

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

July 17, 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. Gary L. Jones
Dr. Ella P. Ward, Vice President	Mr. Kelvin L. Moore
Dr. Thomas M. Brewster	Mr. Andrew J. Rotherham
Mr. David L. Johnson	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 Mr. Moore 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 June 19, 2008, meeting of the Board. The motion was seconded by Mr. Moore and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

RESOLUTIONS/RECOGNITIONS

A Resolution of Recognition was presented to the following school divisions recently receiving the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS/CASI) District Accreditation:

- *Hopewell City Public Schools* – represented by Dr. Winston Odom, division superintendent, Mr. Avon Myles, school board chairman, and Mrs. Ann Williams, board vice-chairman.
- *Smyth County Public Schools* – represented by Dr. Michael Robinson, division superintendent.

- *King and Queen County Public Schools* – represented by Dr. Richard Layman, division superintendent; Miss Louise Carlton, school board chairperson; Mrs. Eileen Long, school board vice-chair; Ms. Cora Armstrong, school board member; Mrs. Gwynn Litchfield, school board member; Mr. Chauncey Robinson, school board chairman; Dr. Ed Holstrum, director of teaching and learning, and Dr. Marvin Thompson.
- *Manassas Park City Public Schools* – represented by Dr. Bruce McDade, associate superintendent, and Mrs. Brenda Foster, school board member.

PUBLIC COMMENT

The following persons spoke during public comment:

Rena Berlin
Steven Kruh
Dut Yai
Dr. Chalmers Hood
Dr. Tom Nash
Byron Hinton
K. Lynn Tadlock
Melissa Timberlake
Dr. Joe Halcaz
Senator Phillip Puckett (comments read by Rebecca Scott)
Rebecca Scott
Stacey Wright

CONSENT AGENDA

Dr. Jones made a motion to approve the consent agenda. Dr. Ward seconded the motion and carried with unanimous vote.

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

Final Review of Financial Report on Literary Fund

The Department of Education's recommendation to approve the financial report (including all statements) on the status of the Literary Fund as of March 31, 2008, was approved with the Board's vote on the consent agenda.

Final Review of Recommendations Concerning Applications for Literary Fund Loans

The Department of Education's recommendation to approve twelve applications totaling \$51,066,000 was approved with the Board's vote on the consent agenda.

DIVISION	SCHOOL	AMOUNT
Lee County	Dryden Elementary	\$2,300,000.00
Grayson County	West Grayson Elementary	7,500,000.00
Wythe County	Rural Retreat High	7,500,000.00
Giles County	Giles County Technology	7,500,000.00
Tazewell County	Richlands Elementary	2,095,000.00
Tazewell County	Tazewell Elementary	2,304,000.00
Tazewell County	Springville Elementary	1,159,000.00
Tazewell County	North Tazewell Elementary	1,546,000.00
Tazewell County	Cedar Bluff Elementary	1,562,000.00
Wythe County	Rural Retreat Middle	2,600,000.00
Orange County	Middle School	7,500,000.00
	TOTAL	\$51,066,000.00

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

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

1. Thirteen new projects, totaling \$60,778,391 are eligible for placement on the First Priority Waiting List.
2. Two projects, totaling \$7,472,500, from the First Priority Waiting List participated in the *2008 Series A Virginia Public School Authority Interest Rate Subsidy* program in the spring. As a result, these projects have been removed from the First Priority Waiting List.
3. Five new projects, totaling \$32,600,000 have Literary Fund applications, which are approved as to form, but the plans have not yet been finalized. When the department receives the plans, these projects will be eligible for placement on a waiting list. Until such time, these projects should remain on the Approved Application List.

ACTION DISCUSSION: BOARD OF EDUCATION REGULATIONS***First Review of the Notice of Intended Regulatory Action (NOIRA) to Promulgate Regulations Governing the Operation of Private Day Schools for Students with Disabilities and Educational Programs Offered in Group Homes and Residential Facilities in the Commonwealth and to Repeal Regulations Governing the Operation of Private Day Schools for Students with Disabilities (8 VAC 20-670-10 et seq.)***

Mr. Douglas Cox, assistant superintendent for special education and student services, presented this item. A summary of Mr. Cox's report follows:

