

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

June 19, 2008

The Board of Education and the Board of Career and Technical Education met at the James Monroe State Office Building, Jefferson Conference Room, 22nd Floor, Richmond, with the following members present:

Dr. Mark E. Emblidge, President
Dr. Ella P. Ward, Vice President
Dr. Thomas M. Brewster
Mrs. Isis M. Castro

Mr. David L. Johnson
Dr. Gary L. Jones
Mr. Kelvin L. Moore
Mrs. Eleanor B. Saslaw

Dr. Billy K. Cannaday, Jr.
Superintendent of Public Instruction

Dr. Emblidge, president, presided and called the meeting to order at 9 a.m.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Dr. Emblidge asked Mrs. Saslaw to lead in a moment of silence and Pledge of Allegiance.

APPROVAL OF MINUTES

Dr. Ward made a motion to approve the minutes of the May 21-22, 2008, meeting of the Board. The motion was seconded by Mrs. Castro and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

RESOLUTIONS/RECOGNITIONS

- A Resolution was presented to Mrs. Princess Moss, president of the Virginia Education Association, 2004-2008
- A Resolution was presented to the 2008 Virginia Teacher of the Year: Thomas R. Smigiel, Jr., Norview High School, Norfolk City Public Schools

PUBLIC COMMENT

The following persons spoke during public comment:

1. Patricia Knox
2. Sylvia Jones
3. Sarah Geddes

4. Dr. Robert Tomlinson
5. Dr. K. Sadananda
6. Dr. G. V. V. Rao
7. Radhika Yadav
8. Sant Gupta
9. Gopal Yadav
10. Mr. Sharvan Verma
11. Judy McConville
12. Dr. Meena Srinivasan
13. Vijay Kumar
14. Siva Rajamarthandan
15. Vaijll Rajamarthandan

ACTION/DISCUSSION ITEMS

First Review of a Recommendation of the Advisory Board on Teacher Education and Licensure (ABTEL) to Grant Approval to Requests to Add New Endorsement Programs at Emory and Henry College; Liberty University; Old Dominion University; Shenandoah University; Sweet Briar College; and The University of Virginia's College at Wise

Mrs. Patty Pitts, assistant superintendent for teacher education and licensure, presented this item. Mrs. Pitts said that requests to offer new education endorsement programs were submitted to the Department of Education. Personnel in the Division of Teacher Education and Licensure and program specialists within the Department of Education reviewed the programs to ensure competencies had been addressed. The Advisory Board on Teacher Education and Licensure (ABTEL) reviewed and made recommendations to the Board of Education on approval of the programs for school personnel.

Dr. Ward made a motion to waive first review and approve the Advisory Board on Teacher Education and Licensure's recommendation to grant "conditional approval" for new endorsement programs at Emory and Henry College, Liberty University, Old Dominion University, Shenandoah University, Sweet Briar College, and The University of Virginia's College at Wise. The motion was seconded by Mrs. Saslaw and carried unanimously.

Institution	Endorsement Program Requested	Level of Program
Emory and Henry College	Special Education Curriculum K-12	Graduate
Liberty University	Early Childhood for Three- and Four-Year Olds (Add-on Endorsement) This add-on endorsement may be added to a teaching license with an endorsement in elementary education.	Graduate
Old Dominion University	Mathematics Specialist for Elementary and Middle Education	Graduate
Shenandoah University	Spanish preK-12	Undergraduate
Sweet Briar College	Special Education General Curriculum K-12	Graduate
The University of Virginia's College at Wise	Music Education-Instrumental preK-12 and Music Education-Vocal/Choral preK-12	Undergraduate

First Review of Proposal Timeline for the 2008 Review of the Standards of Quality

Mrs. Anne Wescott, assistant superintendent for policy and communications, presented this item. Mrs. Wescott said that Article VIII, § 2 of the *Constitution of Virginia* requires the Board of Education to determine and prescribe Standards of Quality for the public schools in Virginia. The *Code of Virginia* requires the Board of Education to review the Standards of Quality every two years. The *Code* also requires that the Board’s annual report to the Governor and General Assembly include any recommendations for revisions to the Standards of Quality.

Mrs. Wescott said that the Board of Education adopted the first Standards of Quality (SOQ) on August 7, 1971. They were revised by the General Assembly in 1972 and adopted as uncodified Acts of Assembly. In 1974, they were revised into eight standards. In 1984, they were codified by the General Assembly, and in 1988 they were arranged into their current format.

The Board of Education revised its bylaws in October 2001 to require the Board to “determine the need for a review of the SOQ from time to time but no less than once every two years.” The Standing Committee on the Standards of Quality was created by resolution of the Board of Education in November 2001 and held its first meeting in January 2002.

