main source of federal grants for states' vocational and technical programs at both the secondary and post-secondary levels. Schools receiving Perkins funding are required to establish and meet local adjusted levels of performance; show continuous improvement in academic and technical achievement; conduct a performance evaluation every two years of the six-year plan; and

establish separate secondary and postsecondary performance measures. The legislation also emphasizes academic content by aligning student academic achievement standards in Perkins with NCLB requirements.

Career and technical programs are academically focused, and Virginia has impressive programs for high school students, especially those intent on earning industry certifications, which provide students with a major boost toward advanced technical training or earning a degree at a community college or four-year college. These programs are responding to the real needs of local businesses—in health care, information technology, the construction trades, and other occupations.

The Board of Education, which serves as the State Board for Career and Technical Education, has a key part to help ensure that career and technical educators are able to keep pace with industry needs and technological innovations, and gain critical skills in instructional practice.

The Career and Technical Education Program (CTE) has a comprehensive state plan that is approved by the US Department of Education (USED). The current CTE plan was approved in 2000 for a four-year period from July 1, 2000, to June 30, 2004. USED extended the approval, with revisions, in 2004. Pending additional information from USED, the CTE Plan will be revised and updated in 2005-2006.

Another important federal law related to career and technical education programs is the Workforce Investment Act (WIA). While not directly under the responsibilty of the Board of Education, the WIAprovides workforce training programs and may serve youth aged 14 to 21. WIA impacts certain provisons of the Perkins Act and adult education and literacy programs, which are, of course, of direct interest to the Board of Education. The state and local plans developed by the respective councils set up for that purpose guide the implementation of the WIA provisions.

Reauthorized *Individuals with Disabilities Education Improvement Act of 2004* (IDEA):
In December 2004, the IDEA was amended as the Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446). In general terms, the IDEA asserts that children with disabilities will receive a free educational program that is appropriate to their needs and the program will be administered in an environment that is most helpful to the child's education.

The requirements of the federal legislation place significant responsibilities for monitoring and overall state planning on the Board of Education. Among other new requirements, the Board of Education must (1) ensure that teachers are adequately prepared and trained and have the content knowledge and skills to serve children with disabilities; (2) require that students with disabilities who take alternate assessments be included in the state's NCLB accountability system; (3) report, with the same frequency they report on assessments of non-disabled students, the number of children with disabilities participating in both regular and alternate assessments and the results of these assessments; (4) require extensive data collection, including requiring the disaggregating of suspension and expulsion data by race, along with the requirement that graduation rates of students with disabilities be cataloged along with dropout rates for students

with disabilities student achievement; and (5) establish regulations consistent with the federal regulations.

Consolidation of the Virginia Schools for the Deaf and Blind:
The Board of Education must act on state legislation to consolidate into a single campus the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind and Multi-disabled at Hampton. As a result of declining enrollment, increased maintenance costs, and other issues impacting the efficiency of each school, the consolidation of the two state schools for the deaf and the blind has been studied repeatedly since 1979. In 2003, a consolidation task force, convened at the direction of the General Assembly, recommended that a new school be built at a location to be determined by the Board of Education. As a result of the task force's recommendations, a subsequent feasibility study, directed by the General Assembly, was conducted in 2004. The feasibility study proposed the parameters for construction of a new school at a new site.

Subsequently, the 2005 General Assembly adopted language through the budget bill (Chapter 951, 2005 Acts of the Assembly) directing that the two schools be consolidated into one school, and the Board of Education issued a Request for Proposals for that purpose. The Board of Education, assisted by the Department of General Services, is considering among other options, Public-Private Education Act (PPEA) proposals to plan and design the consolidation of the two schools into a single campus. The appropriation act language requires the Board to make the first decision regarding the method for proceeding with consolidation no later than July 31, 2005. The Department of Education must provide a report on this project to the Governor and the General Assembly no later than October 1, 2005.

Strategies/Activities for meeting Objective 8:

- Continue to monitor progress of schools, divisions, and the state in meeting Adequate Yearly Progress (AYP) requirements.
- Receive annual report cards on progress of students in meeting state standards, graduation rates, elementary school attendance rates, names of schools needing improvement, professional qualifications of teachers, percentages of students not tested, and other information as required by NCLB.
- Support the administration of new SOL tests annually in English (reading/language arts) and in mathematics for grades 3 through 8.
- Support Virginia's participation in NAEP program in reading and math for 4th and 8th grades.
- Support school divisions in conducting annual assessment in English language proficiency for all limited English proficient (LEP) students.
- Support programs of technical assistance for schools identified as in the first and second year of school improvement.
- Support procedures to disseminate via the Web site notices to parents and the public of any pending corrective actions, as required by NCLB.
- Support efforts to enlarge the pool of Supplemental Educational Services providers to provide remediation for low-performing students in Title I schools.
- Continue to assist school divisions in implementing charter schools and other public school choice options.
- Review and update the state plan for the Carl D. Perkins Act.

- Receive reports on the Workforce Investment Act programs, as necessary.
- Include industry certification requirements in the teacher licensure regulations.
- Revise *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* to comply with new federal requirements under the Individuals with Disabilities Education Act as amended in 2004.
- Carry out provisions of the 2005 appropriation act regarding 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.

Timelines: Strategies/Activities for Meeting Objectives
2005-2010

Objective 1: The Board of Education will improve the quality standards for all public schools in Virginia.

Action	05	06	07	08	09	10
Review and revise the Standards of Quality	X		X		X	
Review and revise the Standards of Accreditation	X	X				

Objective 2: The Board of Education will provide leadership to help schools and school divisions close the achievement gap and increase the academic success of all students.

Action	05	06	07	08	09	10
Review and revise the Standards of Learning:						
Computer/Technology	X					
Fine Arts		X				
Foreign Language			X			
Health, Physical Education, and Driver Education				X		
History and Social Sciences				X		
Mathematics					X	
English					X	
Science						X
Support professional development and technical assistance for instructional staff, especially in low-performing schools.	X	X	X	X	X	X
Review the English Proficiency standards and revise as necessary.		X				
Support a focus on civics and financial literacy to ensure the preparation of all students to be productive citizens.	X	X	X	X	X	X
Support programs and initiatives to expand opportunities that students have to earn a high school diploma.	X	X	X	X	X	X
Establish policies regarding the new numeracy and literacy assessments for students with disabilities pursuing the modified standard diploma.	X	X	X	X	X	X
Establish policies regarding the revised Virginia Alternate Assessment Program.	X	X	X	X	X	X
Establish modified achievement standards for students with disabilities who can make significant progress but may not reach grade-level achievement standards within the same time frame as other students.	X	X	X	X	X	X

Objective 3: The Board of Education will work to ensure meaningful, on-going professional development for professional educational personnel.

Action	05	06	07	08	09	10
Support professional development and technical assistance for professional educational personnel, working with professional education associations and teacher educators.	X	X	X	X	X	X
Promote the identification of industry certifications opportunities for all teachers who lack such credentials.	X	X	X	X	X	X
Support, in conjunction with local divisions, professional development strategies that the local schools will use to help ensure the development of highly qualified professional educational personnel and paraprofessionals.	X	X	X	X	X	X

Objective 4: The Board of Education will support accountability for all schools, with a focus on assisting chronically low-performing schools and school divisions.

Action	05	06	07	08	09	10
Receive periodic reports of findings of academic review teams, review and adopt policies to address recommendations in team reports, and continue to refine the academic review and division level review procedures.	X	X	X	X	X	X
Adopt strategies for closing the achievement gap between high- and low-performing groups of students.	X	X	X	X	X	X
Support efforts to establish a state-level education information management system (EIMS) that will enable the department to meet increasing state and federal reporting requirements and enable stakeholders at all levels of education to make informed educational decisions based on accurate and timely information.	X	X	X	X	X	X
Promote technical assistance on research-based instructional interventions that help improve the academic achievement in schools that are low-performing and those that are identified as in need of improvement under the NCLB Act.	X	X	X	X	X	X
Continue to review and approve instructional methods and/or models for implementation in low-performing schools.	X	X	X	X	X	X
Address measures to be taken in schools whose accreditation is denied.	X	X	X	X	X	X
Support programs that assist schools and students meet performance expectations.	X	X	X	X	X	X

Objective 5: The Board of Education will work cooperatively with partners to help ensure that young children are ready for school.

Action	05	06	07	08	09	10
Establish academic standards to support preparation for pre-school students to be ready to successfully enter into kindergarten.	X	X	X	X	X	X
Continue to cooperate with other entities involved in developing and implementing *Virginia's Foundation Blocks for Early Learning: Standards for Literacy and Mathematics*.	X	X	X	X	X	X
Support the Virginia Preschool Initiative.	X	X	X	X	X	X
Support the Title I Preschool programs.	X	X	X	X	X	X
Support the Early Childhood Special Education Program.	X	X	X	X	X	X
Support the Even Start Family Literacy Program.	X	X	X	X	X	X
Seek ways to cooperate with and encourage the Head Start programs.	X	X	X	X	X	X

Objective 6: The Board of Education will assist teachers to improve the reading skills of all students, kindergarten through grade 12.

Action	05	06	07	08	09	10
Ensure the communications and literacy skills of teachers by implementing the requirement for the reading assessment for initial licensure for teachers in the early grades.	X	X	X	X	X	X
Provide leadership for preschool to adult literacy initiatives, including programs that address the needs of speakers of languages other than English.	X	X	X	X	X	X
Support teacher preparation programs and pre-service programs for teachers to improve their skills in teaching reading.	X	X	X	X	X	X

Objective 7: The Board of Education will continue efforts to enhance the training, recruitment, and retention of highly qualified teachers, educational support personnel, and administrators, with a focus on the needs of "hard to staff" schools.

Action	05	06	07	08	09	10
Support initiatives to increase the number of high quality teachers, especially for hard-to-staff schools, such as the mentoring programs in hard-to-staff schools, the Virginia Middle School Teacher Corps, and other incentive programs for qualified teachers.	X	X	X	X	X	X
Support executive education opportunities, such as the Turnaround Specialist Program to assist established school administrators in providing skilled leadership in chronically low-performing schools.	X	X	X	X	X	X

Objective 7 (continued)

Support the implementation of recommendations for the preparation of school leaders outlined by the Commission to Review, Study and Reform Educational Leadership.	X	X	X	X	X	X
Ensure that incentives for National Board Certification are aligned with efforts to help hard-to-staff schools including placing National Board Certified Teachers in such schools, encouraging teachers from these schools to pursue National Board Certification, and introducing a service component in state school improvement efforts into state supports for National Board teachers.	X	X	X	X	X	X
Support full compliance with NCLB and IDEA requirements for highly qualified paraprofessionals, general, and special education teachers and for professional development of teachers.	X	X	X	X	X	X
Promote increasing the pool of teachers entering the profession by supporting through the career switcher program to teach in general and critical shortage areas.	X	X	X	X	X	X
Support strategies for recruitment and retention of highly qualified teachers through the Teacher Quality Enhancement grant.	X	X	X	X	X	X
Adopt revisions to regulations governing preparation and licensure requirements for school personnel.	X					
Support ways to attract and retain career and technical education teachers whose training and expertise meet the demands of students and employers in the commonwealth.	X	X	X	X	X	X

Objective 8: The Board of Education will provide leadership for implementing the provisions of state and federal laws and regulations smoothly and with minimal disruption to local divisions.

Action	05	06	07	08	09	10
Continue to monitor progress of schools, divisions, and the state in meeting Adequate Yearly Progress (AYP) requirements.	X	X	X	X	X	X
Receive annual report cards on progress of students in meeting state standards, graduation rates, elementary school attendance rates, names of schools needing improvement, professional qualifications of teachers, percentages of students not tested, and other information as required by NCLB.	X	X	X	X	X	X
Support the administration of new SOL tests annually in English (reading/language arts) and in mathematics for grades 3 through 8.	X	X	X	X	X	X
Support Virginia's participation in NAEP program in reading and math for 4th and 8th grades.	X	X	X	X	X	X
Support school divisions in conducting annual assessment in English language proficiency for all limited English proficient (LEP) students.	X	X	X	X	X	X
Support programs of technical assistance for schools identified as in the first and second year of school improvement.	X	X	X	X	X	X
Support procedures and disseminate via Web site notice to parents and the public of any pending corrective actions.	X	X	X	X	X	X

Objective 8 (continued)

Support efforts to enlarge the pool of Supplemental Educational Services providers to provide remediation for low-performing students in Title I schools.	X	X	X	X	X	X
Continue to assist school divisions in implementing charter schools and other public school choice options.	X	X	X	X	X	X
Review and update the state plan for the Carl D. Perkins Act.	X					
Receive reports on the Workforce Investment Act, as necessary.	X	X	X	X	X	X
Include industry certification requirements in the teacher licensure regulations.	X					
Revise *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* to comply with new federal requirements under the Individuals with Disabilities Education Act as amended in 2004.	X	X				
Carry out provisions of the 2005 appropriation act regarding 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.	X					

Appendix A:

Actions and Accomplishments to Meet Board of Education Objectives: 2003-2005

As required by the Code of Virginia, the following information provides a brief overview of the progress made in the past two years in meeting the Board of Education's objectives.

Objective 1: **The Board of Education will strengthen Virginia's public schools by providing challenging academic standards for all students.**

In 2003, the Board of Education adopted a series of changes to the Standards of Quality (SOQ) intended to improve educational standards in the Commonwealth. These changes were proposed by the Board as a result of its biennial review of the SOQ, as mandated by the *Code of Virginia*. The 2004 General Assembly enacted and funded four of the eight changes recommended by the Board. Additional policy changes recommended by the Board of Education were enacted and funded by the 2005 General Assembly.

Highlights of recent Board of Education actions include:

- Revised the Computer Technology Standards of Learning for Grades K through 12.
- Approved the list of K-5 Reading textbooks and Science textbooks and instructional materials recommended for state adoption.
- Approved the list of textbooks for 6-12 English and Literature, K-12 Mathematics, and Foreign Language.
- Supported initiatives to accelerate college-level opportunities for students through the Early College Scholars Program, which enables students in their junior or senior year to complete their high school diploma and concurrently earn a semester's worth of credits that can be used towards a college degree.
- Worked to expand Career and Technical Education opportunities for students through the Path to Industry Certification program, which provides high school seniors an opportunity to earn their high school diploma and complete technical preparation and industry certification by enrolling in tuition-free training at a Virginia community college immediately following graduation.
- Adopted the *Educational Technology Plan for Virginia 2003-09.*
- Supported efforts to establish a state-level education information management system (EIMS) that will enable the Virginia Department of Education (VDOE) to meet increasing state and federal reporting requirements and enable stakeholders at all levels of education to make informed educational decisions based on accurate and timely information.

Objective 2: **The Board of Education will enhance the academic program and the quality standards for public education in Virginia.**

The Board of Education's constitutional responsibility is "to determine and prescribe" the Standards of Quality (SOQ) for Virginia's school divisions. During 2003, the Board conducted a comprehensive review of the Standards of Quality. The prescribed amendments were presented

to the 2004 session of the General Assembly, and many of the amendments were adopted and funded by the legislature. To follow that success, the 2005 session of the General Assembly adopted and funded the remaining recommendations that had been prescribed by the Board of Education.

Schools are employing a variety of tactics to address individual student's learning needs. Tactics include reducing class sizes, expanding early childhood programs, improving the quality of teachers providing poor and minority students, and encouraging more minority students to take high-level courses.

Highlights of recent Board of Education actions include:

- Presented amended Standards of Quality at the 2004 and 2005 sessions of the General Assembly. Most of the amendments prescribed by the Board were adopted and funded by the legislature, including provisions for five elementary resource teachers per 1,000 students; one support technology position and one instructional technology position per 1,000 students, and a daily planning period for teachers at the middle and high school levels.
- Adopted criteria and procedures for conducting division-level academic reviews and improved the procedures used in conducting school-level reviews.
- Completed the revision or repeal process or in the process of revising a total of thirty (30) Board of Education regulations.
- Established a Board of Education committee to study and recommend actions to improve programs for English as a Second Language (ESL) students.
- Revised the criteria and established a standing committee of the Board of Education to review charter school applications, consistent with existing state law.
- Initiated setting the criteria and a process for approval of private educational management companies to provide services to Virginia schools.
- Approved the Stanford English Language Proficiency test and certain locally developed and/or selected instruments to measure the English language proficiency of Limited English Proficient students for 2003-2005.
- Approved the criteria and process for adopting instructional methods or models/programs that have been proven to be effective in assisting schools accredited with warning in English or mathematics.
- Received the recommendations from the joint committee to study feasibility of developing a curriculum for nutrition and exercise for K-12 students.

Objective 3: **The Board of Education will continue efforts to enhance the training, recruitment, and retention of highly qualified professional educational personnel.**

The Board of Education encouraged efforts to attract, train, and retain skilled and diverse teachers by reviewing and improving the traditional approved program route, the Career Switcher route, and through alternative routes into the teaching profession. A key program is the Teacher Quality Enhancement project, a multifaceted program described earlier in this document. The program, funded through a federal grant, will enable Virginia, despite current economic challenges, to enhance the teaching profession. These funds provide incentives for good teachers to stay in the profession, and to help recruit good, new teachers who will stay and teach in their own communities. The grant is a good start, but the Board of Education is

challenged to implement additional creative public-private partnership opportunities to retain quality teachers, particularly in underserved rural and urban schools.

Highlights of recent Board of Education actions include:

- Adopted criteria for the alternate route program for highly qualified teachers.
- Adopted criteria for highly qualified special education teachers.
- Established the Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments.
- Adopted a recommendation of the Advisory Board for Teacher Education and Licensure to set a cut-score of 165 for the *School Leaders Licensure Assessment (SLLA)* to be effective July 1, 2005, for principals and assistant principals.
- Supported the development of a regional cooperative for teacher licensing and the formation of a consortium of surrounding states to create the Meritorious New Teacher Candidate designation for graduates of approved teacher education programs to provide a symbol of excellence to be noted on the initial license of exceptionally well-prepared and high-performing new teachers.
- Established Proficiency Levels for the American Council on Teaching Foreign Languages (ACTFL) Oral Proficiency Interview and Writing Proficiency Test.
- Supported efforts to attract, train, and retain skilled and diverse teachers through the Teacher Quality Enhancement project. Highlights of this comprehensive program include:
  - ✓ Sponsoring the Great Virginia Teach-In in 2004 and again in 2005;
  - ✓ Supporting the Praxis I Tutorial Assistance Program for prospective teachers who have not achieved passing scores on Praxis I;
  - ✓ Supporting the Teacher Mentoring Pilot Program to encourage school divisions to adopt proven, research-based teacher mentoring and/or induction programs in accordance with their instructional needs and circumstances; and
  - ✓ Supporting Teachers of Promise, which provides prospective teachers with an exemplary professional development experience and mentors during their first year in the classroom.

Objective 4: **The Board of Education will support accountability and continuous improvement in all schools.**

During the past two years, what to do about chronically low-performing schools has became an important topic for the Board of Education, strongly influencing Virginia's school improvement efforts and accountability program. Clearly, the state cannot do all of the work when it comes to school improvement. Ultimately, it is at the school level where the ability and the will to improve need to take root. Even more fundamentally, it is at the school division level where the assistance and resources to get the job done must come. Where central leadership and resources are blocked or inconsistently provided, trouble ensues that can permeate many if not all of the schools in the entire division.

The Board of Education played a critical role in establishing a policy environment that facilitates, rather than hinders, the development of local will and ability. The Board placed its focus on creating the conditions under which schools can thrive. In those cases where schools still did not achieve what is expected of them, the Board of Education sought and received the authority and the responsibility to intervene. Even as the Board of Education worked to formulate helpful policies, the federal No Child Left Behind Act added a significant new dimension to the treatment of low-performing schools. Within its accountability framework, the law incorporates a number of sanctions that schools and school divisions and the state as a whole must administer to struggling schools that receive funding under the federal Title I program students.

Highlights of recent Board of Education actions include:

- Sought and received new authority that modifies the current school compliance process within the Standards of Quality to authorize the Board of Education to require an academic review of any school division that, through the school academic review process, fails to implement the SOQ. The new provisions also require the reviewed school division to submit for approval by the Board a corrective action plan setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Four local divisions have signed memoranda of understanding and are undergoing the division-level review.
- Established the Committee on Lowest-Performing School Divisions to study the needs and recommend ways to assist the lowest performing school systems in the state.
- Established or revised cut scores for the following tests:
  - ✓ History Standards of Learning tests based on the 2001 standards revision
  - ✓ Workkeys: Reading for Information, Workkeys: Applied Mathematics, and ACT: EXPLORE as substitute tests for the literacy and numeracy requirements of the Modified Standard Diploma
  - ✓ "Plain English" Standards of Learning Mathematics tests for grades 3, 5, and 8
  - ✓ Reading subtest of the Stanford English Language Proficiency Test when used as a substitute for the Standards of Learning grade 3 English test and the grade 5 and 8 Standards of Learning reading tests for students at the lowest level of language proficiency (levels 1 and 2) or in the first year of enrollment in a school in the United States.

Objective 5: **The Board of Education will assist teachers to improve the reading skills of all students, especially those at the early grades.**

A number of policies and initiatives are in place at the state and local levels aimed at improving literacy and reading achievement statewide. State-level reading policy is embodied in the Standards of Quality, the Standards of Accreditation, and the Standards of Learning. A variety of other initiatives aimed at improving reading skills, especially in the early grades, address funding, instructional materials, instructional technology, professional development, and technical assistance.

In April 2003, the Board of Education adopted a recommendation of the Advisory Board on Teacher Education and Licensure to require a reading instructional assessment for elementary preK-3 and preK-6 teachers and special education teachers, and reading specialists no later than

July 1, 2004. This test is now being administered to new licensure candidates. In June 2004, the Board of Education modified its policy to exempt from the required assessment teachers of early childhood special education, teachers of students with severe disabilities, and speech language pathologists. This assessment program is now up and running. The task now is for the Board to set the appropriate cut-scores for the assessments.

Virginia's pre-school initiative for at-risk children is an incentive-based program that has now been expanded to 100 percent of the eligible children. Previously, funding was available for only a portion of the eligible students. High-quality pre-school programs can accelerate intellectual and social development, especially among children who live in high-poverty communities. An example of the cooperative efforts in Virginia are seen with the 2004 update of *Virginia's Foundation Blocks for Early Learning: Standards for Literacy and Mathematics*, which describe specific indicators for pre-kindergarten children in the content areas of reading and mathematics. Oral expression, vocabulary, phonological awareness, letter knowledge, and early word recognition, print and book awareness, and written expression are emphasized in literacy, and number and number sense, computation, measurement, geometry, data collection and statistics, and patterns and relationship in mathematics. These standards provide early childhood educators with a set of indicators of success for entering kindergarten.

Highlights of recent Board of Education actions include:

- Established a reading assessment for elementary preK-3 and preK-6 teachers and special education teachers, and reading specialists. This test is now being administered to new licensure candidates. (In June 2004, the Board of Education modified its policy to exempt from the required assessment teachers of early childhood special education, teachers of students with severe disabilities, and speech language pathologists.)
- Established the Advisory Board on Adult Education and Literacy.
- Received the document developed by the Department of Education entitled *Virginia's Foundation Blocks for Early Learning: Guidelines for Literacy and Mathematics*. This document was in response to the 2004 Appropriation Act, which included language for the At-Risk Four-Year-Old Program (Virginia Preschool Initiative) requiring the Department of Education, in cooperation with the Council on Child Day Care and Early Childhood Programs, to establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter into kindergarten.

Objective 6: **The Board of Education will provide leadership for implementing the provisions of the *No Child Left Behind Act* (NCLB) smoothly and with minimal disruption to local school divisions.**

Under NCLB, each state must implement a system of accountability for schools and divisions that is designed to ensure that all children perform at or above proficiency on challenging state academic achievement standards and state assessments. The legislation requires the state to take many specific actions to meet the provisions of NCLB, including developing a timeline with annual targets by which this goal will be achieved no later than the 2013-2014 school year. Actions taken by the Board of Education in the last several years have anticipated much of what NCLB now requires. Therefore, Virginia has a solid foundation upon which to craft strategies to meet the provisions of the law.
Highlights of recent Board of Education actions include:

- Developed and implemented an achievement recognition award for Title I schools for local school divisions that exceed adequate yearly progress (AYP) requirements.
- Developed and administered annual science tests in grades 3, 5, and 8.
- Approved criteria for High Objective Uniform State Standard of Evaluation (HOUSSE) for Virginia.
- Negotiated with the U.S. Department of Education (USED) regarding regulations limiting the number of students with disabilities whose proficient score on state assessments based on alternate achievement standards could be counted in calculating AYP. In Virginia, this is the Virginia Alternate Assessment Program (VAAP). The limit set by USED is one percent of the students tested at the applicable grade levels. Under the provision that permits states to request an exception to this cap, the Board negotiated at 1.13 percent cap.
- Modified the process for calculating and reporting the AYP status of "small n schools," which are those schools with 50 or fewer students enrolled in the tested grades or courses.
- Adopted the guidelines for sanctions/corrective actions for school divisions in improvement status, as required by the *No Child Left Behind Act of 2001*. While no school divisions in Virginia are in this situation, current guidance from the U.S. Education Department suggested that states also must address sanctions for school divisions not receiving Title I funds.
- Submitted to the US Education Department (USED) amendments and requests for additional flexibility in the form of specific waiver requests as allowed under the federal provision that permits states or localities to request, and the U.S. Secretary of Education to approve, waivers to requirements in NCLB statute or regulations.

ATTACHMENT B

SUMMARY OF PUBLIC COMMENTS
JUNE 22—SEPTEMBER 6, 2005

Number of comments received: 4

Comment from Karen Bucher:
Supports adding language to clarify that "closing the gap" means raising the level of all students and not just the students who are performing at low levels. All students, including high achieving ones, should be given a challenging academic program and be challenged to be life-long learners.

Response: The text related to Objective 2 (page 16) has been modified to clarify the Board of Education's intent that all students be given a challenging academic program.

Comment from Ms. Lisa Pigg:
Supports adding language related to special education programs: 1) to help safeguard parents and students against retaliation from school staff if complaints are filed; and 2) to help safeguard special education students from bullying by other students.

Response: The text related to Objective 2 (page 16) has been modified to emphasize the need for successful strategies to deal with special needs children and that parental involvement is essential to the success of such strategies.

Comment from Mr. Allen Griffith, representing the Virginia School Boards Association's LEP Caucus:
Made several suggestions to clarify the data related to Virginia's LEP population and the information on LEP as a critical teacher shortage area. Also suggested that the Board of Education review the English Proficiency Standards.

Response: The text on pages 13 and 14 has been modified to include the points suggested by the Caucus. The suggestion to review the English Proficiency Standards has been added to Objective 2, which begins on page 15.

Virginia School Boards Association:
Supports the comments made (above) by the VSBA LEP Caucus.

Board of Education Agenda Item

Item: M. **Date:** September 21, 2005

Topic: First Review of the 2005 Annual Report on Public Charter Schools in the Commonwealth of Virginia

Presenter: Ms. Diane L. Jay, Specialist, Office of Program Administration and Accountability

Telephone Number: (804) 225-2905 **E-Mail Address:** Diane.Jay@doe.virginia.gov

Origin:

_____ Topic presented for information only (no board action required)

__X__ Board review required by
- __X__ State or federal law or regulation
- ____ Board of Education regulation
- ____ Other: _____

__X__ Action requested at this meeting ___ Action requested at future meeting

Previous Review/Action:

__X__ No previous board review/action

____ Previous review/action
date _____
action _____

Background Information: Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report the number of public charter school applications that were approved and denied to the Virginia Board of Education on an annual basis. Section 22.1-212.15 requires local school boards to submit annual evaluations of any public charter school to the state Board of Education. The legislation stipulates that the board report its findings annually to the Governor and the General Assembly. The Department of Education collected information on the number of charter school applications approved and denied by local school boards through a Superintendent's Memorandum dated June 3, 2005. Additional information was collected through an annual evaluation report submitted for 2004-2005 by each of the public charter schools operating in the state.

Summary of Major Elements: The attached annual report contains the results of those data collections and an external evaluation of the public charter schools in Virginia**.** Since the initial state legislation for charter schools was passed in 1998, eight charter schools in eight school divisions have been approved. Five of these schools continued to operate during the 2004-2005 school year. Information collected

from school division superintendents in June 2005 revealed that no new charter school applications were approved or denied during 2004-2005. Two of the five charter schools operating during 2004-2005 have reported closing as charter schools at the end of the 2004-2005 school year. An annual report that summarizes the results of an external evaluation of the public charter schools is attached.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the 2005 Annual Report on Charter Schools in Virginia pursuant to §22.1-212.15*, Code of Virginia*.

Impact on Resources: The provisions of this item will require the Department of Education to employ an external evaluator to annually assess the status of charter schools in Virginia. This impact can be absorbed within existing resources at this time.

Timetable for Further Review/Action: Following approval, the report will be forwarded to the Governor and the General Assembly as required by §22.1-212.15, *Code of Virginia*.

2005 Annual Report

PUBLIC CHARTER SCHOOLS IN THE COMMONWEALTH OF VIRGINIA

PRESENTED TO

GOVERNOR MARK R. WARNER AND THE VIRGINIA GENERAL ASSEMBLY

September 21, 2005

Office of Program Administration and Accountability
Division of Instruction
Virginia Department of Education

PREFACE

Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report annually to the Virginia Board of Education the status of public charter schools. Based on these compliance and performance criteria and other evaluation considerations, the objectives of the evaluation are as follows:

- Evaluate charter schools' progress in achieving the goals.
- Evaluate the performance of charter school students versus the performance of other public school populations.
- Evaluate the impact of charter school's activities in terms of contribution to the community and education system, in general.

The staff member assigned to the preparation of the report was Diane L. Jay, specialist, Office of Program Administration and Accountability, Division of Instruction, Virginia Department of Education, P. O. Box 2120, Richmond, Virginia 23218-2120. Questions concerning the report should be directed to Ms. Jay at (804) 225-2905 or by e-mail at Diane.Jay@doe.virginia.com.

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EXECUTIVE SUMMARY

The external evaluation of the public charter schools of Virginia examines the five public charter schools in operation in the state during the 2004-2005 school year. Research Dimensions, Inc., conducted the evaluation for the Virginia Department of Education. All five schools are designed to provide alternative and experiential learning opportunities for students who are at-risk. However, differences among these schools include: the histories of the schools, characteristics of the communities served, characteristics of the students enrolled, size of the student bodies, grade levels served, resources available, and educational approaches and priorities.

Key Observations and Findings

- Schools. Of the 94,000 public schools nationally, approximately 3,000 were charter schools, and only five of those were in Virginia. The enrollment for the five charter schools was 555 students as of June 2005 which was less than 0.1 percent of the total Virginia public school population. The majority of Virginia's charter school students, over 80 percent, were in grades 9 through 12. No new charter schools were approved or denied during the 2004-2005 school year. Two of the five schools included in this report will cease operating as charter schools for the 2005-2006 school year.
- Staff. The schools reported a total of approximately 86 staff members including principals, teachers, paraprofessionals, and guidance counselors. The average student-to-teacher ratio was 8.4 students per teacher. Slightly less than 90 percent of all teacher positions were filled by licensed and endorsed individuals.
- Progress in Achieving Goals. Progress reported in terms of improved academic achievement, average daily attendance and decreased dropout rates vary from year to year and among the schools. Three schools achieved adequate yearly progress (AYP) goals under the *No Child Left Behind Act of 2001* for 2005 based on data from 2004-2005. Official accreditation SOL test data for 2004-2005 will be available from the Virginia Department of Education after October 1, 2005. Last year, Murray High School and York River Academy were fully accredited. The overall average daily attendance rate in the charter schools has not improved significantly over the last several years, remaining at 86-88 percent. While dropout rates in the public charter schools have historically been much higher than comparable rates for the divisions in which they are chartered, dropout rates over the last several years for these schools have improved. Official dropout rates for 2004-2005 will be available from the Virginia Department of Education after October 1, 2005.
- Comparison of Student Performance. None of the schools report having conducted a comprehensive comparison of the performance of their students and the students in the traditional schools in their division or a longitudinal analysis of year-to-year improvement on a student-by-student basis. Some have self-reported that survey responses by students and parents suggest that the students are generally performing better than if the students had remained in a traditional school.

- Impact on the Community. All of the schools report programs to achieve parental and community involvement. The perceptions of the schools, community awards, other forms of recognition, and parental surveys suggest success in these efforts. Available information suggests that the small size, individualized instruction, and innovative approaches to education found in these schools have had a positive impact on the communities they serve.

CHAPTER ONE

Purpose

This report provides the results of an external evaluation of the public charter schools of Virginia conducted for the Virginia Department of Education (VDOE) by Research Dimensions, Inc. The evaluation examines the five public charter schools in operation during the 2004-2005 school year. All of these schools serve at-risk students.

Objectives and Scope of Evaluation

The goals of the five charter schools included in this evaluation are similar in that they are all designed to provide alternative and experiential learning opportunities for students who are at-risk. While the general goal is similar, there are also significant differences among these schools such as:

- histories of the schools;
- characteristics of the communities served;
- characteristics of the students enrolled;
- size of the student bodies;
- grade levels served;
- resources available; and
- educational approaches and priorities.

Attributes of Report

To address both the similarities and differences of the public charter schools in Virginia, this report has the following attributes.

A. Summary Report

The summary report focuses on evaluation considerations applicable for all charter schools in the Commonwealth. Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report annually to the Virginia Board of Education the status of public charter schools. Various sections of this Code delineate compliance and performance criteria. In that context, the objectives of this external evaluation are as follows:

1. Evaluate charter schools' progress in achieving their goals.
2. Evaluate the performance of charter school students versus the performance of other public school populations.
3. Evaluate the impact of charter schools' activities in terms of their contribution to the community and education system, in general.

B. School-Specific Attachments

Dissimilarities in the characteristics of the five schools and in the data provided by each school and various VDOE sources limit the potential depth of analysis and ability to provide comparable reporting of *charter school performance* at the summary report level. These dissimilarities also preclude capturing in the summary report many of the unique characteristics and accomplishments of the individual schools. Consequently, an attachment is provided for each charter school that includes selected school-specific information for many of the same evaluation areas considered in the summary report.

C. Sources

The information, observations, and findings in both the summary report and the attachments are primarily based on the following sources:

- Information collected by the VDOE through an annual evaluation report and the supplemental information provided with these reports. These reports were submitted to the VDOE in June 2005 for the 2004-2005 school year by the school divisions in which the five public charter schools operated during that period.
- Internal VDOE data used to augment information collected by the VDOE through an annual evaluation report.
- Information collected by the VDOE on the number of charter school applications approved and denied by local school boards through Superintendent's Memorandum, Number 27, Administrative, dated June 3, 2005.
- Relevant information previously published by the VDOE.

D. Structure of the Remaining Chapters of the Summary Report

The Summary Report provides a collective evaluation of all public schools in Virginia. The following sections of this summary report address:

- Chapter Two -- background information related to the *Code of Virginia* as it applies to charter schools as well as summary data related to the charter schools and student populations, waivers, staff, and initiatives to foster parental and community involvement;
- Chapter Three – evaluation of charter school student performance; and
- Chapter Four – the overall impact of charter schools in terms of:
    - effectiveness in meeting the needs of the students served;
    - progress in achieving the schools' goals;
    - benefits to the charter school students; and
    - factors influencing the status of the schools.

CHAPTER TWO

Background and Summary Information

This section provides general information addressed in the *Code of Virginia* as it applies to charter schools as well as general information profiling Virginia's charter schools.

A. *Code of Virginia* as Applied to Charter Schools

As delineated in the *Code of Virginia* (§ 22.1-212.5), public charter schools in Virginia are nonsectarian, nonreligious, or non-home-based alternative schools located within a public school division intended to:

- stimulate the development of innovative educational programs;
- provide opportunities for innovative instruction and assessment;
- provide parents and students with more options within their school divisions;
- provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management, and structure;
- encourage the use of performance-based educational programs;
- establish and maintain high standards for both teachers and administrators; and
- develop models for replication in other public schools.

The 2004-2005 Virginia General Assembly session created no amendments to previous statutes governing public charter schools.

B. Waivers

Based on information collected in the annual evaluation report in June 2005, only one waiver was requested. This waiver was requested by, and approved for, the Hampton Harbour Academy to implement a pre-Labor Day start in 2004.

C. Schools and Student Populations

Since the initial state legislation for charter schools was passed in 1998, eight charter schools in eight school divisions have been approved by local school boards. Five of these schools continued to operate during the 2004-2005 school year. All five schools evaluated in this report have operated as charter schools for three or four years. A Virginia public charter currently may be approved or renewed for a period not to exceed five school years, but the school can be granted multiple renewals that permit it to operate for more than a total of five years. Table 1 below provides summary information about these schools.

The Franklin County charter school, New Opportunities for Winning, closed in the fall of 2003 because of insufficient funds to continue operations. Gloucester County's Victory Academy and Greene County's New Directions Academy closed during or after the 2003-2004 school year and were not operational as charter schools during any part of the 2004-2005 school year. Both of these schools reported, at a minimum, financial resource problems. Two additional schools have reported closing as charter schools after the 2004-2005 school year. The Blue Ridge Technical Academy in the Roanoke City Public Schools has closed for financial reasons, but many of the functions of the school will continue within the traditional high schools of the school division. Chesterfield Community High School in

Chesterfield County Public Schools gave up its charter school status reporting a need for greater flexibility in selecting students than is possible within the current charter structure.

No new charter school requests were presented to local school boards for approval in any of the Virginia school divisions during the 2004-2005 period. In July 2005, the United States Education Department (USED) awarded three federal charter school grants for proposed public charter schools in Charlottesville, Richmond, and Norfolk. These new charter schools have been proposed for the 2006-2007 school year, but none of the respective school divisions' boards have approved operation of the schools to date.

Table 1.
Virginia Public Charter Schools -- 2004-2005

Division	**School**	**Year Opened**	**Grades Served [1]**	**Enrollment** (reported by the school in June 2005)
Albemarle County Public Schools	Murray High School	2001	9-12	95
Chesterfield County Public	Chesterfield Community High School	2002	9-12	195
Hampton City Public Schools	Hampton Harbour Academy	2001	3-12	130
Roanoke City Public Schools	Blue Ridge Technical Academy	2001	9-12	96
York County Public Schools	York River Academy	2002	9-10	39

Note [1]: The grades served data shown is for the 2004-2005 school year; grades served have varied in some of the schools over the years.

D. Student Populations

Virginia's public charter schools serve a variety of grade levels and are relatively small. The schools report a total of 555 students enrolled as of June 2005 in all five charter schools. The majority of these students, approximately 80 percent, were in grades 9 through 12. Virginia's public charter school student population grew steadily from the opening of the first school in 1999 through the 2003-2004 school year. However, the student population declined in 2004-2005 and will further decline next year with the change of charter status for Chesterfield Community High School and the closing of Blue Ridge Technical Academy. Table 2 profiles the growth and decline of the statewide public charter school population over the last five years and estimated data for the 2005-2006 school year.

Table 2.
Trend in Student Populations in Virginia Public Charter Schools

School Year	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
Number of Public Charter Schools	1	1	6	8	7	5
Total Student Populations [2]	41	40	440	685	745	555

Note [1]: Student population is based on charter school self-reported data.

E. Staff and Professional Development

Staffing Levels -- The total number of administrators, teachers, paraprofessionals, and guidance counselors in the five charter schools are shown in terms of full-time equivalent positions (FTE) in Table 3 below. In addition to these staff members, several schools also utilized other personnel such as exceptional education teachers, security officers, nurses, clinic aides, tutors, monitors, parent involvement facilitators, and adjunct teachers. Data are presented for total staff as well as for totals and percentages of those positions filled by licensed and endorsed individuals. A similar summary of staffing is presented for each school in the attachments to this report.