- Educational programs offered by children's residential facilities (CRFs), including group homes, in Virginia are regulated by the *Standards for Interdepartmental Regulation of Children's Residential Facilities*, 22 VAC 42-11-10 et seq. (Interdepartmental Regulation).
- The Boards of Education; Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS); Social Services (DSS); and Juvenile Justice (DJJ) are the promulgating entities for the regulations. These regulations are designed to provide protection and treatment/programming to vulnerable children in out-of-home care. The Interdepartmental Regulation was approved by each Board. The Office of Interdepartmental Regulation coordinates the children's residential regulatory activities conducted by the four agencies.
- The 2008 General Assembly passed SB 472, licensure of group homes and residential facilities for children, patroned by Senator Hanger. The bill eliminates the interdepartmental regulation of children's residential facilities and requires the DMHMRSAS, DSS, and DJJ to regulate and license CRFs. The Board of Education and the Department of Education shall continue with oversight responsibility of the educational programs of CRFs.
- The Board of Education regulates private day schools for students with disabilities (8 VAC 20-670-10 et seq.) It is proposed that the Board replace the current regulations with new regulations governing both private-day schools for students with disabilities and the education programs in private children's residential facilities and group homes.
- The Board of Education and the Department of Education will continue to provide general supervision over private schools and new private schools for students with disabilities and issue certificates/licenses to operate. The Board and the Department of Education no longer have responsibility over the residential environment of children's residential facilities and group homes. This change in responsibility will allow the Department of Education to focus on improving the quality of educational programs in private day schools for children with disabilities and children's residential facilities and group homes.

- The new regulations will provide provisions for the operation of private day schools for students with disabilities and residential schools for students with disabilities. It will provide provisions for school administration, including school and instructional leadership; a philosophy, goals, and objectives that serve as the basis for all policies and practices and student achievement expectations; a program of instruction that promotes individual student academic achievement in the essential academic disciplines, (English, mathematics, science, and history/social science); an organized library media center as the resource center of the school; licensure for school personnel; maintenance of student education records, and school facilities and safety.

During a brief discussion after the presentation, Dr. Jones stated that he wanted the Board records to show that he is employed at Youth for Tomorrow which is a private residential school and counseling center in Prince William County serving teenagers with special needs. Dr. Jones said that although he is employed at a private residential facility, he thinks he is still able to look at these regulations objectively in the best interest of children.

Dr. Jones said that the original intent of the review two years ago served a great purpose, and Mr. Cox and others should be commended for the work that was done. Commenting further, Dr. Jones said that the regulations went into effect December 2007, due to Senator Hanger's bill. Dr. Jones said it seems as if the Board was back to reviewing almost the same regulations. Mr. Cox replied that the language is very similar.

Dr. Jones pointed out that one specific difference is that the Department is no longer going to be licensing residential facilities. Mr. Cox agreed and said these regulations will flow to private day schools and only the education portion of residential facilities, so that there will be an educational license in those facilities.

Dr. Jones asked Mr. Cox if it was the intent of his presentation to show that the Department will license to regulate the private day schools and residential schools under the same set of regulations. Mr. Cox agreed and said the Department is proposing a single set of regulations to go out under the NOIRA. Dr. Jones said that this will be a major improvement and will eliminate a lot of confusion.

Dr. Jones asked that the private sector that serves the children be involved in the review of the regulations during public comment. Mr. Cox assured Dr. Jones that the private sector will be involved. Mr. Cox introduced Dr. Sandra Ruffin, director of federal program monitoring, who will be the lead on this initiative.

Mrs. Saslaw made a motion to waive first review and authorize the Department of Education staff to proceed with the requirements of the Administrative Process Act to promulgate regulations for a single regulation for the operation of education programs in private day schools for students with disabilities and children's residential facilities and group homes. The motion was seconded by Mr. Rotherham and carried unanimously.

First Review of a Notice of Intended Regulatory Action (NOIRA) to Repeal the Rules Governing Fees and Charges, 8 VAC 20-370-10 and Add New Regulations Governing Fees and Charges as a Section to the Proposed Regulations Governing Local School Boards and School Divisions, 8 VAC 20-720-10 et seq.

Mrs. Anne Wescott, assistant superintendent for policy and communications, presented this item. Mrs. Wescott said that the Board of Education's *Rules Governing Fees and Charges*, 8 VAC 20-370-10, were adopted on or before September 1, 1980, and have not been amended since that time.