Dr. Brewster made a motion to waive first review and approve the timeline. The motion was seconded by Dr. Ward and carried unanimously.

The timeline is as follows:

July	SOQ Committee meeting	Review of the Standards of Quality Discussion of Board priorities
September	Board meeting	First Review of the recommendations to the Governor and the 2009 General Assembly
October	Following the Board meeting	Public hearing on the recommendations
November	Board meeting	Final review and approval of the recommendations to the Governor and the 2009 General Assembly

Dr. Emblidge suggested that staff meet with Dr. Jones and discuss the process to finish up by the end-of-this year. Dr. Jones is chairman of the Board of Education Standards of Quality Committee.

First Review of a Proposal to Establish a Governor’s Career and Technical Academy: The Governor’s Career and Technical Academy in Arlington

Dr. Linda Wallinger, assistant superintendent for instruction, presented this item. Dr. Wallinger said that Virginia is one of six states to receive a grant from the National Governors Association (NGA) Center for Best Practices to improve science, technology, engineering, and mathematics (STEM) education. The development of Governor’s Career and Technical Academies is one of the major initiatives of the grant.

Mr. Milan Hayward and Mr. David Welch of Northern Virginia Community College, presented a short video clip to capture the essence of the Governor's Academy proposal. Mr. Hayward said that the clip demonstrates the technology portion of the science, technology, engineering, and mathematics, referred to as STEM. Mr. Hayward said he believes this can be applied equally among the other pathways.

Mr. Hayward's report on the Governor's Career and Technical Academy in Arlington included the following:

Partnership

Northern Virginia Community College and Arlington County Public Schools are co-lead partners for the Governor's Career and Technical Academy in Arlington. Partners include The American Service Center; Arlington Employment Center; Passport Nissan; Nortel Telecommunications; The American Youth Policy Forum; Viral Media Productions; and Virginia Polytechnic Institute and State University. Other supporters include The American Association of Community Colleges; Arlington Economic Development; DeVry University; Farrish of Fairfax; National Science Foundation; Passport Chrysler; and Passport Infiniti.

Fiscal Agent

Northern Virginia Community College

Location

The Arlington Career Center
816 South Walter Reed Drive
Arlington, VA 22204

Career Pathways

Engineering and Technology
Audio and Video Technology and Film
(Health Sciences) Support Services
Information and Support Services
Facility and Mobile Equipment Maintenance

Number of Students

At least 50 students will be served during the 2008-2009 academic year, while up to 600 will be served at full implementation in the 2012-2013 academic year.

Academy Description

The Governor's Career and Technical Academy in Arlington promises a unique, jointly administered Career and Technical Education (CTE) Center, offering area CTE students an optional five-year high school diploma/two-year college degree program. The Academy will be located within the Arlington Career Center and will open its doors in the fall of 2008 as a part-day program. Students will participate in featured dual enrollment CTE courses and supporting workplace activities, along with continued study at their respective home schools. Over the next several years, an increasing number of CTE and academic subjects will be offered until the Academy also offers full-day programs as a comprehensive school.

The Academy's science, technology, engineering and mathematics (STEM)-infused curriculum will initially feature programs within five pathways: Audio and Video Technology and Film; Engineering and Technology; Facility and Mobile Equipment Maintenance; (Health Science) Support Services; and Information Support and Services. Additional programs in other pathways will be added as the Academy develops, providing broader academic and employment opportunities for more students. Virginia Polytechnic Institute and State University will provide staff development in Integrative STEM Education, helping the Academy assimilate a cross-disciplinary pedagogy in STEM/CTE education.

Expected student outcomes include improved high school graduation rates and enrollment in postsecondary education, as well as the reduced need for remediation and an increase in college student retention, transfer, and graduation. Relevant preparation for employment will be a hallmark of the Academy. Improvement in these areas will be effected through increasing STEM and CTE academic integration, strengthening the five featured pathways, training staff and raising awareness in STEM education, and improving data collection for continuous program improvement. Students will learn subject matter as appropriate through discovery, analysis, inquiry-based research, and on-the-job experience.

Highlights

- The Governor's Academy will be a joint secondary/postsecondary institution.
- Dual enrollment opportunities will exist for grades 11, 12, and beyond.
- Cross disciplinary pedagogy informed by Virginia Polytechnic Institute and State University's I-STEM Education program will be the major focus of staff development for teachers.
- The flexible academy model will incorporate several pathways beyond the initial five over time.
- Student job shadowing and internships will be available across a variety of disciplines.
- Optional stretch projects will introduce students to real work-related projects.
- Involved business partners will assist in keeping curriculum relevant.
- Summer college coursework will be available.
- Students will be better prepared for work and additional higher education opportunities.