Table 3.
Summary of Charter School Staffing for All Charter Schools in 2004-2005

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent Filled by Licensed and Endorsed Individuals
Principal/Director [1] [2]	6.0	5.0	83.3
Teachers [2]	66.1	59.1	89.4
Paraprofessionals [2]	7.3	N/A	N/A
Guidance Counselors [2]	7.0	5.0	71.4
Totals	86.4	72.4	83.8

Note [1]: Chesterfield Community High reported two principals, one endorsed, one not.
Note [2]: Staffing positions FTE based on charter school self-reported data.

Slightly less than 90 percent of all of the administrator and teacher positions are filled by licensed and endorsed individuals. The average student-to-teacher ratio for all schools is 8.4 students per teacher. This ratio improved relative to last year when it was 10 students per teacher. The number of teachers, like the number of schools and students, has declined since 2003-2004.

Professional Development -- In this year's annual evaluation report, schools provided data relating to several professional development areas. While more detailed descriptions of the professional development programs provided are included in the attachments for each school, in general, the responses related to 2004-2005 charter school staff professional development indicate that:

- a wide variety of professional development programs are provided in all five charter schools;
- most of these schools offer professional development programs customized for charter school personnel;
- the professional development programs provided vary but all schools report 11 or more "activities" (the highest option each school could indicate in their survey response) and "hours provided" ranging from 30 to 1000+ hours;
- schools report that there has been limited, to very limited communication between their school and other charter schools in Virginia or charter schools outside of Virginia; and
- only one school reports sending representatives to one or more national charter schools meetings.

F. Parental and Community Involvement

All five schools report programs to achieve parental and community involvement. Most schools report some form of standing organization comprised of parent and community representatives that supports their initiatives to communicate and interface with the schools constituencies.

Schools describe various types of scheduled and unscheduled activities to involve parents and community organizations. Some of the schools report surveying parents and students concerning their perceptions of parental and community involvement. Generally, the respondents perceive improvement in parental and community involvement and most schools self-report significant success. Some schools report that their parental and community outreach has successfully produced student benefits such as tutoring, mentoring, opportunities for extracurricular activities, programs directed towards needed behavioral modification, post-graduation scholarships, internships, jobs, and job shadowing. Parents and community supporters have provided fund-raising assistance for some schools.

Success in developing parental and community development has varied by school but has been confirmed by community awards and other forms of recognition and by parental surveys. In many cases, schools have been the recipients of a wide variety of community financial support ranging from direct grants to incentives for students.

Some schools have also reported extensive and successful programs to build students' sense of responsibility, character, planning, community, and other personal growth areas not necessarily captured by the core subject area academic performance. This success also is confirmed by community recognition and parental surveys.

CHAPTER THREE

Evaluation of Charter School Student Performance

Measuring student performance is a complex process in any education setting. Since all of Virginia's public charter schools focus on increasing educational opportunities and providing alternative educational programs for students who are potentially at some risk of academic failure, this population is not a representative subset of the traditional school student population. Assessing student performance using metrics such as Standards of Learning (SOL) test scores is valid and provides some insight toward performance gains, but for the charter school population, there are cautions that should be observed and other metrics that also should be considered.

Many of the students, particularly older students enrolled in high school programs, were in danger of dropping out of school prior to attending the charter schools. Poor attendance, past academic failure, and other risk factors create many challenges for the schools in raising the academic achievement level of these students, graduating them, and preparing them to be productive members of society. Despite the challenges, progress has been demonstrated and reported in terms of improved academic achievement, improved average daily attendance, and a decrease in the dropout rates. However, the quantitative results that support this trend vary from year to year and among schools.

A. Student Selection Criteria

Because the five schools evaluated have different educational models and objectives, they have different student populations. However, many of the criteria used to select students are similar. These include selecting students who:

- have been unsuccessful in a traditional school setting and who would benefit academically from a smaller, nontraditional school environment;
- are at risk for leaving school or graduating below potential;
- are over age for grade level for a variety of reasons (e.g., dropped out, failed grade(s), medical reasons); and/or
- have chronic problems of attendance and/or discipline.

These criteria establish a different threshold and potentially different considerations for evaluating student performance than might be expected in the general school population. Other selection criteria such as student career interests, and student willingness to commit to school policies and objectives vary considerably. The local selection process and considerations also vary among schools.

B. Comparing Charter School and Traditional School Student Performance

Since the objective of Virginia's charter schools is to provide an alternative educational approach and environment to improve educational results for students who experienced failure or poor performance in the traditional schools, the issue of comparative performance is one of determining whether each individual student would perform, or has performed, better in a traditional or charter school. There are very limited data to support these types of longitudinal analyses and only one school reports conducting research that might permit this type of comparison.

None of the five charter schools report having conducted a comprehensive comparison of the performance of their students with students in the traditional schools in their division. Given the dissimilarities in the student populations and objectives of the schools, defining "comparable" student populations and "comparative approaches" for comparison purposes is difficult and would probably differ from school to school.

C. Student Achievement 2004-2005

Measuring student achievement for the charter school student population presents many challenges. The charter school student populations are small and lack continuity from year-to-year. Given the at-risk profile of these students, modest testing results may reflect significant improvement and may represent only a small portion of the actual educational achievement realized. Ideally, achievement would be described using both quantitative and qualitative metrics of improvement in areas such as academic performance, graduation and completion rates, communication skills, attitude, behavior, and discipline. However, consistent quantitative data do not exist, and resources needed to produce and analyze such data are generally not available.

1. Standards of Learning and Other Quantitative Testing. Standards of Learning (SOL) accreditation results will not be available for the 2004-2005 school year until October 2005. However, a history of SOL test scores is provided in the attachment for each school. In general, SOL test results reflect variability by year, grade level, and test and have varied considerably from school to school, ranging from comparable or superior to the scores in the school division in which the school is chartered to significantly poorer than overall school division scores. Since many of the students admitted to these charter schools have exhibited poor academic performance in previous schools, the SOL test history and expectations of these students are weak. Given these caveats, the following three charter schools included in this evaluation met their Adequate Yearly Progress (AYP) objectives – Blue Ridge Technical Academy (now closed), Murray High School (charter renewed), and York River Academy (charter renewed). Chesterfield Community High School (gave up its charter school status) and Hampton Harbour Academy (charter renewed) did not make their AYP objectives. Historically, Murray High School, York River Academy, and Blue Ridge Technical Academy have produced SOL test scores that were comparable to or superior to the overall scores from their divisions. Chesterfield Community High School and Hampton Harbour Academy student scores have been consistently below the overall scores from their divisions.

Some schools included in this report have used, in addition to SOL test data, numerous other quantitative approaches to measure improvement; i.e., Preliminary Scholastic Assessment Test (PSAT), reading assessments, Brigance Test, Test of Adult Basic Education, mean gain per grade level assessments, and core subject grades. Over the last two years, only three schools have reported demonstrating academic improvement: 1) one by tracking SOL test score improvement; 2) one in using other multiple measurement tools; and 3) one by using core subject grades combined with other measurement tools. One school has begun a formal longitudinal study to track student performance.

In summary, efforts to demonstrate public charter school student achievement using quantitative testing results are limited in scope. In general, available SOL test data have provided results that suggest at least some student academic performance improvement. Schools reporting the use of other quantitative measurement approaches state that they also show improved student performance.

2. Qualitative Measures of Achievement. Several schools conduct surveys that address student attitudes about the school experience, desire to attend school, and the learning climate. These surveys also try to measure increases in the student personal ethics, collaboration and cooperation. Some schools survey parents as to the perceptions of their children's attitudes and observable changes. Schools report that this qualitative and other anecdotal feedback suggests additional evidence of student improvement in the charter school setting.

3. Other Measures of Achievement. Many of the at-risk students attending charter schools have a history of discipline, attitude, peer relationship, poor study habits, and communications issues. These characteristics lead to, or are correlated with, low attendance levels and high dropout rates.

Average Daily Attendance (ADA) Rate – Chronic attendance problems are one of the selection criteria leading some students to charter schools. Also, some students with medical problems that can result in collateral attendance problems are placed in charter schools. Consequently, public charter schools in Virginia generally have student populations that have lower ADA rates than the traditional public student population.

Overall, charter school and comparable division ADA rate data since 2001 are presented in Table 3, below. Average daily attendance rates for the 1999-2000 and 2000-2001 school years involved only one charter school and are not included. Complete ADA histories for each of the evaluated schools and their division are provided in that school's attachment.

The overall average daily attendance rate in the charter schools has not improved significantly over the last several years, remaining at about 86 to 88 percent, or about 90 percent of the overall division rates. However, two of the three schools remaining operational as charter schools next year have historically had ADA rates comparable to, or better than, their overall division ADA rates.

Table 4
Average Daily Attendance – Charter Schools and Their Divisions

Average Daily Attendance	2001-2002 [1]	2002-2003 [2]	2003-2004 [2]	2004-2005[1]
Charter Schools [3]	86.87%	86.15%	88.71%	87.78%
Divisions [3]	95.10%	95.18%	95.19%	95.36%

Note [1]: Includes five charter schools and the divisions in which they were chartered.
Note [2]: Includes seven charter schools and the divisions in which they were chartered.
Note [3]: Based on data provided by the VDOE.

Dropout Rate – Another of the criteria used to select students for charter school placement is "their risk of leaving school." Consequently, charter schools in Virginia generally have student populations that would predictably have higher dropout rates than the overall student population.

Overall charter school and comparable division dropout rate data for the previous three years are presented in Table 4, below. Official dropout rates for 2004-2005 will not be available until after October 1, 2005. Dropout rates for the 1999-2000 and 2000-2001 involved only one charter school and were not included. Complete dropout histories for each evaluated school and their division are provided in that school's attachment.

Dropout rate data vary significantly from school to school and over time for each charter school. In 2003-2004, they ranged from near zero percent to near 20 percent, based on preliminary data. As indicated by the data in Table 4, dropout rates in Virginia public charter schools have historically been much higher than comparable rates for the divisions in which they are chartered. Dropout rates over the last several years also have improved significantly. While overall dropout rates in the charter schools over the past several years have improved, they are still greater than overall school division dropout rates.

Table 5.
Dropout Rates – Charter Schools and Their School Divisions

Dropout Rates	2001-2002 [1]	2002-2003 [2]	2003-2004 [3]	2004-2005[4]
Charter Schools [5]	18.01%	12.90%	6.72%	TBD
School Divisions [5]	2.60%	1.66%	1.45%	TBD

Note [1]: Includes five charter schools and the school divisions in which they were chartered.
Note [2]: Includes seven charter schools and the school divisions in which they were chartered.
Note [3]: Includes seven charter schools and the school divisions in which they were chartered.
Note [4]: Official dropout rates for 2004-2005 will not be available until after October 1, 2005.
Note [5]: Based on data provided by the VDOE.

CHAPTER FOUR

Overall Assessment

The charter schools state they have all made progress towards the goals and objectives as stated in their charters. They all report that they have achieved their goals. Moreover, they perceive that they have contributed positively toward the educational experience and lives of their students and the communities they serve. For most of these schools, available quantitative data support these perceptions. Qualitative and anecdotal data reinforce these perspectives.

A. Effectiveness in Meeting the Needs of the Populations Served

Most of the schools identify their effectiveness as a school in terms of the school meeting the "special needs" of their students. In general, they perceive that the student populations served need a more individualized, nurturing, and safe educational environment to benefit from their education and to increase their opportunity beyond school. Metrics of success cited by the schools include return rates, graduation rates, parental support and feedback, community support, and school division support. Two schools cite demonstrated academic improvement, success on SOL tests, and other metrics of further academic success. One school reports demonstrated workforce development skills and other vocational metrics of success.

B. Progress in Achieving Goals

The five public charter schools evaluated in this report expressed their progress very differently but, in general, stated their goals as:

- achieving state accreditation;
- assuring graduation, completion, promotion, and other certifications;
- stabilizing or growing their student bodies;
- facilitating student access to postsecondary education and training opportunities;
- helping students transition into postsecondary educational, workforce, or military opportunities; and
- increasing parental and community involvement.

All of these schools report progress towards meeting some of these goals. However, goals varied from school to school and progress was mixed. Three schools achieved their AYP goals; two did not. School and student body stability varied among the schools as did success with parental and community involvement initiatives. Available data do not support further conclusions.

C. Benefits Provided to Students

All five schools report that a primary benefit they provide their students is an educational environment (1) in which the students can be comfortable and competitive; (2) more suited to providing post-graduation opportunities for these specific students; and (3) more supportive of the special individual needs of these students. The most noteworthy metric of

these benefits is reflected by the dropout rate that has decreased from slightly less than 20 percent for the 2001-2002 school year to slightly above 6.7 percent in the 2003-2004 school year. These types of results reflect educational successes that translate into direct benefits for the charter school students. They also translate into significant long-term benefit potential for the broader communities being served.

D. Factors Influencing the Status of Charter Schools in Virginia

Schools provided mixed responses as to what factors have contributed to their present status. Reported perceptions related to support (i.e., school system, community, and parental support), funding, facilities, student selection, and staffing varied to both extremes. In general, the schools that achieved their adequate yearly progress (AYP) goals seemed to have much more focused academic programs and smaller, more manageable student bodies. These schools also report more demonstrated success in facilitating student access to postsecondary education and training opportunities and student transition into postsecondary educational, workforce, or military opportunities.

ATTACHMENTS

Charter Schools Evaluation – 2005

The five charter schools in Virginia included in this evaluation are very different. These differences limit the ability to generalize charter school performance and impact. Consequently, the information, observations, and conclusions reflected in the summary report do not reflect many of the unique characteristics and accomplishments of these schools.

The following sections provide an attachment for each individual school that is included in the summary report. Each attachment includes school-specific information, to the extent available, for evaluation areas considered in the summary report. Specifically, the following attachments provide:

- School-specific 2004-2005 general school information;
- School-specific historical student performance Standards of Learning (SOL) test results;
- School-specific historical and 2004-2005 attendance data;
- School-specific historical dropout data;
- School-specific 2004-2005 professional development information;
- School-specific 2004-2005 staffing data and information;
- School-specific perceptions of parental and community involvement; and
- School-specific 2004-2005 perceptions of their overall performance.

The data shown in these attachments are a combination of school self-reported information and information derived from Virginia Department of Education (VDOE) data sources.

Attachment A1

Albemarle County Schools, Murray High School

Year opened as a charter school:	2001
Grades served in 2004-2005:	9-12
Enrollment 2004-2005:	95
School designed to serve students considered to be at-risk:	Yes
Operation as a charter school during the 2005-2006 school year:	Yes

Student Achievement. Murray High School SOL test results generally improved over their first three years as a charter school and compared favorably with, or exceeded, overall division and Virginia SOL test results, as depicted in the following table. The 2004-2005 SOL test results will not be available until after October 1, 2005.

Table A1.1.
SOL Pass Rates for Murray High School

SOL End of Course Test Results [1]	School 2001-2002	School 2002-2003	School 2003-2004	Division 2003-2004	School 2004-2005
English Reading	71%	100%	96%	91%	[2]
English Writing	67%	93%	92%	91%	[2]
Algebra I	100%	75%	75%	89%	[2]
Algebra II	71%	N/A	73%	83%	[2]
Geometry	90%	83%	90%	86%	[2]
World Geography	63%	60%	100%	56%	[2]
World History I	N/A	100%	N/A	83%	[2]
World History II	75%	89%	100%	89%	[2]
U. S. History	57%	68%	93%	83%	[2]
Earth Science	70%	N/A	93%	73%	[2]
Biology	100%	75%	100%	89%	[2]

Note [1]: SOL test results for 2001-2004 were provided by VDOE in terms of Passing Rates (%).
Note [2]: SOL test results for 2004-2005 will not be available until after October 1, 2005.

Average Daily Attendance (ADA). Table A1.2 provides a summary of average daily attendance rates for Murray High School and the school division in which it is chartered. Average daily attendance has improved slightly since becoming a charter school in 2001 and approaches overall attendance rates for the division.

Table A1.2.
Average Daily Attendance for Murray High School

Average Daily Attendance	2001-2002	2002-2003	2003-2004	2004-2005
Murray High School	90.53%	93.28%	93.84%	92.82%
Albemarle County Public Schools	95.86%	95.76%	95.89%	96.11%

Dropout Rates. The following table summarizes dropout rates for Murray High School and the school division in which it is chartered. Dropout rates have been low and have historically been roughly comparable to the division results. The 2004-2005 rate results will not be officially available until October 1, 2005. Murray High School reported no dropouts during the 2004-2005 school year.

Table A1.3.
Dropout Rates for Murray High School

Dropout Rates [1]	2001-2002	2002-2003	2003-2004	2004-2005
Murray High School	0%	1.18%	2.25%	[2]
Albemarle County Public Schools	0.83%	0.60%	1.37%	[2]

Note [1]: Dropout results for 2001-2004 were provided by VDOE.
Note [2]: Dropout results for the 2004-2005 school year will not be available until after October 1, 2005.

Professional Development. In response to 2005 survey questions concerning the types of professional development offered at school, how it supported the goals and objectives of the school, and its overall effectiveness, the school's response was:

Professional development is offered through the Albemarle County Public Schools. Teachers have access to hundreds of high-quality workshops as well as graduate courses sponsored by the county and offered by University of Virginia. Teachers, in consultation with the principal, develop a professional development plan each year. The plan is focused on supporting individual, school, and division goals.

In response to structured survey questions concerning the school's professional development opportunities, the school responded as follows.

Professional development customized for charter school personnel only:	No
Professional development hours provided:	Over 1,000
Types of professional development activities provided:	11 or more
Amount of communication with other charter schools within Virginia:	Some
Amount of communication with other charter schools within Virginia:	Very little
Opportunity to attend national meeting(s) regarding charter schools:	No

Staff. The 2004-2005 staffing data indicates one Murray High School teacher per 10.6 students enrolled. The school reported that all teachers were licensed and endorsed. Staffing data for Murray High School are summarized in Table A1.4, below.

Table A1.4.
Staffing for Murray High School

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent Filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100
Teachers	9.0	9.0	100
Paraprofessionals	0.33	N/A	N/A
Guidance Counselors	1.0	1.0	100

Parental and Community Involvement. In response to survey questions related to the school's progress in the level of parental and community involvement and community perceptions towards the charter school, the school reported the following (school's perceptions/responses provided in italics).

The perception of our parents is very positive. At our recent graduation, parents had the opportunity to address the audience as they presented their child's diplomas. They, without exception, said how they valued the programs and people at Murray High School. Applause to these comments was immediate and sustained. We are continuing to improve our outreach to the community and mailed informational brochures to the families of all county students in grades 9-11. Parents recently solicited donations to support a field trip that students are taking to Texas this summer and were happy that the community willingly supported our school. We still have work to do in the area of community education as there is still a notion that, as an alternative school, we only have "the bad kids." (We share our building with another alternative program, the Enterprise Center that is designed for students who have been placed in the program by their principals or by the school board because of serious discipline issues.) As a part of the larger community, our students have presented to prospective teachers in university classes at University of Virginia and Longwood University. These presentations, because of their quality, have been requested every year. The perception by these university faculties is that our school offers prospective teachers valuable information about being successful with at-risk students. We also have staff and students who have been invited to present information about Choice Theory, Quality Schools and how these concepts support Murray High School. The presentation will be in the form of a three-day workshop for the faculty of a new high school of over 2,000 students in San Antonio, Texas in July.

Overall Assessment (School's perceptions/responses provided in italics)

Effectiveness -- *We believe that we continue to be very effective. Our Standards of Learning (SOL) test scores are comparable or exceed the rest of the school division despite the fact that we serve at-risk students. We also have made Adequate Yearly Progress (AYP) for the past two years. Our students are pursuing college, the military, and/or employment after graduation. Students who, by their own admission, did not believe that they could or would graduate are doing so. Over 90 percent of our students are eligible to return to Murray in 2005-2006 and are choosing to do so.*

Progress -- *The SOL tests are one measure of achievement. Preliminary results for 2004-2005 suggest that we continue to demonstrate success in this area similar to the other high schools. Other measures of progress include our graduation and completion rates. All but one of our students seeking a diploma were successful. The student who did not receive a diploma is continuing to work on completing his diploma requirements. On June 7, 2005, 34 students graduated from Murray; this is the largest graduating class since the school opened. Three students earned an advanced studies diploma, 30 earned a standard diploma, and one earned a special diploma. Of the 34 graduates, 26 plan to continue their education at places such as Radford University, Christopher Newport University, Virginia Commonwealth University, State University of New York, Ferrum College, Longwood University, Sweetbriar College, and Piedmont Virginia Community College. Two students joined the armed services (Marines Corps and Air Force) immediately after graduation. The remaining graduates are entering the workforce. In addition, over 90 percent of the current students met the criteria to be invited back to Murray for 2005-2006 by virtue of their meeting their RAMPS (Respect Ourselves, Each Other, and Our Environment; Attend Regularly; Mediate When Necessary; Participate Actively; Share our Gifts with the Community) commitments and earning a minimum of five credits. All seniors completed a portfolio describing how they had achieved quality work while at Murray. Again the only challenge we have had is hiring teachers who are highly qualified (according to No Child Left Behind) to teach in multiple disciplines.*

Benefits to the Students -- *We believe that the major benefit of Murray High School is that we offered a program to meet the individual needs of each student. Students are encouraged and supported to do quality work in a safe, nurturing environment. We enjoy excellent support by parents, students, staff, the superintendent, and school board. In fact, other schools in the division are now exploring how to implement some of the programs we use, such as our schedule and mastery learning model. The school board recently appropriated additional funding for Murray High School for 2005-2006 so that we may expand our enrollment from 90 to 110 students.*

Factors Influencing Status of School -- *What has contributed most to our success are the quality and dedication of our staff. Another significant factor is that we converted to charter status and gained the flexibility we needed without losing the advantages of being a school in an excellent school division that supports the needs of every student. We did not start from the "ground up." Also, funding remained the same after we became a charter school. We continued to take advantage of the excellent support systems offered by the Albemarle County Public Schools (personnel/Human Resources, staff development, finance, transportation, technology, building services support). Funding is only an issue to the extent it is an issue for any small school in our division. The biggest problem we are facing at this time is being able to get teachers who are "highly qualified" in three or four disciplines.*

Attachment A2

Chesterfield County Schools, Chesterfield Community High School

Year opened as a charter school:	2002
Grades served in 2004-2005:	9-12
Enrollment 2004-2005:	295
School designed to serve students considered to be at-risk:	Yes
Operation as a charter school during the 2005-2006 school year:	No

Student Achievement. As depicted in Table A2.1, Chesterfield Community High School Standards of Learning (SOL) test results have been weak relative to the overall Chesterfield County Public Schools SOL test scores, and there has been no clear pattern. The 2004-2005 SOL test results will not be available until after October 1, 2005.

Table A2.1.
SOL Pass Rates for Chesterfield Community High School

SOL End of Course Test Results [1]	School 2002-2003	School 2003-2004	Division 2003-2004	School 2004-2005
English Reading	92%	69%	91%	[2]
English Writing	66%	47%	85%	[2]
Algebra I	35%	30%	81%	[2]
Geometry	34%	18%	83%	[2]
World History I	63%	32%	83%	[2]
U. S. History	71%	83%	86%	[2]
Earth Science	39%	50%	70%	[2]
Biology	58%	32%	84%	[2]

Note [1]: SOL test results for 2002-2004 were provided by VDOE in terms of Passing Rates (%).
Note [2]: SOL test results for 2004-2005 will not be available until after October 1, 2005.

Average Daily Attendance (ADA). Table A2.2 provides a summary of average daily attendance rates for Chesterfield Community High School and the school division in which it is chartered. Average daily attendance rates for the school have been under 90 percent, which is significantly lower than for the division ADA rates.

Table A2.2.
Average Daily Attendance for Chesterfield Community High School

Average Daily Attendance [1]	2002-2003	2003-2004	2004-2005
Chesterfield Community High School	83.16%	87.15%	85.95%
Chesterfield County Public Schools	95.26%	95.17%	95.21%

Dropout Rates. Table A2.3 summarizes dropout rates for Chesterfield Community High School and the school division in which it is chartered. Dropout rates for the school historically have been high and much higher than the division results. The 2004-2005 dropout rate results will not be officially available until after October 1, 2005. Chesterfield Community High School reported 64 dropouts through May 2005.

Table A2.3.
Dropout Rates for Chesterfield Community High School

Dropout Rates [1]	2002-2003	2003-2004	2004-2005
Chesterfield Community High School	20.59%	5.52%	[2]
Chesterfield County Public Schools	1.44%	0.96%	[2]

Note [1]: Dropout results for 2001-2004 were provided by VDOE.
Note [2]: Dropout results for the 2004-2005 school year will not be available until after October 1, 2005.

Professional Development. In response to questions concerning the types of professional development offered at school, how it supported the goals and objectives of the school, and its overall effectiveness, the school's responses included approximately 30 different professional development activities ranging from gang awareness to lap top training. In response to structured survey questions concerning the school's professional development opportunities, the school responded as follows.

Professional development customized for charter school personnel only:	Yes
Professional development hours provided:	Over 29
Types of professional development activities provided:	11 or more
Amount of communication with other charter schools within Virginia:	Some
Amount of communication with other charter schools within Virginia:	Very little
Opportunity to attend national meeting(s) regarding charter schools:	No

Staff. For the 2004-2005 school year Chesterfield Community High School reported approximately one teacher per nine students enrolled. The school reported that the percentage of core academic teachers meeting federal definition of highly qualified has increased over its history as a charter school as follows: in 2002-2003, 42.2 percent; in 2003-2004, 75.3 percent; in 2004-2005, 95.65 percent. Staffing data for Chesterfield Community High School are summarized in Table A1.4, below.

Table A2.4.
Staffing for Chesterfield Community High School

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent Filled by Licensed and Endorsed Individuals
Principal/Director	2.0	1.0	50
Teachers	21.6	19.6	90.7
Paraprofessionals	3.0	N/A	N/A
Guidance Counselors	1.0	1.0	100

Parental and Community Involvement. In response to survey questions related to the school's progress in the level of parental and community involvement and community perceptions towards the charter school, the school reported the following (school's perceptions/responses provided in italics).

The Charter Management Committee met monthly during the 2004-2005 school year. The committee is comprised of seven staff members and six community members, one of whom is a parent.

Chesterfield Community High School is supported by Communities in Schools of Chesterfield (CIS) and as such receives a great amount of community support through the public/private partnerships developed by CIS. Communities in Schools in Chesterfield was developed to enhance the potential for youth to complete high school and become contributing members of society.

Chesterfield Community High School (CIS) provides an extensive array of services to meet its goals, including health and human services through the Student Assistance Team, career exploration through job shadowing with community volunteers, groups to address anger management, teen parenting, and healthy lifestyles. Volunteers work one-on-one with students as mentors and tutors to provide supportive educational services to students. Additional staff is also provided through partnerships with CIS, including a CIS Site Coordinator, a repositioned Department of Social Services worker, a consultant from the adolescent substance abuse unit of Chesterfield Mental Health, and a representative from a private agency that provides services to adolescents and families in crisis (Family Lifeline/Safe Place). Also represented on the Student Assistance Team are the school social worker, school attendance social worker, school psychologist, school health nurse, guidance counselor, and exceptional education coordinator.

Parental involvement continues to be an area needing improvement. There is no formal parent group, such as a parent teacher association, although there is parent representation on the Success Ownership Attendance Respect (SOAR) Committee that promotes positive behavior, academic achievement and good attendance.

The program acknowledges students for exhibiting positive behaviors and meeting school expectations through a reward system that can be redeemed for student selected items in the "SOAR Store." School staff and community volunteers are involved in running the school store and in soliciting items to be made available to students. Parents are also involved in the athletic programs at Chesterfield Community High School and work as volunteers at games and other athletic events.

As the alternative high school for a large county, the management committee and staff worked hard to create a positive image for both the school and its students. Through partnerships with community groups and other volunteers, community members have become involved with students and staff and developed positive relationships with both. There is also a new partnership with Salisbury Presbyterian Church which has donated a piano and $1000 toward the establishment of a music program at Chesterfield Community High School. The choir director has also donated hours of time to work with students who have volunteered to participate in the music program. This new partnership came though the efforts of a community member of the Charter Management Committee.

Overall Assessment (Chesterfield Community High School perceptions provided in italics)

Effectiveness -- *The charter school serves an at-risk population identified by home-school administrators and counselors, as well as by parents and students themselves, who would benefit from an alternative school setting with smaller classes and academic interventions and programs designed to meet the needs of academic underachievers. To this end, the charter school has been effective in providing an opportunity for identified students to remain in school and work toward completing graduation requirements. During the previous school year (2003-2004), 242 students were promoted or graduated. We are not able to provide promotion*

rates at this time, but to date thirty (30) students completed requirements for graduation in January and eighty three (83) additional students graduated in June 2005.

Progress -- *Our goals for the students in the charter school include meeting the Standards of Learning test criteria and passing the tests necessary to meet graduation requirements. There has been progress toward these goals, although not the progress needed to meet accreditation standards. The charter school continues to be under academic review for mathematics, and there was a downward trend in science and social studies during the previous year. We are beginning to see a trend upward in mathematics due to changes in instructional strategies and intensive in-service training for teachers.*

While all applicants met the basic criteria, the lottery system required by the charter made it difficult to select students who could best benefit from the program offered. Staffing had to be altered to address large numbers of ninth graders and students with disabilities who were admitted by the lottery system. Prior to becoming a charter school, each student and family were interviewed to ascertain the level of commitment to achieving personal and school goals. The interview could not be used under the lottery system to identify those students most committed to taking advantage of the program offered.

Benefits to the Students -- *The major benefits the charter school has provided its students have been smaller class size, a caring faculty, and individualized instruction. The charter school has also been able to provide extensive supportive services through its partnership with Communities In Schools of Chesterfield. We have also continued to expand our use of technology through collaboration with the Chesterfield Technical Center which provided the charter school with funding for an Information Technology Foundations lab. The partnership with the Tech Center has also enabled us to expand vocational offerings to our students, most of who will go directly into the work force, rather than to college.*

Factors Influencing Status of School -- *Factors that have contributed to the present status of the charter school include an increase in the number of students who are educationally challenged with lower reading levels and skill gaps in mathematics and science. An increase in the number of students who need exceptional education services has also contributed to the limited progress we have made toward the goals we established in our charter application. We continue to accept students who have serious behavioral problems and have tried to provide services to meet those needs. At times, providing the needed services is in conflict with time the students need to be in class, and it is necessary to choose academics over the provision of supportive services.*

Staffing has also been a factor in the present status of the charter school, as our staffing is usually based on student numbers rather than an identified need. We are currently requesting a reading teacher to meet the needs of our students with lower reading levels, but approval has not been given to date.

Funding has not been a major issue for the charter school. The initial start-up grant allowed us to upgrade technology, purchase needed equipment, and provide for teacher training. Since we were a conversion school, our school division has provided most of the funding necessary to maintain our school, including teacher salaries, transportation, building and building maintenance, as well as other needs. Our funding from Communities In Schools of Chesterfield provides for additional needs including student incentives, scholarships, and supportive services through a variety of partnerships.

Decision to Relinquish Charter Status – The reasons reported for the school relinquishing its charter status are: (1) the inability to appropriately screen students in a manner that permits accepting only students committed to the charter school concept, (2) the inability to properly service the special needs of some of the student population, and (3) staffing needs. A more detailed description of factors leading to the decision to cease operating as a charter school are addressed above in the "Progress" and "Factors Influencing Status of School" sections of the "Overall Assessment."

Attachment A3

Hampton City Schools, Hampton Harbour Academy

Year opened as a charter school:	2001
Grades served in 2004-2005:	3-8
Enrollment 2004-2005:	130
School designed to serve students considered to be at-risk:	Yes
Operation as a charter school during the 2005-2006 school year:	Yes

Student Achievement. Hampton Harbour Academy student Standards of Learning (SOL) test scores reflect substantial variability by year, grade level, and test. Although the school's results have been significantly lower than division results, the data in the following table suggests that significant gains have been made in many subject areas. The 2004-2005 SOL results will not be available until after October 1, 2005.

Table A3.1.
SOL Pass Rates for Hampton Harbour Academy

SOL End of Course Test Results [1]	School 2001-2002	School 2002-2003	School 2003-2004	Division 2003-2004	School 2004-2005
Grades 9-12					
English Reading	58%	92%	80%	87%	[2]
English Writing	60%	69%	86%	84%	[2]
Algebra I	11%	10%	42%	76%	[2]
Geometry	40%	39%	71%	76%	[2]
World Geography	25%	25%	16%	70%	[2]
U. S. History	10%	31%	33%	82%	[2]
Earth Science	14%	35%	46%	62%	[2]
Biology	35%	40%	80%	77%	[2]
Grade 8					
English: Writing	23%	23%	48%	76%	[2]
English: Reading	28%	26%	32%	70%	[2]
Mathematics	8%	16%	45%	80%	[2]
History/Social Science	22%	38%	76%	79%	[2]
Science	41%	44%	82%	85%	[2]

Note [1]: SOL test results for 2001-2004 were provided by VDOE in terms of Passing Rates (%).
Note [2]: SOL test results for 2004-2005 will not be available until after October 1, 2005.

Table A3.1 (continued).
SOL Pass Rates for Hampton Harbour Academy

SOL End of Course Test Results [1]	School 2001-2002	School 2002-2003	School 2003-2004	Division 2003-2004	School 2004-2005
Grade 5					
English: Writing	56%	33%	64%	86%	[2]
English: Reading	40%	75%	30%	83%	[2]
Mathematics	30%	17%	40%	72%	[2]
History/Social Science	30%	33%	40%	83%	[2]
Science	56%	50%	30%	80%	[2]
Grade 3					
English	10%	9%	14%	64%	[2]
Mathematics	11%	100%	43%	83%	[2]
History/Social Science	25%	19%	33%	87%	[2]
Science	22%	30%	14%	79%	[2]

Note [1]: SOL test results for 2001-2004 were provided by VDOE in terms of Passing Rates (%).
Note [2]: SOL test results for 2004-2005 will not be available until after October 1, 2005.

Average Daily Attendance (ADA). Table A3.2 provides a summary of average daily attendance rates for Hampton Harbour Academy and the division in which it is chartered. The school's ADA has not improved since becoming a charter school in 2001 and remains significantly below overall attendance rates for the school division.

Table A3.2.
Average Daily Attendance for Hampton Harbour Academy

Average Daily Attendance	2001-2002	2002-2003	2003-2004	2004-2005
Hampton Harbour Academy	85.16%	83.07%	84.99%	82.10%
Hampton City Public Schools	94.77%	94.48%	94.76%	95.24%

Dropout Rates. The following table summarizes dropout rates for Hampton Harbour Academy and the school division in which it is chartered. Dropout rates have historically been much higher than the division dropout rate. The 2004-2005 dropout rate results will not be officially available until after October 1, 2005. The school reported only three dropouts during the 2004-2005 school year.

Table A3.3.
Dropout Rates for Hampton Harbour Academy

Dropout Rates [1]	2001-2002	2002-2003	2003-2004	2004-2005
Hampton Harbour Academy	34.27%	9.15%	9.72%	[2]
Hampton City Public Schools	2.68%	2.17%	2.18%	[2]

Note [1]: Dropout results for 2001-2004 were provided by VDOE.
Note [2]: Dropout results for the 2004-2005 school year will not be available until after October 1, 2005.

Staff. For the 2004-2005 school year, Hampton Harbour Academy reports slightly more than one teacher per seven students enrolled. The school also reports that during the 2003-2004 school year, only 57 percent of the staff members were licensed/endorsed in their content areas, but that for the 2004-2005 school year, 89 percent of the staff members were certified/highly qualified and that there has been a 32 percent increase over the last three years. Staffing data for Hampton Harbour Academy are summarized in Table A3.4, below.

Table A3.4.
Staffing for Hampton Harbour Academy

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent Filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100
Teachers	19.0	17.0	89.5
Paraprofessionals	3.0	N/A	N/A
Guidance Counselors	3.0	1.0	100

Parental and Community Involvement. In response to survey questions related to the school's progress in the level of parental and community involvement and community perceptions towards the charter school, the school reported the following (school's perceptions/responses provided in italics).

During the 2003 school year, Hampton City Public Schools provided Hampton Harbour with a Parent Involvement Facilitator. Her primary responsibility is to secure parent involvement in the life of the student body. Activities are scheduled throughout the year to make parents more aware of the daily operation of the school and help them take a more active role in their children's education. We had improved parental involvement this school year, but would like to see still more growth in this area. The Parent Involvement Facilitator has also been instrumental in getting several community groups and organizations to provide services and resources for our student body. Many community members still view charter schools as private institutions. We have worked diligently to inform all stakeholders of our mission at Hampton Harbour Academy and our status as a public school.

Overall Assessment (Hampton Harbour Academy perceptions provided in italics)

Effectiveness -- *The charter school is effective in meeting the needs of the students who attend there. It offers them a "safe haven" where their over age status and skill deficits are not a source of embarrassment or reluctance to engage in the educational process. The school offers many adjunct services in addition, including an after-school program and individual counseling offered on site. Over 50 percent of students choose to remain at Hampton Harbour Academy for a second or third year, a testament to the inviting climate of the school.*

Progress -- *Because Hampton Harbour Academy serves only students who have experienced school failure, it has been under academic review since its inception. As a result, the single goal of the school is to meet accreditation standards. The school has made progress in this area but has not shown consistent growth because outcomes are often dictated by the skill levels of the entering cohort. Each year, there has been growth in test scores in some SOL test subjects and decline in others, due to the fluctuation in student population. The charter itself has not presented challenges.*

Benefits to the Students -- *The major benefit the charter school offers to students is a comfortable learning environment to students who feel out of place and reluctant to participate in their home school. Working in small class groups with students who have similar issues provides a safe place for them to ask questions and engage in instructional activities without embarrassment. Many students thrive in the environment and post significant gains in both reading and math skills. Unfortunately, this growth is not an acceptable accountability measure. Therefore, the school will have to meet accreditation standards in order to continue offering services to students.*

Factors Influencing Status of School -- *We have not had any funding issues. The local school division is an advocate and source of support for the school. Our present status is dominated by concerns about accountability measures and efforts to meet state requirements.*

Attachment A4

Roanoke City Schools, Blue Ridge Technical Academy

Year opened as a charter school:	2001
Grades served in 2003-2004:	9-12
Enrollment 2003-2004:	96
School designed to serve students considered to be at-risk:	Yes
Operation as a charter school during the 2004-2005 school year:	No

Student Achievement. Blue Ridge Technical Academy Standards of Learning (SOL) test results reflect substantial variability by year and testing area, but the results have generally improved over their first three years as a charter school and, in some areas, compare favorably with overall school division SOL results, as depicted in the following table. The 2004-2005 SOL test results will not be available until after October 1, 2005.

Table A4.1.
SOL Test Results for Blue Ridge Technical Academy

SOL End of Course Test Results [1]	School 2001-2002	School 2002-2003	School 2003-2004	Division 2003-2004	School 2004-2005
English Reading	N/A	89%	100%	94%	[2]
English Writing	N/A	89%	100%	92%	[2]
Algebra I	100%	71%	78%	82%	[2]
Algebra II	100%	67%	N/A	84%	[2]
Geometry	100%	N/A	83%	86%	[2]
World Geography	N/A	N/A	N/A	84%	[2]
World History I	N/A	29%	87%	90%	[2]
U. S. History	N/A	46%	88%	90%	[2]
Earth Science	N/A	N/A	66%	86%	[2]
Biology	N/A	45%	65%	89%	[2]
Chemistry	N/A	50%	N/A	91%	[2]

Note [1]: SOL test results for 2001-2004 were provided by VDOE in terms of Passing Rates (%).
Note [2]: SOL test results for 2004-2005 will not be available until after October 1, 2005.