Mrs. Wescott said that the purpose of the proposal is to repeal the current regulations governing fees charged by local school divisions and create a new regulation that will be added as a section to the proposed *Regulations Governing Local School Boards and School Divisions*, 8 VAC 20-720-10 et seq. The regulation will include specific provisions regarding permissible and impermissible fees, policies for families that cannot afford the fees and permissible and impermissible actions for the failure to pay the fees.

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

First Review of Proposed New Regulations Governing Public Participation (8 VAC 20-11-10) and Repeal of Public Participation Guidelines (8 VAC 20-10-10 et seq.) Under the Fast Track Provisions of the Administrative Process Act

Mrs. Wescott also presented this item. Mrs. Wescott said that public participation procedures exist to promote public involvement in the development, amendment, or repeal of state regulations. The *Code of Virginia* was modified during the 2008 General Assembly session. The amendments, which took effect on July 1, 2008, specify that agencies will have until December 1, 2008, to either adopt model public participation regulations issued by the Department of Planning and Budget (DPB), or, if they need to make significant changes to the model regulations, to file a fast-track regulatory action with DPB by that time.

Mrs. Wescott said that DPB has issued the required model regulations entitled *Public Participation Guidelines*. The legislative intent is to standardize the public participation process so that interested members of the public know how and when to comment and/or participate in various topics of interest, all state agencies were urged to consider whether any modifications to DPB's model regulations are appropriate.

Mrs. Wescott said that the Department of Education's policy division reviewed the model regulations and recommends minor, non-controversial modifications be made for clarity and consistency. The fast-track rulemaking process is recommended in order to complete the new regulation. By simultaneous action, the current, out-dated regulation will be repealed and replaced by the new regulation.

The minor, non-controversial modifications to DPB's model regulations are necessary in order to make the public participation rules consistent with Board of Education policies

and procedures for public participation. The proposed changes are non-controversial because of the following:

- In every case, the proposed changes are consistent with long-standing Board of Education practice and procedures;
- The words and terms are consistent with current, clearly understood use;
- The changes serve to further clarify requirements so that they are easily understood by the Board of Education's constituents; and
- The provisions of the model guidelines and the proposed modifications are consistent with current public participation practices used by the Board of Education. Complying with the new provisions will require few modifications in the Board's current practice.

Mrs. Saslaw made a motion to receive the proposed fast-track *Regulations Governing Public Participation* for first review, authorize staff to distribute the proposed text for a 45-day public review and comment period, and receive the *Regulations Governing Public Participation* for final review at the September 25, 2008, meeting. The motion was seconded by Mr. Moore and carried unanimously.

ACTION/DISCUSSION ITEMS

Final Review of Proposed Revised Curriculum Framework for 2008 History and Social Science Standards of Learning

Dr. Beverly Thurston, history, social science, and international education coordinator, presented this item. Dr. Thurston said that new academic content *Standards of Learning* for history and social science were first developed in 1995 and revised in 2001. The *Standards of Quality* require the Board of Education to review the *Standards of Learning* on a regular schedule. The *History and Social Science Standards of Learning* were scheduled for review in 2008. As a result, on January 10, 2007, the Board approved a plan to review these standards and the companion Curriculum Framework during the 2007-2008 academic year, and on January 10, 2008, the Board approved the 2008 *Standards of Learning for History and Social Science*.

The Department of Education took the following steps to produce a draft of the proposed revised Curriculum Framework for the 2008 *History and Social Science Standards of Learning* for the Board's first review:

- selected a review committee that consisted of recommended individuals solicited from school divisions as well as other stakeholder groups (representatives from professional organizations, universities, etc.) to participate in the process;
- met with the review committee March 10 and 11, 2008; received additional comments from academic experts throughout the spring;
- contacted selected review committee members in April 2008, to review the draft document; and
- developed a draft of the Curriculum Framework for the 2008 *History and Social Science Standards of Learning*.

On May 21, 2008, the Virginia Board of Education accepted the proposed revised Curriculum Framework for first review. Public comments were accepted from May 23, 2008, through June 27, 2008. The Department received 392 online comments and six letters and faxes. There were 11 speakers during the designated public comment period at the June 19, 2008, Virginia Board of Education meeting.