Dr. Jones made a motion to waive first review and approve the proposal to establish The Governor's Career and Technical Academy in Arlington. The motion was seconded by Mr. Johnson and carried unanimously.

First Review of a Proposal to Establish a Governor's Career and Technical Academy: Science, Technology, Engineering, and Mathematics for Lifelong Initiatives for Education (STEM for LIFE)

Dr. Wallinger presented this item along with Dr. Diane Tomlinson, director of STEM for Life Academy. Dr. Tomlinson's presentation included the following highlights:

Partnership Members

Russell County Public Schools; Southwest Virginia Community College; The University of Virginia's College at Wise; Virginia Economic Development Program; Bostic, Tucker

and Company; Virginia Coalfield Economic Development Authority; Appalachian Electric Power Company; Southwest Virginia Public Education Consortium; Town of Lebanon

Lead Entity

Russell County Public Schools

Fiscal Agent

Russell County Public Schools

Academy Location

STEM for LIFE Governor's Academy

P.O. Box 8

One School Board Drive

Lebanon, Virginia 24266

Number of Students Served

284 sixth graders in 2008-2009, 284 seventh graders in 2009-2010, 319 eighth graders in 2010-2011, and 425 high school students taking dual enrollment courses from 2008 through 2012.

Career Pathways

Science and Mathematics

Engineering and Technology

Information Support and Services

Academy Goals and Description

Russell County Public Schools, in partnership with business, industry, higher education, and local government, has developed the Science, Technology, Engineering and Mathematics for Lifelong Initiatives for Education (STEM for LIFE) Governor's Career and Technical Academy. The Academy will provide opportunities for all students in grades six through twelve to learn about STEM careers that are available locally, regionally, and nationally. In addition, the Academy will develop the academic skills and competencies necessary to prepare students for the work force and postsecondary education in STEM fields. The Academy pathways emphasize both academic and hands-on experiences. To gain parental and other local support for the Academy and its goals, career awareness sessions for parents and community members will be held. It is the philosophy of the STEM for LIFE Academy that a team effort is essential to the success of this program and that ongoing communication is key to its sustainability. It is the intent of the STEM for LIFE Academy founders to expand into the surrounding school divisions and to produce a pipeline through which all students in southwest Virginia school divisions have access to STEM opportunities.

Highlights of the Program

- STEM for LIFE will begin in the sixth grade with students enrolling in the Gateway to Technology sequence, the middle school component of Project Lead the Way, which includes courses in Design and Modeling and the Magic of Electrons. Keyboarding classes will also be required for two nine-week periods.

- All seventh-grade students will continue to develop keyboarding skills. They will enroll in the continuation of the Gateway to Technology sequence through courses in Science of Technology, Automation of Robotics, and Flight and Space.
- A summer program for students in grades seven, eight, and nine will afford students the opportunity to study in the STEM areas and work on an original project.
- Through the Kuder career assessment program, each student will be assessed, explore jobs that align with identified areas of interest, and complete a job interview planner.
- A transition plan for students entering high school will be in place for seventh- and eighth-grade students to assist in a successful high school transition.
- All high school students in the Academy will be required to complete a service learning project in addition to the internship, mentoring or job shadowing experience.
- Parents will receive updates and projections about career preparation and opportunities which are available locally, regionally, and statewide.
- Dual enrollment courses will be offered through Southwest Virginia Community College either with instructors at the high school or through distance learning.
- Students who graduate from one of the STEM for LIFE Academy pathways will meet necessary requirements in mathematics, science, and career and technical education to qualify for Technical and Advanced Technical diplomas.
- Extensive professional development for all academic and career and technical education teachers, guidance counselors, and administrators responsible for aspects of the Academy began in the spring of 2008 and will continue throughout the first year of the Academy.

Dr. Brewster made a motion to waive first review and approve the proposal to establish the Governor's Career and Technical Academy: Science, Technology, Engineering, and Mathematics for Lifelong Initiatives for Education (STEM for LIFE). The motion was seconded by Mrs. Saslaw and carried unanimously.

First Review of Pupil Transportation Specifications for School Buses

Mr. Kent Dickey, assistant superintendent for finance, presented this item. Mr. Dickey said that the *Regulations Governing Pupil Transportation*, as approved in January 2004, deleted the sections that detailed the technical specifications for school buses and made them a separate document that requires periodic approval by the Board of Education. This permits the Department of Education to revise and update the bus specifications more efficiently than would be permitted under the process for revising regulations. It also permits the specifications to be refreshed more frequently to recognize new or emerging technology. The last revisions were approved by the Board of Education on October 18, 2007. Buses and school activity vehicles must conform to the specifications relative to design and manufacturing effective on the date of procurement.