Average Daily Attendance (ADA). Table A4.2 provides a summary of average daily attendance rates for Blue Ridge Technical Academy. The school's ADA rates have remained much lower than the school division in which it is chartered.

Table A4.2.
Average Daily Attendance for Blue Ridge Technical Academy

Average Daily Attendance	2001-2002	2002-2003	2003-2004	2004-2005
Blue Ridge Technical Academy	90.55%	86.24%	87.62%	91.36%
Roanoke City Public Schools	90.64%	94.50%	94.46%	94.59%

Dropout Rates. The following table summarizes dropout rates for Blue Ridge Technical Academy and the school division in which it is chartered. The school's dropout rate has historically been much higher than the division dropout rate. The 2004-2005 dropout rate results will not be officially available until after October 1, 2005, but the school reported 14 dropouts during the 2004-2005 school year.

Table A4.3.
Dropout Rates for Blue Ridge Technical Academy

Dropout Rates [1]	2001-2002	2002-2003	2003-2004	2004-2005
Blue Ridge Technical Academy	33.33%	29.41%	17.24%	[2]
Roanoke City Public Schools	4.67%	3.99%	3.40%	[2]

Note [1]: Dropout results for 2001-2004 were provided by VDOE.
Note [2]: Dropout results for the 2004-2005 school year will not be available until after October 1, 2005.

Staff. For the 2004-2005 school year, Blue Ridge Technical Academy reports slightly less than one teacher per eight students enrolled and that the percentage of licensed/endorsed staff members has remained nearly the same over the last several years. Staffing data for the school are summarized in Table A4.4, below.

Table A4.4.
Staffing for Blue Ridge Technical Academy

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent Filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100
Teachers	11.5	8.5	74
Paraprofessionals	1.0	N/A	N/A
Guidance Counselors	1.0	1.0	100

Parental and Community Involvement. In response to survey questions related to the school's progress in the level of parental and community involvement and community perceptions towards the charter school, the school reported the following (school's perceptions/responses provided in italics).

Parent involvement has increased this year for multiple reasons. An official Blue Ridge Technical Academy (BRTA) parent organization was implemented with the assistance of a core group of parents. Meetings were held in the fall to discuss how to organize and encourage involvement. Theme nights and specialty programs that involved student participation were offered to increase attendance at the meetings. A phone tree was utilized by the staff to notify all parents about upcoming events and to encourage them to attend. The parent organization has also been instrumental in lobbying the Roanoke City School Board and other governmental agencies to continue funding for BRTA for 2005-2006 and also has sought outside funding from local businesses.

Community involvement is apparent and based on the support received from the BRTA General Advisory Council, made up primarily of local business people from the health care, automated manufacturing, and information technology industries, as well as members from post-secondary and higher education institutions. Their support has been instrumental in validating the health careers and Information Technology (IT) curriculum as well as developing the automated manufacturing program of studies. Advisory council members have also served as internship and job shadowing sites, guest speakers, and volunteers within the school.

Blue Ridge Technical Academy has frequently been in the news during spring 2005 because of a lack of school board funding for 2005-2006. As a whole, community members, parents, and businesses have verbalized that the BRTA concept of focusing on career and technical education is a valid one in light of employment needs in the area. Although the physical location of the school is closing, the career and technical education concept that is core of the mission at Blue Ridge Technical Academy will be continued at one of the comprehensive high schools in the Roanoke City Public Schools.

Overall Assessment (Blue Ridge Technical Academy perceptions provided in italics)

Effectiveness -- *Due to a small number of graduates thus far (four in 2004; four in 2005), it is more difficult to measure how effective BRTA has been in preparing its students for a career and technical occupation. Each of these graduates is either employed in the career area for which they prepared or is seeking further education through four-year, technical, or community colleges. In terms of underclassmen, parents and students both articulated to the school board, city council, government officials, and the media that BRTA is meeting their needs academically, socially, and emotionally.*

Progress -- *The following are the goals approved by the Roanoke City School Board as part of the charter school renewal for 2004-2005:*

A. *Students will achieve the following pass rates on SOL tests: English – 85 percent; Social Studies/History – 85 percent; Science – 70 percent; Mathematics – 80 percent; General Educational Development (GED) certificate – 80 percent. This objective is unable to be measured until SOL test results are received.*

B. *All students eligible for graduation will complete appropriate career and technical education competencies. All students have completed a course in computer applications and were enrolled in a career and technical course either in Health Careers or Information Technology. Some of these courses are geared towards providing students the opportunity to take industry-recognized certification exams. In addition, the opportunity for job shadowing and internships were available to juniors and seniors. Career and technical student organizations (Future Business Leaders of America and Health Occupations Student Association) were established to enhance the curriculum.*

C. *Enrollment in the SOL test and GED programs remain above 75 students for all subsequent years. For 2004-2005, enrollment has been 96 students.*

D. *Facilitate student access to postsecondary education and/or training opportunities. Dual enrollment courses were offered to students in Computer Maintenance, First Aid/Safety, and Study Skills through Virginia Western Community College. A partnership was established with Jefferson College of Health Sciences to be implemented in 2005-2006.*

E. *Increase parent involvement. As stated in II.E, a parent organization was established this year and has assisted with student activities.*

Benefits to the Students -- *Blue Ridge Technical Academy has provided opportunities for industry-recognized certifications, dual enrollment courses with Virginia Western Community College and the Jefferson College of Health Sciences, internships, job shadowing, development of portfolios, exposure to a variety of careers, individualized instruction, smaller class sizes, availability of technology, and a safe learning environment. In order to continue to sustain this program, grants and funding from business partners would be needed.*

Factors Influencing Status of School -- *Funding has been the primary issue leading to the reconstruction of BRTA as a career and technical academy at one of the other high schools in the Roanoke City Public Schools. For the past two years, the school has been funded primarily by the local school board. Although a development plan was in progress and outside funding had been sought in recent months, there were not enough funds available to continue BRTA as a separate charter school for 2005-2006.*

Decision to Close – The primary reason reported for Blue Ridge Technical Academy not continuing to operate as a charter school was financial. The "Factors Influencing Status of School" section of the "Overall Assessment" above provides additional insight.

Attachment A5

York County Schools, York River Academy

Year opened as a charter school:	2002
Grades served in 2004-2005:	9-10
Enrollment 2004-2005:	39
School designed to serve students considered to be at-risk:	Yes
Operation as a charter school during the 2005-2006 school year:	Yes

Student Achievement. As depicted in Table A5.1, the York River Academy Standards of Learning (SOL) test results improved in 2003-2004 and became generally comparable to or exceeded division SOL test scores. The 2004-2005 SOL results will not be available until after October 1, 2005.

Table A5.1.
SOL Pass Rates for York River Academy

SOL End of Course Test Results [1]	School 2002-2003	School 2003-2004	Division 2003-2004	School 2004-2005
English Reading	100%		96%	[2]
English Writing	0%		91%	[2]
Algebra I	40%	89%	79%	[2]
Algebra II			90%	[2]
Geometry			95%	[2]
World Geography	90%	85%	80%	[2]
World History I		100%	87%	[2]
U. S. History			94%	[2]
Earth Science	100%	71%	71%	[2]
Biology			93%	[2]
Chemistry			95%	[2]

Note [1]: SOL test results for 2002-2004 were provided by VDOE in terms of Passing Rates (%).
Note [2]: SOL test results for 2004-2005 will not be available until after October 1, 2005.

Average Daily Attendance (ADA). Table A5.2 provides a summary of average daily attendance rates for York River Academy and the school division in which it is chartered. Average daily attendance rates for the school have been comparable to the school division ADA rates.

Dropout Rates. The following table summarizes dropout rates for York River Academy and the school division in which it is chartered. Dropout rates for the school historically have been comparable to school division and state results. The 2004-2005 dropout rate results will not be officially available until after October 1, 2005. York River Academy reported no dropouts through May 2005.

Table A5.3.
Dropout Rates for York River Academy

Dropout Rates [1]	2002-2003	2003-2004	2004-2005
York River Academy	0%	2.14%	[2]
York County Public Schools	0.86%	0.15%	[2]

Note [1]: Dropout results for 2001-2004 were provided by VDOE.
Note [2]: Dropout results for the 2004-2005 school year will not be available until after October 1, 2005.

Staff. For the 2004-2005 school year, York River Academy reports more than one teacher per eight students enrolled. Staffing data for the school are summarized in Table A5.4, below.

Table A5.4.
Staffing for York River Academy

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100
Teachers	5.0	5.0	100
Paraprofessionals	0.0	N/A	N/A
Guidance Counselors	1.0	1.0	100

Parental and Community Involvement. In response to survey questions related to the school's progress in the level of parental and community involvement and community perceptions towards the charter school, the school reported the following (school's perceptions/responses provided in italics).

Since its inception, York River Academy (YRA) developed and maintained an innovative parental program spanning seven evenings over the course of the year. During these Parent Partnership Nights, parents and caregivers and their students participate in a research-based program to develop protective factors and relationships between each other and the school. Funded by outside grants of up to $12,000 a year, families enjoy a catered meal, child care for pre-teens to toddlers, and – new this year – an opportunity to celebrate authentic assessment academic efforts by their charter student. End-of-the-year parental surveys continue to demonstrate significant satisfaction and happiness with YRA – especially when compared to their traditional public school education that preceded their enrollment.

Unlike most charter schools across the country, there is no apparent animosity between supporters of traditional public education and York River Academy. However, one of the dilemmas YRA has faced and continues to face with the community is their perception that only troubled, chronically disruptive students attend the school. This perception stems from the fact that York River Academy is housed on the same campus where the previous alternative school existed for chronically disruptive students. The fact that the previous school shared a similar name (York River Regional School) also contributes to the community's negative, lasting perceptions. Even the current Governing Board's parent representative shared with us his trepidation about letting his son apply to the school (even though he and his wife are presently thrilled with his son's two years of enrollment!).

Overall Assessment (York River Academy perceptions provided in italics)

Effectiveness -- *York River Academy can demonstrate genuine effectiveness by comparing the SOL test passing rate of students before their enrollment against their SOL test passing rate after their arrival (63 percent before, and 83 percent after). In addition, every student can demonstrate workforce development skills in the information technology field via either digital portfolios, multimedia service learning projects for external, authentic clients, or professional certification exams. More than 90 percent of all students earn higher grade point averages than before their arrival and more than half earn more credits than their non-at-risk peers in the school division's traditional schools. Lastly, annual student and parent surveys provide data that demonstrates our effectiveness in meeting the needs of our targeted student population*

Progress -- *Last year, York River Academy met each of its charter goals and objectives including becoming fully accredited as measured by SOL test success.*

Benefits to the Students -- *York River Academy provides its students with a focused information technology curriculum delivered via highly compelling instructional strategies in classes with terrific teacher-student ratios not found in traditional education. I believe that the most significant way one could expand these benefits is by addressing the perennial challenge charter schools face across the country: obtaining facilities that match the dynamic education provided. Grants, matching funds, and/or low-interest loans would go a long way in addressing this perennial challenge.*

Factors Influencing Status of School – *The York County Public Schools has continued to demonstrate leadership in its full and positive support of York River Academy. The class teacher-to-student ratio of 1:12 would be difficult to maintain even with the $350,000 worth of grants, partnerships, and gifts YRA has procured over the last three years. The governing board is supportive and visionary. In short, the relationship between York County Public Schools and York River Academy is as healthy as one could enjoy.*

Board of Education Agenda Item

Item: N. **Date:** September 21, 2005

Topic: First Review of Modifications to the School-level Academic Review Process

Presenter: Mrs. Kathleen M. Smith, Director of the Office of School Improvement

Telephone Number: 804-225-2865 **E-Mail Address:** Kathleen.Smith@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

_X_ Board review required by
- ____ State or federal law or regulation
- _X_ Board of Education regulation
- ____ Other: _____

_X_ Action requested at this meeting ____ Action requested at future meeting:_____ (date)

Previous Review/Action:

_X_ No previous board review/action

_____ Previous review/action
date _____

action _____

Background Information:

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 of Education (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 must 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 implement a proven instructional intervention program in English and/or mathematics, if warned in either or both of those areas (8 VAC 20-131-310.B).

Each year, the Board has reviewed and approved additions and modifications to academic review processes. In September 2004 the Board approved modifications to the academic review process that included a tiered approach that differentiates the type of review a warned school receives based on the school's accreditation history, federal adequate yearly progress (AYP) rating, content areas warned, Title I status, and special needs and circumstances of the school.

Summary of Major Elements

In the proposed modifications to the academic review process guidelines, the school-level review continues to focus on the development, monitoring, and implementation of the school improvement plan. In the first year, the academic review team will conduct an on-site review and assist the school in identifying areas of need and writing an effective three-year school improvement plan. In the second year, a school support team will provide technical assistance to the school to modify, monitor, and implement the school improvement plan. This assistance will continue until the school is no longer warned.

The school-level academic review process is tailored to meet the unique needs and circumstances presented by the school. The first year that a school is rated "accredited with warning," the Department of Education assigns the school to one of three academic review "tiers" based on the circumstances of the school as described in the attachment. An academic review team, either state or locally directed, will conduct an on-site review and assist the school in identifying areas of need and writing an effective three-year school improvement plan. Concurrent with developing a school improvement plan, priority assistance is prescribed by the academic review team and approved by the Department of Education for immediate delivery.

Specifically, information is gathered by the academic review team that relates to the following areas of review:

- Implementation of curriculum aligned with the Standards of Learning
- Use of time and scheduling practices that maximize instruction
- Use of data to make instructional and planning decisions
- Design of ongoing, school-based program of professional development
- Implementation of a school improvement plan addressing identified areas of weakness
- Implementation of research-based instructional interventions for schools warned in English or mathematics
- Organizational systems and processes
    - Use of school improvement planning process that includes data analysis and input of faculty, parents, and community
    - School culture, including engagement of parents and the community
    - Use of learning environments that foster student achievement
    - Allocation of resources aligned to areas of need

If the school is not fully accredited in the year following the academic review team visit, the Department of Education will assign the school to a level of intervention (technical assistance and support) and identify a school support team to provide technical assistance. Three levels of intervention are described in the attached guidelines. The school support team will continue to provide technical assistance until the school is no longer

warned.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the proposed modifications to the school-level academic review process guidelines as required in 8 VAC 20-131-340.A.

Impact on Resources: The 2005 General Assembly appropriated funds to conduct the academic reviews. These funds will be used to conduct the proposed school-level academic reviews.

Timetable for Further Review/Action: Upon board approval, the attached guidelines for the school-level academic review process will be implemented for the 2005-2006 school year.

SCHOOL-LEVEL ACADEMIC REVIEW PROCESS GUIDELINES
Proposed to the Virginia Board of Education, September 21, 2005

Purpose of the School-level Academic Review

The school-level academic review is designed to help schools identify and analyze instructional and organizational factors affecting student achievement. The focus of the review process is on the systems, processes, and practices that are being implemented at the school and division levels. Specifically, information is gathered that relates to the following areas of review:

- Implementation of curriculum aligned with the Standards of Learning
- Use of time and scheduling practices that maximize instruction
- Use of data to make instructional and planning decisions
- Design of ongoing, school-based program of professional development
- Implementation of a school improvement plan addressing identified areas of weakness
- Implementation of research-based instructional interventions for schools warned in English or mathematics
- Organizational systems and processes
    - Use of school improvement planning process that includes data analysis and input of faculty, parents, and community
    - School culture, including engagement of parents and the community
    - Use of learning environments that foster student achievement
    - Allocation of resources aligned to areas of need

These areas of review provide a framework for the school-level academic review process. Within each of these areas, indicators reflecting effective practices have been identified for review. These areas of review are based on state and federal regulations, and research-based practices found to be effective in improving student achievement. The academic review team collects and analyzes data that demonstrate the school's status in implementing these practices. Based on their findings, the academic review team provides the school and the division with information that can be used to develop or revise, and implement the school's three-year school improvement plan, as required by the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*.

The school-level academic review process is tailored to meet the unique needs and circumstances presented by the school. The first year that a school is rated "accredited with warning" an academic review team conducts a comprehensive review of the areas related to the systems, processes, and practices that are being implemented at the school and division levels as indicated above. Throughout the school's continued status in warning, the academic review process is designed to monitor the implementation of the school improvement plan

and provide technical assistance to support the school's improvement efforts.

The division superintendent may request that the school division be allowed to conduct their own academic review process of schools accredited with warning, using their own established processes. Such requests must be sent to the Superintendent of Public Instruction for approval. The request must show that the proposed process and areas of review address the components of the school-level academic review process approved by the Board of Education.

Overview of the Academic Review Process

The school-level academic review is a continuous process. An overview of the process for identifying and supporting schools in the academic review process is described in Chart 1. The focus of the academic review is on the development, monitoring, and implementation of the school improvement plan. Table 1 provides an overview of the implementation steps of the school-level academic review process.

In the first year of warning, the Department of Education assigns the school to one of three academic review "tiers" based on the circumstances of the school. Table 2 describes the tiered approach that is used to assign schools to an academic review process in their first year of warning.

An academic review team, either state or locally directed, will conduct an on-site review and assist the school in identifying areas of need and writing an effective three-year school improvement plan. Concurrent with developing a school improvement plan, priority assistance is prescribed by the academic review team and approved by the Department of Education for immediate delivery.

If the school is not fully accredited in the year following the academic review team visit, the Department of Education will identify a school support team to provide technical assistance to the school and/or division to modify, monitor, and implement the school improvement plan.

Chart 1

ACADEMIC REVIEW: A CONTINUOUS PROCESS

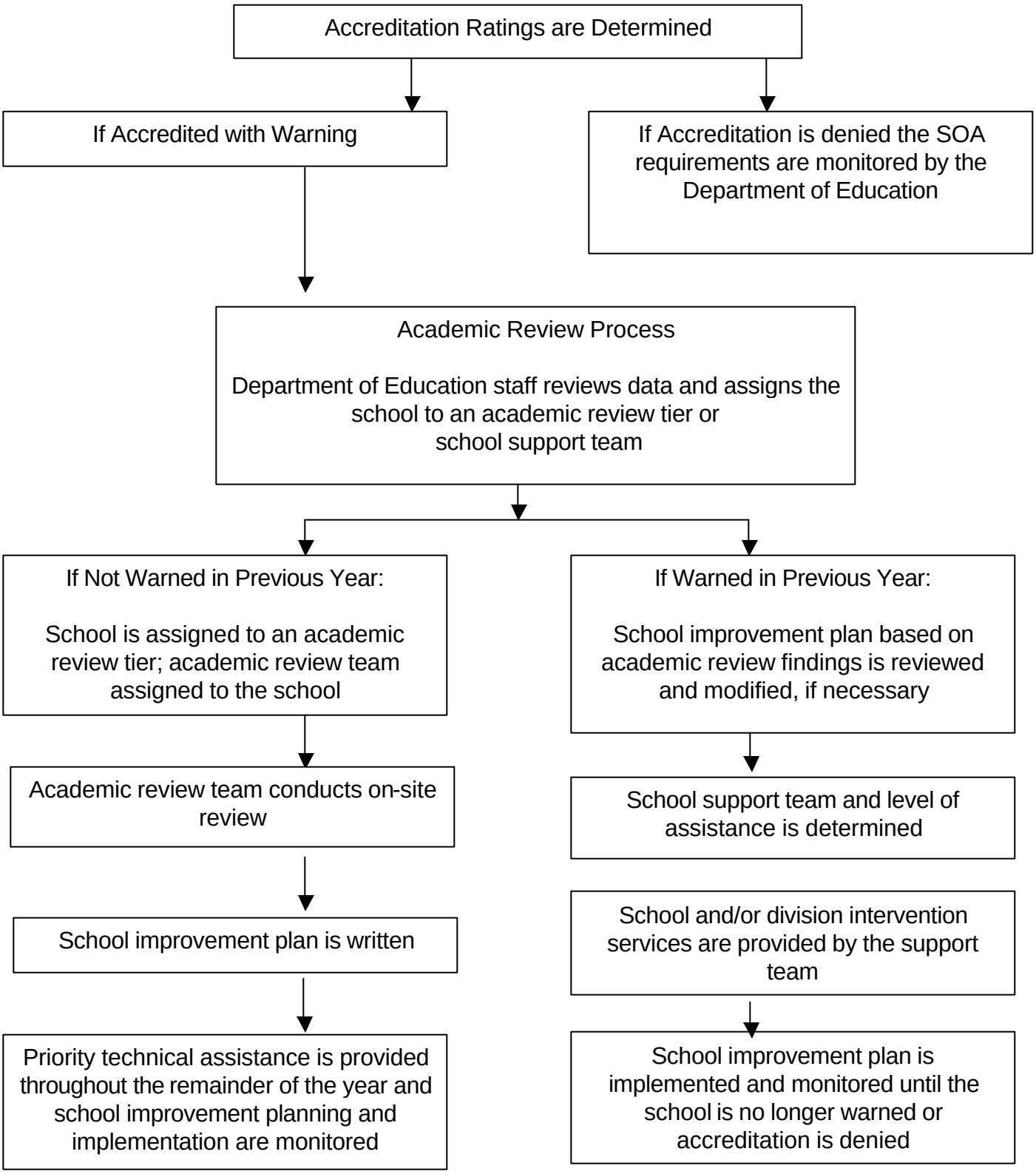

Table 1: Overview of the Academic Review Process

Step One: Review of Accountability Data The Department of Education reviews accountability data for all schools accredited with warning. Based on the review of data, if the school was not warned in the previous year, the school is assigned to one of three tiers of review (see Table 2) and the Department of Education identifies the membership of the **academic review team.** If the school was warned in the previous year, based on the review of data and report of academic review findings, the Department of Education assigns the school to a level of intervention (technical assistance) and identifies the membership of the **school support team.** Step two, the on-site review, will be omitted since it was completed in the prior year.
Step Two: On-Site Review (Omitted if on-site review conducted in prior year) The **academic review team** completes an on-site review of the school resulting in a draft report of findings that is shared with the principal and superintendent or his/her designee. The principal and division superintendent will have 15 business days to respond to the Department of Education concerning the draft report of findings. The department will approve the final report of findings and within 15 business days send a copy of the report to the division superintendent and local school board chair.
Step Three: School Improvement Planning For schools not warned in the previous year, the **academic review team** assists the school in writing an effective school improvement plan based on the team's report of findings. Immediate priority assistance is provided throughout the remainder of the year. For those schools warned in the previous year, the Department of Education reviews accountability data, identifies the membership of the **school support team**, and assigns the school to a level of technical assistance. The school support team monitors the implementation of the school improvement plan and assists, if necessary, with modifications to the plan. .
Step Four: School Support Team The **school support team** provides focused technical assistance and monitoring of the school improvement plan throughout the year as prescribed by the level of intervention (technical assistance).

Table 2: Tier Assignments for Academic Review Teams

Tier*	Characteristics of Schools	Academic Review Team Members Provided by VDOE	Academic Review Team Members Provided by LEA (certified in process)
Tier I: State Directed	Any school warned in 2 or more content areas OR Title I school warned in English or mathematics that DID NOT meet requirements in the content area(s) to make adequately yearly progress (AYP) under NCLB	Team leader Department of Education staff or contractors assigned to assist in the school in the area(s) of improvement	None
Tier II: Locally Assisted	Title I school warned in English or mathematics that DID meet requirements in the content area(s) to make AYP under NCLB OR Non-Title I school warned in English or mathematics that DID NOT meet requirements in the content area(s) to make AYP under NCLB OR Any school warned in science or history social sciences with a pass rate more than 14 points lower than that required for full accreditation	Team Leader May include Department of Education staff or contractors assigned to assist the school in the area(s) of improvement	Local education agency (LEA) staff assigned to assist the school in the area(s) of improvement
Tier III: Locally Directed	Non-Title I school warned in English or mathematics that DID meet requirements in the content area(s) to make AYP under NCLB OR Any school warned in science or history social sciences with pass rate within 14 points of that required for full accreditation	Team leader	LEA staff assigned to assist the school in the area(s) of improvement

*The Superintendent of Public Instruction may approve other School-level Academic Review tiers or other department initiatives as alternatives to approved review processes dependent upon the special needs and circumstances of the warned school.

Implementation of the Academic Review Process

Academic Review Team

For those schools not warned in the previous year, the **academic review team** completes the on-site review to identify and analyze instructional and organizational factors affecting student achievement. The focus of the review process is on the systems, processes, and practices that are being implemented at the school and division levels. The academic review team consists of Department of Education staff and/or independent contractors trained in the academic review process. The academic review team assists the school in writing the school improvement plan based on the final report of findings. Concurrent with developing a school improvement plan, priority assistance is prescribed by the academic review team and approved by the Department of Education for immediate delivery.

The academic review team conducts an on-site review for those schools not warned in the previous year based on a three-tiered approach. Table 2 describes the three tier assignments of the academic review. Those schools assigned to Tier I remain a priority for the Department of Education for ongoing technical assistance. The department staff and/or independent contractors trained in the academic review process conduct the review and provide needed priority technical assistance following the review. For schools assigned to Tiers II and III, the tiered approach allows local education agency (LEA) staff trained in the school-level academic review process to conduct the academic review with oversight by a Department of Education staff or a contracted educational consultant.

The Superintendent of Public Instruction may approve other academic review tiers or other department initiatives as alternatives to approved review processes dependent upon the special needs and circumstances of the warned school.

School Support Team

For those schools that were warned in the previous year and received an on-site academic review, the school support team reviews the current plan and provides technical assistance to the school to update the school improvement plan based on new accountability data. The school support team consists of Department of Education staff and/or independent contractors trained in developing, implementing, and monitoring the school improvement plan. The school support team provides focused technical assistance and monitors the school improvement plan throughout the year as prescribed by the level of assistance assigned.

The school support team provides technical assistance based on the specific needs of the school and/or division. In some schools, only school intervention is needed, while in other schools, division intervention and allocation of resources may have to be diverted to support the efforts of the school(s) to improve.

Schools are required by 8 VAC 20-131-310 to develop a three-year school improvement plan. The school support team monitors and provides technical assistance to the school during the time it is rated accredited with warning.

Levels of Intervention and Assistance

A division-level review as prescribed by the Board of Education regulation 8 VAC 20-700 is defined as "Level A: Division Intervention." As part of the division-level review process, the Department of Education will conduct on-site compliance monitoring of relevant state and federal laws and regulations.

For "Level B: School and Division Intervention" assistance, the school support team provides technical assistance at least monthly to the school and division. In addition, the Department of Education may complete a federal program monitoring review or conduct follow-ups to a previous visit. Eligibility for this level of technical assistance is determined primarily by considering the following criteria:

- A school that has been warned for two or more consecutive years in the same content area and did not reduce its failure rate in the subject(s) warned by at least 10% from the previous year

- A Title I school that is in school improvement status

For "Level C: School Intervention" assistance, the school support team provides technical assistance at least quarterly to schools that have demonstrated a 10 percent decrease in the failure rate from the previous year's assessment scores in the warned areas. For Title I schools in school improvement, the team leader determines compliance with federal regulations regarding school choice, supplemental services, or required restructuring and reports any deficiencies to department staff. The Department of Education provides technical assistance and follow-up accordingly.

Table 3 provides an overview of the three levels of technical assistance provided by the school support team.

Team Leaders

A team leader is assigned to each school rated accredited with warning for both the academic review team and the school support team. Typically, the team leader is an independent contractor; however, the team leader may be a Department of Education staff member assigned to the school. The team leader is primarily responsible for coordinating schedules and activities with review team members and the school. This person is also responsible for facilitating the data

collection and analysis process during on-site visits, entering the team's findings into the academic review database, and developing and distributing reports.

For those schools that were not warned in the previous year, the team leader leads the **academic review team** during the on-site review. The team leader is responsible for coordinating follow-up visits to develop the school improvement plan and provide technical assistance necessary for the school's improvement throughout the remainder of the year.

For those schools that were warned in the previous year, the team leader leads the **school support team** to review and update the current school improvement plan and coordinates follow-up technical assistance necessary for the school's improvement.

Table 3: Levels of Assistance Provided by the School Support Team

Level of Technical Assistance	Description of Intervention and Support Services Provided
Level A **Division Intervention**	The Department of Education conducts on-site reviews for both accountability and federal program monitoring or conduct follow-up to previous visits, interview school division personnel, review operational practices, and complete an analysis of data related to compliance with state and federal regulations. A division-level review is conducted as prescribed by Board of Education regulation 8 VAC 20-700.
Level B **School and Division Intervention** Follow-up monthly	The school support team: ▪ Reviews action steps completed in the school improvement plan based on the most recent report of findings. ▪ Analyzes most current data. ▪ Reviews allocation of needed resources required for school improvement ▪ Determines the school's priority area(s) of need to support improvement (i.e., professional development, remediation) and modifies the plan based on these areas. ▪ Assists the school to involve community and parents in updating the school improvement plan based on data. The Department of Education conducts a division-level federal program monitoring review or follow-up to a previous visit. The division assigns a LEA representative to the school to meet with the school support team and principal monthly to monitor the implementation of the school's improvement plan. The school support team provides monthly technical assistance to the principal and LEA to support the school in implementing the school improvement plan and provide support as needed for the school's improvement.

Level of Technical Assistance	Description of Intervention and Support Services Provided
Level C **School intervention** Follow-up quarterly	The school support team: ▪ Reviews action steps completed in the school improvement plan based on the most recent report of findings. ▪ Analyzes most current data. ▪ Reviews allocation of needed resources required for school improvement ▪ Determines the school's priority area(s) of need to support improvement (i.e., professional development, remediation) and modifies the plan based on these areas. ▪ Assists the school to involve community and parents in updating the school improvement plan based on data. For Title I schools in improvement status, the team leader and school support team determine compliance with federal regulations regarding school choice, supplemental services, or required restructuring and report any deficiencies to department staff. The Department of Education provides technical assistance and follow-up accordingly. The team leader and school support team, if needed, provide quarterly follow-up assistance to the principal and school improvement team to monitor continued implementation of school improvement plan.

Evaluation of the School-level Academic Review Process

The Department of Education will continue to report annually to the Board on the findings of the school-level academic reviews and on the effectiveness of the academic review processes being used. Implementation of the school-level academic review process will be monitored and evaluated throughout the school year.

Board of Education Agenda Item

Item: O. **Date:** September 21, 2005

Topic: First Review of updates to the *Student Conduct Policy Guidelines*
Presenter: Dr. Cynthia A. Cave, Director, Office of Student Services

Telephone Number: 804-225-2818 **E-Mail Address:** Cynthia.Cave@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

____ Board review required by
 X State or federal law or regulation
 ____ Board of Education regulation
 ____ Other: _____

X Action requested at this meeting ____ Action requested at future meeting: _____ (date)

Previous Review/Action:

X No previous board review/action

__ Previous review/action
date _____
action _____

Background Information:
The Board of Education's *Student Conduct Policy Guidelines* were first developed in 1994 in response to action by the 1993 General Assembly that required the board to establish such guidelines, as reflected in § 22.1-279.6 of the Code. The guidelines were revised in 2001 and again in 2004 to reflect numerous changes in federal and state laws, regulations, and relevant case law. The guidelines are intended to aid school boards in developing and implementing student conduct standards and policies. Local school boards are required to adopt and revise regulations for codes of student conduct that are consistent with, but may be more stringent than, these guidelines.

The 2005 General Assembly adopted HB 1573 (Albo), HB 2266 (Marshall), HB 2879 (Marshall), and HB 1716 (Fralin)) that amended §§ 22.1-279.6, 22.21-208.01, and 22.1-279.3:1 of the Code of Virginia to add requirements that gang-related activity and bullying be added to the topics addressed by the guidelines; the requirement that local school division character education programs include the inappropriateness of bullying; and the addition of stalking to the list of offenses required to be reported to division superintendents and the principals by law enforcement and subsequently reported in the annual reports made to the Department of Education. Additionally there are requirements concerning accuracy in reporting of incidents by school personnel, and requirements that school division personnel report certain incidents to parents and notify them when they take place.

The *Virginia Student Conduct Policy Guidelines 2004* have been revised in response to this legislation. In addition, minor edits have been made to the guidelines for clarification.

Summary of Major Elements: The proposed revisions have been indicated in the attached guidelines and are indicated on pages 1, 21, 27, 28, 31, and 34. They are as follows:

- "Gang-related activity" and "bullying" have been added to reflect requirements of HB 1573 (Albo) and HB 2266 (Bell) have been added on page 1.
- The requirement of Code § 22.1-208.01, as amended by HB 2879 (Marshall), that school division character education programs must address bullying, has been added on page 21.
- On page 27, a section on "stalking" has been added in response to HB 2879 (Marshall).
- On page 28, language referencing "knives with blades less than three inches" has been deleted and replaced with clarifying language.
- On page 31, "stalking" has been added to the list of offenses required to be reported to law enforcement to comply with § 22.1-279.3:1 as amended by HB 2879 (Marshall).
- On page 31, additions have been made to address requirements for reporting of incidents to the Virginia Department of Education and for notification of parents, as provided in § 22.1-270.3:1 and § 22.1-270.3:1.D as amended by HB 1716 (Fralin) and HB 2266 (Bell).
- On page 34, changes to the Code are shown in the appendix referencing "gang-related activity" and "bullying."

Superintendent's Recommendation:
The Superintendent of Public Instruction recommends that the Board of Education waive first review and accept the guidelines for final review.

Impact on Resources:
The impact on resources will be minimal. The guidelines will be disseminated in electronic format. A modest amount will be needed to print a limited number of copies to be made available through the Department of Education.

Timetable for Further Review/Action:
Following review and final approval by the Board of Education, notification will be made to school divisions of the revised guidelines and their availability on the Virginia Department of Education Web site.

STUDENT CONDUCT POLICY GUIDELINES

2005 Update

Adopted by the
Virginia Board of Education
September ___, 2005

Acknowledgments

The Virginia Board of Education and the Virginia Department of Education express sincere appreciation to members of the 2004 Student Conduct Policy Guidelines Advisory Group who generously contributed their time and expertise to the development of these guidelines.

2004 Student Conduct Policy Guidelines Advisory Group

Representation	Name
Assistant Superintendent Support Services	Tony Valentino Hanover County Public Schools
Director of Alternative Education and Disciplinary Hearing Officer	Bill Sadler Hanover County Public Schools
Safe and Drug-Free Schools Coordinators	Jo Ann Burkholder, Roanoke County Public Schools Clarence Jones, Fairfax County Public Schools
School Board Attorney	Brad King Harrell & Chambliss, LLP
School Board Member	Sue Forbes Watson, Vice Chairman Hanover County School Board
School Discipline Officer	Judy Mahler Newport News City Public Schools
School Resource Officer	Steve Clark, School Safety Specialist Virginia Center for School Safety
Special Education Director	Sue Clark Stafford County Public Schools
Students	Stephanie Sutton, Thomas Dale High School Chesterfield County Public Schools Johanna Cluver, Douglas Southall Freeman High School Henrico County Public Schools
Virginia Department of Criminal Justice Services	Donna Bowman, Director Virginia Center for School Safety
Virginia School Boards Association	Elizabeth Ewing, Director Legal and Policy Services
Virginia Department of Education	Douglas Cox, Assistant Superintendent Special Education and Support Services Cynthia Cave, Director, Office of Student Services Judy Douglas, Director, Office of Dispute Resolution and Administrative Services Alveta Sutton, Specialist, Instructional Support Team Myra Shook, Specialist, Safe and Drug-Free Schools Program Arlene Cundiff, Coordinator, Safe and Drug-Free Schools Program

Editorial development services by Anne J. Atkinson, Ph.D., PolicyWorks, Ltd., Richmond, Virginia

This document may be downloaded from the Virginia Department of Education Web site at www.doe.virginia.gov/
For additional information, contact Arlene Cundiff at (804) 225-2871 or acundiff@doe.virginia.gov

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I. INTRODUCTION

Background

The Virginia Board of Education's *Student Conduct Policy Guidelines* were first developed in 1994 in response to action by the 1993 General Assembly requiring the Virginia Board of Education to establish such guidelines. The guidelines were revised in 2001 to reflect numerous changes in federal and state laws and regulations and relevant case law. The *Virginia Student Conduct Policy Guidelines, 2004* have been developed in response to requirements of § 22.1-279.6. of the *Code of Virginia* and reflect recent changes in law and emerging best practice principles. The guidelines are intended specifically to aid school boards in implementing student conduct policies. Local school boards are required to adopt and revise regulations on codes of student conduct that are consistent with, but may be more stringent than, these guidelines.

Legal Base

Statutory Authority for Guidelines

The Virginia Board of Education is required by law (§ 22.1-279.6. of the *Code of Virginia*) to establish guidelines and develop model policies for codes of student conduct to aid local school boards in the implementation of such policies.

The guidelines and model policies are required to include, but not be limited to the following:

(i) Criteria for the removal of a student from a class, the use of suspension, expulsion, and exclusion as disciplinary measures, the grounds for suspension and expulsion and exclusion, and the procedures to be followed in such cases, including proceedings for such suspension, expulsion, and exclusion decisions and all applicable appeals processes

(ii) Standards, consistent with state, federal and case laws, for school board policies on alcohol and drugs, gang-related activity, hazing, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others, self-defense, bullying, dissemination of such policies to students, their parents, and school personnel

(iii) Standards for in-service training of school personnel in and examples of the appropriate management of student conduct and student offenses in violation of school board policies.

Procedures for suspension and expulsion are to be the minimum procedures that the school board may prescribe.

Section 22.1-279.6.C. requires the Board to establish standards to ensure compliance with the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), as amended.

Also required by § 22.1-279.6. are standards for school board policies on alcohol and drugs and search and seizure including guidance for procedures relating to voluntary and

mandatory drug testing in schools. *Guidelines Regarding Student Searches in Public Schools* were adopted by the Virginia Board of Education in 1999 and *Guidelines Concerning Student Drug Testing in Virginia Public Schools* were adopted by the Board in 2004. These guidelines can be found on the Virginia Department of Education Web site at http://www.pen.k12.va.us/.

Authority and Duties of School Boards

Standards of Quality

Section 22.1-253.13:7.D.3. of the *Code of Virginia* (part of the section of the Code known as the Standards of Quality) requires local school boards to maintain and follow an up-to-date policy manual that includes "standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights." Local school boards must give consideration to the views of teachers, parents, and other concerned citizens in the development of policies.

School Board Regulations

Section 22.1-78. of the *Code* authorizes local school boards to adopt bylaws and regulations "for its own government, for the management of its official business and for the supervision of schools, including but not limited to the proper discipline of students, including their conduct going to and returning from school."

Section 22.1-279.6.B. of the *Code* requires local school boards to adopt and revise regulations on codes of student conduct that are consistent with, but may be more stringent than, the guidelines of the Board. School boards are required to include procedures for suspension, expulsion, and exclusion decisions, to biennially review student conduct code guidelines, and to include prohibitions against hazing and profane or obscene language or conduct. School boards are authorized to regulate certain communications devices and, at their discretion, require or encourage drug testing.

Section 22.1-279.9. of the *Code* requires school boards, in cooperation with the local law enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, to develop programs to prevent violence and crime on school property and at school-sponsored events.

Removal, Suspension and Expulsion of Pupils

Section 22.1-276.2. of the *Code* gives teachers initial authority to remove a student from a class for disruptive behavior and requires all school boards to establish the criteria for teachers to remove disruptive students, requirements for reporting incidents of disruptive behavior, procedures for written notification to a student and the student's parents, guidelines for alternative assignment and instruction of such students, and procedures for the return of students to class and teacher participation in the decision.