The majority of public comments related to a review of information on Hinduism and Indian history that included the treatment of religions to ensure balance and congruity.

Additional areas of comment included:

- concern over volume of content within a course;
- decisions on the relative importance of historical events and people;
- debate over competing historical sources;
- inclusion of contemporary leaders and events;
- clarification and consistency of economics terms and skills; and
- addition of more global perspectives.

The Virginia Department of Education developed a draft of the proposed revised Curriculum Framework for the 2008 *History and Social Science Standards of Learning*. The major elements of the revised Curriculum Framework for the 2008 *History and Social Science Standards of Learning* include:

- edits to enhance clarity, specificity, rigor, alignment of skills and content, and a reflection of the current academic research and practice;
- emphasis on encouragement of civic participation and increased knowledge of local and state government;
- addition of events relating to history, geography, economics, and civics since the 2001 revision; and
- an increase in international and global emphasis.

Dr. Brewster made a motion to adopt the revised Curriculum Framework for the 2008 *History and Social Science Standards of Learning*. The motion was seconded by Dr. Ward and carried unanimously.

Dr. Emblidge commended Dr. Thurston and staff on a job well done.

Final Review of Pupil Transportation Specifications for School Buses

Mr. Kent Dickey, assistant superintendent for finance, presented this item. Mr. Dickey's report included the following:

- 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 updated more frequently to recognize new or emerging technology. The last revisions to the

specifications 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. The Board accepted a set of proposed specifications for school buses for first review and public comment at its June meeting.

- The proposed changes to the current specifications incorporate recent changes in equipment and technology. The proposed changes were developed by department staff in consultation with the department's Specifications Committee, which is comprised of pupil transportation representatives from school divisions across the state. None of the proposed changes represent significant deviations from standard industry practices. All of the recommended specifications comply with the safety standards of the National Highway Traffic Safety Administration.
- The proposed changes to the specifications were developed with the goal of improving student and driver 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 current technology available for new school buses, the past track record of current specification configurations, especially 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 the specifications of 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. Recommendations contained in the "National School Transportation Specifications and Procedures" document were also considered in the revision process.
- The proposed specifications accepted by the Board for first review were posted on the department's Web site to provide school divisions and other interested parties with the opportunity to review them and offer comments. As of July 11, 2008, no public comments had been received.
- The proposed specifications contain one change from the version presented to the Board in June: an optional recommendation regarding body color of activity buses (Item 80. C.1.). This change was made in response to a concern raised at the last meeting by Mr. Moore.

Dr. Jones made a motion to approve the school bus specifications as presented. The motion was seconded by Mr. Johnson and carried unanimously.

**First Review of a Proposal to Establish a Governor's Career and Technical Academy:
Stafford Academy for Technology**

Dr. Lois Williams, STEM coordinator and Ms. Kathleen Burant, director of career and technical education, Stafford County Public Schools, presented this item. Ms. Burant

presented a short video clip to capture the essence of the Governor's Academy proposal. Following is a summary of Ms. Burant's presentation to the Board:

Partnership Members

Stafford County Public Schools; Germanna Community College; Diversified Educational Systems; Employment Resources, Inc.; Fredericksburg Regional Alliance; Fredericksburg Regional Chamber of Commerce; Free Lance-Star; GEICO; Hilldrup Companies; Mary Washington Hospital/Medicorp; Rappahannock Region Small Business Development Center; R.L. Williams, Ltd./Autodesk, Inc.; Spotsylvania Technology Center; Stafford County Economic Development; Stafford County Career and Technical Education Advisory Committee; Stafford Rotary; University of Mary Washington; Virginia Employment Commission; Weldon Cooper Center; Workforce Investment Board, Inc.

Fiscal Agent

Stafford County Public Schools

Academy Location

Brooke Point High School
North Stafford High School
Stafford High School

Number of Students Served

Maximum of 180 in Phase I

Career Pathways

Network Systems
Science and Engineering

Academy Goals and Description

The Stafford Academy for Technology will be used as the catalyst to prepare students to meet both current and projected work force needs through an interdisciplinary course of study bringing science, technology, engineering, and mathematics together across all grade levels, K-16. The Academy will assure excellence by raising the aspirations of all students through: 1) the incorporation of workplace experiences as part of the school program; 2) the implementation of industry assessments; 3) the application of concepts through hands-on learning experiences; 4) the alignment of programs of instruction to emerging job opportunities; and 5) the coordination of related efforts throughout a partnership network.