Mr. Dickey said that the specifications have been updated and revised to include recent changes in equipment and technology. The proposed changes were developed in consultation with the Department's Specifications Committee, which is comprised of pupil transportation representatives from school divisions across the state. None of the changes represent significant deviations from standard industry practices. All of the recommended

specifications comply with the safety requirements of the National Highway Traffic Safety Administration.

The Specifications Committee, composed of representatives of all regions of the state, developed the proposed changes to the specifications with the goal of improving safety and operational effectiveness. Knowing that it is difficult to design statewide specifications that encompass the specific needs of each school division bus fleet in the state, the committee considered the geographic differences of Virginia's regions, the newer technology available for new school buses, the past track record of current specification configurations, specifically the overall cost of maintenance, and any components with a record of failure that could cause safety to be compromised. The Committee also made comparisons with other states and adjusted the current specifications to improve Virginia's minimum specifications and align Virginia's specifications with the best practices of other states.

Dr. Jones made a motion to accept the proposed school bus specifications for first review. The motion was seconded by Mrs. Saslaw and carried unanimously. The proposed revisions will be distributed for public comments and brought back to the Board for final adoption after the public review.

Summary of Changes to Specifications for School Buses, Effective October 1, 2008

Current Specification	Change	Reason for Change
Item 28. Tires and Rims. D. All tires on given vehicles shall be of same size and ply rating.	Item 28. Tires and Rims D. All tires on given vehicles shall be of same size and meet or exceed load range rating of the Tire and Rim Association of America, Inc. (TRA) for required gross axle weight rating (GAWR).	Manufacturers no longer use ply rating as a standard. Instead load range rating is used and those standards are developed by the standards body of the Tire and Rim Association of America.
Item 43. A.8. Doors	Item 43. Doors A.8. For power-operated entrance doors, the emergency release valve, switch, or device to release the service door must be placed above, to the immediate left, or to the immediate right of the entrance door and must be clearly labeled in a color contrast with the background of the label.	This change establishes a standard for the location and design of the emergency release valve for the service door. There is currently no set standard for this. Standard placement and design would greatly assist operators no matter which manufacturer type they operate.
Item 50. Identification of School Buses A.5.d. Traffic Warning Lights Sign – Shall be placed in between the top and bottom glass on the rear emergency door, and lettered “STOP WHEN RED LIGHTS FLASH.” The sign shall be marked with retro-reflective NSBY material comprising background for black letters, 6 inches in height...	Item 50. Identification of School Buses A.5.d. Traffic Warning Lights Sign – Shall be placed in between the top and bottom glass on the rear emergency door, and lettered “STOP WHEN RED LIGHTS FLASH.” The sign shall be marked with retro-reflective NSBY material comprising background for black letters, 4 inches in height...	The lettering for the name of the county/city which is on each side of a bus is 4 inches high. Reducing the height of the traffic warning lights lettering from 6 to 4 inches will allow the lettering on the side and back of buses to be consistent in height.

Item 66.G. Steps.	Item 66.G. Steps. G. There shall be a “no-smoking” sign placed on the first step riser of the entrance step well from the inside of the bus. The letters shall be red in color with a length of 9 1/2 inches and lettering height of 1 ¼ inches.	Section 15.2-2801 B., Code of Virginia, prohibits smoking on public school buses.
Item 68.B. Storage and Luggage Compartments.	Item 68.B. Storage and Luggage Compartments. B. Optional: Driver’s storage compartment may be above the driver’s area and must not impede ingress and egress. It shall not violate any federal safety standard or the Code of Virginia.	This allows operators to store small personal and trip related items.
Item 80.A. Activity Buses Activity buses shall meet all the specification standards prescribed for school buses.	Item 80.A. Activity Buses Activity buses shall meet all Federal Motor Vehicle Safety Standards for school buses and Items 80.B. through 80.F.	This ensures that activity buses meet the safety standards for school buses as outlined in the federal guidelines for safety as well as Virginia-specific specifications.
Item 80.D.1.c. Activity buses The activity bus transporting school students shall be operated at a safe, legal speed, not in excess of 60 miles per hour.	Item 80.D.1.c. Activity buses D.1.c. The activity bus transporting school students shall be operated at a safe, legal speed, not in excess of 60 miles per hour.	This item is regulated in the 8VAC20-70-30 and not necessary in the specifications.
Minimum Specifications Sheets (pp. 57-73) Tires - various ply specifications	Minimum Specifications Sheets Tires - Remove the ply specification and add language: “Load range meeting TRA standards for required gross axle weight rating (GAWR).”	Manufacturers no longer use ply rating as a standard. Instead load range rating is used and those standards are developed by the standards body of the Tire and Rim Association of America.