Section 22.1-277. of the *Code* authorizes the suspension or expulsion of pupils "for sufficient cause," including acts off school property when the acts lead to an adjudication of delinquency, a conviction of certain offenses, or a charge that would be a felony if committed by an adult.

Authorization for short-term suspensions (10 school days or less) and procedures for suspension and for readmission are set forth in § 22.1-277.04. of the *Code*.

Authorization for long-term suspensions (more than 10 school days but less than 365 calendar days) and procedures for suspension and for readmission are set forth in § 22.1-277.05. of the *Code*.

Authorization for expulsion and procedures for expulsion and for readmission are set forth in § 22.1-277.06. Recommendations for expulsion for other than weapons and drug offenses are required to be based on consideration of factors specified in the *Code,* including the nature and seriousness of the violation and the student's disciplinary history.

Section 22.1-277.07. of the *Code* requires school boards to expel students who bring a firearm or other destructive device (defined in the Section) onto school property or to a school-sponsored event in violation of the Gun-Free Schools Act of 1994. School boards are authorized to consider factors listed in § 22.1-277.06. in determining "special circumstances" in particular cases that would justify another disciplinary action.

Section 22.1-277.08. of the *Code* requires school boards to expel students who bring a controlled substance, imitation controlled substance, or marijuana onto school property or to a school-sponsored event. School boards are authorized to consider factors listed in § 22.1-277.06. in determining "special circumstances" in particular cases that would justify another disciplinary action.

Alternative Education Program

Section 22.1-277.2:1. of the *Code* authorizes school boards to require any student to attend an alternative education program under prescribed circumstances. Procedures to be followed when requiring an alternative education program are also prescribed. It should be noted that alternative education programs are authorized but not required by the *Code* to be established.

School boards may require any student who has been found in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

Legal Responsibilities of Others

Role of the Principal and School Administration

The Virginia Standards of Accreditation (2000), Section 8 VAC 20-131-210.A., states that the principal "is recognized as the instructional leader of the school and is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources." Section B.2. specifies that the principal shall "ensure that the school division's student code of conduct is enforced and seek to maintain a safe and secure school environment." Section 8 VAC 20-131-260.C.3., requires a school administration to ensure "a written procedure, in accordance with guidelines established by the local board, for responding to violent, disruptive or illegal activities by students on school property or during a school-sponsored activity."

Parental Responsibility

Section 22.1-279.3. of the *Code of Virginia* sets forth the duty of each parent of a student enrolled in a public school to assist the school in enforcing the standards of student conduct and compulsory school attendance. Procedures are set forth for notifying parents of their responsibilities, documenting the notification, and taking steps against parents for willful and unreasonable refusal to participate in efforts to improve their child's behavior or school attendance. Each parent of a student must sign a statement acknowledging the receipt of the school board's standards of student conduct and return it to the school.

Reports to Law Enforcement Agencies.

Section 22.1-279.3:1.A. of the *Code of Virginia* lists certain offenses that school officials are required to report to local law-enforcement agencies. Additional information about this requirement and a list of reportable offenses are on page 29 of these guidelines.

II. STUDENT CONDUCT POLICY GUIDELINES

Elements of Student Conduct Policy

School board policies on student conduct should address certain basic elements including the following:

1. Statement of purpose and intent and/or philosophy
2. Roles and responsibilities for student conduct policy
3. Relationship to related policies and regulations
4. Disciplinary action criteria, procedures, and processes
5. Policy for the development, dissemination and periodic review of standards of student conduct
6. Training of school personnel
7. Standards for student conduct

Described below are each of the basic elements listed with corresponding sample policy statements. Section 22.1-279.6.B. of the *Code* requires local school boards to adopt and revise regulations on codes of student conduct that are consistent with, but may be more stringent than, the guidelines of the Board of Education.

1. Purpose and Intent; Philosophy

Local school board policy on student conduct should include a statement of purpose and intent consistent with Virginia law. Examples of statutory language are as follows:

- The Standards of Quality (§ 22.1-253.13.7.D.3.) require standards and procedures "designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights."

- Section 22.1-279.3. sets forth parental responsibility and involvement requirements "in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights."

- Section 22.1-279.6. of the *Code* makes reference to incorporating discipline options and alternatives "to preserve a safe, non-disruptive environment for effective teaching and learning."

Sample Statements of Purpose and Intent

- The development, implementation, and enforcement of the student conduct policy is intended to ensure a safe, non-disruptive environment for effective teaching and learning.
- Standards of student conduct are designed to protect the health, safety and welfare of students.
- It is the belief of the (name of school board) that all students have the right to an environment that is safe, drug-free, and conducive to learning. To that end, the student conduct policy sets forth standards for student conduct.
- The primary objectives of the standards of student conduct are (1) to provide standards and guidelines for student behavior; (2) to assist the student in becoming a responsible, productive, and self-disciplined citizen; and (3) to maintain a safe and orderly environment in the classroom and all other areas of the school.

2. Roles and Responsibilities

Local school board policies should clearly define the roles and responsibilities of the school board, the superintendent, principals, teachers, and other staff with responsibility for enforcement of student conduct standards. Information about the duty of parents to assist the school in enforcing the standards of student conduct and compulsory school attendance also is appropriate to be included. A general statement about student rights and responsibilities also may be included, particularly when the local standards of student conduct articulate student rights and responsibilities related to specific conduct.

Sample Statement on Roles and Responsibilities

School board members, school personnel, parents, and students share the responsibility to create and maintain a school environment that is safe and conducive to learning. It is the responsibility of the School Board to adopt policies and regulations. The superintendent has responsibility to issue standards of student conduct including a list of corrective disciplinary actions for violation of the standards. The school principal has responsibility to enforce the student conduct standards using reasonable judgment. Each parent has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance. Students are expected to attend school regularly and to demonstrate good citizenship, enjoying the rights and fulfilling responsibilities set forth in the student conduct standards.

3. Relationship to Existing Policies

The relationship of the student conduct policy to other related local policies, rules, and regulations should be explicitly stated. Other related local policies may include, but are not limited to, those governing student searches, drug testing, attendance, and discipline of students with disabilities. Relevant sources such as federal and state regulations and guidance may be cross-referenced. A list of such regulations, guidelines, and credible resource publications and sources is included as Appendix D.

4. Disciplinary Action: Criteria, Procedures, and Processes

Teacher Removal of a Student from Class

Local school board policy should cite the initial authority of teachers to remove a student from a class for disruptive behavior and, in accordance with § 22.1-276.2. of the *Code*, is required to establish the following:

1. Criteria for teachers to remove disruptive students from their classes
2. Requirements for incident reports of disruptive behavior to school administrators and any other documentation to support such removals from class
3. Procedures for the written notification of a student and the student's parents of any incident report and its contents and for the opportunity to meet with the teacher and school administrators to discuss the student's behavior and the possible consequences if such behavior does not cease
4. Guidelines for the alternative assignment and instruction of such students and for the duration of such removals
5. Procedures for the return of students to class, for teacher participation in any decision by the principal to return a student to the class from which the student has been removed, and for the resolution of any disagreements between the principal and teacher regarding the return.

"Disruptive behavior" is defined in § 22.1-276.2. of the *Code* as conduct that interrupts or obstructs the learning environment.

Sample Statement on the Removal of a Student from Class

Teachers shall have the initial authority to remove a student from a class for disruptive behavior that interrupts or obstructs the learning environment, using the following criteria:

1) The removal of the student is necessary to restore a learning environment free from interruptions or obstructions caused by the student's behavior.
2) The removal of the student occurs only after teacher or administrative interventions have failed to end the disruptive behavior. However, nothing shall preclude the immediate removal of a student for behavior that might warrant suspension from school.
3) The removal of a student is an appropriate response to student behavior that is a violation of the rules of conduct.
4) Written notice of the student's behavior and removal from class is given to the parent by the teacher.

Short-term Suspensions

"Short-term suspension" is defined in § 22.1-277.04. of the *Code* as any disciplinary action whereby a student is not permitted to attend school for a period not to exceed 10 school days.

A local school board policy should cite the authority to suspend a student, and include procedures for notice to the student, reporting to the parent and division superintendent, review upon petition, and for appeal consistent with § 22.1-277.04.of the *Code.* School boards may prescribe in regulation whether appeals of short-term suspensions may be made to the school board, a committee thereof, or to the division superintendent or his designee. "Superintendent's designee" is defined in § 22.1-276.01.B. as a "(i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the division superintendent and who is not a school-based instructional or administrative employee."

A school board policy must require, in accordance with § 22.1-277.04.of the *Code*, that any oral or written notice to the parent of a student suspended from school for not more than 10 school days include the following:

- The length of the suspension,
- Information regarding the availability of community-based educational programs, alternative education programs or other educational options and
- The student's right to return to regular school attendance upon the expiration of the suspension.

A school board may include a statement specifying that the costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, is the responsibility of the parent of the student. A decision of the division superintendent or designee may be appealed to the school board or its committee, in accordance with local school board regulations.

Sample Statement on Short-Term Suspension

A student may be suspended out-of-school for violations of the Code of Conduct. For out-of school suspensions of 10 days or less, the school administrator shall inform the student of the specific violation and provide the student with opportunities to respond to the charges. The student may present the student's version of what occurred. When the school suspends a student, the school shall 1) notify the student of the right to appeal; 2) make a reasonable effort to notify the student's parent of the suspension, inform the parent that a copy of the rules governing suspensions and the procedures for appeal are being sent home with the student, and make arrangements for the student's return home; and 3) send written notification to the parent informing the parent of the suspension, of its reason, the length of the suspension, the right to appeal, the student's right to return to school, and any conditions for that return.

Long-term Suspensions

"Long-term suspension" is defined in § 22.1-277.05. of the *Code* as any disciplinary action whereby a student is not permitted to attend school for more than ten school days but less than 365 calendar days.

A local school board policy should cite the authority to suspend a student and establish procedures for written notice to the pupil and parent of the action, its reason, and right to appeal in accordance with § 22.1-277.05. of the *Code of Virginia*. A school board may prescribe in regulation whether appeals of long-term suspensions may be to the school board, a committee thereof, or the division superintendent or his designee. If regulations provide for a hearing by the superintendent or designee, the regulations must provide for an appeal of the decision to the full school board and such an appeal must be decided by the school board within thirty days. If the regulations provide for a hearing by a committee of the school board, the regulations must provide that the committee may confirm or disapprove the suspension of a student. The committee must be composed of at least three members and, if the committee's decision is not unanimous, the pupil or the pupil's parent may appeal the committee's decision to the full school board. Such an appeal must be decided by the school board within thirty days.

School board policy must require that the written notice of a suspension for more than ten days include the following:

- The length of the suspension
- Information concerning the availability of community-based educational, alternative education, or intervention programs
- The student's eligibility to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the school board during or upon the expiration of the suspension.

A school board may include a statement specifying that the costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, is the responsibility of the parent of the student.

School board policy may permit or require students suspended for more than 10 days to attend an alternative education program provided by the school board for the term of the suspension in accordance with procedures set forth in § 22.1-277.2:1. of the *Code.* Alternative education programs are authorized but not required to be established.

Sample Statement on Long-Term Suspension

A student may be suspended for more than 10 days following a hearing before a hearing officer designated by the superintendent. For certain offenses, a student may be suspended for the remainder of the semester or the school year. The school administration may determine that transfer to another school serves the best interest of the student and the school.

The discipline committee of the school board may confirm or disapprove the suspension of a student. A hearing shall be held before the discipline committee within ten days of the date of notice from the principal. If the decision of the three-member committee to uphold the suspension is unanimous, there is no right of appeal. If, however, the decision of the committee is not unanimous, the student and his/her parent/guardian may appeal the decision to the full board.

When a student is placed on long-term suspension, written notice of the suspension shall be sent in accordance with state law.

Expulsions

"Expulsion" is defined in § 22.1-277.06. of the *Code of Virginia* as “any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.”

A local school board policy should cite the authority to expel a student and establish the procedures for written notice to the pupil and parent of the action, its reason, and right to a hearing and confirmation in accordance with § 22.1-277.06. of the *Code* and with regulations of the school board. A school board may prescribe in regulation whether the hearing is before the school board or a committee thereof. If the regulations provide for a hearing by a committee of the school board, the regulations must also provide that the committee may confirm or disapprove the expulsion. The committee must be composed of at least three members and, if the committee's decision is not unanimous, the pupil or pupil’s parent may appeal the committee's decision to the full school board. Such an appeal must be decided by the school board within thirty days. School board policy must also provide for confirmation or disapproval of a proposed expulsion by the school board or a committee thereof, regardless of whether the pupil exercises the right to a hearing.

The school board policy must require, in accordance with § 22.1-277.06. of the *Code*, that the written notice of expulsion include the following:

- The length of the expulsion
- Information to the parent of the student concerning the availability of community-based educational, training, and intervention programs
- Whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the school board, or an adult education program offered by the school division, during or upon the expiration of the expulsion
- A notice advising that the student may petition the school board for readmission to be effective one calendar year from the date of the student’s expulsion, if the school board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division
- The terms and conditions, if any, under which readmission may be granted.

A school board may include a statement specifying that the costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, is the responsibility of the parent of the student.

School board policy may permit or require students expelled to attend an alternative education program provided by the school board for the term of the expulsion in accordance with procedures set forth in § 22.1-277.2:1. of the *Code.* Alternative education programs are authorized but not required to be established.

A school board must establish, by regulation, a schedule by which pupils who have been expelled may apply and reapply for readmission to school. The schedule must be designed to ensure that the hearing or ruling on any initial petition for readmission, if granted, would enable the student to resume school attendance one calendar year from the date of the

expulsion. Some school divisions develop an individualized plan or contract for expelled students specifying conditions the student must meet for readmission and actions the student has agreed to take to meet the conditions.

Recommendations for expulsion for other than weapons- and drug-related violations (specified in §§ 22.1-277.07. and 22.1-277.08. of the, *Code*) are required to be based on a consideration of factors listed below:

1. The nature and seriousness of the violation
2. The degree of danger to the school community
3. The student's disciplinary history, including the seriousness and number of previous infractions
4. The appropriateness and availability of an alternative education placement or program
5. The student's age and grade level
6. The results of any mental health, substance abuse, or special education assessments
7. The student's attendance and academic records
8. Other matters as deemed to be appropriate.

It should be noted that no decision to expel a student may be reversed on the grounds that the above factors were not considered. These factors may be considered by a school board as "special circumstances" in cases involving weapons- and drug-related violations when determining whether a pupil will be provided an alternative educational placement.

Sample Statement on Expulsion

A student may be expelled only by action of the school board or a disciplinary committee of the school board based on the recommendation of the principal and the superintendent.

In the case of a recommendation for expulsion by the principal, the superintendent or his designee shall conduct a review of the recommendation. The review shall take into account the following factors:

1. The nature and seriousness of the violation
2. The degree of danger to the school community
3. The student's disciplinary history, including the seriousness and number of previous infractions
4. The appropriateness and availability of an alternative education placement or program
5. The student's age and grade level
6. The results of any mental health, substance abuse, or special education assessments
7. The student's attendance and academic records
8. Such other matters as deemed to be appropriate.

If the superintendent/designee upholds the recommendation, a hearing shall be held before the discipline committee within 10 days of the date of notice from the principal. If the decision of the three-member committee to uphold the expulsion is unanimous, there is no right of appeal. If, however, the decision of the committee is not unanimous, the student and his/her parent or guardian may appeal the decision to the full board.

When a student is expelled, written notice of the expulsion shall be sent in accordance with state law. The superintendent or his designee shall establish a schedule by which pupils who have been expelled may apply and reapply for readmission to school.

Expulsions for Weapons-Related Offenses

School board policy, in accordance with § 22.1-277.07. of the *Code of Virginia*, must provide for the mandatory expulsion for a period of not less than one year (365 days) of any student determined to have brought a firearm or destructive device onto school property or to a school-sponsored activity. Definitions of "firearm" and "destructive devices" are set forth in § 22.1-277.07.E. of the *Code*, and are consistent with the federal Gun-Free Schools Act. A copy of this Act is included as Appendix E. This prohibition does not apply to Junior Reserve Officers Training Corps (JROTC) programs or to the possession of firearms as part of the curriculum or other programs sponsored by the schools or other organization permitted by the school to use its premises.

A school board may establish policies and promulgate related guidelines for determining whether "special circumstances" exist that would allow for no disciplinary action or another disciplinary action, based on the facts of a particular situation. A school board may, by regulation, authorize the division superintendent or designee to conduct a preliminary review of such cases.

A school board policy may permit or require students expelled for weapons-related offenses to attend an alternative education program provided by the school board for the term of the expulsion.

Sample Statement on Expulsion for Weapons-Related Offense

Any student determined to be in possession of or to have brought any prohibited weapon onto school property or to a school-sponsored activity shall be expelled for a period of not less than one year (365 days). However, the school board may determine, based on the facts of a particular case, that special circumstances exist and another disciplinary action or term of expulsion is appropriate. The division superintendent may conduct a review in such cases to determine whether a disciplinary action other than expulsion is appropriate, and recommend that action to the school board for final determination.

Expulsions for Drug-Related Offenses

A school board policy, in accordance with § 22.1-277.08. of the *Code of Virginia*, must provide for the mandatory expulsion for a period of not less than one year of any student determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in § 18.2-247. onto school property or to a school-sponsored activity.

“One year” is defined as 365 days as required in federal regulation.

A school board may establish policy and promulgate related guidelines for determining whether "special circumstances" exist that would allow for no disciplinary action or another disciplinary action, based on facts of a particular situation. A school board may, by regulation, authorize the division superintendent or his designee to conduct a preliminary review of such cases.

School board policy may permit or require students expelled for drug-related offenses to attend an alternative education program provided by the school board for the term of the expulsion.

Sample Statement on Expulsion for Drug-Related Offense

Any student determined to have distributed or manufactured a controlled substance including anabolic steroids or prescription drugs, an imitation controlled drug, or other prohibited substance on school property or at a school-sponsored activity shall be expelled for a period of not less than one year. However, the school board may determine, based on the facts of a particular case, that special circumstances exist and another disciplinary action or term of expulsion is appropriate. The division superintendent may conduct a review in such cases to determine whether a disciplinary action other than expulsion is appropriate, and recommend that action to the school board for final determination.

Suspensions or Expulsions of Students with Disabilities

Local school board policy should specify, at a minimum, that suspensions and/or expulsions of students with disabilities will be in compliance with state regulations and federal law. Reference may be made to *Regulations Governing Special Education Programs for Children with Disabilities* (2002) that are available from the Virginia Department of Education Web site at http://www.pen.k12.va.us/. Additional information on students with disabilities is included in Appendix B.

Admission of Students Suspended or Expelled from Another School Division or a Private School

Section 22.1-277.2. of the *Code* authorizes the exclusion of a student suspended or expelled from another school division or a private school upon a finding that the student presents a danger to the other students or staff of the school division. This action is permitted after:

(i) Written notice to the student and student's parent that the student may be subject to exclusion, the reasons therefor, and, in the event of such exclusion, the right to appeal the decision at a hearing before the school board or a committee thereof; and

(ii) Review of the case by the division superintendent or designee and recommendation of exclusion.

In cases where the suspension is for more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In cases of expelled students, the local school board may accept or waive any or all of any conditions for readmission imposed upon such a student by the expelling school board, but may not impose additional conditions for readmission to school.

A school board policy should cite the authority to exclude such students and establish procedures in accordance with § 22.1-277.2. of the *Code*. A school board may, but is not required, to permit students excluded to attend an alternative education program provided by the school board for the term of such exclusion.

Sample Statement for Admission of Students Suspended or Expelled from Another School Division

A student who has been expelled or suspended for more than 30 days from attendance at school by a school board or a private school, or for whom admission has been withdrawn by a private school, may be excluded from attendance for no more than one calendar year in the case of expulsion or withdrawal of admission, and in the case of suspension of more than 30 days, for not longer than the duration of such suspension. The school shall provide written notice to the student and his or her parent of the reasons for such possible exclusion and of the right to a hearing conducted by the division superintendent. The student may not attend school until a review of the case is conducted by the division superintendent. Exclusion shall be imposed upon a finding that the student presents a danger to the other students or staff members of the school division. The decision to exclude the student shall be final unless altered by the school board after timely written petition. Upon the expiration of the exclusion, the student may petition the division superintendent for admission.

5. Policy for Development, Dissemination and Periodic Review of Student Conduct Standards

Policy Development and Review

A school board policy should provide for the systematic review and update of existing policies, related regulations, and student conduct standards on an annual basis. The policy review process should involve, at a minimum, school board counsel, administrators most directly involved with student discipline (e.g., disciplinary hearing officer), and representatives of school-based administrators, teachers, students, and parents. Consultation with law enforcement and juvenile court officials and with other community agencies can be very beneficial.

The review should examine not only relevant statutory and case law and regulations, but also consider the policy and programmatic implications of local discipline data. This type of comprehensive review has been demonstrated to yield information useful in updating policy and in improving the effectiveness of its implementation. A comprehensive review also can be helpful in designing effective in-service training on student conduct policies for administrators and other staff.

Sample Statement on Review and Revision of Standards of Student Conduct

An annual evaluation of the Standards of Student Conduct will be conducted within a month of the close of school. Revision, if necessary, will be completed prior to the opening of the next school year.

Dissemination of Standards

Local school boards must provide written copies of the school board's standards of student conduct to students, parents of enrolled students, and school personnel. The format for written dissemination should be one that is understandable to students, parents, and school personnel and may include, but not be limited to, statements of student rights and responsibilities, rules of conduct, and disciplinary procedures. School boards in localities with substantial numbers of non-English-speaking populations may require the translation of the standards and related materials.

Student conduct standards may be published as a simple, stand-alone document or as part of a more lengthy, comprehensive handbook. School boards should determine the format and content most suited to local need. Some school divisions have included letters from local juvenile judges stating court positions on such matters as parent responsibilities, school attendance, and student conduct. A glossary may be included to aid understanding of terminology. Some school divisions have developed separate documents detailing due process procedures that are given to pupils when disciplinary action is taken against them.

Dissemination procedures may include student and faculty orientations and other activities designed to ensure that each student has an opportunity to become familiar with the conduct standards. Some school divisions require classroom teachers to review standards with their students and others administer quizzes to assess student understanding of rules and consequences. Appropriate adaptations should be employed for students with disabilities. Procedures should address also the dissemination of standards to students who enroll after the beginning of the school year and to their parents.

Sample Statement on Distribution of Standards of Student Conduct

A copy of the Standards of Student Conduct will be issued to all students within one month of the opening of school. All transfer students will be issued a copy of the Standards as a part of the registration process. Principals will stress to all students that compliance with the Standards is mandatory. The “Acknowledgment of Parent Responsibility” form must be signed by the parent or guardian and returned to the school.

Each year, during the first week of school, all students will be provided a period of instruction on the contents of the Standards of Student Conduct. This instruction will be followed by an assessment appropriate to the student’s grade level.

6. In-Service Training of School Personnel

Effective training of administrators and other staff with responsibility for implementation of student conduct policy is critical. Such training should be designed to include, but not be limited to, the following:

- Purpose and intent of student conduct policy
- Specific staff roles and responsibilities for implementing student conduct policy
- Standards for student conduct
- Disciplinary processes and procedures
- Requirements and procedures for reporting offenses to local law enforcement authorities
- Relationship of student conduct policy to other policies and procedures

Such training should be designed to equip school personnel with a knowledge of best practices for effective conduct policy implementation. The use of methods such as scenarios and table-top exercises have been demonstrated to be effective for such training. At the discretion of a local school board, depending on local conditions, consideration may be given to also including content on cultural awareness, gang awareness, and bullying prevention and intervention.

III. STANDARDS OF STUDENT CONDUCT

Application of Policy

Local school board policies and/or regulations should state explicitly the following:

- Standards of student conduct apply to all students under the jurisdiction of a school board.
- Disciplinary action will be determined based on the facts of each incident in the reasonable discretion of the school board and other appropriate school officials.
- Students are subject to corrective disciplinary action for misconduct that occurs:
    - in school or on school property
    - on a school vehicle
    - while participating in or attending any school sponsored activity or trip
    - on the way to and from school and
    - off school property, when the acts lead to (1) an adjudication of delinquency or a conviction for an offense listed in § 16.1-305.1. of the *Code of Virginia* (unlawful purchase, possession or use of a weapon, homicide, felonious assault and bodily wounding, criminal sexual assault, manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances or marijuana, arson, and related crimes, and burglary and related offenses), criminal street gang activity or recruitment for such activity, or (2) a charge that would be a felony if committed by an adult.

Range of Corrective Disciplinary Action

Codes of student conduct should identify a range of corrective disciplinary actions available to school administrators in response to misconduct. The options and alternatives may range from admonition to mandatory expulsion, and may include but not be limited to the following:

- Admonition and counseling
- Parent/pupil conference
- Modification of student classroom assignment or schedule
- Student behavior contract
- Referral to student support services
- After-school or in-school detention
- Suspension of student privileges for a specified period
- Removal from class
- Initiation of child study process
- Referral to in-school intervention, mediation, or community service programs
- Short-term suspension
- Long-term suspension
- Recommendation for expulsion
- Mandatory expulsion

Differentiation of Sanctions by Grade Level

Options for corrective disciplinary action for misconduct may be differentiated by grade level.

Other Disciplinary Consequences

A school board may allow a student who has been suspended to complete academic assignments during the period of suspension in accordance with conditions established by the school board. School board policy may provide for ongoing consequences after a student returns to school following suspension or expulsion including, but not limited to, probationary status requiring satisfactory performance and conduct, limitations of privileges, community service, or restitution.

Administrative Discretion

The degree of administrator discretion in determining appropriate disciplinary action granted by a school board is critical to the effectiveness of a school division's discipline policy and constitutes an issue that merits careful consideration. School boards have a legitimate interest in the consistency and fairness of policy implementation across school sites. To ensure greater consistency, some school boards have prescribed certain minimum and maximum disciplinary actions, others have identified levels of action appropriate for specified offenses, and many have limited discretion in cases of very serious offenses. A closely related issue is planning for the training of school personnel in disciplinary policy, its enforcement, and disciplinary procedures.

Offenses

Definitions of offenses that are also violations of law should be consistent with statutory definitions. When offenses are not defined in the *Code of Virginia*, definitions developed for the Virginia Department of Education *Annual Discipline, Crime, and Violence Report* may be helpful in establishing local operational definitions.

Alcohol and drugs

Student conduct policy for alcohol and drugs should address the possession, use, consumption, purchase, distribution, manufacture, and/or sale of restricted substances on school property, on school vehicles, or during school sponsored activities on or off school property. This includes, but may not be limited to, tobacco products, anabolic steroids, inhalants, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia, any prescription or non-prescription drug possessed in violation of school board policy, and other controlled substances defined in the Drug Control Act, Chapter 15.1. of Title 54 of the *Code of Virginia*.

School boards may consider the use of graduated sanctions in which a substance abuse prevention/intervention program is available to students in cases of first possession or use violations. A student assistance program can serve as an important programmatic element for substance abuse prevention, intervention, and linkage to treatment.

School boards, in accordance with § 22.1-277.2:1. of the *Code*, may require any student who has been found in possession of, or under the influence of, drugs or alcohol in violation of school board policy to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

Sample Conduct Standard: Alcohol and Other Drugs

A student may not possess, use, or distribute alcohol, tobacco and/or tobacco products, and other drugs on school grounds, on school buses, or during school activities, on or off school property. This includes, but may not be limited to, smokeless tobacco, anabolic steroids, look-alike drugs, drug paraphernalia, and any drug not prescribed for the student by a physician.

Any student who possesses or uses prohibited substances may participate in prevention and intervention activities deemed appropriate by the superintendent.

Assault; Assault and Battery

An *assault* is a threat of bodily injury. A *battery* is any bodily hurt, however slight, done to another in an angry, rude or vengeful manner.

Student conduct policy should specifically prohibit the threatening or physical assaulting of students and of staff. Other related offenses that may be included as part of student conduct standards include sexual assault or battery (including improper touching), mob assault, and bullying.

Sample Conduct Standard: Assault

The following violations shall result in disciplinary action and may require mandatory sanctions:

1) Threatening or physically assaulting another student or another person (other than a staff member) who has reason to be at school, whether or not causing injury, shall result in disciplinary measures up to and including a 10-day suspension and a recommendation for expulsion.
2) Physically assaulting a school staff member shall result in suspension from school for up to 10 days, and the principal may recommend expulsion. In the event of injury to the staff member, expulsion shall be recommended.

Attendance; Truancy

Attendance requirements may be included as part of student conduct policy or may be addressed elsewhere in policy at the discretion of the school board. The policy should establish an expectation for regular attendance, criteria for absences to be excused, and applicable academic and disciplinary consequences of nonattendance and tardies. The comprehensive policy should address parental responsibilities, duties of the school division's attendance officer, and procedures for taking action against the child and/or parent for failure to comply with applicable law.

According to § 16.1-228.A. of the *Code of Virginia*, a “child in need of supervision” who is truant means:

- A child who, while subject to compulsory school attendance, is habitually and without justification absent from school, and
- The child has been offered an adequate opportunity to receive the benefit of any and all educational services and programs that are required to be provided by law and which meet the child's particular educational needs, and
- The school division from which the child is absent or other appropriate agency has made a reasonable effort to affect the child’s regular attendance without success, and
- The school division has provided documentation that it has complied with the provisions of § 22.1-258 that address actions to be taken when a pupil fails to report to school.

Sample Conduct Standard: Attendance

Student attendance is a cooperative effort; schools shall involve parents and students in accepting responsibility for regular attendance.

Each parent or guardian of a child within the compulsory school attendance age shall be responsible for the child’s regular and punctual attendance at school as required by law.

Students shall attend school on a regular and punctual basis unless otherwise excused in accordance with school board regulation.

Bomb Threat

School board policy should specifically prohibit bomb threats. Other related offenses that may be constitute components of a comprehensive policy include, but are not limited to, conduct involving firebombs, explosives, incendiary devices or chemical bombs.

Threats to bomb or damage buildings and giving false information as to danger to such buildings are prohibited by § 18.2-83. of the *Code of Virginia*. Definitions of "explosive material," "fire bomb," and "hoax explosive device" are defined in § 18.2-85. of the *Code*.

Sample Conduct Standard: Bomb Threat

Students shall not engage in any illegal conduct involving firebombs, explosive or incendiary materials or devices, or hoax explosive devices, or chemical bombs as defined in the *Code of Virginia*. Moreover, students shall not make any threats or false threats to bomb other students, school personnel or property.

Bullying

According to the National Center for Education Statistics, [*Indicators of School Crime and Safety*, 2002 (July 2004)], bullying can contribute to a climate of fear and intimidation in schools. Bullying is not specifically defined in Virginia law. Patterns of behavior associated with bullying that are criminal offenses are as follows:

Assault	Extortion	Hazing
Larceny	Theft	Sexual harassment
Battery	False Imprisonment	
Robbery	Threats	

Non-criminal behavior associated with bullying includes intimidation, taunting, name-calling, and insults. The definition developed for the Virginia Department of Education *Annual Discipline, Crime, and Violence Report* is "repeated negative behaviors intended to frighten or cause harm" that may include, but are not limited to, verbal or written threats or physical harm.

Section 22.1-208.1 requires each school board to establish, within existing programs, a character education program that includes the inappropriateness of bullying.

Sample Conduct Standard: Bullying

Students, either individually or as part of a group, shall not harass or bully others. The following conduct is illustrative of bullying:

- Physical intimidation, taunting, name calling, and insults
- Comments regarding the race, gender, religion, physical abilities or characteristics of associates of the targeted person
- Falsifying statements about other persons

Bus-Related Offenses

School board policy should clearly communicate that rules governing student conduct apply not only at school but also on a school vehicle, while on a school-sponsored trip, and on the way to and from school, including at the bus stop.

Sample Conduct Standard: Bus-Related Conduct

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior. Students who become disciplinary problems on school buses shall be reported to the principal by the driver and may have their riding privileges suspended. Students are also subject to the same disciplinary action as would be prescribed had the behavior occurred at school.

Cheating

Cheating is not defined in the *Code of Virginia*. A student conduct policy may address cheating as a single offense or approach it as one of several offenses related to integrity.

Sample Conduct Standard: Cheating
Students are expected to perform honestly on any assigned schoolwork or tests. The following actions are prohibited:

- Cheating on a test or assigned work by giving, receiving, offering, and/or soliciting information
- Plagiarizing by copying the language, structure, idea, and/or thoughts of another
- Falsifying statements on any assigned schoolwork, tests, or other school documents

Communications Devices; Laser Pointers

Section 22.1-279.6.B. of the *Code* authorizes school boards to regulate the use or possession of beepers or other portable communications devices and laser pointers and establish disciplinary procedures for students violating such regulations. Policies prohibiting or limiting the use of communications devices typically address beepers, cellular telephones, personal digital assistants (PDAs), and similar devices.

Sample Conduct Standard: Communication Devices; Laser Pointers

The following violations shall result in disciplinary action at the discretion of the principal:

Possession of any portable communication devices, including any beeper, cell phone, or other similar device, including any device capable of receiving or transmitting text messages, on school property and during the school day by an elementary or middle school student.

A high school student may possess such a portable communication device on school property during the school day; however, the device must be out of sight, turned off, and used only with authorization from the principal.

In addition to other disciplinary action associated with the possession or use of a portable communication device in violation of this provision, any such portable communication device shall be subject to confiscation by school officials and returned only to the student's parent or guardian.

Disruptive Behavior

"Disruptive behavior" is defined in § 22.1-276.2. of the *Code* as conduct that interrupts or obstructs the learning environment. Local school board policy should cite the initial authority of teachers to remove a student from a class for disruptive behavior.

The related offense of disorderly conduct is defined in § 18.2-415. as involving the intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk. Conduct is deemed to be disorderly when it disrupts the operation of any school or any activity conducted or sponsored by any school, if the disruption (i) prevents or interferes with the orderly conduct of the operation or activity or (ii) has a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed.

Sample Conduct Standard: Disruptive Behavior

Students are entitled to a learning environment free of unnecessary disruption. Any physical or verbal disturbance within the school setting or during related activities, which interrupts or interferes with teaching and orderly conduct of school activities, is prohibited.

Dress Standards

Establishing standards for dress has the potential to be controversial. A key criteria used by many school boards in determining what is and is not acceptable dress is whether it interferes with or disrupts the educational environment. Health and safety are also primary considerations. Some policies approach dress standards as a component of personal symbolic expression that also addresses hairstyles and buttons and badges.

Sample Conduct Standard: Dress Standard

All students are expected to dress appropriately for a K-12 educational environment. Any clothing that interferes with or disrupts the educational environment is unacceptable. Clothing with language or images that are vulgar, discriminatory, or obscene, or clothing that promotes illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia, or clothing that contains threats such as gang symbols is prohibited.

Clothing should fit, be neat and clean, and conform to standards of safety, good taste, and decency. Clothing that exposes cleavage, private parts, the midriff, or undergarments, or that is otherwise sexually provocative, is prohibited. Examples of prohibited clothing include, but are not limited to: sagging or low-cut pants, low-cut necklines that show cleavage, tube tops, halter tops, backless blouses or blouses with only ties in the back, clothing constructed of see-through materials, and head coverings unless required for religious or medical purposes.

Additionally, disciplinary action will be taken against any student taking part in gang-related activities that are disruptive to the school environment, which include the display of any apparel, jewelry, accessory, tattoo, or manner of grooming that, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior.

Parents of students requiring accommodation for religious beliefs, disabilities, or other good causes should contact the principal. Students not complying with this code will be asked to cover the non-complying clothing, change clothes, or go home. Repeated infractions will result in disciplinary action.

Extortion

Extortion is defined in § 18.2-59. of the *Code* as unlawfully obtaining or attempting to obtain something of value from another by compelling the other person to deliver it by the threat of eventual physical injury or other harm to that person or the person's property, or a third person. "Blackmail" is the common name for extortion where the threat is not physical but relates to exposing some secret or true or alleged fact, which would do harm to someone's circumstances or damage his or her reputation.

Sample Conduct Standard: Extortion

No student may obtain or attempt to obtain anything of value from another by using a threat of any kind.

Fighting

Fighting is not specifically defined in the *Code of Virginia*. The key element differentiating fighting from assault is the mutual nature of contact.

Definitions developed for use in the Virginia Department of Education report on discipline, crime, and violence are as follows:

- Fighting with serious injury - Mutual participation in an incident involving physical violence, where there is serious injury. Requires medical attention.
- Fighting with no/minor injury - Mutual participation in an incident involving physical violence, where there is no or minor injury.

Sample Conduct Standard: Fighting

Exchanging mutual physical contact between two or more students by pushing, shoving, or hitting with or without injury is prohibited.

Gambling

Section 18.2-325. of the *Code of Virginia* defines illegal gambling as the "making, placing or receipt, of any bet or wager of money or other thing of value, made in exchange for a chance to win a prize, stake or other consideration or thing of value." A gambling device includes any device, machine, paraphernalia, equipment, or other thing, including books, records, and other papers, which are actually used in illegal gambling operations or activity.

Sample Conduct Standard: Gambling

A student shall not bet money or other things of value, or knowingly play or participate in any game involving a bet on school property or during any school-sponsored activity.

Gang-Related Activity

"Criminal street gang" is defined in § 18.2-46.1. as meaning “any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities, (ii) which has an identifiable name or identifying sign or symbol, and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction.”

The General Assembly has established criminal penalties for gang activities taking place within 1000 feet of any public or private school.

Section 16.1-260.G. of the *Code* requires an intake officer to report to the division superintendent any student against whom a petition is filed for certain offenses including:

- Prohibited criminal street gang activity pursuant to § 18.2-46.2.
- Recruitment of other juveniles for a criminal street gang activity pursuant to § 18.2-46.3.

Sample Conduct Standard: Gang-Related Activity

Gang-related activity will not be tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes association, rituals associated with, or activities by an identified group of students).

Hazing

Local school board codes of student conduct, in accordance with § 22.1-279.6.B. of the *Code*, are required to prohibit hazing and to cite “the provisions of § 18.2-56., which defines and prohibits hazing and imposes a Class 1 misdemeanor penalty for violations; i.e., confinement in jail for not more than 12 months and a fine of not more than $2,500, either or both.”

Sample Conduct Standard: Hazing

No student shall engage in hazing. Hazing means to recklessly and intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with, or as a condition for, continued membership in a club, organization, association, fraternity, sorority, or student body, regardless of whether the student or students so endangered or injured participated voluntarily in the activity.

Hazing is a Class 1 misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to $2500, or both, in addition to any disciplinary consequences which may be imposed. In addition, any person receiving bodily injury by hazing has a right to sue, civilly, the person or persons guilty thereof, whether adults or minors.

The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney.

Internet Use

Student conduct policy related to computer use should be developed in accordance with information provided in the Virginia Department of Education's *Acceptable Use Policies: A Handbook*, available on the Department's Web site at www.pen.k12.va.us.

Sample Conduct Standard: Internet Use
Internet use by students shall be in accordance with acceptable computer use policies and regulations. Violations of policy will result in a suspension of access privileges.

Profane or Obscene Language or Conduct

School board student conduct policy, in accordance with § 22.1-279.6.B. of the *Code*, is required to prohibit profane or obscene language or conduct. These terms are not specifically defined in the *Code of Virginia*. Conduct typically prohibited under this provision includes swearing and obscene/offensive gestures, materials, and communications.

