

Attachment A to Info. Supts. Memo No. 66

Meeting of the Superintendent's Leadership Advisory Council

Friday, March 12, 2004

Present: Superintendents' Group: J. Roy Geiger, II, Jonathan L. Lewis, Dale E. Sander, H. D. Northern, Jr., David G. Melton, Frederick S. Morton, IV, Samuel S. Cook, Gwen E. Edwards, Stewart D. Roberson, John H. Kidd, Alfred R. Butler, IV, executive director, VASS, and Walter A. McFarlane, superintendent, Virginia Department of Correctional Education.

Department of Education: Jo Lynne DeMary, Cynthia Cave, Thomas A. Elliott, Anne Wescott, H. Douglas Cox, Dan Timberlake, Shelley Loving-Ryder, Charles Finley, Cheryl Magill, and Harry L. Smith.

Dr. DeMary distributed copies of a letter she had received from the Brunswick County, North Carolina, superintendent of schools about a severely ill seven-year-old boy who wants to be included in the Guinness Book of World Records for the largest collection of business cards. She said she had sent her business card to the boy, Craig Shepard, c/o the Make-A-Wish Foundation, 30 Perimeter Center East, Atlanta, Georgia 30346, and superintendents may want to respond to the request.

The first item on the council's agenda was a report by officials of the Virginia Retirement System concerning school divisions adopting early retirement incentive programs (ERIP) following practices for rehiring retired school personnel that may not comply with Internal Revenue Regulations. Dr. DeMary introduced Ms. Donna Blatecky, deputy director of VRS, and several assistants. Ms. Blatecky distributed copies of a letter from Mr. W. Forrest Matthews, Jr., VRS director, to be mailed to school division superintendents that addresses issues related to early retirement.

His letter dealt with three main issues and the impact they could have on school divisions, teachers, and the VRS. The letter explains IRS regulations governing return to work after retirement, establishes a "bona fide break in service definition for participants," and outlines corrective action and the effect on future teacher retirements of failure to meet IRS requirements.

Mr. Matthews's letter is designed to serve as a guide for superintendents to use in making decisions about school divisions' early retirement programs and the methods they use to return retired teachers to classrooms and the difference between the 30-day break in service requirement for employees retiring under ERIP provisions and the one-year break required by legislation passed in 2001 by the Virginia General Assembly for

employees who have not retired under an ERIP program and are serving in shortage areas.

Guidelines for Returning Teachers to Classrooms distributed with the letter explained that the VRS requires a complete severance of employment for teachers in an early retirement incentive program for 30 days that must occur over a time period when the employee normally would be working. A break that occurs for teachers during the summer, the letter points out, does not meet that requirement.

Ms. Blatecky said an IRS commission is looking at the issue of the one-year break in service for retired persons serving in a teacher shortage area. She responded to a number of questions asked by council members to guide them in their decisions about rehiring teachers who have retired and want to return to classrooms. She emphasized that, according to the IRS, the break in service has to occur during the time a teacher normally would be working.

State Budget

Dan Timberlake referred to information sent to superintendents following the adoption of separate budgets by the House of Delegates and the Senate for 2004-2006, and explained major differences in the two proposals. He referred to three major issues in the budgets: increase in sales tax estimates that would impact basic school aid, proposals for employer contributions for professional and instructional positions for both years of the biennium, and “technical issues,” covered in memoranda sent to the House Appropriations Committee and the Senate Finance Committee. Mr. Timberlake suggested that superintendents do not use the House sales tax figure, but that they stay close to the Governor’s budget that does depend on increases in revenue.

Project Graduation

Dr. DeMary expressed concern about students who fail to earn standard diplomas. She noted that the Virginia General Assembly has passed legislation, effective when signed by Governor Warner, that amends an act passed in 2002 to direct local school boards to adopt procedures, according to Board of Education guidelines, to award verified units of credit for the Standard Diploma to students meeting specified requirements (Supts. Memo No. 52, March 5, 2004).

The legislation requires all school boards to adopt procedures for awarding verified credits in science and history and social science for eligible students who meet the board’s criteria. The objective, she noted, is to give all eligible students the opportunity to demonstrate achievement in the relevant academic subjects through an appeals process administered locally.

Shelley Loving-Ryder said students will have two opportunities to take the writing test and multiple opportunities to take other end-of-course tests. A memorandum will be sent to superintendents about the end-of-course test opportunities.

March Board Meeting

Anne Wescott reviewed the tentative agenda for the meeting of the Board of Education on March 24. One item is the final review of recommendations by the Advisory Board on Teacher Education and Licensure regarding the establishment of a qualifying score on the SAT as a substitute test for Praxis I. Other items include the first review of recommended cut scores for Standards of Learning history tests measuring 2001 content standards; first review of recommended cut scores for literacy and numeracy assessments required for the Modified Standard Diploma; and first review of proposed revisions to Virginia's Consolidated Workbook regarding the accountability provisions of the *No Child Left Behind Act*.

Two other items on the board's agenda for first review are revised division-level academic review process, and a letter to the U.S. Department of Education requesting an exception to the one percent cap on the number of students with disabilities whose proficiency scores on the alternate assessment may be counted toward calculating adequate yearly progress.

Teach-In

Thomas Elliott distributed a publication about the Great Virginia Teach-In scheduled for March 27-28, 2004, in the city of Richmond. The purpose of the Teach-In is to encourage teachers and prospective teachers to seek employment in Virginia's public schools. Dr. Elliott said that, as of March 12, 1,200 people have registered online for the Teach-In; 103 school divisions are participating.

AYP Sanctions and Awards for School Divisions

Cheryl Magill reviewed this item. She explained sanctions required for the state and school divisions not meeting Adequate Yearly Progress requirements. She noted in material given to the council that if a local education agency did not meet AYP for two or more consecutive years in the same content area, as prescribed in Virginia's *NCLB* Accountability Workbook, the state must take corrective action in at least one of five specified areas.

LEAs must be given the opportunity to review data resulting in identification for improvement, and may provide evidence to the state agency showing statistical errors as a "substantive reason" resulting in the identification. The state may delay up to one year imposing corrective action if a school division makes AYP, or if the failure is due to "exceptional or uncontrollable circumstances."

Dr. DeMary said, because of the agency's small staff, the department is going to propose changes in the workbook. She said the agency also "is trying to put a price tag on the cost of the *NCLB Act*."

In the absence of other items the meeting was adjourned. The next meeting is scheduled for Monday, May 3, 2004, 7:30 – 8:30 a.m. in the Virginia Room at the VASS Conference.