Report on Fees and Charges in the Public School Divisions of Virginia

Mrs. Anne Wescott presented this item. Mrs. Westcott’s report to the Board on Student Fees and Charges Background included the following:

Background

At its May 21, 2008 meeting, the Virginia Board of Education received public comments regarding fees that are charged to students in Virginia’s public schools. In response to the comments received, the Board requested that the Superintendent of Public Instruction provide additional information at the June 2008 meeting of the Board. In response to this request, Department of Education staff conducted a survey of all Virginia school divisions regarding their student fees and charges.

On May 30, 2008, the Superintendent of Public Instruction sent a superintendent’s e-mail to all school divisions requesting that they complete a short questionnaire and return it by June 6, 2008. The survey asked school divisions the following:

- Does the school division charge student fees and charges, such as class dues, instructional fees/charges, fees for consumables or materials, library fees, and fees for voluntary student activities?
- If yes, does the school division have a schedule of fees and charges? (Please provide a copy of the schedule, if possible.)
- Does the division have policies regarding student fees and charges? (Please provide a copy of the schedule, if possible.)
- If fees are charged, does the division have a policy regarding students and families with financial hardships?
 - If so, does the division provide a notice to parents regarding the financial hardship policy? (Please provide a copy of the schedule, if possible.)
- Does the division have a policy that addresses payment schedules and the handling of unpaid student fees and charges? (Please provide a copy of the schedule, if possible.)

As of June 10, 2008, 83 of the 132 local school divisions had responded to the survey for a 63% return rate.

Legal Basis for Fees

[Article VIII, § 1](#) of the Constitution of Virginia requires the General Assembly to “provide for a system of free public elementary and secondary schools for all children of school age throughout the Commonwealth” and to “seek to ensure that an educational program of high quality is established and continually maintained.”

In addition, certain *Code of Virginia* sections govern the charging of fees in the public schools of Virginia. [Section 22.1-327](#) authorizes the Board of Education to establish fees and methods for collecting them for the public schools. [Section 22.1-6](#) of the *Code* states that except as provided by Title 22.1 and Board of Education regulations, no fees or charges may be levied against any pupils by any school board. [Section 22.1-251](#) of the *Code* requires each school board to provide, free of charge, such textbooks and workbooks as required for instruction.

[Section § 22.1-176](#) permits the charging of a fee to a student for his pro rata share of the cost of providing transportation for voluntary extracurricular activities. [Section 22.1-205](#) states that in addition to the fee approved by the Board of Education pursuant to the Appropriation Act for the behind the wheel portion of the driver’s education program, the Board of Education may authorize school divisions to assess additional charges to recover program costs that exceed state funds. Both *Code* sections permit local school divisions to waive such fees for any pupil whose family cannot afford them. [Section 22.1-243](#), effective July 1, 2008, permits local school boards to provide consumable materials, such as workbooks, writing books and drawing books to students free of charge or to charge students a retail price not to exceed seven percent added to the publisher’s price but, requires them to develop a policy to ensure that students who cannot afford the consumable materials may receive them at a reduced price or free of charge.

In accordance with the *Code*, the Board of Education promulgated [Rules Governing Fees and Charges, 8 VAC 20-370-10](#), in approximately 1980. These regulations have not been revised since that time.

Additionally, Opinions of the Attorney General's Office have provided guidance regarding the permissibility of school fees. For example, opinions have concluded that the Virginia Constitutional requirement for a free public school system bars local school boards from imposing fees as a condition of enrollment, but does not prohibit the charging of fees for optional or ancillary services or activities. To that end, an Attorney General's Opinion, 1964-65 Attorney General Annual Report 294, permits local school boards to charge students for the optional rental of school lockers and Opinion 149, issued on November 8, 1991, permits a student parking fee as long as it is approved by the local school board.

However, Attorney General's Opinion 144, issued on January 12, 1982, stated that it was impermissible for a school division to offer students a substance abuse counseling program at a local Substance Abuse Services Agency as an alternative to expulsion and then charge the student the agency's fee. This was seen as a required payment of fees for continued enrollment which is impermissible under the Virginia Constitution. A more recent opinion, dated January 11, 2000, numbered 99-101, found that a school board lacked authority to require parents to pay for a testing and treatment program as a condition of granting excused absences to students who had been suspended for substance abuse. In an opinion dated August 29, 2007, numbered 07-053, the Office of the Attorney General found that local school boards may not charge for the transportation of students to and from school.