Sample Conduct Standard: Profane or Obscene Language or Conduct
Students shall not use vulgar, profane, or obscene language, or gestures, or engage in conduct that is vulgar, profane, or obscene, or disrupts the teaching and learning environment.

Property Violations

Property violations include, but are not limited to, arson, destruction of property, vandalism, and theft.

Arson - § 18.2-79. of the *Code of Virginia,* prohibits the burning or destroying of any school. The destruction may be in whole or in part--only a *slight* burning is necessary to violate this section of the *Code*.

Destruction of property - § 22.1-280.4. of the *Code* authorizes school boards to seek reimbursement from a pupil or the pupil's parent for any "actual loss, breakage, or destruction of or failure to return property, owned by or under the control of the school board, caused or committed by such pupil in pursuit of his studies."

Theft - Larceny is the wrongful taking of the property of another without the owner's consent and with the intention to permanently deprive the owner of possession of the property.

Vandalism - § 18.2-138. of the *Code* prohibits the willful and malicious damaging of public buildings, including schools.

Sample Conduct Standard: Property Offenses

The following violations shall result in disciplinary action at the discretion of the principal and may require a report to local law enforcement authorities:

- Willful causing or attempting to cause damage to school property
- Theft of, taking, or trying to take another person's property or money by force, fear, or other means
- Vandalism, arson, or any threat or false threat to bomb, burn, damage, or destroy in any manner a school building or school property

A student (or the student's parent) shall be required to reimburse the school board for any actual loss of, breakage or, destruction of, or failure to return property owned by or under the control of the school board caused or committed by such student.

Stalking

Stalking is defined in § 18.2-60.3. of the *Code of Virginia* as conduct, occurring on more than one occasion and directed at another person, that places that other person in reasonable fear of death, criminal sexual assault, or bodily injury. Stalking is included in the list of offenses required to be reported to law enforcement officials (see page 31).

Sample Conduct Standard: Stalking

Students shall not engage in a pattern of behavior that places another person in fear of serious harm.

Theft

See Property Violations

Threats; Intimidation

Threats to kill or to do bodily harm are specifically prohibited by § 18.2-60. of the *Code of Virginia*. The prohibition includes threats to any person or persons "(i) on the grounds or premises of any elementary, middle or secondary school property, (ii) at any elementary, middle or secondary school-sponsored event or (iii) on a school bus," Section 18.2-60.B. of the *Code* prohibits an oral threat to kill or to do bodily injury to any employee of any elementary, middle or secondary school, while on a school bus, on school property, or at a school-sponsored activity.

Sample Conduct Standard: Threats; Intimidation

Students shall not make any verbal or physical threat of bodily injury or use of force directed toward another person for the purpose of extortion or for any other reason.

Trespassing

Trespassing upon church or school property, including school buses, is specifically prohibited by § 18.2-128. of the *Code of Virginia*. The definition developed for the Virginia Department of Education's discipline, crime, and violence report is as follows:

> To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion, and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator, or designee of the facility, campus, or function.

Sample Conduct Standard: Trespassing

A student shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.

All visitors to a school or its grounds shall report to the main office immediately. Persons who fail to do so may be considered trespassers and subject to legal action, and student visitors who fail to do so also may be subject to disciplinary action as well as legal action. Any person whose presence or action interferes with or disrupts the operation of the school, its students, or school activities shall be prohibited from entering school or remaining on school property or remaining at a school-sponsored activity, wherever located.

Vandalism

See Property Violations.

Weapons or Other Dangerous Articles

Student conduct policy on weapons should address the possession, use, sale or purchase of restricted items on school property, on school vehicles, or during school sponsored activities on or off school property. This includes, but may not be limited to, any firearm or weapon. A school board additionally may prohibit the possession of unloaded weapons by students on their persons or in their lockers, backpacks, or vehicles.

Weapons for which mandatory expulsion is required include those enumerated in *Virginia Code* § 18.2-308.1., in the federal Gun-Free Schools Act, and in *Virginia Code* § 22.1-277.01.D. In accordance with § 22.1-277.01 of the *Code*, the expulsion shall be for no less than 365 days.

An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

Carrying, bringing, using, or possessing dangerous instruments in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity on or off school property is grounds for disciplinary action. Examples of dangerous instruments include ~~knives with blades less than three inches~~, letter openers, screwdrivers, hammers, hatchets, and other devices that could be used to inflict harm upon another person. Not subject to mandatory

expulsion is possession of a knife that is customarily used for food preparation or service and is possessed by the student for the sole purpose of personal food preparation and service.

Sample Conduct Standard: Weapons

Students shall not have in their possession any type of unauthorized firearm or other article which may be used as a weapon.

Other Conduct

A school board may consider including an "other conduct" category that addresses conduct not specifically listed elsewhere. The "other conduct" should be confined to that which disrupts the educational environment or is a violation of federal, state, or local law.

Sample Conduct Standard: Other Conduct

In addition to those specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise in violation of federal, state, or local law.

Self Defense

A code of student conduct may, but is not required to, address consideration of self defense as a factor in determining appropriate disciplinary action. Procedures for such consideration should include an opportunity for the student(s) to present the student's version of what occurred, as well as a review of facts, involving school personnel and others as appropriate. The fact-seeking process may include students and other staff who may have witnessed the incident or have observed previous interactions between the students involved. In cases where self defense is claimed, there may be a "history" between the students that often takes the investigation beyond looking at the single incident to examining patterns of interaction, past threats, and bullying. Persons from whom information is obtained could include a bus driver, other students, and parents.

School boards developing disciplinary policies including self defense should provide criteria that define when an incident would be considered an act of self defense. Based on the criteria used in the judicial system for a claim of self defense to apply, the following conditions should be met. The person claiming self defense must:

- Be without fault in provoking or bringing on the fight or incident
- Have reasonably feared, under the circumstances as they appeared to him, that he was in danger of harm
- Have used no more force than was reasonably necessary to protect himself from the threatened harm.

A school board's policy addressing self defense should retain a prohibition for bringing weapons of any kind to school for the purpose of self defense and explicitly state that self defense does not constitute a valid defense against possession or use of a weapon on school property or at any school-sponsored activity.

Sample Statement on Self Defense

Students are subject to disciplinary action for misconduct. Cases for which self defense is claimed must meet the following criteria: (1) the claimant must not have provoked or behaved in a manner to cause the incident; (2) the claimant must have had reasonable fear of danger of harm; and (3) the claimant used no more force than needed for protection from the threatened harm. Such incidents should be reported immediately to school officials. When claims of self defense have been established, the administrator shall: (1) allow the student to present his version of what occurred and (2) review circumstances and relevant information from others pertaining to the incident, including relationships and previous patterns of interaction among the students involved. Findings from the review of circumstances and other relevant information should be considered in determining appropriate corrective disciplinary action. Claims of self defense do not constitute a valid defense against possession or use of a weapon on school property or at any school sponsored activity. Weapons are prohibited on school property and at school-sponsored events.

Related Policy Issues

Parental Responsibilities and Involvement

A local school board policy must provide for notification of parental responsibilities in accordance with § 22.1-279.3. of the *Code of Virginia* that sets forth the duty of each parent of a student enrolled in a public school to assist the school in enforcing the standards of student conduct and compulsory school attendance.

Within one calendar month of the opening of school, school boards are required to send the parents of each enrolled student (i) a notice of parental responsibilities; (ii) a copy of the school board's standards of student conduct; and (iii) a copy of the compulsory school attendance law. These materials must include a notice to the parents that, by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth. The notice also informs a parent of the right to express disagreement with a school's or school division's policies or decisions. A school board’s policy should address documentation of receipt of materials, the conditions for requiring parent involvement, and criteria/steps for proceeding against parents in juvenile and domestic relations court for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance.

Reporting of Certain Offenses

Local school board policy must provide for notification of local law enforcement authorities in accordance with § 22.1-279.3:1.D. of the *Code of Virginia* that requires principals to immediately report to the local law-enforcement agency any act enumerated in clauses (ii) through (vii) of §22.1-279.3:1.A. that may constitute a criminal offense. A principal may report to the local law-enforcement agency any incident described in clause (i) of subsection

A. When there is injury, or the battery is against school personnel, reporting is mandatory.

Section 22.1-279.3:1.A. of the code lists offenses as follows:

i. The assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
ii. The assault and battery ~~which~~ that results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described § 18.2-60.3, in on a school bus, on school property, or at a school-sponsored activity;
iii. Any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
iv. Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
v. The illegal carrying of a firearm, as defined in § 22.1-277.07, onto school property;
vi. Any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in § 18.2-85, or explosive or incendiary devices, as defined in § 18.2-433.1, or chemical bombs, as described in § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
vii. Any threats or false threats to bomb, as described in § 18.2-83, made against school personnel or involving school property or school buses; or
viii. The arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor.

The principal or designee must also report these incidents to the superintendent of the school division, who then reports them to the Department of Education in accordance with § 22.1-279.3:1(C) of the *Code of Virginia*. Incidents are reported to the Department of Education in the *Annual Discipline, Crime and Violence Report*. In submitting reports of such incidents, principals and division superintendents shall accurately indicate any offenses, arrests, or charges as recorded by law-enforcement authorities. Effective for the 2005-2006 school year, compliance with this requirement will be documented in the *Annual Discipline, Crime and Violence Report*.

The principal or designee must also notify the parent of any student involved in the incidents listed above, as well as incidents committed by students enrolled at the school if the offense would be a felony if committed by an adult, regardless of where the offense is committed, or would be a violation of the Drug Control Act if it occurs on a school bus, school property, or at a school sponsored activity [§ 22.1-279.3:1(B) and (C)]. Section 22.1-279.3:1.D. requires that principals notify parents that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

Whenever a student commits a reportable incident named in the *Code*, the student shall be required to participate in prevention and intervention activities as determined appropriate by the superintendent or designee (§ 22.1-279.3:1(C).). A school board may require reporting of other offenses. This determination is best made in consultation with local school and law enforcement officials.

Clarifying the Parameters of Legal and Administrative Authorities

An effective school-law enforcement partnership is characterized by clarity about the nature of misconduct that occurs, about respective law enforcement and administrator roles, and about available sanctions. Positive outcomes for students, for schools, and for school-law enforcement partnerships are far more likely to be achieved when law enforcement officers and school administrators work together to apply available sanctions.

The first challenge is to establish clarity about what is a crime and what is a disciplinary matter -- what requires law enforcement response and what requires an administrative response? What behaviors distinguish between criminal and non-criminal actions? For example,

- Under what circumstances will "bullying" be labeled "assault" or "extortion" or “hazing” and result in criminal charges?
- Under what circumstances will fighting result in charges of assault and battery?
- When does a dispute over an allegedly borrowed jacket become a theft and result in a larceny charge?

Determination of criminal versus non-criminal behavior is a serious issue that requires examination and clear understanding between the school division and the law enforcement agency. According to the Northwest Regional Educational Laboratory’s Clearinghouse on school safety, recent experience with school-law enforcement partnerships has taught the following:

- Law enforcement officers are not school disciplinarians.
- The officer’s presence does not reduce the responsibility of teachers and of administrators to enforce school rules and the school division’s student code of conduct.
- Classroom management rests with the teacher.
- Disciplinary responses remain the responsibility of school administrators.
- The focus of law enforcement involvement in conduct matters is properly centered on incidents that involve a violation of law.

Effective school-law enforcement partnerships handle <u>all</u> incidents--whether violations of codes of conduct or violations of law--in a manner designed to ensure an appropriate, coordinated response and improve the likelihood of a desirable outcome for the school, the student, and public safety.

When school-law enforcement partnerships are formed, commitments of the school division and of the law enforcement agency are best formalized in a written interagency agreement called a Memorandum of Understanding (MOU) that outlines the purpose of the partnership and the fundamental responsibilities of each agency. The MOU establishes the framework in which a school resource officer (SRO) program operates. A MOU specifies, at minimum, the following:

- The purpose of establishing the school/law enforcement partnership
- The roles and responsibilities of the school and the law enforcement agency
- The general chain of command and channels of communication
- The schedule for updating and renewing the agreement

A more comprehensive MOU may incorporate key division-level policies and procedures including standard operating procedures for information sharing, investigation of crimes and interrogation, search and seizure and arrest of students, and procedures for handling critical incidents such as bomb threats, riots, and shootings.

Experience has shown that the process of developing the MOU and the operational procedures has great value in clarifying expectations and in anticipating and avoiding operational glitches during implementation. Both the MOU and operational procedures are *evolving documents*, and should be reviewed annually.

Key Definitions: School Resource Officer and School Security Officer

"School resource officer" is defined in § 9.1-101. of the *Code of Virginia* as “a certified law enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.”

The roles of the School Resource Officer (SRO) in Virginia are identified as:

1. Law enforcement officer
2. Law-related educator
3. Community liaison and
4. Role model

"School security officer" is defined in § 9.1-101. of the *Code of Virginia* as “an individual who is employed by the local school board for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of school board policies, and detaining students violating the law or school board policies on school property or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.”

Authoritative information about School Resource Officer (SRO) programs and about the training and certification of both school resource officers and school security officers is available from the Virginia Department of Criminal Justice Services, Virginia Center for School Safety.

APPENDIX A: CODE OF VIRGINIA § 22.1-279.6

§ 22.1-279.6. Board of Education guidelines and model policies for codes of student conduct; school board regulations.

A. The Board of Education shall establish guidelines and develop model policies for codes of student conduct to aid local school boards in the implementation of such policies. The guidelines and model policies shall include, but not be limited to, (i) criteria for the removal of a student from a class, the use of suspension, expulsion, and exclusion as disciplinary measures, the grounds for suspension and expulsion and exclusion, and the procedures to be followed in such cases, including proceedings for such suspension, expulsion, and exclusion decisions and all applicable appeals processes; (ii) standards, consistent with state, federal and case laws, for school board policies on alcohol and drugs, gang-related activity, hazing, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others, self-defense, bullying, and dissemination of such policies to students, their parents, and school personnel; and (iii) standards for in-service training of school personnel in and examples of the appropriate management of student conduct and student offenses in violation of school board policies.

In accordance with the most recent enunciation of constitutional principles by the Supreme Court of the United States of America, the Board's standards for school board policies on alcohol and drugs and search and seizure shall include guidance for procedures relating to voluntary and mandatory drug testing in schools, including, but not limited to, which groups may be tested, use of test results, confidentiality of test information, privacy considerations, consent to the testing, need to know, and release of the test results to the appropriate school authority.

In the case of suspension and expulsion, the procedures set forth in this article shall be the minimum procedures that the school board may prescribe.

B. School boards shall adopt and revise, as required in § 22.1-253.13:7.and in accordance with the requirements of this section, regulations on codes of student conduct that are consistent with, but may be more stringent than, the guidelines of the Board. School boards shall include, in the regulations on codes of student conduct, procedures for suspension, expulsion, and exclusion decisions and shall biennially review the model student conduct code to incorporate discipline options and alternatives to preserve a safe, nondisruptive environment for effective teaching and learning.

Each school board shall include, in its code of student conduct, prohibitions against hazing, profane or obscene language or conduct. School boards shall also cite, in their codes of student conduct, the provisions of § 18.2-56. which defines and prohibits hazing and imposes a Class 1 misdemeanor penalty for violations, i.e., confinement in jail for not more than 12 months and a fine of not more than $2,500, either or both.

A school board may regulate the use or possession of beepers or other portable communications devices and laser pointers by students on school property or attending school functions or activities and establish disciplinary procedures pursuant to this article to which students violating such regulations will be subject. Nothing herein shall be construed to require any school board to adopt policies requiring or encouraging any drug testing in schools. However, a school board may, in its discretion, require or encourage drug testing in accordance with the Board of Education's guidelines and model student conduct policies required by subsection A and the Board's guidelines for student searches required by § 22.1-279.7.

C. The Board of Education shall establish standards to ensure compliance with the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), as amended, in accordance with § 22.1-277.07.

This subsection shall not be construed to diminish the authority of the Board of Education or to diminish the Governor's authority to coordinate and provide policy direction on official communications between the Commonwealth and the United States government.

APPENDIX B: DISCIPLINE OF STUDENTS WITH DISABILITIES

Source: Virginia Department of Education (2002). *Regulations Governing Special Education Programs for Children with Disabilities.*

A technical assistance resource document, "Discipline of Students with Disabilities" is available at Virginia Department of Education's Web site: http://www.pen.k12.va.us/VDOE/sped.

8 VAC 20-80-68. Discipline procedures. (p. 56 of Regulations)

A. General. A student with a disability shall be entitled to the same due process rights that all students are entitled to under the Code of Virginia and the local educational agency's disciplinary policies and procedures. *COV §22.1-277*

B. Short-term removals. *34 CFR §§ 300.121; 300.519*
1. A student with a disability may be removed from the student's current educational setting up to 10 cumulative school days in a school year for any violation of school rules to the extent removal would be applied to a student without a disability.
2. A student with a disability may be removed from the student's current educational setting for a period of time that cumulatively exceeds 10 school days in a school year for separate incidents of misconduct as long as the removals do not constitute a pattern. If the removals do constitute a pattern, the requirements of subsection C of this section apply.

a. Isolated, short-term suspensions for unrelated instances of misconduct may not be considered a pattern.
b. These removals do not constitute a change in placement.

C. Long-term removals. *34 CFR § 300.121*
1. For purposes of removals of a student with a disability from the student's current educational placement, a change in placement occurs if: *34 CFR § 300.519*

a. The removal is for more than 10 consecutive school days; or
b. A series of removals constitutes a pattern because the removals cumulate to more than 10 school days in a school year and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

2. Authority of school personnel. *34 CFR § 300.520 and 522*

a. A student with a disability may be removed consistent with subdivision 1 of this subsection for any violation of school rules to the extent removal would be applied to students without disabilities.

b. School personnel may remove a student with a disability to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 calendar days, if:

(1) The student carries a weapon to or possesses a weapon at school or a school function under the jurisdiction of a local educational agency or the Virginia Department of Education; or
(2) The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of a local educational agency or the Virginia Department of Education. For purposes of this part, the following definitions apply:

(a) Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 USC § 812 (c).
(b) Illegal drug means a controlled substance, but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
(c) Weapon has the meaning given the term "dangerous weapon" in 18 USC § 930 (g), paragraph 2, as well as any weapon defined as a dangerous weapon in the Code of Virginia.

c. The interim alternative educational setting must be determined by an IEP team. The interim alternative educational setting must be selected so as to enable the student to:

(1) Continue to progress in the general curriculum, although in another setting;
(2) Continue to receive those services and modifications including those described in the student's current IEP that will enable the student to meet the IEP goals; and
(3) Include services and modifications that address the behavior and are designed to prevent the behavior from recurring.

d. The local educational agency shall ensure that the following procedures are implemented either before or not later than 10 business days after either first removing the student for more than 10 school days in a school year or commencing a removal that constitutes a change in placement under subdivision 1 of this subsection, including placements in interim alternative educational settings:

(1) The IEP team shall convene to develop a behavioral assessment plan if the local educational agency did not conduct a functional behavioral assessment and implement a behavioral plan for the student before the behavior resulted in the removal described in subdivision 1 of this subsection.
(2) The functional behavioral assessment may be a review of existing data that can be completed at the IEP meeting. Parental consent is not necessary to review existing data.
(3) The IEP team shall reconvene as soon as practicable after developing the assessment plan and completing the assessments required by the plan. The IEP team shall develop and implement appropriate behavioral interventions to address the behavior.
(4) If the student had a behavioral intervention plan before engaging in the behavior, the IEP team shall convene to review the plan and its implementation and modify the plan and its implementation, as necessary, to address the behavior.

e. If the student who has a behavioral intervention plan and who has been removed from the student's current educational placement for more than 10 school days in a school year is subjected to a further removal that does not constitute a change in placement under subdivision 1 of this subsection, the IEP team shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more of the team members believe that modifications are needed in the student's behavioral intervention plan, the IEP team shall meet and modify the plan and its implementation as necessary.

3. Services during periods of disciplinary removal. ***34 CFR §300.121 (d)***

a. The local educational agency is not required to provide services during the first 10 school days in a school year that a student with a disability is removed from the student's current educational setting if services are not provided to a student without a disability who has been similarly removed.

b. For a subsequent removal that is less than 10 school days in a school year, but exceeds 10 cumulative school days of removal, and which does not constitute a change in placement under subdivision 1 of this subsection, the local educational agency shall provide services to the extent determined necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals of the student's IEP.

c. The procedures for determining services under subdivision 3 b of this subsection for periods of removals are as follows:

(1) For removals for more than 10 school days in a school year which do not constitute a change in placement, school personnel, in consultation with the student's special education teacher, make the service determinations.
(2) For removals that constitute a change in placement, the IEP team determines what services are needed.

APPENDIX C: SAMPLE FORMS AND FORMATS

Sample: Parent Acknowledgment of Parental Responsibility

Acknowledgment of Parental Responsibility

This form is for parents/legal guardians of all students enrolled in XXXX Public Schools to ensure that they have received and reviewed the following important documents.

Student Name_____ DOB _____

School_____

Homeroom Teacher _____ Grade _____

I have received and reviewed each of the following:

1. Standards of Student Conduct.
2. A copy of § 22.1-279.3. of the *Code of Virginia* that sets forth the duty of each parent of a student enrolled in a public school to assist the school in enforcing the standards of student conduct and compulsory school attendance.
3. A copy of the compulsory attendance law.

My signature acknowledges receipt of above-listed documents. By signing this statement of receipt, I do not waive, but expressly reserve, my rights protected by the constitution or laws of the United States or Virginia. I retain the right to express disagreement with a school's or school division's policies or decisions.

Print Parent/Legal Guardian/Eligible Student Name _____

Signature of Parent/Legal Guardian _____

Date _____

Signature of Student Age 18 or above _____

Date _____

Please return this form to your child's homeroom teacher
no later than [INSERT DATE].

Sample: Annual Policy Review Checklist

✓	Tasks
	Review ongoing log of issues/concerns maintained since distribution of Standards
	November - Meet with elementary, middle, high school principals' committee
	December – Meet with legal counsel and superintendent
	January – March – Review relevant General Assembly bills and resolutions
	January – Draft preliminary changes/updates to Standards for review by superintendent and senior administration
	March – determine estimated number of copies of Standards needed in English and in other languages; obtain preliminary estimates of costs for translation and for printing
	April – Review final General Assembly action
	April – Attend school board work session
	May – Return to school board for final discussion and approval
	May – Coordinate production of document with graphics specialist
	Late May/early June – complete final review before printing; approve and send to printer
	Late May/early June – document sent for translation into required languages; as translations are completed, documents are approved and sent to printer
	New Standards in English and other languages are distributed to school sites via
	internal mail services
	August – In-service training is provided to school administrators and other school staff.

Sample: Quick Guide to Rules of Conduct and Disciplinary Consequences

This Quick Guide contains examples of actions for which students may be disciplined, as well as the probable consequences. Typical situations are identified; other measures may be used.

Suspension of 10 Days and Mandatory Recommendation for Expulsion

- Physical assault on staff with bodily injury
- Sexual assault or battery
- Mob assault
- Distribution or manufacture of alcohol or inhalants
- Possession of controlled or imitation controlled substance
- Illegal use or possession of prescription drugs (second offense)
- Distribution or manufacture of a controlled or imitation controlled substance, illegal drugs, or drug paraphernalia
- Unauthorized use or possession of any weapon or any object used as a weapon
- Under influence of marijuana or other controlled substance within 12 months of prior offense

Suspension of Up to 10 Days

- Use, possession, or under influence of alcohol, inhalants, or nonalcoholic beer
- Under influence of marijuana or other controlled substance (first offense)
- Possession of drug paraphernalia (first offense.
- Distribution of nonprescription drugs.
- Illegal use or possession of prescription drugs (not classified as controlled substances) (first offense)
- Assault or assault and battery

Discretion of the Principal (Consequences range from an intervention without suspension to a recommendation for expulsion.)

- Threat to assault a staff member; threat or assault of another student
- Disruption, disobedience, insubordination, defiance of school officials
- Endangering well-being of others: fighting, bullying
- Possession or display of obscenity; indecent exposure
- Cursing, verbal abuse including gestures
- Fireworks – use or possession
- Forgery, cheating, plagiarism, dishonesty
- Gambling
- Improper touching
- Unauthorized or illegal use or disruption of information technology
- Unauthorized laser devices
- Gang-related activities
- Portable communications devices
- Attendance violations
- Use or possession of nonprescription drugs
- Vandalism of school property; bomb threats
- Unauthorized presence
- Tobacco violations
- Hazing

Sample: Quick Guide to Disciplinary Action

Suspension of 10 Days and Recommendation for Expulsion	Report to Law Enforcement
Physical assault on staff member with bodily injury	Yes
Sexual assault or battery	Yes
Mob assault	Yes
Distribution or manufacture of alcohol or inhalants	Yes
Possession of controlled or imitation controlled substance	Yes
Illegal use or possession of prescription drugs (second offense)	Yes
Distribution or manufacture of a controlled or imitation controlled substance, illegal drugs, or drug paraphernalia	Yes
Unauthorized use or possession of any weapon or any object used as a weapon	Yes

Suspension for Up to 10 Days	Report to Law Enforcement
Threat to assault a staff member	Yes
Threat or assault of another student	Possible
Use, possession, or under influence of alcohol, inhalants, or nonalcoholic beer	Yes
Assault or assault and battery of another student or person other than staff member with bodily injury	Yes
Assault or assault and battery without bodily injury	Possible

Discretion of the Principal	Report to Law Enforcement
Improper touching	Possible
Endangering well-being of others: fighting, bullying	Possible
Fireworks – use or possession	Possible
Unauthorized or illegal use or disruption of information technology	Possible
Gang-related activities	Yes
Vandalism of school property; bomb threats	Yes
Theft	Possible
Unauthorized presence	Possible
Tobacco (second and subsequent violations)	Possible
Hazing	Yes (report to Commonwealth's Attorney)

APPENDIX D: RELATED RESOURCES

The following list of related policies, regulations, non-regulatory guidance and credible resource publications is intended as supplemental information that may be used by school boards in the development of student conduct policy.

Virginia Board of Education Guidelines

Title	Statutory Reference	Superintendents Memo
Guidelines Concerning Student Searches in Virginia Public Schools (Approved November 19, 1999)	§ 22.1-279.7, Code of Virginia	Student Search Guidelines. SUPTS. MEMO NO. 9 (Administrative), March 17, 2000
Guidelines Concerning Student Drug Testing in Virginia Public Schools (Approved June 23, 2004)	§ 22.1-279.7, Code of Virginia	Drug Testing Guidelines. SUPTS. MEMO NO. 148 (Informational), July 30, 2004
Persistently Dangerous Schools, Identification Process and Criteria under the No Child Left Behind Act of 2001 (Approved April 29, 2003)	No Child Left Behind Act of 2001, at Title IX, Section 9532.	Unsafe School Choice Option: Identification of Persistently Dangerous Schools. SUPTS. MEMO NO. 86 (Informational), May 9, 2003

Related Virginia Regulations and Guidelines

Standards of Quality
Section 22.1-253.13:7., *Code of Virginia*

Standards of Accreditation
Section 8 VAC 20-131-210.A., Role of the Principal
Section 8 VAC 20-131-260.C.3., Facilities and Safety

Regulations Governing Special Education Programs for Children with Disabilities in Virginia (March 27, 2002). Virginia Department of Education. Available at http://www.pen.k12.va.us/VDOE/Instruction/Sped/varegs.pdf
See Section 8 VAC 20-80-68 - Discipline Procedures (p. 56)

Guidelines for the Management of the Student's Scholastic Record in the Public Schools of Virginia (May 2004). Full document available on the Virginia Department of Education Web site at http://pen.k12.va.us/VDOE/studentsrvcs/MSSRedit.pdf

Related Federal Regulations, and Non-Regulatory Guidance

Safe and Drug-Free Schools and Communities Act Grant Programs: Guidance for State and Local Implementation of Programs (December 2002). U.S. Department of Education. Available online http://www.ed.gov/programs/dvpformula/legislation.html

Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act (January 22, 2004). U.S. Department of Education. Available at http://www.ed.gov/programs/dvpformula/legislation.html

Unsafe School Choice Option Non-Regulatory Guidance (May, 2004). U.S. Department of Education. Available at http://www.ed.gov/policy/elsec/guid/unsafeschoolchoice.pdf/

Related Resource Materials and Publications

Virginia School Search Resource Guide. (October 2000). Virginia Department of Education. Available online at: http://www.pen.k12.va.us/VDOE/Instruction/ssg.pdf

Virginia Juvenile Law Handbook for School Administrators: 2004 Update. Virginia Department of Criminal Justice Services. Available online at www.dcja.org/vcss/

"Discipline of Students with Disabilities." Available at Virginia Department of Education's Website: http://www.pen.k12.va.us/VDOE/sped.

<u>Attendance</u>
Improving School Attendance: A Resource Guide for Virginia Schools (2005). Virginia Department of Education. Available online at http://www.pen.k12.va.us/

<u>Computer Use</u>
Acceptable Use Policies: A Handbook. Virginia Department of Education. Available at http://www.pen.k12.va.us/go/VDOE/Technology/AUP/home.shtml#intro

<u>Crisis Management</u>
Model School Crisis Management Plan (2002). Virginia Department of Education. Download at http://www.pen.k12.va.us/VDOE/Instruction/model.html
Resource Guide for Crisis Management in Schools. (2002). Virginia Department of Education. Download at http://www.safeanddrugfreeva.org/CrisisGuide2002Final.pdf
Practical Information on Crisis Planning: A Guide for Schools and Communities (2003). Download at http://www.ed.gov/admins/lead/safety/emergencyplan/crisisplanning.pdf
Disaster Preparedness and Response for Schools. National Clearinghouse for Educational Facilities. See resources at http://www.edfacilities.org/rl/disaster.cfm
The Virginia Educator's Guide for Planning and Conducting School Emergency Drills. Virginia Department of Criminal Justice Services. Available online at http://www.dcjs.virginia.gov/vcss/

Bomb Threats
Bomb Threat Assessment Guide (Oct. 2003), an interactive CD-ROM, developed by the U.S. Department of Education and the Bureau of Alcohol, Tobacco, and Firearms. Access at http://www.threatplan.org/

Internet/Technology Use
Acceptable Use Policies: A Handbook (2003). Virginia Department of Education. Available from: http://www.pen.k12.va.us/go/VDOE/Technology/AUP/home.shtml#intro

School-Law Enforcement Partnerships
Fostering School-Law Enforcement Partnerships (2002). National Resource Center for Safe Schools, School Safety Guide #6. Available from http://www.safetyzone.org/safe_secure.html
"Cops in Schools: COPS Commitment to Schools" *COPS Fact Sheet* (March 10, 2004), U.S. Department of Justice. Available online at http://www.cops.usdoj.gov

Other Sources of Information

Virginia Center for School Safety (http://www.dcjs.org/vcss/) - Information is available on the following topics and issues:

- School safety audits
- School resource officer (SRO) training and programs
- School security officer (SSO) training
- School critical incident response

APPENDIX E: PUBLIC LAW 107-110, NO CHILD LEFT BEHIND ACT OF 2001, TITLE IV, PART A, SECTION 4141, GUN-FREE REQUIREMENTS

SEC. 4141. GUN-FREE REQUIREMENTS.

(a) SHORT TITLE- This subpart may be cited as the Gun-Free Schools Act.

(b) REQUIREMENTS-

> (1) IN GENERAL- Each State receiving Federal funds under any title of this Act shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than 1 year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school, under the jurisdiction of local educational agencies in that State, except that such State law shall allow the chief administering officer of a local educational agency to modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing.
>
> 2) CONSTRUCTION- Nothing in this subpart shall be construed to prevent a State from allowing a local educational agency that has expelled a student from such a student's regular school setting from providing educational services to such student in an alternative setting.
>
> (3) DEFINITION- For the purpose of this section, the term firearm has the same meaning given such term in section 921(a) of title 18, United States Code.

(c) SPECIAL RULE- The provisions of this section shall be construed in a manner consistent with the Individuals with Disabilities Education Act.

(d) REPORT TO STATE- Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under any title of this Act shall provide to the State, in the application requesting such assistance -

> (1) an assurance that such local educational agency is in compliance with the State law required by subsection (b); and
>
> (2) a description of the circumstances surrounding any expulsions imposed under the State law required by subsection (b), including -
>
> > (A) the name of the school concerned;
> > (B) the number of students expelled from such school; and
> > (C) the type of firearms concerned.

(e) REPORTING- Each State shall report the information described in subsection (d) to the Secretary on an annual basis.

(f) DEFINITION- For the purpose of subsection (d), the term school means any setting that is under the control and supervision of the local educational agency for the purpose of student activities approved and authorized by the local educational agency.

(g) EXCEPTION- Nothing in this section shall apply to a firearm that is lawfully stored inside a locked vehicle on school property, or if it is for activities approved and authorized by the local educational agency and the local educational agency adopts appropriate safeguards to ensure student safety.

(h) POLICY REGARDING CRIMINAL JUSTICE SYSTEM REFERRAL-

(1) IN GENERAL- No funds shall be made available under any title of this Act to any local educational agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency.

(2) DEFINITION- For the purpose of this subsection, the term school has the same meaning given to such term by section 921(a) of title 18, United States Code.

Definitions of "Other Firearms"

Firearms other than handguns, rifles or shotguns as defined in Section 921, Title 18 of the United States Code. According to Section 921, the following are within the definitions:

- any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile from the action of any explosive;
- the frame or receiver of any weapon described above;
- any firearm muffler or firearm silencer;
- any destructive device, which includes:

(a) any explosive, incendiary, or poison gas
(1) Bomb,
(2) Grenade,
(3) Rocket having a propellant charge of more than four ounces,
(4) Missile having an explosive or incendiary charge of more than one-quarter ounce,
(5) Mine, or
(6) Similar device.

(b) any weapon which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.

(c) any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

Note: This definition does not apply to items such as toy guns, cap guns, bb guns, and pellet guns. According to Section 921, antique firearms are not included in the definition.

Board of Education Agenda Item

Item: P. **Date:** September 21, 2005

Topic: First Review of Revisions to Remediation Recovery Guidelines

Presenter: Mrs. Shelley Loving-Ryder, Assistant Superintendent for Assessment and Reporting

Telephone Number: (804) 225-2102 **E-Mail Address:** Shelley.Loving-Ryder@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

__x__ Board review required by
- ____ State or federal law or regulation
- ____ Board of Education regulation
- __x__ Other: Previous Board Action

____Action requested at this meeting x Action requested at future meeting: Final review: October 2005

Previous Review/Action:

____ No previous board review/action

__x__ Previous review/action
date November 30, 2000
action Adoption of existing guidelines

Background Information:
The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* permit students who have failed certain Standards of Learning (SOL) tests to participate in remediation recovery programs. Section C of 8 VAC 20-131-30 states the following:

In kindergarten through grade 8, students may participate in a remediation recovery program as established by the Board in English (Reading, Literature, and Research) and mathematics or both. In grades nine through twelve, the remediation recovery program shall include all retakes of end-of-course mathematics tests only. However, students in the ninth grade who are participants in a remediation recovery program may be retested on the eighth grade English (Reading, Literature, and Research) and mathematics SOL tests.

In November 2000, the Board of Education adopted guidelines for implementing the *Standards for Accrediting Public Schools in Virginia*. These guidelines further defined the participation of students in remediation recovery programs and permitted students who failed the reading and/or mathematics SOL tests in grades 3-8 to retake the failed test at the next available test administration.

To comply with the requirements of the federal *No Child Left Behind Act of 2001*, beginning with the 2005-2006 school year, annual Standards of Learning tests in reading and mathematics will be administered to students in grades 3-8. Based on the current remediation recovery guidelines, students who fail a reading or mathematics test in grades 3 or 5 and participate in a remediation recovery program would retake the failed test as well as taking the reading and mathematics tests for grade 4 or grade 6.

Summary of Major Elements:

The Board of Education is asked to adopt revisions to the *Guidelines Governing Regulations Establishing Standards for Accrediting Public Schools in Virginia* to 1) avoid double testing for students participating in remediation recovery programs and 2) clarify the inclusion of scores of students participating in remediation recovery in the pass rates used for accrediting schools. The proposed revisions, which are included in the attachment, would be in effect for the 2005-2006 school year only. A complete revision to the guidelines will be required once the revisions to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* are approved by the Board.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education accept the proposal on first review.

Impact on Resources:

The impact on resources is not expected to be significant.

Timetable for Further Review/Action:

Final review at the October 26, 2005, Board of Education meeting

Remediation Recovery Guidelines

~~Students in grades K-8 are not required to retake Standards of Learning (SOL) tests unless they are retained in grade and have not previously passed the test or they are placed in a remediation recovery program developed by the local school board. Students in high school are not required to retake end-of-course SOL tests unless the student previously failed the course and the test of the student needs to earn verified credit for graduation.~~

Remediation recovery is a voluntary program that schools may implement to encourage successful remediation of students who do not pass certain SOL tests in reading and/or mathematics for grades K-8 and high school mathematics. ~~Remediation recovery programs are limited to grades K-8 English (Reading, Literature, and Research) and mathematics tests and high school mathematics tests and high school mathematics only.~~

The Board of Education does not expect that every student who fails an SOL test be placed in a remediation recovery program. **However, students who ~~retake an SOL test must have~~ participate in a remediation recovery program must have participated in some form of remediation to be ~~eligible to be retested under remediation recovery~~included in the program.**

Students who have failed either the grade 8 reading or mathematics test or a high school mathematics test and have participated in a remediation recovery program are expected to retake the applicable SOL test at the next regularly scheduled administration. The score of a student who passes a grade 8 reading or mathematics test will be counted in the school's pass rate for the purposes of accreditation. If the student retakes and passes an end-of-course mathematics test, the student's scores will be counted twice in the school's accreditation pass rate—once as part of the pass rate for the end-of-course mathematics test and a second time under remediation recovery. Students who fail the grade 3 or grade 5 reading test and/or mathematics test and are promoted to the next grade will not retake these tests. However, if they pass the grade 4 or grade 6 reading test and/or mathematics test, their scores will be counted twice in the school's accreditation pass rate–once as part of the pass rate for the grade 4 or grade 6 test and a second time under remediation recovery. Students may only be counted in remediation recovery once for one grade/SOL test.

At the high school level, students may continue to retake end-of-course tests as many times as necessary to earn verified credit. Students in high school are not required to retake end-of-course tests unless the student previously failed the course and the test or the student needs to earn verified credit for graduation.

~~Placing a child in a remediation recovery program in English (Reading, Literature, Research) and/or mathematics does not penalize a school if the student is not successful on the retake of an SOL test. Students who are successful on a retake of an SOL test are counted in the number of students passing a test but not in the number of students taking a test when calculating the passing rate for the school.~~ As always, the scores of the student count at the school where the remediation and re-testing take place. For example, ~~a fifth-grade student fails the 5th grade mathematics test and is promoted to the 6th grade in a middle school. The student, who is remediated during the next school year, and who retakes and passes the 5th grade test, will count as a pass for the middle school. This would also be the case with~~ the score of a student who is

promoted to the 9th grade and, is retested on the 8th grade English (Reading, Literature, and Research) or mathematics test would count in the pass rate for the high school. For high school end-of-course tests, remediation recovery is only available in mathematics.

The following students may not be included in remediation recovery programs:

1. Students in grades K-8 who are retested because they are retained and had not previously passed a grade-level test in English (Reading, Literature, and Research) or mathematics.

2. Students who retake an end-of-course test as a result of failing and retaking a mathematics course at the high school.

Schools shall maintain evidence of a student's participation in a remediation recovery program along with the scores of any SOL tests taken following remediation in the student's record.