The Academy will open at three sites in Stafford County in the fall of 2008 with one site focusing on the Network Systems pathway and the other two sites on the Science and Engineering pathway. Access will be provided for students from all five Stafford County high schools. There is a substantial opportunity for dual enrollment coursework and career and technical integration as part of the Academy educational experience. The curriculum of the seven Stafford County middle schools will support and encourage enrollment in the Academy.

Highlights of the Program

- The Stafford Academy for Technology has a strong and growing partnership including representatives from business and industry, postsecondary educational institutions, work force and economic development groups, parents, and Stafford County Public Schools.
- A major component of the Academy is the integration of academics and career and technical education staff and curriculum.
- The Stafford Academy for Technology is building upon Project Lead the Way to give students pre-engineering curriculum at the middle and high school levels.
- FIRST Robotics, N-STAR projects and Legos™ will be incorporated into the middle school curriculum so that students will receive hands-on experience applying instructional technology and science and engineering concepts.
- Small learning communities will be a hallmark of the Academy to give students more personalized instruction.
- Required service learning experiences are incorporated into students' academy experiences.
- The Stafford Academy for Technology will address the needs of special populations and nontraditional students in engineering and technology fields.
- The strong connection with business and industry partners will facilitate mentorships, job shadowing, cooperative education, and internships as early as the tenth grade.
- The two pathways will be the model for expanding the academy concept to the development of a future STEM-based career and technical education center.

Mrs. Saslaw made a motion to waive first review and approve the establishment of the Governor's Career and Technical Academy: Stafford Academy for Technology. The motion was seconded by Dr. Ward and carried unanimously.

First Review of a Proposal to Establish a Governor's Career and Technical Academy: The Loudoun Governor's Career and Technical Academy

Dr. Lois Williams and Ms. Shirley Bazdar, director of career and technical education, Loudoun County Public Schools, presented this item. Before Ms. Bazdar began her presentation, she introduced staff members at C. S. Monroe Technology Center who devoted their time and energy to the project. They are as follows: Cara LeGrys, supervisor of career and technical education; Wagner Grier, principal; Kim Thomas, assistant principal and Penny Meyer, health and medical sciences instructor.

Ms. Bazdar's report included the following:

Partnership Members

Loudoun County Public Schools; Monroe Technology Center; Northern Virginia Community College; Shenandoah University; Virginia Polytechnic Institute and State University; George Washington University; REHAU; Fortessa, Inc.; Lockheed Martin; Metropolitan Washington Airports Authority; America Online, LLC; Loudoun County Economic Development, The Claude Moore Charitable Foundation; TELOS/Xacta Corporation; Hayes-Large Architects; Jerry's Automotive Group

Fiscal Agent

Loudoun County Public Schools

Academy Location

The Loudoun Governor's Career and Technical Academy
715 Childrens Center Road, SW
Leesburg, Virginia 20175

Number of Students

One hundred twenty-five high school students will have the opportunity to enroll in the Academy for the 2008-2009 school year. Future plans are in place to expand and grow Academy programs.

Career Pathways

Plant Systems
Diagnostics Services
Therapeutic Services
Engineering and Technology
Facility and Mobile Equipment Management

Academy Goals and Description

The Loudoun Governor's Career and Technical Academy will provide rigorous academic content within its career and technical instruction, concentrating on five career pathways. Academic integration and STEM curriculum expansion will enhance student learning through curriculum enhancements and targeted staff development with concentrations on integrative applications of mathematics and science. Academic content integration will be facilitated by enrollment in the STEM certificate/degree program at Virginia Polytechnic Institute and State University for identified faculty. A cluster resource teacher will also be identified to assist with curriculum enhancement and monitoring. Each of these tools will be used to connect and integrate academic content areas. Additionally, a partnership with the Loudoun Academy of Science program will enhance the academic rigor and create opportunities for future STEM education initiatives.