While not legal advice in nature, the Superintendent of Public Instruction has sent two informational memoranda to local school divisions, No. 171 on September 3, 1993, and No. 95 on May 13, 1994, regarding the charging of fees.

Findings

Of the 83 school divisions that responded, 64 reported that they do charge fees. Of the 64 school divisions that responded that they do charge fees:

- 38 reported that they have a schedule of fees and charges
- 51 reported that they have a policy regarding fees and charges
- 20 reported that they have a policy regarding students and families with financial hardships
- 9 reported that they provide a notice to parents regarding the financial hardship policy
- 15 reported that they have a policy that addresses payment schedules and unpaid fees and charges

The fees and charges differ from school division to school division. Many school divisions reported charging one or more of the following fees:

Assignment books, Agenda books, Journals
Incentives, awards, certificates
Band, choir, show choir (up to \$350.00)
Instructional fees
Band instrument rental
Library
Class dues or fees
Lockers – physical education and hall
Class dues to offset commencement costs
Locks and lock rental
Club dues
Materials
Class T-shirt

Parking
Damaged or lost books
Program costs that exceed state funding
Driver’s education – ranging from \$60.00 to \$250.00
Specific course and lab fees
Field trips
Supply fees
Field trips or related educational programs not a required activity
Technology fees
Gym suits
Weekly readers, Virginia Studies Weekly, Scholastic News

School division policies also list various penalties for failure to pay fees. Some of these policies include penalties such as:

- cannot participate in graduation
- cannot participate in any field trips until fees are paid
- will not receive new class schedule until fees are paid
- senior class dues – optional, but if do not pay them, not allowed to participate in class activities such as, prom or graduation
- unable to participate in any extra-curricular activities
- placed on Social Probation.

In order to help in preventing penalties for failure to pay fees, some school divisions have a policy or program whereby parents who cannot pay the fees can pay on an installment plan, or pay less or have the fee or fees waived to enable the student to participate in the activity.

Summary

The difficulty with any survey is that recipients often interpret the words, phrases or questions differently, so their responses may not be exactly comparable. This report is based on the information provided by the school divisions in the surveys and in the schedules and/or policies provided. Since there is no way to determine if all of the school divisions interpreted the questions the same way, the numbers presented in this report may not precisely reflect the activities in all of the school divisions. Rather, this is a snapshot of what could be gleaned from the responses received from the 83 school divisions.

Many school divisions do not have fee schedules and/or policies, which make it difficult for parents to know exactly what fees will be charged. In many cases, the fee policies are general and do not provide any concrete information. In addition, the fees may vary in different elementary schools, middle schools, or high schools within the same school division. Further, the majority of school divisions that responded stated they did not have a policy regarding students and families with financial hardship.

A review of the fees that are being charged revealed that many of the fees are permissible. However, it appears that some charges may not be permissible and are in need of further review.

Recommended Next Steps

Based on these findings, the following recommendations are offered to the Board for its consideration:

- Using the data the department has already collected along with additional research, further study should be conducted of the fees that may and may not be charged in Virginia's public schools.
- In 1993 and 1994, Superintendent's Memoranda were issued by the Virginia Department of Education advising local school divisions regarding fees. A new Superintendent's Memorandum should be issued providing guidance to school divisions prior to the beginning of the 2008-2009 school year.
- The *Regulations Governing Fees and Charges*, 8 VAC 20-370-10 should be reviewed and revised.

Following Mrs. Westcott's presentation, the Board thanked Mrs. Westcott and her staff for its prompt and thorough review.

Annual Performance Report on Adult Education and Family Literacy

Ms. Elizabeth Hawa, director of adult education, presented this item. Ms. Hawa said that the *Code of Virginia* states the following in Section 22.1-226 Allocation of state funds; evaluation and report:

- A. State funds provided for adult education programs shall be allocated to school divisions for actual costs on a fixed-cost-per-student or cost-per-class basis.
- B. School divisions shall evaluate adult education programs offered by the school division annually, beginning on July 1, 2000, by synthesizing data collected for other state and federal reports, and shall report the findings of the evaluation, including the effectiveness and success of programs in assisting adults in obtaining the general educational development (GED®) certificate and the high school diploma.

The Board of Education shall collect the results and report the findings to the Governor and the General Assembly.

Dr. Brewster made a motion to waive first review and approve the Adult Education Annual Performance Report pursuant to Section 22.1-226 in the *Code of Virginia*. The motion was seconded by Mrs. Castro and carried unanimously.