Board of Education Agenda Item

Item: Q. **Date:** September 21, 2005

Topic: First Review of Proposed Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure

Presenter: Dr. Thomas A. Elliott, Assistant Superintendent for Teacher Education and Licensure

Telephone Number: **804/371-2522** **E-Mail Address:** **Thomas.Elliott@doe.virginia.gov**

Origin:

____ Topic presented for information only (no board action required)

__X_ Board review required by
- __X_ State or federal law or regulation
- ____ Board of Education regulation
- ____ Other: _____

____ Action requested at this meeting __X_ Action requested at future meeting: 10/26/2005 (date)

Previous Review/Action:

____ No previous board review/action

__X_ Previous review/action
date June 22, 2005
action The Board of Education approved the technical revision to incorporate the language of House Bill 2790 into the *Regulations Governing the Licensure of School Personnel.*

Background Information:

The 2005 General Assembly approved House Bill 2790 requiring that the Board of Education, in its regulations governing teacher licensure, establish criteria and a procedure to allow persons seeking initial licensure as teachers through an alternative route as defined by Board regulations to substitute experiential learning in lieu of coursework. This language was incorporated in Section 22.1-298 of the *Code of Virginia*.

On June 22, 2005, the Board of Education approved the technical revision to incorporate House Bill 2790 language into the *Regulations Governing the Licensure of School Personnel* and authorized personnel of the Department of Education to proceed with the requirements of the Administrative Process Act. The Administrative Process Act (Section 2.2-4006 of the *Code of Virginia*) exempts revisions to regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved from its requirements. The APA process concludes on September 22, 2005, and the technical amendment will become effective. The criteria, when approved by the Board of Education, will be incorporated into the proposed *Regulations Governing the Licensure of School Personnel*.

Summary of Major Elements

A meeting was held with educators, representatives from the school division for which the house bill was patroned, and Department of Education personnel to develop the attached criteria and procedures for Board of Education review and approval. Attached are the "Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure."

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education receive for first review the "Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure."

Impact on Resources: N/A

Timetable for Further Review/Action: The "Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure" will be submitted to the Board of Education for final review on October 26, 2005.

Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure

Individuals applying for an initial license through the alternate route as prescribed by the Board of Education must meet the following criteria to be eligible to request experiential learning credits in lieu of the coursework for the endorsement (teaching) content area:

1. Hold a baccalaureate degree from a regionally accredited college or university;

2. Have at least five years of documented full-time work experience that may include specialized training related to the endorsement sought; and

3. Have met the qualifying score on the content knowledge assessment prescribed by the Board of Education.

The criteria does not apply to teachers of special education and elementary education (prek-3 and prek-6); however, in administering the *Licensure Regulations for School Personnel*, modifications may be made in exceptional cases by the Superintendent of Public Instruction or designee.

Board of Education Agenda Item

Item: R. **Date:** September 21, 2005

Topic: First Review of a Proposal to Withhold School Accreditation for 2005-2006 for Nandua High School in Accomack County and Oak Grove Elementary in Richmond City

Presenter: Shelley Loving-Ryder, Assistant Superintendent for Assessment and Reporting

Telephone Number: 804-225-2102 **E-Mail Address:** Shelley.Loving-Ryder@doe.virginia.gov

Origin:

____ Topic presented for information only (no board action required)

__x__ Board review required by
- ____ State or federal law or regulation
- __x__ Board of Education regulation
- ____ Other: Previous Board Resolution_____

__x__ Action requested at this meeting

Previous Review/Action:

____ No previous board review/action

____ Previous review/action
date:
action:

Background Information:

In spring 2005 serious irregularities in the administration of the Standards of Learning (SOL) tests were reported at Nandua High School in Accomack County and Oak Grove Elementary School in Richmond City. In both cases the irregularities impacted the integrity of SOL test scores. At Nandua High school copies of unreleased SOL test booklets from 1998 to 2001 were provided to teachers to use in preparing students for the tests. At Oak Grove Elementary School, school personnel modified students' answers for the spring 2005 test administration.

Summary of Major Elements: The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8VAC 20-131-340 Section C) state "any school in violation of this chapter shall be subject to appropriate action by the Board including, but not limited to, the adjustment or withdrawal of a school's accreditation." Based on this provision, the Board of Education is asked to withhold the accreditation of Nandua High School in Accomack County and Oak Grove

Elementary in Richmond City for the 2005-2006 school year.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and adopt the proposal.

Impact on Resources: N/A

Timetable for Further Review/Action: N/A

Board of Education Agenda Item

Item: S. **Date:** September 21, 2005

Topic: 23rd Annual Report from the Virginia Advisory Committee for the Education of the Gifted

Presenter: Dr. Barbara McGonagill, Specialist, Governor's Schools and Gifted Education
Catherine Cottrell, Chair, Virginia Advisory Committee for the Education of the Gifted

Telephone Number: (804) 225-2884 **E-Mail Address:** Barbara.McGonagill@doe.virginia.gov
(434) 736-0616 cathycottrell2001@yahoo.com

Origin:

____ Topic presented for information only (no board action required)

____ Board review required by
- ____ State or federal law or regulation
- ____ Board of Education regulation
- _X_ Other: Virginia Board of Education Bylaws, 2004

___ Action requested at this meeting ____ Action requested at future meeting: _____

Previous Review/Action:

_X_ No previous board review/action

____ Previous review/action
date _____
action _____

Background Information:
The Virginia Advisory Committee for the Education of the Gifted (VACEG) was established by the Board of Education in 1982 to provide the Virginia Board of Education and the Superintendent of Public Instruction with recommendations regarding the educational needs of gifted students, kindergarten through grade 12. The advisory committee meets four times per year at a variety of sites throughout the commonwealth. Members include professional educators, parents, and community people with interest and expertise in gifted education. The committee is currently composed of 24 members who serve staggered, three-year terms.

The committee studies issues for the two-year term of the chairperson. These issues are examined by subcommittees through field study and visitations, presentations by guest speakers, as well as traditional research methods. The committee presents an annual report to the Board of Education that summarizes the findings and recommendations regarding the issues under review.

Summary of Major Elements
The Virginia Advisory Committee for the Education of the Gifted is presenting its 23rd Annual Report to the Board of Education (Attachment A). This report explains the committee's development of its *Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted* to assist school divisions as they draft their 2005-2010 or 2006-2011 local plans. The reference guide's first two sections, identification and professional development, were presented to the 2003 Virginia Board of Education in the 21st Annual Report. During the 2003-2005 terms, the remaining templates for the reference guide covering curriculum development, delivery of services, and parent and community involvement have been completed. The annual report also includes updated membership information, as well as other documents related to the Virginia Governor's School program.

Superintendent's Recommendation:
The Superintendent of Public Instruction recommends that the Board of Education receive the 23rd Annual Report submitted by the Virginia Advisory Committee for the Education of the Gifted.

Impact on Resources:
None

Timetable for Further Review/Action:
None

TWENTY-THIRD ANNUAL REPORT

from the

Virginia Advisory Committee for the Education of the Gifted

to the

Board of Education

and the

Superintendent of Public Instruction

September 21, 2005

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Introduction

The Virginia Advisory Committee for the Education of the Gifted (VACEG) provides guidance to the Virginia Board of Education and the Department of Education related to the development of comprehensive educational services for gifted learners in the commonwealth. This report provides detailed information about the activities of the committee from September 2003 through May 2005. It includes templates, created between 2001 - 2003, that form the first half of the *Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted*.

Membership and Organization

The membership of the VACEG consists of persons concerned with the education of gifted students. Members serve staggered, three-year terms and may be nominated for a second term. Staff members from the Department of Education serve as ex-officio members of the committee. The officers of the committee for 2003 - 2005 included Catherine Cottrell, chairperson; Gail Hubbard, past chairperson; Jennifer Green-Flint, vice-chairperson; and Joseph Marler, secretary. A complete list of the 2004 - 2005 membership is included in Appendix A.

The committee meets in regular session four times a year. During each meeting, subcommittees study prioritized issues related to the education of gifted learners and share their findings and recommendations with the committee as a whole.

Background and Overview

In September 2001, Superintendent Jo Lynne DeMary, on behalf of the board, asked the VACEG to develop a technical assistance document to support school divisions in the planning process for gifted education services. The VACEG initiated a comprehensive four-year work plan to develop a reference guide to assist school divisions in developing, implementing, and evaluating plans for the education of the gifted.

The *Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted* provides school divisions with additional guidance in responding to the expectations of the *Regulations Governing Educational Services for Gifted Students*, 1993, hereafter referred to as the "regulations." The regulations specify that each school division must develop a local plan for the education of the gifted, which includes an explanation of its goals and services for the following five areas:

- Identification
- Delivery of Services
- Curriculum Development
- Professional Development
- Parent and Community Involvement

The 2001 - 2003 committee as a whole determined that the two components with the highest priority were student identification and professional development. The committee developed a

two-year agenda to examine these plan elements during its 2001 - 2003 term. Subcommittees completed these two sections of the reference guide, which were included in the 21st Annual Report, presented to the Board of Education in July 2003. Those sections, in draft form, were distributed statewide in 2003. Responses from gifted education coordinators and other administrators have indicated that the components were helpful in drafting the student identification and professional development components in the local gifted plans.

The VACEG examined the remaining three areas of the local plan for the education of the gifted during the 2003 - 2005 biennium:

- Curriculum and Instruction
- Delivery of Service
- Parent and Community Involvement

Explanation of the Reference Guide Template

As the committee began its work in 2001 - 2002, much discussion was given to the format of summary information. Its purpose was to develop materials to assist gifted education coordinators and local advisory committees for the education of the gifted with the process of evaluating existing programs and implementing programs that reflect best practices. All members of the committee agreed that the most critical piece of information would be the Virginia regulations, found in the following documents:

- *Regulations Governing Educational Services for Gifted Students*
- *Standards of Accreditation*
- *Standards of Quality*

Further, consensus existed to align the critical elements related to each regulation with the appropriate local plan template and the peer review guidelines. The peer review guidelines provided school division personnel with a thorough understanding of the information the plan must contain for the division's plan to be considered consistent with the regulations. Another critical element identified in the committee's early discussions was the required reporting data captured through the Annual Report, Programs for the Gifted (§22.1-18.1. *Code of Virginia*).

The committee also recognized the value of research-based, theoretical foundations presented through professional organizations such as the National Association for Gifted Children (NAGC), the National Staff Development Council (NSDC), and the Council for Exceptional Children and National Council of Accreditation of Teacher Education (CEC/NCATE). Research and study demonstrated those standards contained indicators that mark programs of excellence. Such research-based, theoretical pieces and documented best practices were incorporated into the template as process indicators tied to specific regulations. Information from the following sources was incorporated into the 2001 – 2003 templates as research-based indicators:

- *No Child Left Behind Act of 2001*
- National Association for Gifted Children standards
- Council for Exceptional Children and the National Council of Accreditation of Teacher Education standards
- Models of curriculum for gifted students in traditional courses
- Models of curriculum specifically designed for gifted students

- Research-based objectives for gifted programs

The three subcommittees working between 2003 and 2005 determined that the template should be modified slightly for the curriculum component. While Virginia school divisions are required to enter data in the *Annual Report, Programs for the Gifted* for the identification, professional development, and delivery of services components, no required indicators are included in that annual evaluation to address curriculum development or parent and community involvement. However, the three subcommittees working between 2003 and 2005, determined that significant suggested benchmarks, found in educational literature, could also provide important guidance for school divisions. Additionally, the curriculum development subcommittee included a range of guiding questions to assist school divisions in designing appropriately differentiated instruction for gifted students. These questions were integrated into the local plan requirements and peer review guidelines column. To that end, the template for the curriculum development, delivery of services, and parent and community involvement components differed slightly from the earlier template.

Subcommittee Memberships and Goals

2001 - 2003

The **Identification Practices Subcommittee** was chaired by Dr. Elizabeth Daniels. Members included Authur Bowman, Nancy Brittle, L. Frances Brown, Peg Cox, Jane Crowther, Jennifer Green-Flint, Valerie Rife, Alix Smith, Jennifer Towslee, Sylvia Wadsworth, and Sheila Winett.

The subcommittee's work was based upon the guidelines established by the Virginia Board of Education in its regulations as well as the *Pre-K – Grade 12 Gifted Program Standards* for identification developed by the NAGC. Members of this subcommittee also examined exemplary standards or regulations from several other states. Areas of particular concern for this subcommittee included identification of gifted students from economically disadvantaged backgrounds, minority populations, and primary grades.

The **Professional Development Subcommittee** was chaired by Dr. Elissa Brown. Members included Nancy Ballinger, Catherine Cottrell, Jane Freeman, Janice Leslie, David McKinney, Robert T. Turner, and C. Earl Snyder.

The subcommittee examined professional development practices within the framework of the regulations, and the *2000 Regulations Accrediting Public Schools in Virginia*. The subcommittee also examined current peer review guidelines, and the *Annual Report, Programs for the Gifted* from the Virginia Department of Education; the NAGC's *Pre-K – Grade 12 Gifted Program Standards*, and the NSDC *Standards for Professional Development Revised*. Exemplary standards and regulations from other states were also reviewed.

2003 - 2005

During 2003 - 2005, two major subcommittees concentrated on the development of reference guides for the areas of curriculum and instruction, and delivery of services.

The **Curriculum and Instruction Subcommittee** was chaired by Dr. Elissa Brown. Members included Catherine Cottrell, Cris Chilton, Elizabeth Daniels, Donna Elder, Joseph Marler and Janice Leslie.

The goal of this committee was to establish a set of guiding principles for curriculum for gifted students. Those guiding principles would serve as a reference or baseline between content standards and gifted education. To this end, committee members examined national and state standards, as well as philosophies of gifted education and correlated objectives for gifted programming. Various curricular models and instructional strategies were also studied.

The **Delivery of Services Subcommittee** was chaired by Gail Hubbard. Members included Clint Estes, Elizabeth Mebane, Earl Snyder, Nancy Ballinger, Lowell Frye, and Robert Turner.

The goal of this committee was to develop research and standards-based guidelines that encourage divisions to recognize the need for and provision of a continuum of services that meet the diverse needs of gifted students. The committee members reviewed the categories of gifted as set forth in the regulations, which include general intellectual aptitude (GIA), specific academic aptitude (SAA), visual and performing arts aptitude (VPA), and practical and technical arts aptitude (PTA). Members also examined delivery models used in urban, suburban, and rural school divisions, as well as those prevalent in large and small divisions throughout the commonwealth.

2003 - 2005 Work Plan Research and Discussions

2003 - 2004

In October 2003, the committee of the whole reviewed the *21st Annual Report of the Virginia Advisory Committee for the Education of the Gifted*, presented in July 2003, to the Virginia Board of Education and the Superintendent of Public Instruction. The committee determined that during the 2003 - 2005 biennium, it would complete the remaining three areas of the reference guides: Curriculum, Delivery of Services, and Parent and Community Involvement. The committee reviewed its four-year issues research graphic (Appendix B) as a reference for the progress it had made and the activities it was undertaking to complete the reference guide.

The VACEG began the two-year study with a charge to ensure that the reference guide would be useful by basing its recommendations on research and best practices in gifted education, addressing the affective and cognitive needs of students, and aligning recommended curriculum guidelines with realistic service delivery systems. With this in mind, the committee of the whole examined the following major sources of information, research, and regulation, previously shown on page three, used in its work for the first two templates.

The committee of the whole identified the following issues that influence delivery of gifted services:

- Lack of a common definition of terms related to gifted education
- Population density, personnel, and composite index of the school division

- School divisions' definition(s) of giftedness, gifted identification procedures, and differing curriculum
- Delivery models across the K-12 continuum affecting expectations for programs and service delivery

The committee heard from several guest speakers in 2003 - 2004 to supplement their on-going research. B. Blanton Oliver and T. Douglas presented an overview of the gifted services offered by Chesterfield County Public Schools. Gail Hubbard, Prince William County Public Schools; Nancy Ballinger, Montgomery County Public Schools; Joseph Marler, Bristol City Public Schools; and Jane Freeman, Albemarle County Public Schools also shared information about their gifted education programs. These presentations provided the committee with a view of services from Northern to Southwest Virginia and from large metropolitan areas to small cities and rural school divisions. In a presentation that same year, Maureen Hijar, director, Office of Secondary Instructional Services, Virginia Department of Education, reviewed current state and federal initiatives that related to curriculum and instruction.

Curriculum and Instruction Subcommittee

During its two-year focus, the **Curriculum and Instruction Subcommittee** targeted the different aspects of curriculum design and implementation by synthesizing information from numerous sources to complete its template. The subcommittee recognized that the current philosophies of gifted education curriculum, demonstrated in models such as problem-based learning or the parallel curriculum, offered guidance that could positively influence objectives and instructional strategies. The subcommittee was clear that its work was not to endorse one model over another; it sought to delineate those qualities of excellence in curricular models that were effective in meeting the needs of gifted and advanced learners.

The subcommittee gained a perspective for the critical guidance that regulations play in shaping curricular excellence in programs for the gifted through its review of curricular regulatory expectations from Arkansas, Arizona, California, Minnesota, Montana, and Texas. The subcommittee balanced the requirements outlined in the Virginia regulations with excellence as defined by NAGC and several states.

The final template for curriculum aligned local, state, and national goals with best practice in the field. It indicated the importance of content development as well as cognitive and affective development of gifted learners. Discussions within the subcommittee and the full committee emphasized that a shared glossary would be an important addition to the effectiveness of the template, a point that was reiterated by the other subcommittee members, as well.

Delivery of Services Subcommittee

The **Delivery of Services Subcommittee** began the two-year study by reviewing the content and structure of the completed VACEG Identification and Professional Development templates. In doing so, the subcommittee focused on three elements facing gifted program administrators as they plan comprehensive delivery systems for gifted students:

- Categories of gifted identification

- Continuity of services across grade levels to match student needs
- Effect of demographics on delivery systems

Again, the subcommittee recognized that the foundation for its work would be the regulations and the four areas of giftedness recognized in those regulations. The potential range of learning needs found in students identified in one or more of these areas of giftedness (GIA, SAA, VPA, and/or PTA) affects service delivery methods as well as professional development requirements.

The subcommittee examined standards set by NAGC for excellence in gifted education programming, and exemplary local gifted plans from numerous Virginia school divisions. As with the other subcommittees, best practices from other states were also reviewed to assist the subcommittee in its effort to establish benchmark indicators. Such indicators represented important markers for divisions with a continuum of services across grade levels that connected curriculum offerings with identified needs.

Throughout the study period, the subcommittee maintained the philosophy that guidelines for an effective service delivery system must be adequately inclusive to provide for the various demographic compositions existing in Virginia school divisions. A service delivery system that would be effective in a large, urban system would not necessarily be appropriate for a small, rural school division.

The final template for the delivery of services reflected effective planning and implementation to enable school divisions to provide differentiated services to gifted students through a continuum of curricular options. For clarification, the delivery of services subcommittee developed a visual, C-29, to depict the interaction among curriculum and instructional design and implementation, student assessment for identification [area(s) of giftedness], teacher professional development, delivery system requirements, and student curricular assessment. That graph, along with reporting templates, C-30 through C-33, were designed to assist the school divisions with monitoring their services, by grade, for identified gifted students.

2004 - 2005

With the work of the curriculum and the delivery of services subcommittees well underway, a third subcommittee was established to provide guidance for increasing parent and community involvement in local gifted education programs. The **Parent and Community Involvement Subcommittee** was chaired by Lowell Frye and members included Joseph Marler, and Elizabeth Mebane. This subcommittee incorporated language from regulations, information from both from NAGC and CEC/NCATE, as well as peer review guidelines and the *Annual Report, Programs for the Gifted* to develop the section on Parent and Community Involvement.
The final and complete templates for all five components are included in Appendix C.

Committee of the Whole

Additionally, the Committee of the whole continued to study Academic-Year, Summer Regional, and Summer Residential Governor's Schools. In an effort to conduct first-hand observations, two

meetings were held each year at Academic-Year Governor's Schools. Meetings during the 2004 - 2005 term were held at these sites:

- March 2004 - Chesapeake Bay Governor's School, Tappahannock
- November 2004 - Thomas Jefferson High School for Science and Technology, Alexandria
- March 2005 - Central Virginia Governor's School, Lynchburg

Academic-Year Governor's Schools

The Commonwealth of Virginia has distinguished itself nationally and internationally through its extensive network of Academic-Year Governor's Schools. Since the establishment of the original four schools in 1984, the commonwealth's program has expanded to 17 operational programs, with an 18th program receiving a planning grant in FY 2006. Upon the Board of Education's approval of this program, 130 of the 132 school divisions in the commonwealth will have access to these programs. While participation is not mandatory, 102 school divisions participated in at least one program in 2004 - 2005, with 16 school divisions participated in more than one program.

The regionally governed Academic-Year Governor's Schools meet the needs of gifted and advanced high school learners through programs that are managed by the participating localities. While the majority of the 17 programs provide accelerated and enriched opportunities in mathematics, science, and technology, several programs serve all four core subjects; with three serving the arts; and several serving humanities or international studies. The map of the 2004 - 2005 Academic-Year Governor's School (Appendix D) indicates the service area for each program.

Through the evaluation of programs, Academic-Year Governor's Schools demonstrate that, in spite of their different structures, similar critical features are fundamental to their effectiveness for gifted and advanced learners:

- Each program has a unique community of learners, with curriculum designed specifically to meet the academic, artistic, and affective needs of gifted students;
- Each program works to be on the cutting edge of innovation, technology, and content in the focus area;
- Each program exceeds expectations within the *Standards of Learning*, and
- Each program responds to the needs of its community and emphasizes the importance of real-world experiences.

Summer Residential Governor's Schools

In summer 2005, the six academic summer residential programs included agriculture; humanities; life sciences and medicine; mathematics/science/technology; and mentorships in engineering at NASA/Langley Research Center, and marine science at the Virginia Institute for Marine Science, College of William and Mary. The seventh program in visual and performing arts served students in the areas of dance, instrumental and vocal music, theatre, and visual art. Acceptance to these programs continued to be highly competitive and open to all public, private, and home-schooled students who met the eligibility requirements. Appendix E indicates all school divisions that had participating students for the 2005 Summer Residential Governor's Schools.

Summer Regional Governor's Schools

These 20 programs, open to public, private, and home-schooled students, are highly localized and designed to meet the specific needs of the regions they serve. Programs differ in length, number and grades of students served, and content foci. While most students are transported daily, at program expense, to a central site, three programs are residential in nature:

- Valley/Ridge - James Madison University campus in Harrisonburg
- Southside - False Cape State Park
- University of Virginia at Wise (UVA-Wise) - the campus in Southwest Virginia

Programs that serve high school students often allow those who attend to earn community college dual enrollment credit. The map of the 2004 Summer Regional Governor's Schools (Appendix F) indicates the service area or participating school divisions for each program.

Access to Governor's School Programs

Balancing access to Academic-Year Governor's Schools, Summer Regional Governor's Schools, and Summer Residential Programs is necessary to offer the broadest range of programs possible for students across the commonwealth. With the approval of the Board of Education of the planning grant currently under study in the Culpeper, Fauquier, Frederick, Rappahannock, Warren, and Winchester areas, only the Eastern Shore school divisions will not have access to an academic-year program. However, most school divisions have access to only one type of Academic-Year Governor's School program. While students in the Hampton Roads area have the Governor's School for the Arts, only the Augusta-Waynesboro-Staunton and the Petersburg-Richmond area serve students who are gifted in the arts. Similarly, Maggie L. Walker Governor's School for Government and International Studies is the only one of its kind in the commonwealth. Consequently, the seven Summer Residential Governor's Schools support a range of opportunities that may not be not available in each locality. These seven programs are available to any eligible public, private, or home-schooled high school student, and enable students to accelerate their learning in a manner that may only be available through summer opportunities.

Committee Recommendations Concerning Virginia Governor's Schools

The committee as a whole offers these recommendations concerning the Board of Education and the Department of Education's support of Virginia Governor's Schools.

1. Continue to support the **structured evaluation process** for Academic-Year, Summer Regional, and Summer Residential Governor's Schools to maintain the quality of these programs.

2. Continue to support the effort to **increase the number of students and school divisions** that participate in Academic-Year, Summer Regional, and Summer Residential Governor's School programs.

Future Focuses and Committee Charge

The completion of the reference guide has renewed interest within the committee to revise *The Virginia Plan for the Gifted* since new *Regulations Governing Educational Services for Gifted Students* have been approved by the Board of Education. The committee as a whole has also recognized the importance of some of its earlier publications and would welcome the opportunity to revise documents such as its parents' guide to gifted education in Virginia, and its guide for local advisory committees.

Similarly, the committee understands that the effectiveness of programs, including those for the gifted, is most appropriately judged by quantitative as well as qualitative data. The committee would be receptive toward a charge that allowed it to review such data. As always, the 2004 - 2005 committee sees continued study of effective instructional strategies and programs as a charge of incalculable value to the students, teachers, and administrators in Virginia's schools.

APPENDICES

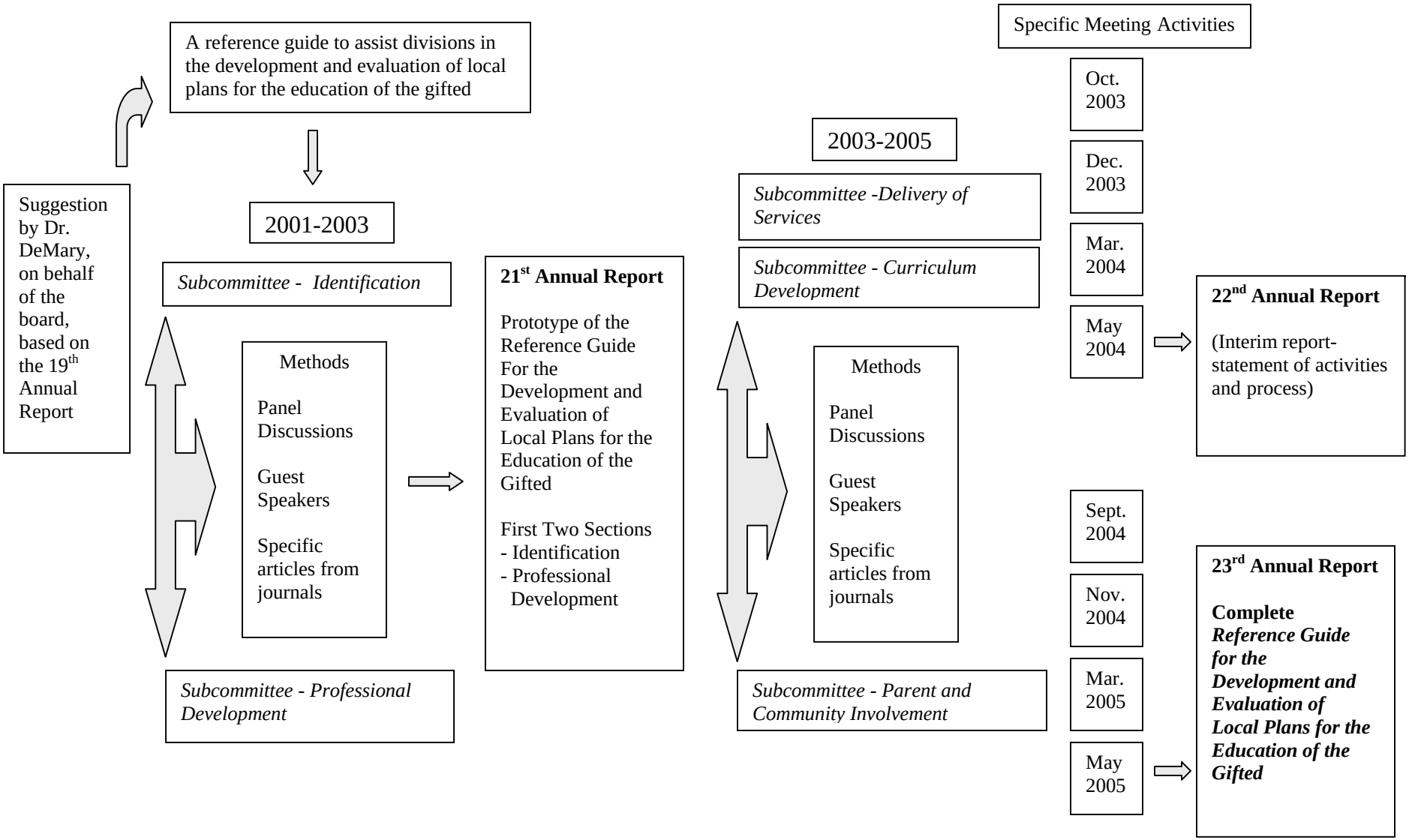
2004 - 2005 Membership
Virginia Advisory Committee for the Education of the Gifted

	MEMBERS	ADDRESS	CONTACT INFORMATION	(VAG) REGION	REPRESENTING	TERM
1.	Cottrell, Catherine (Mrs.)	Director The Governor's School of Southside Virginia 200 Daniel Road Keysville, VA 23947	(434) 736-0616 FAX: (434) 736-0719 cathycottrell2001@yahoo.com	9	CHAIRPERSON Academic-Year Governor's School Directors	2003-2005
2.	Green-Flint, Jennifer (Mrs.)	Director Shenandoah Conservatory 203 South Cameron Street Winchester, VA 22601	(540) 665-1294 CELL: (540) 247-4229 jgreen@su.edu	8	VICE-CHAIR Fine Arts Professional	2004-2007
3.	Marler, Joseph (Mr.)	Gifted Education Resource Teacher Stonewall Jackson Elementary School 2045 Euclid Avenue Bristol, VA 24201	(540) 669-3632 FAX: (540) 645-9637 jbarlarmar@aol.com	7	SECRETARY Local Advisory Committee (VEA Representative)	2003-2005
4.	Hubbard, Gail (Mrs.)	Supervisor of Gifted Education and Special Programs Prince William County Schools P. O. Box 389 Manassas, VA 22108	(703) 791-7400 FAX: (703) 791-7336 hubbardg@pwcs.edu	4	IMMEDIATE PAST CHAIRPERSON Gifted Education Coordinators	2003-2005
5.	Ballinger, Nancy (Ms.)	Supervisor of Gifted Programs Montgomery County Public Schools 200 Junkin Street Christiansburg, VA 24073	(540) 382-5190 FAX: (804) 381-6127 nancebal@aol.com	5	Consortium for Administrators of Gifted Education	2002-2004
6.	Bremner, Kathryn (Ms.)	6129 Pond Grass Road Mechanicsville, VA 23111	(804) 730-1492	1	Virginia Middle School Association	2004 - 2007
7.	Brighton, Catherine (Dr.)	University of Virginia P.O. Box 400277 Charlottesville, VA 22904-4277	(434) 924-1022 brighton@virginia.edu	5	Virginia Association for the Gifted	2004 - 2007
8.	Brown, Elissa (Dr.)	Center for Gifted Education The College of William and Mary 427 Scotland Street Williamsburg, VA 23185	(757) 221-2210 efbrow@wm.edu	2	At-Large Member	2004-2007

	MEMBERS	ADDRESS	CONTACT INFORMATION	(VAG) REGION	REPRESENTING	TERM
9.	Carey, Virginia (Dr.)	Williamsburg-James City County Public Schools Lafayette High School 4460 Longhill Road Williamsburg, VA 23188	(757) 565-4203 FAX: (757) 565-4246 Careyv@wjcc.k12.va.us	2	Virginia Counselors Association	2004 – 2007
10.	Chilton, Cris (Ms.)	12205 Bothwell Court Richmond, VA 23233	(804) 756-3000 cris12205@aol.com	1	Virginia Education Association	2003 - 2006
11.	Dillon, Cy (Dr.)	Director, Stanley Library Ferrum College 3045 Dugspur Road Callaway, VA 24067	(540) 365-4428 cdillon@ferrum.edu	6	Higher Education (Private)	2003 - 2006
12.	Estes, Clint (Mr.)	Gifted Education Coordinator Orange County Public Schools 437 Waugh Blvd. Orange, VA 22960	(540) 661-4583 clestes@aol.com	5	Gifted Education Coordinators	2003 – 2006
13.	Frye, Lowell (Dr.)	Hampden Sydney College 305 Second Avenue Farmville, VA 23901	(434) 223-6215 lfrye@hsc.edu	9	Local Advisory Committee	2003 - 2006
14.	Hall-Haley, Marjorie (Dr.)	George Mason University Hunt View – P.O. Box 476 The Plains, VA 20198	(703) 993-8710 mhaley@gmu.edu	4	Higher Education (Public)	2003 - 2006
15.	Hardt, Meg (Ms.)	Director of Instruction West Point Public Schools 1542 H Honey Grove Drive Richmond, VA 23229	(804) 285-5623 mhardt@wpps.k12.va.us	1	Gifted Education Coordinators	2004 - 2007
16.	Lynch, Patricia (Ms.)	Fredericksburg City Public Schools 195 Cool Breeze Way Fredericksburg, VA 22406	plynch@cityschools.com	4	Teacher of the Gifted	2003 - 2006
17.	Mebane, Elizabeth (Mrs.)	21 West Brigstock Road Midlothian, VA 23113	lizmebane@comcast.net	1	Local Advisory Committee	2003 - 2006
18.	Morgan, Frank (Dr.)	Division Superintendent Goochland County Public Schools P.O. Box 169 Goochland, VA 23063	(804) 556-5665 fmorgan@glnd.k12.va.us	1	Virginia Association of School Superintendents	2003 - 2006
19.	Roark, Marion G. (Mrs.)	Board Member 5358 Glenvar Heights Blvd. Salem, VA 24153	CELL: (540) 580-4772 mroark@rev.net	6	Virginia School Boards Association	2004 - 2007

	MEMBERS	ADDRESS	CONTACT INFORMATION	(VAG) REGION	REPRESENTING	TERM
20.	Shortt, Thomas (Dr.)	Executive Director Virginia Association of Elementary School Principals 2116 Dabney Road, Suite A-4 Richmond, VA 23230	(804) 335-6791 tomshortt@earthlink.net	1	Virginia Association of Elementary School Principals	2003 - 2006
21.	Snyder, C. Earl (Mr.)	Northrup Grumman-Newport News 15 Jonquil Lane Newport News, VA 23606	(757) 380-7936 FAX: (757) 688-2483 CELL: (757) 869-6807 earlsnyder@worldnet.att.net	2	Virginia Business & Industry	2004-2007
22.	Wyatt, Avery (Mrs.)	Gifted Education Coordinator Pittsylvania County Public Schools 617 Sandy Creek Road Danville, VA 24540	(434) 793-1624 avery.wyatt@pcs.k12.va.us	9	Gifted Education Coordinators	2003 - 2006
23.	Grillo, Ruth (Mrs.)	Specialist, Gifted Education Access and Equity Office of Middle and High School Instruction Department of Education Maggie L. Walker GS 1000 N. Lombardy Street Richmond, VA 23220	(804) 359-0440 FAX: (804) 354-6939 Ruth.Grillo@doe.virginia.gov	1	Virginia Department of Education	(Ex-officio)
24.	McGonagill, Barbara (Dr.)	Principal Specialist Governor's Schools and Gifted Education Office of Middle and High School Instruction Department of Education P. O. Box 2120 Richmond, VA 23218-2120	(804) 225-2884 FAX: (804) 786-1597 Barbara.McGonagill@doe.virginia.gov	1	Virginia Department of Education	(Ex-officio)
25.	Firebaugh, James (Mr.)	Director Office of Middle and High School Instruction Department of Education P. O. Box 2120 Richmond, VA 23218-2120	(804) 225-2651 FAX: (804) 786-1597 Jim.Firebaugh@doe.virginia.gov	1	Virginia Department of Education	(Ex-officio)

Four-Year Issues Research Process, 2001-2005
Virginia Advisory Committee for the Education of the Gifted



Appendix C

Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

Developed by subcommittees serving terms between 2001 and 2003
Identification Component.....C-02
Professional Development Component.....C-10

Developed by subcommittees serving terms between 2003 and 2005
Curriculum Component.....C-16
Delivery of Services Component.....C-26
Parent and Community Involvement Component.....C-34

IDENTIFICATION COMPONENT
Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

VIRGINIA REGULATION	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA	REQUIRED INDICATORS - ANNUAL REPORT
Each school division shall establish a uniform procedure with common criteria for screening and identification of gifted students. *Regulations Governing Educational Services for Gifted Students (Regulations)* *8 VAC 20-40-40 A*	A comprehensive and cohesive division process for student nomination must be coordinated in order to determine eligibility for gifted education services. *National Association for Gifted Children (NAGC) Standards: Identification 1* CEC Standard 1 – Foundations CEC Standard 2 – Development and Characteristics of Learners *Council for Exceptional Children/National Council of Accreditation of Teacher Education (CEC Standards for Gifts and Talents)*	This section includes the division's five-year goals for each of the five components listed below. These goals serve as targets against which the division will evaluate its growth and development. **Identification** Curriculum Development Delivery of Services Professional Development Parent and Community Involvement *Virginia Department of Education Peer Review Guidelines (VDOE Guidelines) Part I, Section C*	
These [identification] procedures will permit referrals from school personnel, parents, or legal guardians, other persons of related expertise, peer referral, and self referral of those students believed to be gifted. *Regulations: 8 VAC 20-40-40 A*	The school district should provide information annually regarding the process for nominating students for gifted education programming services in a variety of languages. *NAGC Standards: Identification 1.0E* The nomination process should be ongoing and screening of any student should occur at any time. *NAGC Standards: Identification 1.1E* Nomination procedures and forms should be available in a variety of languages. *NAGC Standards: Identification 1.2E*	Plan describes the screening process used to screen all students and create a pool of potential candidates, K-12, for any area of giftedness. *VDOE Guidelines: Part II, Section B, Item 1* Plan describes how direct referrals are solicited; who can refer; how appropriate forms are obtained; to whom those forms are returned; timeline for their acceptance; and how information about the referral process is made available to parents of students K-12 and others. *VDOE Guidelines: Part II, Section B, Item 2*	School division indicates that referrals are received from all segments of the school community. *Annual Report, Programs for the Gifted, Code of Virginia §22.1-18.1*

IDENTIFICATION COMPONENT
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Pertinent information, records, and other performance evidence of referred students will be examined by a building level or division level identification committee. Further, the committee(s) will determine the eligibility of the referred students for differentiated program services. *Regulations: 8 VAC 20-40-40 A*	A comprehensive and cohesive division process for student nomination must be coordinated in order to determine eligibility for gifted education services. *NAGC Standards: Identification 1* A student assessment profile of individual strengths and needs must be developed to plan appropriate intervention. *NAGC Standards: Identification 3* CEC Standard 3 – Individual Learning Differences *CEC Standards for Gifts and Talents*	Plan includes description of the membership and organization of a school-based or division-wide identification/placement committee that includes an advocate for the child. *VDOE Guidelines: Part II, Section B, Item 4* Plan describes how the committee determines which of its programs demonstrate a match between the assessed potential of the student and options provided. *VDOE Guidelines: Part II, Section B, Item 6*	
Each school division shall maintain a division review procedure for students whose cases are appealed. This procedure shall involve individuals, the majority of whom did not serve on the Identification/Placement Committee. *Regulations: 8 VAC 20-40-40 B*	Written procedures for student identification must include at the very least provisions for informed consent, student retention, student reassessment, student exiting, and appeals procedures. *NAGC Standards: Identification 5*	Plan describes how the appeals process works; the members of or how the committee is established; and provides the timeline from the point that an appeal is received until the division responds formally to it. *VDOE Guidelines: Part II, Section B, Item 9*	