Graduates of The Loudoun Governor's Career and Technical Academy will complete a college and work readiness curriculum meeting the Commonwealth Scholars course of study. High school diploma completion will include up to nine career and technical course credits that can be earned, including corresponding industry credentials. Academy graduates will meet the requirements for an Advanced Technical Diploma. Opportunities will be available within Academy programs for students to earn at least nine dual enrollment college credits. Academy programs will utilize Virginia's Workplace Readiness competencies. Advisory committee members will work with Academy students by offering seminars addressing topics such as life skills, background checks, or professional ethics and behaviors.

Highlights of the Program

- Dual enrollment opportunities will be available through Northern Virginia Community College and Virginia Polytechnic Institute and State University. Future dual enrollment

opportunities will be made available through the George Washington University and Shenandoah University.

- Academy students will receive enhanced science, technology, engineering, and mathematics instruction via the staff development opportunities, curriculum enhancement, and partnerships with the Loudoun Academy of Science, as well as advisory and planning committee member participation.
- The Health Science cluster pathways contain two new and innovative pathway programs. Curriculum is currently being developed at the CTE Resource Center for these two pathways. The Medical Laboratory Technology and Radiology Technology pathway programs have been created through the support and partnership of the Claude Moore Charitable Foundation and the Inova Healthcare System.
- The Agriculture, Food and Natural Resources Plant Systems pathway is aligned with the global movement to develop more green technologies and practices to conserve and protect earth's natural resources.
- The Transportation, Distribution and Logistics Facility and Mobile Equipment Maintenance pathway will provide direct instruction in the development and maintenance of alternative fuels and hybrid vehicles.
- The Engineering and Technology pathway offers a digital visualization and animation program. This program prepares students to enter the evolving career fields of animation, gaming and software development, prototyping, and rendering.

Dr Ward made a motion to waive first review and approve the proposal to establish the Loudoun Governor's Career and Technical Academy. The motion was seconded by Mr. Rotherham and carried unanimously.

Dr. Cannaday thanked Dr. Wallinger, assistant superintendent, and Dr. Williams, STEM coordinator, for being of assistance in establishing the academies. Dr. Cannaday said that many school divisions will benefit from their work.

First Review of Nominations to Fill Vacancies on Board of Education Advisory Committees: Advisory Committee on Adult Education and Literacy, State Special Education Advisory Committee, Virginia Advisory Committee for Career and Technical Education, Virginia Advisory Committee for the Education of the Gifted, and the Advisory Board on Teacher Education and Licensure

Dr. Margaret Roberts, executive assistant to the Board of Education, presented this item. Dr. Roberts said that the Board of Education has six advisory committees, five of which have vacancies for the three-year term of July 2008 to June 2011.

Dr. Roberts said that the nomination process for the Student Advisory Committee is handled through a special procedure that will be conducted in the early fall. Superintendent's Memo Number 121 (Informational), dated May 9, 2008, announced the call for nominations to fill the current advisory committee vacancies. The call for nominations indicated which vacancies involved an incumbent eligible for reappointment. Further calls for nominations were sent to public school principals, statewide education organizations, interest groups, advocates, and individuals that had expressed interest. This information was also posted on the Board of Education's Web page. The deadline for submission was June 9, 2008.

Dr. Ward made a motion to waive first review and adopt the list of nominees recommended for appointment to Board of Education advisory committees for the July 2008-June 2011 term. The motion was seconded by Mr. Rotherham and carried unanimously.

The nominees are as follows:

Advisory Board on Teacher Education and Licensure (ABTEL)

- Classroom Teacher (Elementary): Mr. Jaim Foster, Fairfax County Public Schools
- Classroom Teacher (Middle): Mr. Jeffrey A. Arco, Hanover County Public Schools (reappointment)
- Classroom Teacher (Career and Technical): Ms. Charlotte Hayer, Richmond City Public Schools
- Parent/Teacher Association: Ms. Debra Abadie, Virginia PTA Vice President
- School Principal (Elementary): Ms. Susan Bridges, Culpeper County Public Schools
- Member-at-Large (Middle/Secondary Principal): Mr. Lawrence W. Lenz, Essex County Public Schools
- Personnel Administration: Ms. Betty E. Hobbs, Arlington County Public Schools (reappointment)

State Special Education Advisory Committee (SSEAC)