The report follows:

Adult Education Annual Performance Report Fiscal Year 2006-2007

The Office of Adult Education and Literacy (OAEL), located in the Virginia Department of Education (VDOE), Division of Technology and Career Education, provides leadership and oversight to adult education programs and services in Virginia, including Adult Basic Education (ABE), Adult Secondary Education (ASE), and English for Speakers of Other Languages (ESOL). Although the *Code of Virginia* places the responsibility for adult education with Virginia's 132 local school divisions, services are delivered through a partnership of public and community-based providers that includes local school boards; community colleges; not-for-profit and faith-based literacy groups; employers; state, local and regional correctional facilities; and state institutions.

OAEL manages federal and state funds allocated for these programs. This report describes progress made in reaching programmatic goals established for providers that utilize federal and state resources to augment other public or private funds to conduct adult education programs. Virginia's programs have been successful in meeting the goal of continuous improvement as prescribed by the Workforce Investment Act (WIA). In fiscal year 2006-2007, OAEL was eligible for incentive funds. Eligibility is determined through a formula that incorporates performance targets established by the National Reporting System (NRS) methodology and negotiated with the U.S. Department of Education (USED) annually.

The fiscal year 2006-2007 data indicate that progress is being made to meet the goals cooperatively established by USED and VDOE. This report presents quantitative information in the following areas: (1) characteristics of the adult education population, (2) program performance summary, (3) educational functioning level (EFL) performance, and (4) follow-up outcome measures. Also included is a section on state management of the performance data.

Characteristics of the Adult Education Population

Demographic Indicator	Description
Total Enrollment	Virginia's total enrollment (32,502) is comprised of 36.3 percent Adult Basic Education (ABE), 13.4 percent Adult Secondary Education (ASE) and 50.3 percent English for Speakers of Other Languages (ESOL) students.
Ethnicity	Virginia's adult student ethnic composition includes 35.9 percent (11,657) Hispanic; 27.0 percent (8,758) Black; 26.3 percent (8,552) White; 10.4 percent (3,386) Asian; .3 percent (102) American Indian/Alaskan Native; and 1 percent (47) Native Hawaiian or Other Pacific Islander.
Age	Seven percent of Virginia's adult student enrollment (2,431) is 16-18; 23 percent (7,389) is 19-24; 51 percent (16,582) is 25-44 years of age; 16 percent (5,050) is 45-59; and three percent (1,050) is 60 or older.
Gender	Fifty-seven percent (18,484) of Virginia's adult student enrollment is female and 43 percent (14,018) is male.
Employment Status	Virginia's adult students reflect the following employment statuses: 17,101 are employed; 15,401 are unemployed; 2,923 are in a correctional setting; 57 are in another institutional setting; and 1,038 are on public assistance.
Annual Average Hours of Attendance	Average hours of attendance for students enrolled in ABE are 66; in ASE, 44; and in ESL, 78. The overall average is 69.

Program Performance Summary

Areas of Accomplishment	Performance Highlights
Educational Gains	Fourteen thousand nine-hundred eleven (14,911) students, or 46 percent, completed their educational functioning levels, and another 8,116, or 25 percent, completed their levels and advanced one or more levels.
Performance Targets	Virginia programs exceeded target performance levels in seven out of eleven educational functioning levels: ABE Beginning Literacy, ABE Beginning Basic Education, ABE Intermediate Low, ESL Low Beginning, ESL High Beginning, ESL Intermediate Low, and ESL Intermediate High. The four levels where Virginia did not meet targets in performance were ABE Intermediate High, ASE Low, ESL Beginning Literacy, and ESL Advanced.
GED Completers	Statewide, 15,178 adult students earned their GED credentials.
GED Credentials	Eighty-six percent (86 percent) of students exiting GED Certificate programs attained their GED credentials.
External Diploma Credentials	Eighty-two percent (82 percent) of students exiting the External Diploma Program attained their External Diploma.
High School Diploma Credentials	Eighty-eight percent (88 percent) of students exiting adult high school diploma programs attained their adult high school diploma.

Adult Basic Education (ABE)

Educational Functioning Level	Performance Highlights
ABE Beginning Literacy	Fifty percent (50 percent) of enrolled students in ABE Beginning Literacy completed their educational functioning level, exceeding the 46 percent target performance level by four percentage points.
ABE Beginning Basic Education	Fifty-one percent (51 percent) of enrolled students in ABE Beginning Basic Education completed their educational functioning level, exceeding the 49 percent target performance level by two percentage points.
ABE Intermediate Low	Forty-nine percent (49 percent) of enrolled students in ABE Intermediate Low completed their educational functioning level, exceeding the 48 percent target performance level by one percentage point.
ABE Intermediate High	Forty-four percent (44 percent) of enrolled students in ABE Intermediate High completed their educational functioning level. Virginia's target performance level was 48 percent. Demonstrating educational gains for this group has become more challenging with the increased desire of students to take the GED Tests. Many of these students were not present for the administration of a post-test.