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Eligibility of students for programs for the gifted shall be based on multiple criteria for screening and identification established by the school division … Multiple criteria shall include four or more of the following categories: 1. Assessment of appropriate student products, performance, and/or portfolio 2. Record of observation of in-classroom behavior 3. Appropriate rating scales, checklists, and/or questionnaires 4. Individual interview 5. Individual or group aptitude tests 6. Individual or group achievement tests 7. Records of previous accomplishments (such as awards, honors, grades, etc.) 8. Additional valid and reliable measures or procedures Inclusion of a test score in a division identification plan does not indicate that an individual student must score at a prescribed level on the test(s) to be admitted to a program. No single criterion shall be used in determining students who qualify for, or are denied access to, programs for the gifted. *Regulations: 8 VAC 20-40-50*	All student identification procedures and instruments must be based on current theory and research. *NAGC Standards –Identification 4* Student assessment data should come from multiple sources and include multiple assessment methods. *NAGC Standards –Identification 4.0E* Student assessment data should represent an appropriate balance of reliable and valid quantitative and qualitative measures. *NAGC Standards: Identification 4.1E*	Plan identifies four or more criteria to be used in the identification/placement process. *VDOE Guidelines: Part II, Section B, Item 3a* Plan provides information about the validity and reliability of all measures except those that are standardized or norm-referenced. *VDOE Guidelines: Part II, Section B, Item 3b* Plan includes an identification procedure that clearly specifies how elements are collected; who administers which instruments; and who collects and summarizes information used to lead to an eligibility decision. *VDOE Guidelines: Part II, Section B, Item 5a* Plan describes how eligibility decisions are made. *VDOE Guidelines: Part II, Section B, Item 5b* Plan includes a statement that the division does not allow any one single criterion to deny or guarantee access to gifted program services. *VDOE Guidelines: Part II, Section B, Item 5c*	

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Eligibility of students for programs for the gifted shall be …designed to seek out high aptitude in all populations. *Regulations: 8 VAC 20-40-50*	Instruments used for student assessment to determine eligibility for gifted education services must measure diverse abilities, talents, strengths, and needs in order to provide students an opportunity to demonstrate any strengths. *NAGC Standards: Identification 2*	Plan describes specific strategies to be used to screen and identify special populations of gifted learners. (This includes groups identified in the *No Child Left Behind Act of 2001*.) *VDOE Guidelines: Part II, Section B, Item 1c*	School division indicates the demographic composition of those students referred for identification. Gifted Education Annual Report indicates the demographic composition of those students receiving gifted education services. *Code of Virginia §22.1-18.1*
If a program is designed to address general intellectual aptitude, aptitude measures must be included as one of the categories in the division identification plan. If a program is designed to address specific academic aptitude, an achievement or an aptitude measure in the specific academic area must be included as one of the categories in the division identification plan. If a program is designed to address either the visual/performing arts or technical/practical arts aptitude, a performance measure in the specific aptitude area must be used. *Regulations: 8 VAC 20-40-50*	Instruments used for student assessment to determine eligibility for gifted education services must measure diverse abilities, talents, strengths, and needs in order to provide students an opportunity to demonstrate any strengths. *NAGC Standards: Identification 2* A student assessment profile of individual strengths and needs must be developed to plan appropriate intervention. *NAGC Standards: Identification 3* An assessment profile should reflect the gifted learner's interests, learning styles, and educational needs. *NAGC Standards –Identification 3.1E* Student placement data should be collected using an appropriate balance of quantitative and qualitative measures with adequate evidence of reliability and validity for the purposes of identification. *NAGC Standards: Identification 5.0E*	Plan identifies four or more criteria to be used in the identification/placement process; includes names, dates, or versions of tests where appropriate. Separate forms should be provided for each program, or items should be clearly marked to indicate in which programs specific measures are used. *VDOE Guidelines: Part II, Section B, Item 3a*	

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. Modifications to the plan shall be reported to the Department of Education on dates specified by the Department. *Regulations*: *8 VAC 20-40-60 A*	A comprehensive and cohesive division process for student nomination must be coordinated in order to determine eligibility for gifted education services. *NAGC Standards: Identification 1* District guidelines and procedures should be reviewed and revised when necessary. *NAGC Standards: Identification 5.1E*	Plan provides one goal statement in each of the following components of gifted education: **Identification** Curriculum Development Delivery of Services Professional Development Parent and Community Involvement *VDOE Guidelines: Part I, Section C* Plan provides a series of objectives and activities to support the goal statement(s) indicated in Part I of the plan. *VDOE Guidelines: Part III, Item a* Plan provides evidence that a goal, objective, activity, and timeline are in place. *VDOE Guidelines: Part III, Item b*	
3. Procedures for the early and on-going identification and placement of gifted students beginning with kindergarten through secondary graduation, in at least one of the four defined areas of giftedness. *Regulations: 8 VAC 20-40-60 A*	Assessment should be responsive to students' economic conditions, gender, ethnicity, language, developmental differences, and handicapping conditions. *NAGC Standards: Identification 2.1E* Students identified in all designated areas of giftedness within a school district should be assessed consistently across grade levels. *NAGC Standards: Identification 2.2E* Student assessments should be sensitive to all stages of talent development. *NAGC Standards: Identification 2.3E* CEC Standard 2 – Development and Characteristics of Learners CEC Standard 5 – Language *CEC Standards for Gifts and Talents*	Plan indicates that the division offers services continuously in either General Intellectual Aptitude or Specific Academic Aptitude, grades K-12. Services for Visual and Performing Arts or Practical and Technical Arts are optional. *VDOE Guidelines: Part II, Section A* Plan describes the screening process used to screen all students and create a pool of potential candidates, K-12. *VDOE Guidelines: Part II, Section B, Item 1a* Plan describes time frame for requesting data for the screening process. *VDOE Guidelines: Part II, Section B, Item 1b* Plan describes specific strategies to be used to screen and identify special populations of gifted learners. *VDOE Guidelines: Part II, Section B, Item 1c*	School division indicates referrals at all levels from kindergarten through secondary graduation. *Code of Virginia §22.1-18.1*

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4. A procedure for notifying parents/legal guardians when additional testing or additional information is required during the identification process and for obtaining permission prior to placement of students in an appropriate program. *Regulations: 8 VAC 20-40-60 A*	Written procedures for student identification must include at the very least provisions for informed consent, student retention, student reassessment, student exiting, and appeals procedures. *NAGC Standards: Identification 5* CEC Standard 10 – Collaboration *CEC Standards for Gifts and Talents*	Plan describes how direct referrals are solicited; who can refer; how appropriate forms are obtained; to whom those forms are returned; timeline for their acceptance; how information about the referral process is made available to parents of students K-12 and others. *VDOE Guidelines: Part II, Section B, Item 2* Plan describes when (at what stages) parents will be notified about placement decisions, diagnostic re-evaluation, or other prescribed monitoring of student progress. *VDOE Guidelines: Part II, Section B, Item 7* Plan clearly indicates the specific amount of time the division has to make eligibility decisions based on direct referrals from parents, school staff, or other persons. *VDOE Guidelines: Part II, Section B, Item 5e*	
5. A policy for notifying gifted students' change of placement within, and exit from a program, which includes an opportunity for parents who disagree with the committee's decision to meet and discuss their concern(s) with an appropriate administrator. *Regulations: 8 VAC 20-40-60 A*	Written procedures for student identification must include at the very least provisions for informed consent, student retention, student reassessment, student exiting, and appeals procedures. *NAGC Standards: Identification 5* CEC Standard 10 – Collaboration *CEC Standards for Gifts and Talents*	Plan notes whether, how, and when re-evaluation takes place; and how this differs from a change in services request. *VDOE Guidelines: Part II, Section B, Item 8*a Plan notes who can initiate a change in services request; how students may be exited from the program; and whether or not they remain eligible for services. *VDOE Guidelines: Part II, Section B, Item 8*b Plan describes how the appeals process works; the members of or how the committee is established; and provides the timeline form the point that an appeal is received until the division responds formally to it. *VDOE Guidelines: Part II, Section B, Items 9a, 9b. 9c, and 9d*	

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. *Regulations: 8 VAC 20-40-60 A*			
6. Assurances that records are maintained according to "Management of Student's Scholastic Record in the Public Schools of Virginia." *Regulations: 8 VAC 20-40-60 A6*		Plan includes assurances that records are maintained according to "Management of Student's Scholastic Record in the Public Schools of Virginia." *VDOE Guidelines: Part IV, Section B*	
7. Assurances that (i) testing and evaluative materials selected and administered are sensitive to cultural, racial, and linguistic differences. *Regulations: 8 VAC 20-40-60 A7*	Assessments should be provided in a language in which the student is most fluent, if available. *NAGC Standards: Identification 2.0* Assessment should be responsive to students' economic conditions, gender, developmental differences, handicapping conditions, and other factors that mitigate against fair assessment practices. *NAGC Standards: Identification 2.1E* Student assessments should be sensitive to all stages of talent development. *NAGC Standards: Identification 2.3E* CEC Standard 2 – Development and Characteristics of Learners CEC Standard 5 – Language *CEC Standards for Gifts and Talents*	Plan includes assurances that testing and evaluative materials selected and administered are sensitive to cultural, racial, and linguistic differences. (This includes groups identified in the *No Child Left Behind Act of 2001*.) *VDOE Guidelines: Part IV, Section B*	

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7. Assurances that (ii) identification procedures are constructed so that they identify high potential/ability in all underserved culturally diverse, low socio-economic, and disabled populations. *Regulations: 8 VAC 20-40-60 A7*	Instruments used for student assessment to determine eligibility for gifted education services must measure diverse abilities, talents, strengths, and needs in order to provide students an opportunity to demonstrate any strengths. *NAGC Standards: Identification 2* Assessment should be responsive to students' economic conditions, gender, developmental differences, handicapping conditions, and other factors that mitigate against fair assessment practices. *NAGC Standards: Identification 2.1E* CEC Standard 2 – Development and Characteristics of Learners CEC Standard 5 – Language *CEC Standards for Gifts and Talents*	Plan includes assurances that identification procedures are constructed so that they identify high potential/ability in all underserved culturally diverse, low socio-economic, and disabled populations. *VDOE Guidelines: Part IV, Section B*	
7. Assurances that (iii) standardized tests have been validated for the specific purpose for which they are used. *Regulations: 8 VAC 20-40-60 A7*	All student identification procedures and instruments must be based on current theory and research. *NAGC Standards: Identification 4* CEC Standard 9 – Professional and Ethical Practice *CEC Standards for Gifts and Talents*	Plan includes assurances that standardized tests have been validated for the specific purpose for which they are used. *VDOE Guidelines: Part IV, Section B*	
7. Assurances that (iv) instruments are administered and interpreted by trained personnel in conformity with the instructions of their producer. *Regulations: 8 VAC 20-40-60 A7*	All student identification procedures and instruments must be based on current theory and research. *NAGC Standards: Identification 4* CEC Standard 9 – Professional and Ethical Practice *CEC Standards for Gifts and Talents*	Plan includes assurances that instruments are administered and interpreted by trained personnel in conformity with the instructions of their producer. *VDOE Guidelines: Part IV, Section B*	

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 11. Procedures for the selection/evaluation of teachers and for the training of personnel to include administrators/supervisors, teachers, and support staff. *Regulations Governing Educational Services for Gifted Students (Regulations)* *8 VAC 20-40-60 A*	A comprehensive staff development program must be provided for all school staff involved in the education of gifted learners. *National Association for Gifted Children (NAGC) Standards:* *Professional Development 1* Appropriately qualified personnel must direct services for the education of gifted learners. *NAGC Standards:* *Program Administration and Management 1* Responsibility for the education of gifted learners is a shared one requiring strong relationships between the gifted education program and general education school-wide. *NAGC Standards:* *Program Administration and Management 2.0E* CEC Standard 9 – Professional and Ethical Practice CEC Standard 10 - Collaboration *Council for Exceptional Children/National Council of Accreditation of Teacher Education (CEC Standards for Gifts and Talents)*	Plan indicates methods used to select teachers of the gifted. *Virginia Department of Education* *Peer Review Guidelines (VDOE Guidelines)* *Part II, Section E, Item 1c* Plan indicates methods used to evaluate teachers of the gifted. *VDOE Guidelines: Part II, Section E, Item 1c*	School division indicates the number of designated gifted education teachers with gifted endorsement. *Annual Report, Programs for the Gifted, Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with advanced degrees or with degrees in gifted education. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with local training. *Code of Virginia §22.1-18.1*

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Program of instruction and learning objectives: B. Instruction shall be designed to accommodate all students, including those with disabilities, those identified as gifted/talented, and those who have limited English proficiency. Each school shall provide students identified as gifted/talented with instructional programs taught by teachers with special training or experience in working with gifted/talented students. *Regulations Establishing Standards for Accrediting Public Schools in Virginia (Standards of Accreditation)* *8 VAC 20-131-70*	Only qualified personnel should be involved in the education of gifted learners. *NAGC Standards:* *Professional Development 2* All personnel working with gifted learners should participate in regular staff development programs. *NAGC Standards:* *Professional Development 2.0E* All specialist teachers in gifted education should possess a certification/ specialization or degree in gifted education. *NAGC Standards:* *Professional Development 2.1E* Only teachers with advanced expertise in gifted education should have primary responsibility for the education of gifted learners. *NAGC Standards:* *Professional Development 2.2E*	Plan indicates by title and area of giftedness, those teachers considered full-time teachers of the gifted and the required training they must have to teach students identified as gifted. *VDOE Guidelines: Part II, Section E, Item 1a* Plan indicates by title and area of giftedness, those teachers considered part-time teachers of the gifted and the required training they must have to teach students identified as gifted. *VDOE Guidelines: Part II, Section E, Item 1b*	School division indicates the number of designated gifted education teachers with gifted endorsement. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with advanced degrees or with degrees in gifted education. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with local training. *Code of Virginia §22.1-18.1*

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 11. Procedures for the … training of personnel to include administrators/ supervisors, teachers, and support staff. *Regulations: 8 VAC 20-40-60 A*	Staff development that improves the learning of all students. (Context Standards) *NSDC Standards*	This section includes the division's five-year goals for each of the five components listed below. These goals serve as targets against which the division will evaluate its growth and development. Identification Curriculum Development Delivery of Services **Professional Development** Parent and Community Involvement *VDOE Guidelines: Part I, Section C*	School division indicates the number of designated gifted education teachers with gifted endorsement. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with advanced degrees or with degrees in gifted education. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with local training. *Code of Virginia §22.1-18.1*
	Organizes adults into learning communities whose goals are aligned with those of the school and district. (Learning Communities) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	
	Requires skillful school and district leaders who guide continuous instructional improvement. (Leadership) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	
	Requires resources to support adult learning and collaboration. (Resources) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 11. Procedures for the … training of personnel to include administrators/ supervisors, teachers, and support staff. *Regulations: 8 VAC 20-40-60 A*	Staff development that improves the learning of all students. (Process Standards) *NSDC Standards*	This section includes the division's five-year goals for each of the five components listed below. These goals serve as targets against which the division will evaluate its growth and development. Identification Curriculum Development Delivery of Services **Professional Development** Parent and Community Involvement *VDOE Guidelines: Part I, Section C*	School division indicates the number of designated gifted education teachers with gifted endorsement. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with advanced degrees or with degrees in gifted education. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with local training. *Code of Virginia §22.1-18.1*
	Uses disaggregated student data to determine adult learning priorities, monitor progress, and help sustain continuous improvement. (Data-Driven) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	
	Uses multiple sources of information to guide improvement and demonstrate its impact. (Evaluation) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 11. Procedures for the … training of personnel to include administrators/ supervisors, teachers, and support staff. *Regulations: 8 VAC 20-40-60 A*	Staff development that improves the learning of all students. (Process Standards) *NSDC Standards*	This section includes the division's five-year goals for each of the five components listed below. These goals serve as targets against which the division will evaluate its growth and development. Identification Curriculum Development Delivery of Services **Professional Development** Parent and Community Involvement *VDOE Guidelines: Part I, Section C*	School division indicates the number of designated gifted education teachers with gifted endorsement. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with advanced degrees or with degrees in gifted education. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with local training. *Code of Virginia §22.1-18.1*
	Prepares educators to apply research to decision-making. (Research-Based) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	
	Uses learning strategies appropriate to the intended goal. (Design) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	
	Applies knowledge about human learning and change. (Learning) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	
	Provides educators with the knowledge and skills to collaborate. (Collaboration) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 11. Procedures for the … training of personnel to include administrators/ supervisors, teachers, and support staff. *Regulations:* 8 VAC 20-40-60 A	Staff development that improves the learning of all students. (Content Standards) *NSDC Standards*	This section includes the division's five-year goals for each of the five components listed below. These goals serve as targets against which the division will evaluate its growth and development. Identification Curriculum Development Delivery of Services **Professional Development** Parent and Community Involvement *VDOE Guidelines: Part I, Section C*	School division indicates the number of designated gifted education teachers with gifted endorsement. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with advanced degrees or with degrees in gifted education. *Code of Virginia §22.1-18.1* School division indicates the number of designated gifted education teachers with local training. *Code of Virginia §22.1-18.1*
	Prepares educators to understand and appreciate all students, create safe, orderly and supportive learning environments, and hold high expectations for their academic achievement. (Equity) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	
	Deepens educators' content knowledge, provides them with research-based instructional strategies to assist students in meeting rigorous academic standards, and prepares them to use various types of classroom assessments. (Quality Teaching) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	
	Provides educators with knowledge and skills to involve families and other stakeholders appropriately. (Family Involvement) *NSDC Standards*	This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	

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VIRGINIA REGULATION	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA GUIDING QUESTIONS	*SUGGESTED BENCHMARK INDICATORS*
A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 10. A framework for appropriately differentiated curricula indicating accelerative and enrichment opportunities in content, process, and product. *Regulations Governing Educational Services for Gifted Students (Regulations)* *8 VAC 20-40-60 A*	Gifted education programming must be guided by a clearly articulated philosophy statement and accompanying goals and objectives. *National Association for Gifted Children (NAGC) Standards:* *Program Design 3.1M* CEC Standard 1 – Foundations *Council for Exceptional Children/National Council of Accreditation of Teacher Education (CEC Standards for Gifts and Talents)*	This section includes the division's five-year goals for each of the five components listed below. These goals serve as targets against which the division will evaluate its growth and development. Identification Delivery of Services **Curriculum Development** Professional Development Parent and Community Involvement *Virginia Department of Education Peer Review Guidelines (VDOE Guidelines): Part I, Section C*	*Philosophy, definition, and service delivery/program models are clearly articulated.*
A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 10. A framework for appropriately differentiated curricula indicating accelerative and enrichment opportunities in content, process, and product. *Regulations: 8 VAC 20-40-60 A*	Gifted education programming must be guided by a clearly articulated philosophy statement and accompanying goals and objectives. NAGC Standards: *Program Design 3.1M* CEC Standard 1 – Foundations *CEC Standards for Gifts and Talents*	Plan describes the theoretical foundations that frame the division's curriculum and instruction for gifted learners. *VDOE Guidelines: Part II, Section D, Item 1* Does the plan describe the theoretical foundation(s) that frame curriculum and instruction for gifted learners? Are the local philosophy, definition, and services described reflective of the theoretical foundation(s)?	*Theoretical foundations frame curriculum and instruction.* *Plan philosophy, definition, and services reflect the theoretical foundations.*

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Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

VIRGINIA REGULATION	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA GUIDING QUESTIONS	*SUGGESTED BENCHMARK INDICATORS*
A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 10. A framework for appropriately differentiated curricula indicating accelerative and enrichment opportunities in content, process, and product. *Regulations: 8 VAC 20-40-60 A*	A continuum of services must be provided across grades pre-K – 12. *NAGC Standards:* *Program Design 3.2M* A well-defined and implemented curriculum scope and sequence should be articulated for all grade levels and all [appropriate] subject areas. *NAGC Standards:* *Curriculum and Instruction 1.0 E* CEC Standard 2 – Development and Characteristics of Learners CEC Standard 5 –Learning Environments and Social Interactions CEC Standard 7 – Instructional Planning *CEC Standards for Gifts and Talents*	Plan demonstrates how the division's curriculum based on the theoretical model or models provides differentiated presentation of materials to meet the needs of all students identified in the division as gifted. *VDOE Guidelines: Part II, Section D, Item 1* Is the curriculum model sequential and continuous, K – 12? Do the content scope and sequence correspond to students' abilities, interests, and area(s) of identification? Do the scope and sequence support the local division's strategic plan?	*The scope and sequence describe sequential and continuous services, K - 12.* *The scope and sequence include appropriate content areas, K - 12.* *The scope and sequence support school division's initiatives.*

CURRICULUM AND INSTRUCTION COMPONENT
Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 10. A framework for appropriately differentiated curricula indicating accelerative and enrichment opportunities in content, process, and product. *Regulations: 8 VAC 20-40-60 A* Appropriately differentiated curricula for gifted students refer to curricula designed in response to their cognitive and affective needs. Such curricula provide emphasis on both accelerative and enrichment opportunities for advanced content and pacing of instruction… *Regulations: 8 VAC 20-40-20* Upon the recommendation of the division superintendent and demonstration of mastery of course content and objectives, qualified students may receive a standard unit of credit and be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement. *Regulations Establishing Standards for Accrediting Public Schools in Virginia (Standards of Accreditation)* 8 VAC 20-131-110	Existing and future school policies must include provisions for the needs of gifted learners. *NAGC Standards* *Program Design 6.0M* Gifted learners should be assessed for proficiency in all standard courses of study and subsequently provided with more challenging educational opportunities. *NAGC Standards:* *Curriculum and Instruction 2.3E* When warranted, continual opportunities for curricular acceleration should be provided in gifted learners' areas of strength and interest while allowing sufficient ceiling for optimal learning. *NAGC Standards:* *Curriculum and Instruction 3.0E* Possibilities for partial or full acceleration of content and grade levels should be available to any student presenting such needs. *NAGC Standards:* *Curriculum and Instruction 4.0E* CEC Standard 2 – Development and Characteristics of Learners CEC Standard 3 – Individual Learning Differences CEC Standard 7 – Instructional Planning CEC Standard 8 – Assessment *CEC Standards for Gifts and Talents*	Plan includes evidence that the division's curriculum provides for the use of instructional strategies that accelerate and enrich required tasks, activities, and processes beyond grade level or course expectations. *VDOE Guidelines: Part II, Section D, Item 1-2* Is there a policy that allows for different modes of acceleration options? Is there a policy that allows for flexible pacing and instruction for gifted learners? Is the service delivery model flexible enough to accommodate different types of acceleration?	*Division-wide flexible instruction grouping and/or pacing policies for diverse gifted learners should be in place.* *Division-wide acceleration policies for diverse gifted learners should be in place.*

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 10. A framework for appropriately differentiated curricula indicating accelerative and enrichment opportunities in **content**, process, and product. *Regulations: 8 VAC 20-40-60 A* Appropriately differentiated curricula for gifted students refer to curricula designed in response to their cognitive and affective needs. Such curricula provide … a focus on issues, themes, and ideas within and across areas of study. *Regulations: 8 VAC 20-40-20* Each school shall provide a program of instruction that promotes individual student academic achievement in the essential academic disciplines and shall provide additional instructional opportunities that meet the abilities, interests, and educational needs of students. Each school shall establish learning objectives to be achieved by students at successive grade levels that meet or exceed the knowledge and skills contained in the Standards of Learning for English, mathematics, science, and history/social science adopted by the Board and shall continually assess the progress of each student in relation to the objectives. *Standards of Accreditation:* 8 VAC 20-131-70	District curriculum plans should include objectives, content, and resources that challenge gifted learners in the regular classroom. *NAGC Standards:* *Curriculum and Instruction 2.0E* Gifted services must be designed to supplement and build on the basic academic skills and knowledge learned in regular classrooms at all grade levels to ensure continuity as students progress through the program. *NAGC Standards:* *Program Design 4.0E* CEC Standard 3 – Individual Learning Differences CEC Standard 4 – Instructional Strategies CEC Standard 7 – Instructional Planning *CEC Standards for Gifts and Talents*	Plan includes evidence that the revised curriculum emphasizes academic rigor, complexity, abstractedness, and multifacetedness through integrated content experiences. *VDOE Guidelines: Part II, Section D, Item 1-1* Does the curriculum support integrated content experiences? Are requisite resources, including technology, available to support integrated content experiences? Are curriculum experiences complex, integrated, and rigorous in response to learner needs?	*A differentiated curriculum supports integrated content experiences.* *Required resources, including technology, are available to support a differentiated curriculum.*

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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 8. A procedure to identify and evaluate student outcomes based on the initial and ongoing assessment of their cognitive and affective needs. 9. A procedure to match service options, including instructional approach(es); settings, and staffing, to designated student needs. 10. A framework for appropriately differentiated curricula indicating accelerative and enrichment opportunities in content, process, and product. 12. Procedures for the appropriate evaluation of the effectiveness of the school division's program for gifted students. *Regulations: 8 VAC 20-40-60 A*	The program evaluation design must address whether or not services have reached intended goals. *NAGC Standards* *Program Evaluation 3.1M* Instruments and procedures used for data collection must be valid and reliable for their intended use. *NAGC Standards* *Program Evaluation 3.2M* Ongoing formative and summative evaluation strategies must be used for substantive program improvement and development. *NAGC Standards* *Program Evaluation 3.3M* Persons conducting the evaluation should possess an expertise in program evaluation in gifted education. *NAGC Standards* *Program Evaluation 3.0E* CEC Standard 8 – Assessment CEC Standard 9 – Professional and Ethical Practice *CEC Standards for Gifts and Talents*	Plan incorporates a variety of evaluative strategies to assess the solutions and/or products created by students to determine the effectiveness of accelerated and differentiated curricula for gifted learners. *VDOE Guidelines: Part II, Section D, Item 1-5* How is assessment used overall as a way to achieve continuous student progress? What is the alignment between the various assessment approaches and the matching curriculum and/or instructional interventions? How is assessment used to modify curriculum approaches? How is assessment used to modify instructional decisions? How is assessment used for data-based decision making? Who is involved in data collection, analysis, or revision? How are decisions made regarding choice of assessments employed?	*Assessment is used to make placement decisions.* *Assessment is used as a tool for modifying curricular and instructional approaches.* *Assessment is used to support student growth.* *Assessment is used for program evaluation and for program improvements.* *Assessments are fair, equitable, valid, reliable, and defensible.*

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DELIVERY OF SERVICES COMPONENT
Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

VIRGINIA REGULATION	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA	REQUIRED INDICATORS - ANNUAL REPORT
Students who are found to be eligible by the Identification/Placement Committee shall be offered differentiated program services by the school division. *Regulations Governing Educational Services for Gifted Students (Regulations)* *8 VAC 20-40-40 A*	Learning opportunities for gifted learners must consist of a continuum of differentiated curricular options, instructional approaches, and resource materials. *National Association for Gifted Children (NAGC) Standards:* *Curriculum and Instruction 5.0* Levels of services should be matched to the needs of gifted learners through the provision of a full continuum of options. *NAGC Standards:* *Program Design 1.0E* Local school districts should offer multiple service delivery options as no single service should stand alone. *NAGC Standards:* *Program Design 4.1E* CEC Standard 3 – Individual Learning Differences *Council for Exceptional Children/National Council for Accreditation of Teacher Education (CEC Standards for Gifts and Talents)*	This section describes the process used to determine appropriate educational service options for identified students, K-12. *Virginia Department of Education Peer Review Guidelines (VDOE Guidelines)* *Part II, Section B, Item 6.*	
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A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 8. A procedure to identify and evaluate student outcomes based on the initial and ongoing assessment of their cognitive and affective needs. *Regulations:* 8 VAC 20-40-60 A	Appropriate service options for each student to work at assessed level(s) and advanced rates of learning should exist. *NAGC Standards:* *Curriculum and Instruction 5.0E* Documentation of instruction for assessing level(s) of learning and accelerated rates of learning should demonstrate plans for gifted learners based on specific needs of individual learners. *NAGC Standards:* *Curriculum and Instruction 2.2E* When warranted, continual opportunities for curricular acceleration should be provided in gifted learners' areas of strength and interest while allowing sufficient ceiling for optimal learning. *NAGC Standards:* *Curriculum and Instruction 3.0E* Gifted learners should be assessed for proficiency in all standard courses of study and subsequently provided educational opportunities that are more challenging. *NAGC Standards:* *Curriculum and Instruction 2.3E* The use of flexible grouping of gifted learners must be an integral part of gifted education programming. *NAGC Standards:* *Program Design 5.0M* CEC Standard 8 – Assessment *CEC Standards for Gifts and Talents*	Plan includes the delivery of services options used in the programs offered in the division. (1) These programs are to be offered by teachers trained in gifted education strategies. (2) These programs are to be evaluated with goals for the program for gifted learners. *VDOE Guidelines, Part II, Section C* *Part II, Section E, Items 1a and 1b* *Part II, Section D, Item 2*	School division includes a report on the delivery of services options offered. (1) These programs are to be offered by teachers trained in gifted education strategies. (2) These programs are to be evaluated with goals for the program for gifted learners. *Annual Report, Programs for the Gifted, Code of Virginia §22.1-18.1*

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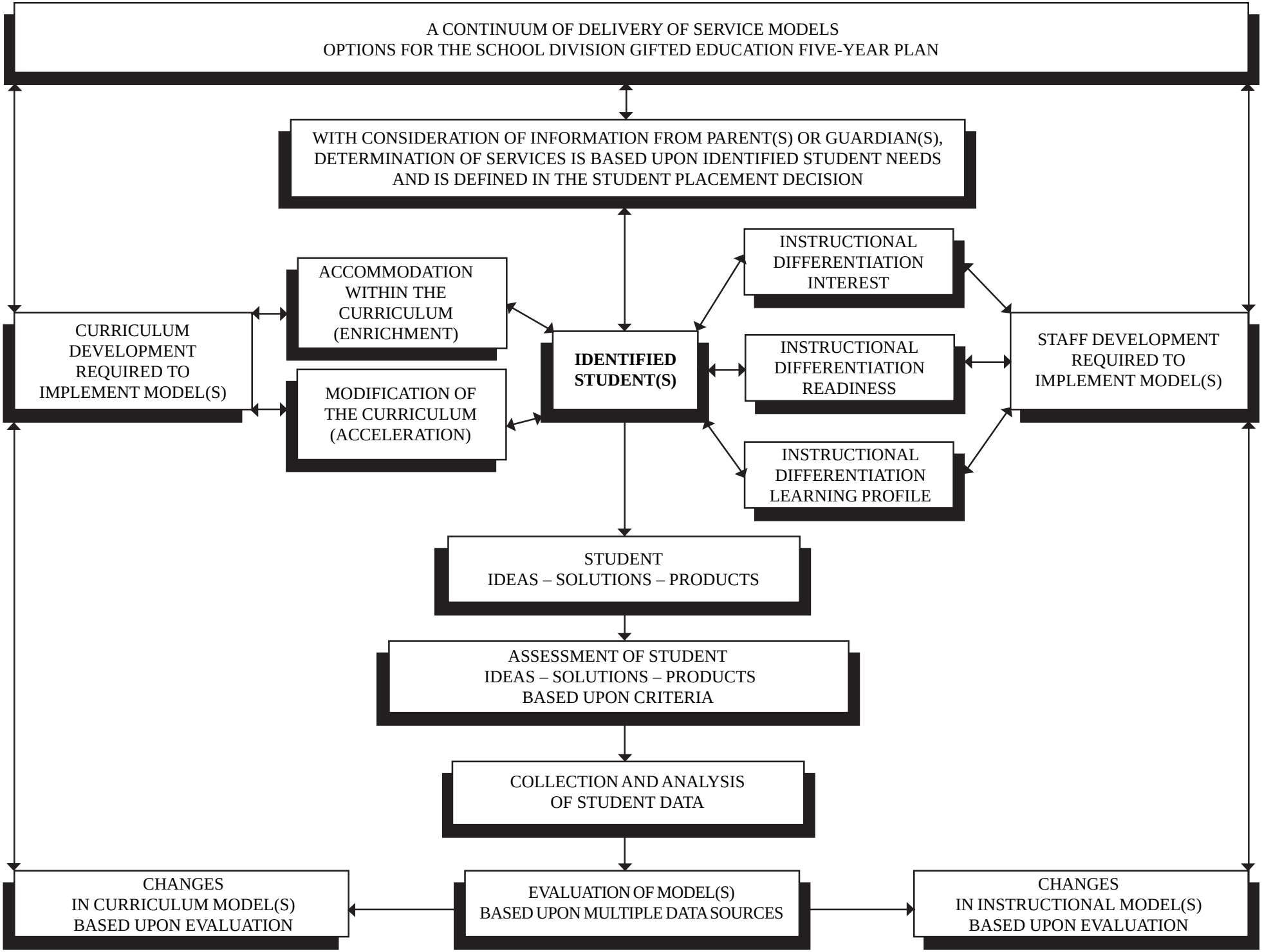

A CONTINUUM OF DELIVERY OF SERVICE MODELS
OPTIONS FOR THE SCHOOL DIVISION GIFTED EDUCATION FIVE-YEAR PLAN
WITH CONSIDERATION OF INFORMATION FROM PARENT(S) OR GUARDIAN(S), DETERMINATION OF SERVICES IS BASED UPON IDENTIFIED STUDENT NEEDS AND IS DEFINED IN THE STUDENT PLACEMENT DECISION
CURRICULUM DEVELOPMENT REQUIRED TO IMPLEMENT MODEL(S)
ACCOMMODATION WITHIN THE CURRICULUM (ENRICHMENT)
MODIFICATION OF THE CURRICULUM (ACCELERATION)
IDENTIFIED STUDENT(S)
INSTRUCTIONAL DIFFERENTIATION INTEREST
INSTRUCTIONAL DIFFERENTIATION READINESS
INSTRUCTIONAL DIFFERENTIATION LEARNING PROFILE
STAFF DEVELOPMENT REQUIRED TO IMPLEMENT MODEL(S)
STUDENT IDEAS – SOLUTIONS – PRODUCTS
ASSESSMENT OF STUDENT IDEAS – SOLUTIONS – PRODUCTS BASED UPON CRITERIA
COLLECTION AND ANALYSIS OF STUDENT DATA
CHANGES IN CURRICULUM MODEL(S) BASED UPON EVALUATION
EVALUATION OF MODEL(S) BASED UPON MULTIPLE DATA SOURCES
CHANGES IN INSTRUCTIONAL MODEL(S) BASED UPON EVALUATION

DELIVERY OF SERVICES TO IDENTIFIED GIFTED STUDENTS

SUGGESTIONS TO SUPPORT SCHOOL DIVISIONS IN THE DEVELOPMENT OF OPTIONS FOR DELIVERY OF SERVICES

	GRADE LEVEL											
	K		1		2		3		4		5	
PROGRAM OPTIONS	number of students	schedule	number of students	schedule	number of students	schedule	number of students	schedule	number of students	schedule	number of students	schedule
Full-Time Program												
Homogeneously Grouped												
Flexible Classroom Instructional Grouping Options												
Grouped into Clusters												
By Readiness												
By Interest												
By Learning Profile												
Grouped Cross Grade												
Other												
Flexible Classroom Curriculum Options												
Acceleration/Modification												
Content Area												
Grade Level												
Accommodation/Enrichment												
Content Area												
Content Area												
Compacting												
Independent Study												
Other												
Pull-Out Program												
Within School												
Gifted Center												
Guidance Services Addressing Special Needs of Gifted Students												
Small Group Sessions												
Other												
Programs Beyond School Day or Year (List)												

DELIVERY OF SERVICES TO IDENTIFIED GIFTED STUDENTS

SUGGESTIONS TO SUPPORT SCHOOL DIVISIONS IN THE DEVELOPMENT OF OPTIONS FOR DELIVERY OF SERVICES

	GRADE LEVEL							
	5 or (6)		6 or (7)		7 or (8)		8 or (9)	
PROGRAM OPTIONS	number of students	schedule	number of students	schedule	number of students	schedule	number of students	schedule
Full-Time Program								
Homogeneously Grouped								
Advanced or Honors Classes								
Language Arts								
Foreign Language								
Mathematics								
Science								
Social Studies								
Other								
Flexible Classroom Instructional Grouping Options								
Grouped into Clusters								
By Readiness								
By Interest								
By Learning Profile								
Other								
Flexible Classroom Curriculum Options								
Acceleration/Modification								
Content Area								
Grade Level								
Accommodation/Enrichment								
Content Area								
Content Area								
Compacting								
Independent Study								
Other								
Pull-Out Program								
Within School								
Gifted Center								
Guidance Services Addressing Special Needs of Gifted Students								
Small Group Sessions								
Other								
Programs Beyond School Day/Year								

DELIVERY OF SERVICES TO IDENTIFIED GIFTED STUDENTS

SUGGESTIONS TO SUPPORT SCHOOL DIVISIONS IN THE DEVELOPMENT OF OPTIONS FOR DELIVERY OF SERVICES

	GRADE LEVEL							
	9		10		11		12	
PROGRAM OPTIONS	number of students	schedule	number of students	schedule	number of students	schedule	number of students	schedule
Academic Year Governor's School								
Advanced or Honors Classes								
Language Arts								
Foreign Language								
Mathematics								
Science								
Social Studies								
Other								
Advanced Placement Program								
Language Arts								
Foreign Language								
Mathematics								
Science								
Social Studies								
Other								
International Baccalaureate Program								
Language Arts								
Foreign Language								
Mathematics								
Science								
Social Studies								
Other								
Other Program(s)								
Language Arts								
Foreign Language								
Mathematics								
Science								
Social Studies								
Other								
Dual Enrollment Course(s)								
Concurrent Course(s)								

DELIVERY OF SERVICES TO IDENTIFIED GIFTED STUDENTS

SUGGESTIONS TO SUPPORT SCHOOL DIVISIONS IN THE DEVELOPMENT OF OPTIONS FOR DELIVERY OF SERVICES

	GRADE LEVEL							
	9		10		11		12	
PROGRAM OPTIONS	number of students	schedule	number of students	schedule	number of students	schedule	number of students	schedule
Early College Scholars Program								
Virginia Virtual AP School Course(s)								
Distance Learning Course(s)								
Computer Based Training Self-Paced								
Independent Study Program								
Credit/Non-Credit								
Mentorship Program								
Credit/Non-Credit								
Seminar Program								
Credit/Non-Credit								
Summer Residential Governor's School								
Academics								
Visual and Performing Arts								
Mentorship								
Foreign Language Academy								
Summer Regional Governor's School								
Other Programs Beyond the School Day/Year								
Guidance Services Addressing Special Needs of Gifted Students								
Small Group Sessions								
College /Career Counseling								
Other								

PARENT AND COMMUNITY INVOLVEMENT COMPONENT
Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

VIRGINIA REGULATION	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA	REQUIRED INDICATORS - ANNUAL REPORT
Each school division shall establish a local advisory committee composed of parents, school personnel, and other community members. This committee shall reflect the ethnic and geographical composition of the school division. The purpose of this committee shall be to advise the school board through the division superintendent of the educational needs of all gifted students in the division. As a part of this goal, the committee shall review annually the local plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The recommendations of the advisory committee shall be submitted in writing through the division superintendent to the school board. *Regulations Governing Educational Services for Gifted Students (Regulations)* *8 VAC 20-40-60 A* Each school board shall appoint, in accordance with the regulations of the Board of Education, a local advisory committee on gifted education. The local advisory committee on gifted education shall annually review the local plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The comments and recommendations of the local advisory committee on gifted education shall be submitted in writing directly to the school board and the superintendent. *Annual Report, Program for the Gifted* *Code of Virginia 22.1-18.1*	Gifted programs must establish and use an advisory committee that reflects the cultural and socio-economic diversity of the school or school district's total student population, and includes parents, community members, students, and school staff members. *National Association for Gifted Children (NAGC) Standards:* *Program Administration and Management 3.1M* Parents of gifted learners should have regular opportunities to share input and make recommendations about the program operations with the gifted programming coordinator. *NAGC Standards:* *Program Administration and Management 3.1M* CEC Standard 10 – Collaboration *Council for Exceptional Children/National Council of Accreditation of Teacher Education (CEC Standards for Gifts and Talents)*	Plan indicates the composition and number of advisory committee members by categories. *Virginia Department of Education Peer Review Guidelines (VDOE Guidelines)* *Part IV, Item A a* Plan describes how the committee selection process insures geographic and ethnic representation of the division. *VDOE Guidelines Part IV, Item A b* Plan indicates the number of times the committee will meet per year. *VDOE Guidelines Part IV, Item A c*	School division indicates that the local advisory committee reviewed the division's implementation of the local plan and current revisions and the date that the written report was provided to the superintendent and the school board. *Annual Report, Program for the Gifted* *Code of Virginia §22.1-18.1*

PARENT AND COMMUNITY INVOLVEMENT COMPONENT
Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

VIRGINIA REGULATIONS	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA	REQUIRED INDICATORS - ANNUAL REPORT
2.2 Identification A. Each school division shall establish a uniform procedure with common criteria for screening and identification of gifted students … These procedures will permit referral from school personnel, parents, or legal guardians, other persons of related expertise, peer referral and self-referral of those students believed to be gifted. *Regulations: 8VAC 20-40-40*	Parents must be provided information regarding an understanding of giftedness and student characteristics. *NAGC Standards:* *Student Identification 3.1M* The gifted education programming staff should facilitate the dissemination of information regarding major policies and practices in gifted education (e.g., student referral and screening, appeals, informed consent, student progress, etc.) to colleagues, parents, community members, etc. *NAGC Standards:* *Program Administration and Management 3.0E*	Plan includes a description of the manner in which and when referrals are sought from teachers, parents, and others for each area of giftedness… This section should include from whom referrals may be received, to whom they are returned, and the timelines for their acceptance and for the division to provide parents/guardians with the results of the eligibility process. *VDOE Guidelines Part II, Item 2*	

PARENT AND COMMUNITY INVOLVEMENT COMPONENT
Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

VIRGINIA REGULATIONS	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA	REQUIRED INDICATORS - ANNUAL REPORT
2.4 Local Plan A. Each school division shall submit to the Department of Education for approval a plan for the education of gifted students. The plan shall include the components as follows: 4. A procedure for notifying parents/legal guardians when additional testing or additional information is required during the identification process and for obtaining permission prior to placement of students in an appropriate program. *Regulations: 8 VAC 20-40-60 A* 5. A policy for notifying gifted students' change of placement within or exit from a program, which includes an opportunity for parents who disagree with the committee's decision to meet and discuss their concern(s) with an appropriate administrator. *Regulations: 8 VAC 20-40-60 A* 12. Procedures for the appropriate evaluation of the effectiveness of the school division's program for gifted students. *Regulations: 8 VAC 20-40-60 A* 13. Other information as required by Department of Education. *Regulations: 8 VAC 20-40-60 A*	The gifted education programming staff should facilitate the dissemination of information regarding major policies and practices in gifted education (e.g., student referral and screening, appeals, informed consent, student progress, etc.) to colleagues, parents, community members, etc. *NAGC Standards:* *Program Administration and Management 3.0E* A comprehensive pre-K-12 program plan should include policies and procedures for identification, curriculum and instruction, service delivery, teacher preparation, formative and summative evaluation, support services, and parent involvement. *NAGC Standards:* *Program Design 3.2E* [Evaluation] information collected should address pertinent questions raised by all constituency groups, and should be responsive to the needs of all stakeholders. *NAGC Standards:* *Program Evaluation 1.0E* All individuals who are involved in the evaluation process should be given the opportunity to verify information and the resulting interpretation. *NAGC Standards:* *Program Evaluation 3.4E* Evaluation reports should be designed to present results and encourage follow-through by stakeholders. *NAGC Standards:* *Program Evaluation 4.0E*	This section includes the division's five-year goals for each of the five components listed below. These goals serve as targets against which the division will evaluate its growth and development. Identification Delivery of Services Curriculum Development Professional Development **Parent and Community Involvement** *VDOE Guidelines: Part I, Section C* This section should include the objectives, activities, responsible position, timelines, and results the division has established to attain its stated goals… *VDOE Guidelines: Part III*	

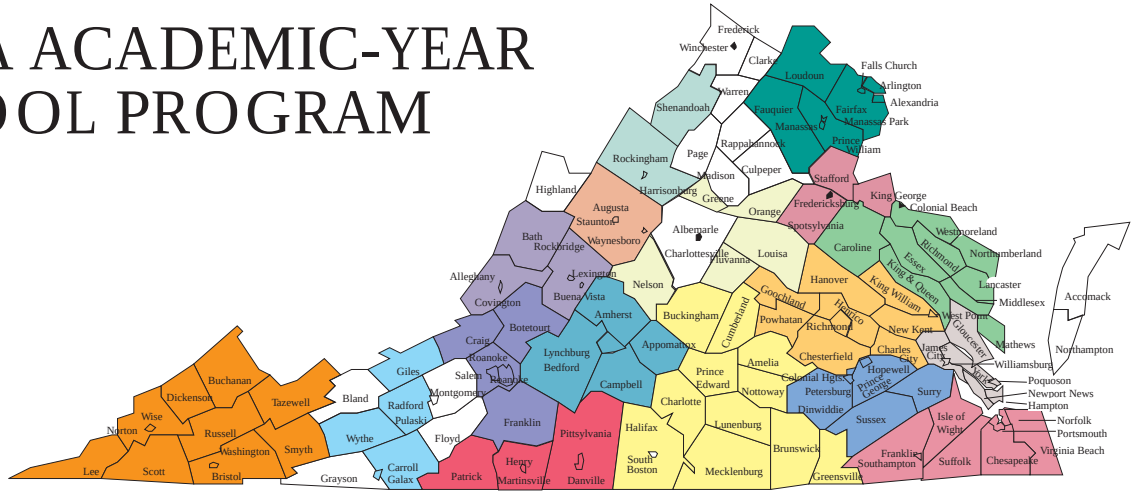
PARENT AND COMMUNITY INVOLVEMENT COMPONENT
Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

VIRGINIA REGULATIONS	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA	REQUIRED INDICATORS - ANNUAL REPORT
E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement, and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiative promoting family and community involvement, and potential funding and support sources. *Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.* *Code of Virginia 22.1-253.13:1*	The gifted education programming staff should facilitate the dissemination of information regarding major policies and practices in gifted education (e.g., student referral and screening, appeals, informed consent, student progress, etc.) to colleagues, parents, community members, etc. *NAGC Standards:* *Program Administration and Management 3.0E* CEC Standard 7 – Instructional Planning CEC Standard 10 – Collaboration *CEC Standards for Gifts and Talents*	Plan lists and/or describes strategies the division has established to involve the community in programs for the gifted. These actions should describe school-based as well as division-wide activities, beyond the formation and efforts of the required local advisory committee, that foster dialogue among parents, staff, and community regarding provisions and services for gifted learners. *VDOE Guidelines Part II, Item F*	

PARENT AND COMMUNITY INVOLVEMENT COMPONENT
Reference Guide for the Development and Evaluation of Local Plans for the Education of the Gifted

VIRGINIA REGULATIONS	RESEARCH-BASED PROCESS INDICATORS	DIVISION PLAN REQUIREMENTS VDOE PLAN REVIEW CRITERIA	REQUIRED INDICATORS - ANNUAL REPORT
A. Each school shall promote communication and foster mutual understanding with parents and the community. Each school shall: 1. Involve parents, citizens, community agencies, and representatives from business and industry in developing, disseminating, and explaining the biennial school plan; on advisory committees; in curriculum studies; and in evaluating the educational program. 2. Provide annually to the parents and the community the School Performance Report Card in a manner prescribed by the Board. The information contained therein will be for the most recent three-year period… *2000 Standards of Accreditation* *8VAC 20-131-270* *School and community communications*	Gifted programs must establish and use an advisory committee that reflects the cultural and socio-economic diversity of the school or school district's total student population, and includes parents, community members, students, and school staff members. *NAGC Standards:* *Program Administration and Management 3.1M* Parents of gifted learners should have regular opportunities to share input and make recommendations about the program operations with the gifted programming coordinator. *NAGC Standards:* *Program Administration and Management 3.1M* [Evaluation] information collected should address pertinent questions raised by all constituency groups, and should be responsive to the needs of all stakeholders. *NAGC Standards:* *Program Evaluation 1.0E* All individuals who are involved in the evaluation process should be given the opportunity to verify information and the resulting interpretation. *NAGC Standards:* *Program Evaluation 3.4E* Evaluation reports should be designed to present results and encourage follow-through by stakeholders. *NAGC Standards:* *Program Evaluation 4.0E* CEC Standard 10 – Collaboration *CEC Standards for Gifts and Talents*	Plan indicates the composition and number of advisory committee members by categories. *VDOE Guidelines Part IV, Item A a* Plan describes how the committee selection process insures geographic and ethnic representation of the division. *VDOE Guidelines Part IV, Item A b* Plan indicates the number of times the committee will meet per year. *VDOE Guidelines Part IV, Item A c*	School division indicates that the local advisory committee reviewed the division's implementation of the local plan and current revisions and the date that the written report was provided to the superintendent and the school board. *Code of Virginia §22.1-18.1*

2004-2005 VIRGINIA ACADEMIC-YEAR GOVERNOR'S SCHOOL PROGRAM



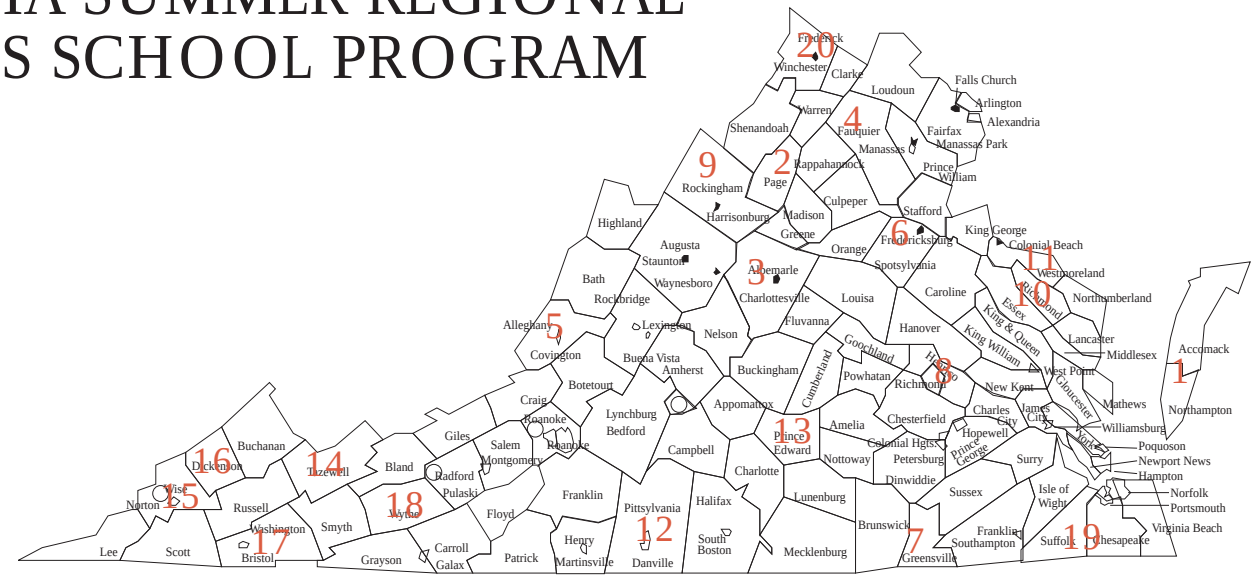
- A. Linwood Holton GS
  Bland, Bristol, Buchanan, Dickenson, Lee, Norton, Russell, Scott, Smyth, Tazewell, Washington, Wise
- Appomattox Regional GS for the Arts and Technology
  Amelia, Charles City, Chesterfield, Colonial Heights, Dinwiddie, Franklin City, Hopewell, Petersburg, Powhatan, Prince George, Richmond City, Southampton, Surry, Sussex
- Blue Ridge GS
  Fluvanna, Goochland, Greene, Louisa, Nelson, Orange
- Central Virginia GS for Science and Technology
  Amherst, Appomattox, Bedford, Campbell, Lynchburg
- Chesapeake Bay GS for Marine and Environmental Sciences
  Caroline, Essex, Gloucester, King & Queen, King George, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond (County), Westmoreland
- Commonwealth GS
  King George, Spotsylvania, Stafford
- GS of Southside Virginia
  Amelia, Brunswick, Buckingham, Charlotte, Cumberland, Greensville, Halifax, Lunenburg, Mecklenburg, Nottoway, Prince Edward
- GS for the Arts
  Chesapeake, Franklin City, Isle of Wight, Norfolk, Portsmouth, Southampton, Suffolk, Virginia Beach
- Jackson River GS
  Alleghany, Bath, Botetourt, Buena Vista, Covington
- Maggie L. Walker GS for Government and International Studies
  Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, Petersburg, Powhatan, Prince George, Richmond City
- Massanutten GS for Integrated Environmental Science and Technology (Approved by the BOE)
  Harrisonburg, Rockingham, Shenandoah
- New Horizons GS for Science and Technology
  Gloucester, Hampton, Isle of Wight, Newport News, Poquoson, Williamsburg/James City, York
- Piedmont GS
  Danville, Henry, Martinsville, Patrick, Pittsylvania
- Roanoke Valley GS for Science and Technology
  Bedford, Botetourt, Craig, Franklin County, Roanoke (City and County), Salem
- Shenandoah Valley GS
  Augusta, Staunton, Waynesboro
- Southwest Virginia GS for Science, Mathematics, and Technology
  Carroll, Galax, Giles, Pulaski, Smyth, Wythe
- Thomas Jefferson High School for Science and Technology
  Arlington, Fairfax, Falls Church, Fauquier, Loudoun, Prince William

School Divisions Participating in the 2005 Summer Residential Governor's School Program

001 Accomack
002 Albemarle
101 Alexandria City
099 Alleghany
005 Amherst
007 Arlington
008 Augusta
010 Bedford
012 Botetourt
102 Bristol City
014 Buchanan
103 Buena Vista City
016 Campbell
104 Charlottesville City
136 Chesapeake City
021 Chesterfield
022 Clarke
106 Colonial Heights
107 Covington City
023 Craig
024 Culpeper
108 Danville City
027 Dinwiddie
028 Essex
029 Fairfax
109 Falls Church City
030 Fauquier
031 Floyd
032 Fluvanna
033 Franklin
135 Franklin City
034 Frederick
110 Fredericksburg City
036 Gloucester
040 Greensville
041 Halifax
112 Hampton City
042 Hanover
113 Harrisonburg City
043 Henrico
044 Henry
045 Highland
046 Isle Of Wight
050 King William
051 Lancaster
052 Lee
053 Loudoun
054 Louisa
055 Lunenburg
115 Lynchburg City
056 Madison
143 Manassas City
144 Manassas Park City
116 Martinsville City
058 Mecklenburg
060 Montgomery
062 Nelson
117 Newport News City
118 Norfolk City
065 Northampton
119 Norton City
067 Nottoway
068 Orange
069 Page
071 Pittsylvania
142 Poquoson City
121 Portsmouth City
073 Prince Edward
075 Prince William
077 Pulaski
122 Radford City
079 Richmond
123 Richmond City
080 Roanoke
124 Roanoke City
081 Rockbridge
082 Rockingham
083 Russell
139 Salem City
085 Shenandoah
086 Smyth
088 Spotsylvania
089 Stafford
126 Staunton City
127 Suffolk City
090 Surry
091 Sussex
092 Tazewell
128 Virginia Beach City
093 Warren
094 Washington
130 Waynesboro City
207 West Point
131 Williamsburg City-James City County
132 Winchester City
096 Wise
097 Wythe
098 York

2005 VIRGINIA SUMMER REGIONAL GOVERNOR'S SCHOOL PROGRAM

Appendix F



1. Eastern Shore Summer Regional GS - Accomack, Northampton
2. Blue Ridge Summer Regional GS - Clarke, Frederick, Page, Shenandoah, Warren,
3. Reflections Summer Regional GS - Albemarle, Charlottesville, Greene, Nelson
4. SummerQuest! Summer Regional GS - Culpeper, Fauquier, Madison, Rappahannock
5. Field Ecology Summer Regional GS - Alleghany, Bath, Botetourt, Buena Vista, Covington, Lexington, Rockbridge
6. Fredericksburg Summer Regional GS - Caroline, Fredericksburg, King George, Spotsylvania, Stafford
7. Meherrin Summer Regional GS - Brunswick, Greensville, Mecklenburg, Southampton, Sussex
8. Richmond Math and Science Center Summer Regional GS - Caroline, Charles City, Chesterfield, Colonial Heights, Goochland, Hanover, Henrico, Hopewell, New Kent, Petersburg, Powhatan, Prince George, Richmond City
9. Valley/Ridge Summer Regional GS - Augusta, Bath, Harrisonburg, Highland, Lexington, Page, Rockbridge, Rockingham, Shenandoah, Staunton, Waynesboro
10. Middle Peninsula Summer Regional GS - Charles City, Essex, Gloucester, King & Queen, King William, Mathews, Middlesex, New Kent, West Point
11. Northern Neck Summer Regional GS - Colonial Beach, Lancaster, Northumberland, Richmond County, Westmoreland
12. Piedmont Summer Regional GS - Bedford, Campbell, Danville, Franklin County, Halifax, Henry, Martinsville, Pittsylvania
13. Southside Summer Regional GS - Amelia, Buckingham, Charlotte, Cumberland, Lunenburg, Nottoway, Prince Edward
14. UVA at Wise Summer Regional GS - Bland, Bristol, Buchanan, Carroll, Dickenson, Floyd, Galax, Giles, Grayson, Lee, Norton, Patrick, Pulaski, Radford, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe
15. Mountain Empire Summer Regional GS - Dickenson, Lee, Norton, Scott, Wise
16. Southwest Virginia Community College Summer Regional GS - Buchanan, Dickenson, Russell, Tazewell
17. Virginia Highlands Community College Summer Regional GS - Bristol, Smyth, Washington,
18. Appalachian Summer Regional GS at Wytheville Community College - Bland, Carroll, Galax, Grayson, Smyth, Wythe
19. Tidewater Summer Regional GS for Science and Technology - Franklin City, Isle of Wight, Southampton, Suffolk
20. PAVAN Summer Regional GS - Frederick, Loudoun, Shenandoah, Warren, Winchester

PUBLIC HEARING:

Proposed Regulations Governing Re-enrollment in Public Schools of Children in the Custody of the Department of Juvenile Justice 8 VAC 20-660-10 et seq.

The Board of Education will receive public comment regarding the proposed Regulations Governing Re-enrollment in Public Schools of Children in the Custody of the Department of Juvenile Justice (8 VAC 20-660).

On February 23, 2005, the Board of Education accepted the proposed regulations for first review and authorized the Department of Education to distribute the proposed text for public review and comment. The text was distributed to division superintendents, statewide professional and civic organizations, and persons who have expressed interest in being informed of the Board's actions. The proposed text was also placed on the Board of Education's Web site. All interested persons and organizations were invited to submit comments to the Board via mail, e-mail, or fax, or by personal comment at the public hearing.

The Administrative Process Act requires a public comment period of no less than 60 days. The period for these regulations ends on October 11, 2005.

Following the public comment period, the comments will be summarized for the Board members' review. Further revisions will be made in the text as deemed appropriate, based on the public's comments and suggestions. Final regulations will then be presented to the Board of Education for final adoption.

Background information and the text of the proposed regulation (as accepted by the Board of Education in February 2005) are attached.

Guidelines for speakers attending the public hearing:

Speakers will be recognized in the order in which they registered on the sign-up sheet. Each speaker is limited to three minutes.

Proposed Regulation
Agency Background Document

Agency name	Virginia Board of Education (20)
Virginia Administrative Code (VAC) citation	8 VAC 20-660
Regulation title	Re-enrollment in Public Schools of Children in the Custody of the Department of Juvenile Justice
Action title	New regulation for re-enrollment planning
Document preparation date	February 2005

Brief summary

In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.

The regulation is new. The regulation provides a structured procedure for re-enrollment of students into the public schools when they have been in the custody of the juvenile justice system and receiving instruction through the Department of Correctional Education. The regulation would provide for the exchange of educational information concerning students among the Departments of Juvenile Justice and Correctional Education and the public school divisions. By establishing a process for exchange of student records, with procedures, responsibilities, and timelines delineated, re-enrollment and planning for the student's continued education can take place on a timely basis prior to a student's release from the juvenile justice system.

Basis

Please identify the state and/or federal source of legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly bill and chapter numbers, if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

Authority from the Code of Virginia:

§ 22.1-17.1. The Board of Education, in cooperation with the Board of Correctional Education, shall promulgate regulations for the re-enrollment in the public school of children who have been in custody of the Department of Juvenile Justice. Such regulations shall include the components required in a re-enrollment plan and shall provide for consistency in the curricula, standards and polices between educational programs required by this title, and those of the Board of Correctional Education.

§ 22.1-343.5. The Board of Correctional Education shall have the following powers and duties: To promulgate regulations, in cooperation with the Board of Education, for the reenrollment in the public schools of students who have been in the custody of the Department of Juvenile Justice. Such regulations shall include the components required in a reenrollment plan and shall provide for consistency in the curricula, standards and policies between the educational programs required by this chapter, and those of the Board of Education

§ 16.1-293**.** The Department shall notify the school division superintendent in the locality where the juvenile was enrolled of his commitment to a facility. The court services unit shall, in consultation with the Department of Correctional Education, the local school division, and the juvenile correctional counselor, develop a reenrollment plan if the juvenile is of compulsory school attendance age or is eligible for special education services pursuant to § 22.1-213. The reenrollment plan shall be in accordance with regulations adopted by the Board of Education pursuant to § 22.1-17.1. The superintendent shall provide the juvenile's scholastic records, as defined in § 22.1-289, and the terms and conditions of any expulsion which was in effect at the time of commitment or which will be in effect upon release. A court may not order a local school board to reenroll a juvenile who has been expelled in accordance with the procedures set forth in § 22.1-277.06. At least fourteen days prior to the juvenile's scheduled release, the Department shall notify the school division superintendent in the locality where the juvenile will reside.

§ 16.1-287. Whenever the court commits a child to the Department of Juvenile Justice, or to any other institution or agency, it shall transmit with the order of commitment copies of the clinical reports, predisposition study and other information it has pertinent to the care and treatment of the child. The Department shall not be responsible for any such committed child until it has received the court order and the information concerning the child. All local school boards shall be required to furnish the Department promptly with any information from their files that the Department deems to be necessary in the classification, evaluation, placement or treatment of any child committed to the Department. The Department shall likewise be required to furnish local school boards academic, and career and technical education and related achievement information promptly from its files that the local school board may deem necessary when children are returned to the community from the Department's care. The Department and other institutions or agencies shall give to the court such information concerning the child as the court at any time requires. All such information shall be treated as confidential.

§ 22.1-289.E. Whenever the division superintendent is notified by the Department of Juvenile Justice, pursuant to § 16.1-287, the Department of Correctional Education, pursuant to § 22.1-344 of this title, or by a school division employee responsible for education programs in a local jail or a detention center, that a pupil who last attended a school within the school division is a pupil in a school of a juvenile correctional center of the Department of Juvenile Justice, or a pupil in an educational program in a local jail or detention center, the school division superintendent or his designee shall transfer the scholastic record of such pupil to the designated juvenile correctional center or local jail or a detention center, as the case may be, within five work days. The Department of Correctional Education shall transfer the scholastic record of a student who has been discharged from a juvenile correctional center of the Department of Juvenile Justice to the relevant school division within five work days of the student's discharge.

The Board of Education shall adopt regulations concerning the transfer and management of scholastic records from one school division to another, to the learning centers of the Department of Juvenile Justice, and to educational programs in local jails and detention centers.

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal and the problems the proposal is intended to solve.

It is the intent of the Board of Education, through these regulations, to:

- Create a positive impact on the family, the student, court services, school divisions and correctional centers, as they are seeking to continue the student's education upon his or her release from a juvenile correctional center;
- Provide for consistency in curricula, standards and polices between all educational programs;
- Provide for the timely transfer of information between court services, school divisions and correctional centers;
- Provide students with timely involvement in appropriate educational programs, both while in the correctional center and local school divisions upon release from the correctional center; and
- Encourage dissemination of information about, and increase public knowledge about these regulations and the re-enrollment procedures overall.

It is the goal of the Board of Education, through these regulations, to identify and define the roles and responsibilities of the participants and the required components of the re-enrollment plan and its implementation. Improving the re-enrollment process should facilitate the attendance and continued educational progress of students.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the "Detail of changes" section.)

The proposed regulations are organized into five sections:

- The Foreword, which explains its purpose and goals
- Part I, which provides definitions of terms, such as "re-enrollment plan," "re-enrollment team," "scholastic record," and "transition team"
- Part II, which presents the minimum components of the re-enrollment plan, including educational status of the student, recommendations for academic programs and student supports, re-entry goals, and timelines for: (1) notification of scheduled release or court review to the Department of Correctional Education and the receiving school division; (2) for re-enrollment; and (3) for school placement

- Part III, which delineates the re-enrollment process, procedures, and responsibilities of participating agencies, the re-enrollment and transition teams, and school divisions. The procedures include the notification and convening of teams, the development of the final re-enrollment plan, and the process of re-enrollment

- Part IV, which provides the procedures for the maintenance and transfer of the scholastic record

Issues

Please identify the issues associated with the proposed regulatory action, including:
1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;
2) the primary advantages and disadvantages to the agency or the Commonwealth; and
3) other pertinent matters of interest to the regulated community, government officials, and the public.

If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.

The proposed regulations pose no disadvantage to the public or to the Commonwealth. The proposed regulations will specify the procedures for a smooth uninterrupted transition back into the public school system for students who have been in juvenile correctional centers and been receiving education from the Department of Correctional Education.

Enrollment of these students can be delayed and the completion of an academic program jeopardized if complete information about grades, courses, academic goals, needed support services, and other aspects of the student's experience with the Department of Correctional Education are not received within a time frame that would allow collaborative re-entry planning. Lack of planning can result in the failure of a student to receive the appropriate educational services in the public school. It is crucial that students are involved in an appropriate educational program while in correctional centers and upon release. The incidence of recidivism becomes greater when enrollment is not available soon after release. Improving the re-enrollment process should facilitate the attendance and continued educational progress of students.

Economic impact

Please identify the anticipated economic impact of the proposed regulation.

Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures	Enforcement of the regulation can be undertaken within existing agency budgets.
Projected cost of the regulation on localities	Minimal

Description of the individuals, businesses or other entities likely to be affected by the regulation	Students in the juvenile justice system and their families or legal guardians School divisions and school personnel Departments of Juvenile Justice, Education, and Correctional Education
Agency's best estimate of the number of such entities that will be affected	All 132 school divisions and their schools could be affected by the proposed regulations. The regulations most likely will impact middle and high schools, and alternative schools, more than elementary schools. There are 305 middle schools and 293 high schools in the commonwealth. There are 16 alternative schools. During FY 2004, 669, or 61 percent, of the 1,091 juveniles released from juvenile correctional centers were under the age of 18.
Projected cost of the regulation for affected individuals, businesses, or other entities	Minimal

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action.

The alternative is to ignore the law as provided in Code § 22.1-17.1, which is not appropriate.

Public comment

Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.

A Task Force on Re-enrollment comprised of 16 members was convened and met to discuss re-enrollment and potential areas of concern on October 25, 2004. The members include a parent, an involved citizen, an advocate from JustChildren, a principal from the public schools, a principal from an alternative school, an administrator for student conduct (handles transition in the school division), a principal in a juvenile correctional center high school, parole officers, and representatives from the Department of Correctional Education (DCE), the Department of Juvenile Justice (DJJ), and the Department of Education (DOE).

The task force discussed the requirements of the Code, the work on re-enrollment planning and coordination that had been completed thus far, and the procedures that are currently in place for re-enrollment. Each person provided commentary about problems and issues from his or her perspective. The issues that affect the success of transitioning from the school division to the juvenile justice system and back into the school system in terms of continuity for the student's education included the following:

- Parent involvement
- Timeliness of transfers of information and need for more planning time for both the schools and DJJ
- Consistency in school enrollment procedures, and designated and qualified personnel
- Maintenance of student academic records by school divisions
- Assignment of staff and designation of accountability for receiving the release packet and working with the student
- Interagency communication, provision of access to records, and the agency Memorandum of Understanding
- Overcoming enrollment barriers
- Diagnosis and planning for placement based on facts not reactions

Commenter	Comment	Agency response
Task Force on Re-Enrollment (See above.)		Using the issues identified by the task force as a framework, a representative subcommittee of the full task force drafted the regulations, which were then circulated for review and comment to task force members. The proposed regulations reflect the consensus of the task force.

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability.

The regulations should have a positive impact on the family since they address the continuance of the education of a child upon release from a juvenile correctional center to the public school system. The regulations speak specifically to parental involvement in re-enrollment planning, and should strengthen the rights of parents to participate and achieve objectives for the continuation of educational opportunities for their children upon release.

Detail of changes

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.

If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all changes between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.

The first section of the proposed regulations provides the legal authority for the Board of Education, in cooperation with the Board of Correctional Education, to promulgate the regulations. The section also provides the goals for the regulations and purpose.
Part I of the proposed regulations provides the definitions of words and terms used in the regulations. The definition section is meant to provide clarity and explanations of the terms used. The definitions as presented follow.

Part II of the proposed re-enrollment regulations names the required components of the plan to ensure consistency. These components include, but are not limited to:

1. Educational status and recommendations at commitment

2. Educational status and recommendations of the Department of Correctional Education during the student's stay at the Reception and Diagnostic Center

3. Educational status and recommendations while in the custody of the Department of Juvenile Justice

4. Educational and re-entry goals for the student

5. Other student supports needed to promote the student's successful re-entry to public school, such as counseling services

6. Anticipated dates and timelines for scheduled release to the receiving school division or for court review of the case, and for re-enrollment

7. Establishment of school placement upon release

Part III of the proposed regulations prescribes the responsibilities of the participating parties in the transition of the student from the juvenile correctional system to the public schools and the process to be followed, including timelines. The section is necessary to ensure that the re-enrollment plan is developed on a timely basis with comprehensive information as the basis. The section also addresses the necessary communication that should take place between the participating agencies and school divisions, including the provision of records and collaboration on the development of the re-enrollment plan.

Part IV of the proposed regulations provides the requirements for the maintenance and transfer of the student's scholastic record. This section ensures that the student's record will be readily available when release of a student is pending, and that it will be transferred among agencies and school divisions according to federal and state law. Maintenance of the record by the school division in which the student was last enrolled will ensure the documentation of progress of the student while instructed within the Department of Correctional Education schools. Timely transfer of records is critical to determining the academic program of the student, both when he or she enters the juvenile justice system and when the student is released back to a public school.

PROPOSED

Regulations Governing the Re-enrollment of Students Committed to the Department of Juvenile Justice

8 VAC 20-660-10 *et seq.*

FOREWORD

The Code of Virginia through § 22.1-17.1 establishes the responsibility of the Board of Education, in cooperation with the Board of Correctional Education, to promulgate regulations for the re-enrollment in the public schools of children who have been in the custody of the Department of Juvenile Justice, as follows:

The Board of Education, in cooperation with the Board of Correctional Education, shall promulgate regulations for the reenrollment in the public schools of children who have been in the custody of the Department of Juvenile Justice. Such regulations shall include the components required in a reenrollment plan and shall provide for consistency in the curricula, standards and policies between the educational programs required by this title, and those of the Board of Correctional Education.

It is the intent of the Board of Education, through these regulations, to:

- Create a positive impact on the family, the student, court services, school divisions and correctional centers, as they are seeking to continue the student's education upon his or her release from a juvenile correctional center
- Provide for consistency in curricula, standards and polices between all educational programs
- Provide for the timely transfer of information between court services, school divisions and correctional centers

- Provide students with timely involvement in appropriate educational programs, both while in the correctional center and local school divisions upon release from the correctional center
- Encourage dissemination of information about, and increase public knowledge about, these regulations and the re-enrollment procedures overall Board of Education
- Enhance communication, cooperation, and coordination of services among the public systems required to provide for the educational needs of juvenile parolees

It is the goal of the Board of Education, through these regulations, to identify and define the roles and responsibilities of the participants and the required components of the reenrollment plan and its implementation. Improving the re-enrollment process should facilitate the attendance and continued educational progress of students.

8 VAC 20-660-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meaning, unless the text clearly indicates otherwise:

"Educational programs" means educational programs that are designed to provide educational services to students who are subject to compulsory school attendance and are receiving such services in school divisions, juvenile correctional centers, jails, juvenile detention homes, or state operated programs.

"Final re-enrollment plan" means the written documentation developed by the receiving school division that addresses the student's education program, placement, and support services upon re-enrollment.

"Preliminary re-enrollment plan" means the written documentation for a person to be released from Department of Juvenile Justice custody who is of compulsory school attendance age or is

eligible for special education services pursuant to § 22.1-213 of the Code of Virginia. The plan describes the student's educational history while in the custody of the Department of Juvenile Justice, current status, identification of school placement upon release, recommendations for an education program following reenrollment, and recommendations for student supports, such as counseling services.

"Receiving school division" means the school division or state operated program where a student will enroll upon release from the custody of the Department of Juvenile Justice.

"Re-enrollment coordinator" means the school division or state operated program staff person designated to work with the parole officer, the Department of Correctional Education, the transition team, and the re-enrollment team to coordinate the development of the re-enrollment plan.

"Re-enrollment team" means the group convened by the division superintendent or designee of the receiving school division to prepare for and implement the re-enrollment of the student. The re-enrollment team shall include, at a minimum, the guidance counselor, the special education director as appropriate, the principal or assistant principal if designated, the re-enrollment coordinator, and the parole officer. The student's parent(s) or legal guardians(s) and the school social worker or psychologist shall be invited to participate in meetings of the re-enrollment team.

"Scholastic record" means records that are directly related to a student and that are maintained by an educational agency or institution or by a party acting for the agency or institution. These include, but are not limited to, documentation pertinent to the educational growth and development of students as they progress through school, the high school transcript, student disciplinary records, achievement and test data, cumulative health records to include immunization records, reports of assessment for eligibility for special education services, and Individualized Education Programs (IEPs).

The term "scholastic record" does not include records of instructional, supervisory, administrative, and ancillary educational personnel that are kept in the sole possession of the maker of the record and are not accessible or revealed to any other person except a temporary substitute for the maker of the record. Also, in accordance with 22.1-289 of the Code of Virginia, a notice of adjudication or conviction received by a superintendent relating to an incident that did not occur on school property or during a school-sponsored activity shall not be part of a student's scholastic record.

"Transition team" means the Department of Correctional Education (DCE) principal or assistant principal, the DCE counselor, the DCE transition specialist, the Juvenile Correctional Center counselor, and the student's parole officer. This team assembles the student's scholastic record and other relevant documents, develops the preliminary reenrollment plan, and provides information and the preliminary plan to the receiving school division. Transition team members may also include the school division of origin for the student, if different from the receiving school division, and the re-enrollment coordinator. Transition team members may also be part of the re-enrollment team.

8 VAC 20-660-30. Re-enrollment Plan Components.

A. Re-enrollment plans shall include but not be limited to:

1. Educational status and recommendations at commitment
2. Educational status and recommendations of the Department of Correctional Education during the student's stay at the Reception and Diagnostic Center
3. Educational status and recommendations while in the custody of the Department of Juvenile Justice
4. Educational and re-entry goals for the student
5. Other student supports needed to promote the student's successful re-entry to public school, such as counseling services

6. Anticipated dates and timelines for scheduled release to the receiving school division or for court review of the case, and for re-enrollment
7. Establishment of school placement upon release

8 VAC 20-660-40. Re-enrollment Process and Responsibilities.

A. Notification and Convening of Teams.

1. The Department of Juvenile Justice, through the Juvenile Correctional Center's counselor, shall provide written notification to the Department of Correctional Education principal or designated educational authority at least 30 calendar days prior to the scheduled release of a student or a scheduled case review in court.
2. Upon notification, the transition team shall prepare and assemble the documents and scholastic record that support the development of the reenrollment plan. Also upon notification, the Department of Correctional Education will provide a letter of pending release and an informative outline of the re-enrollment process within five business days to the re-enrollment coordinator for the receiving school division and the student's parent(s) or guardian(s). The school division shall confirm receipt of notification with the Department of Correctional Education within five business days.
3. At least 25 calendar days prior to the court review or pending release of a student, and after review with the student, the Department of Correctional Education shall forward the student scholastic record and a preliminary reenrollment plan to the school division re-enrollment coordinator.
4. Within 10 business days of receipt of the materials, the re-enrollment coordinator shall convene the re-enrollment team to review the preliminary reenrollment plan and develop the final plan. The student's parent(s) or legal guardian(s) shall be invited by the re-enrollment coordinator to attend a meeting where the final re-enrollment plan will be developed. The parent(s) or legal guardian(s) may designate

a member of the transition team, or someone else, to represent him or her at the meeting.

5. Notice of the scheduled meeting to develop the re-enrollment plan will be given to all potential participants by the receiving school division a minimum of one week prior to the meeting.
6. Other individuals who have knowledge or expertise regarding the student may participate, at the discretion of the members of the re-enrollment team or parent(s) or legal guardian(s), or if the student is of majority age and eligible for special education services, at the discretion of the student.

B. Development of Final Re-Enrollment Plan.

1. The re-enrollment team shall develop a final re-enrollment plan that clearly states:

a. The educational placement of the student and timeframe for placement
b. The names of persons with responsibility and authority for prompt enrollment and their contact information
c. The student's scheduled academic program and other supportive activities or services as appropriate
d. The names of the members of transition and re-enrollment teams
e. Any other required components

2. Copies of the final plan shall be provided to the student, parent(s) or legal guardian(s), and to all transition and re-enrollment plan members no later than 10 calendar days prior to release.

C. Re-enrollment.

1. The re-enrollment plan shall make it possible for the student to enroll and receive instruction in the receiving school district within two school days of release.
2. After the Department of Juvenile Justice gives notice of a student's scheduled release, the student may not be suspended or expelled from school programs for the offenses for which he or she was committed.
3. Placement of students in alternative education programs shall be in accordance with § 22.1-277.2 of the Code of Virginia.

8 VAC 20-660-50. Maintenance and Transfer of the Scholastic Record.

A. Within two business days of the court's order of commitment to the Department of Juvenile Justice, the student's probation/parole officer will request the scholastic record from the school division where the student was last enrolled.

B. The re-enrollment coordinator for that school division will provide the record and any other requested information to the Reception and Diagnostic Center to the attention of the Department of Correctional Education within five business days of receipt of the probation officer's request.

C. The school division where the student was last enrolled ("sending school division") will maintain the student's scholastic record during the period that the student is in the custody of the Department of Juvenile Justice. The Department of Correctional Education will provide copies of year-end transcripts to the reenrollment coordinator of the sending school division at the same time the transcripts are sent to parents or legal guardians.

D. The transfer and management of scholastic records between educational programs shall be in accordance with the Code of Virginia and the Family Educational Rights and Privacy Act.

E. School divisions shall provide current contact information for re-enrollment coordinators to the Departments of Education and Correctional Education that shall be made available to the public.