Adult Secondary Education (ASE)

Educational Functioning Level	Performance Highlight
ASE Low	Forty-seven percent (47 percent) of enrolled students in ASE Low completed their educational functioning level. Virginia's target performance level was 60 percent. Demonstrating educational gains for this group has become more challenging with the increased desire of students to take the GED Tests. Many of these students were not present for the administration of a post-test.

English for Speakers of Other Languages (ESOL)

Educational Functioning Level	Performance Highlights
ESL Beginning Literacy	Thirty-six percent (36 percent) of enrolled students in ESL Beginning Literacy completed their educational functioning level. Virginia's target performance level was 40 percent. Demonstrating educational gains for this group is a major challenge because many of these adults have low literacy skills in their native language, are seeking employment, or are working multiple jobs. As a result, these adults may not be available for a post-test.
ESL Low Beginning	Fifty-three percent (53 percent) of enrolled students in ESL Low Beginning completed their educational functioning level, exceeding the 38 percent target performance level by fifteen percentage points.
ESL High Beginning	Fifty-two percent (52 percent) of enrolled students in ESL High Beginning completed their educational functioning level, exceeding the 38 percent target performance level by fourteen percentage points.
ESL Intermediate Low	Forty-six percent (46 percent) of enrolled students in ESL Intermediate Low completed their educational functioning level, exceeding the 43 percent target performance level by three percentage points.
ESL Intermediate High	Forty-five percent (45 percent) of enrolled students in ESL Intermediate High completed their educational functioning level, exceeding the 41 percent target performance level by four percentage points.
ESL Advanced	Twenty-four percent (24 percent) of enrolled students in ESL Advanced completed their educational functioning level. Virginia's target performance level was 30 percent. Demonstrating educational gains for this group is a major challenge because many of these adults are better educated, seeking employment, or working multiple jobs. As a result, these adults may not be available for a post-test. Transition options for students into adult basic education instructional environments are being explored.

Follow-Up Outcome Measures

Follow-up Measure	Performance Highlights
Obtain a High School Diploma or GED Credential	Eighty-six percent (86 percent) of students with a goal of obtaining a high school diploma or GED reached their goal one quarter after leaving class, exceeding the 85 percent target level by 1 percentage point.
Enter Employment	Sixty-five percent (65 percent) of students with a goal to enter employment reached their goal one quarter after leaving class, exceeding the 30 percent target level by 35 percentage points.
Retain Employment	Sixty-seven percent (67 percent) of students with a goal to retain employment reached their goal three quarters after leaving class, exceeding the 53 percent target by fourteen percentage points.
Enter Postsecondary Education or Training	Twenty-four percent (24 percent) of students with a goal to enter postsecondary education or training reached their goal one quarter after leaving class. Virginia's target performance level was 33 percent. State Council of Higher Education in Virginia (SCHEV) data are used for matching purposes. The data collection period for SCHEV does not cover two quarters of the adult education fiscal year. As a result, this figure does not represent the total number entering postsecondary education or training. In addition, adults seeking postsecondary education and training may be attending programs not recognized by SCHEV or programs in other states. Acceptance into the military is an additional indicator not captured in the postsecondary match. Additionally, the strength of the postsecondary data and the ability to match are dependent on adult students providing social security numbers.

Progress in Virginia's adult education programs includes improved achievement in education functioning level completion and surpassing state goals to enter employment, retain employment, and obtain a high school diploma or GED.

State Management of Performance Data

OAEL has a comprehensive data management system for the collection, analysis, and reporting of state data for the NRS. OAEL has procedures and systems that promote the highest levels of data validity and reliability, including systems for verifying data accuracy from local programs, systems for monitoring data collection and analyses, and corrective systems to improve data on an ongoing basis. State procedures indicate a focus on continuous improvement of the quality and accuracy of data.

DISCUSSION OF CURRENT ISSUES

Dinner Session

The Board met for dinner at the Crowne Plaza Hotel with the following members present: Dr. Emblidge, Dr. Brewster, Mrs. Castro, Mr. Johnson, Mr. Moore, Mr. Rotherham, Mrs. Saslaw and Dr. Ward. A brief discussion took place about general Board business. No votes were taken, and the dinner meeting ended at 8:30 p.m.

ADJOURNMENT

There being no further business of the Board of Education and Board of Career and Technical Education, Dr. Emblidge adjourned the meeting at 11 a.m.

President