- Parent Representative Region 3: Mr. Larry Blevins, Spotsylvania County
- Parent Representative Region 6: Ms. Eva Aikens, Danville
- Parent Representative Region 8: Ms. Robin Glass, Halifax
- Representative of Private Schools: Ms. Jennifer O'Berry-Ham, Minnick Educational Center, Roanoke
- Representative of an Institution of Higher Education: Dr. Michael Behrmann, George Mason University (reappointment)
- Person with a Disability: Mr. Peter Squire, Alexandria (reappointment)
- Representative of a State Agency: Ms. Mary Ann Discenza, Department of Mental Health, Mental Retardation and Substance Abuse Services, Richmond (reappointment)
- Representative of the Department of Corrections: Ms. Josephine Nelson, Richmond (reappointment)
- Representative of the State Foster Care System: Ms. Tamara Temoney, Department of Social Services, Richmond (reappointment)
- Representative of Local Directors of Special Education: Ms. Fran Goforth, Special Education Director, Gloucester County Public Schools

Advisory Committee on Adult Education and Literacy

- Senator Phillip P. Puckett, Senate of Virginia, Tazewell County
- Delegate Kenneth R. Plum, Virginia House of Delegates, Reston (reappointment)
- Ms. Bette Sneed, Adult Education Coordinator, GED Director, Prince William County Public Schools

Career and Technical Education Advisory Committee

- Ms. Virginia R. Jones, Database and Career Academy Management, Halifax County Public Schools
- Mr. Jerry W. Stewart, Workforce Development Coordinator, City of Virginia Beach Economic Development Division
- Mr. Byron K. Hinton, Chairman, Stafford County Career and Technical Education Committee
- Mr. Alan R. Hawthorne, Executive Director, Joint Industrial Development Authority of Wythe County
- Mr. John E. Cotton, Director, Environmental Health, Safety and Security

Virginia Advisory Committee for the Education of the Gifted

- Mr. Philip B. Tharp, Coordinator of Administration, Maggie L. Walker Governor's School, Richmond
- Ms. Sheila M. Roalf, Director of Gifted Services and Title I, Prince George County Public Schools (reappointment)
- Ms. Pamela Flaherty, President, Virginia Association of the Gifted, Culpeper
- Ms. Rebecca L. Akers, NCLB Reading Specialist, Brunswick County Public Schools
- Dr. Richard W. Layman, Division Superintendent, King and Queen County Public Schools
- Ms. Elyse Devereux, Parent, Newport News

First Review of Proposed Board of Education Meeting Dates for the 2009 Calendar Year

Dr. Roberts also presented this item. Dr. Roberts said that Section 2 of Article Three of the Bylaws of the Board of Education states the following: Prior to and no later than the annual meeting (February), the Board shall adopt a tentative schedule for regular meetings for the applicable calendar year. Such schedule shall be subject to the change, alteration or adjustment by the President as he or she deems appropriate, to accommodate the operation of the Board as is necessary.

Dr. Roberts said that in recent years, the Board of Education has met monthly except for the months of August and December. Meetings are typically held on the fourth Thursday of the month, although this is not a requirement. Exceptions are the January meeting which is held early in the month to coincide with the opening of the General Assembly session, and the November meeting, which is scheduled to avoid meeting during Thanksgiving week. The April meeting is typically a two- or three-day planning session. Meetings are scheduled to avoid major religious or secular holidays.

In addition to the regular, monthly business meetings, the President may call special meetings of the full Board of Education and its committees, as deemed necessary. Unless otherwise announced by the President, all Board of Education meetings will be held in the Jefferson Conference Room on the 22nd floor of the James Monroe Building, 101 North 14th Street, Richmond, Virginia 23219.

The proposed meeting dates for 2009 are as follows:

Thursday, January 15, 2009
Thursday, February 26, 2009
Thursday, March 26, 2009
Wednesday-Thursday, April 22-23, 2009
Thursday, May 28, 2009
Thursday, June 25, 2009
Thursday, July 23, 2009
Thursday, September 24, 2009
Thursday, October 22, 2009
Tuesday, November 17, 2009

The Board will review the proposed meeting dates for 2009 and make desired adjustments prior to final adoption at the September meeting.

Report from the State Special Education Advisory Committee Concerning Proposed Regulations Governing Special Education Programs for Children with Disabilities in Virginia

Mr. Douglas Cox and Ms. Anne Fischer, chair, state special education advisory committee, presented this item. Ms. Fischer presented the following SSEAC position on issues the committee considered to be of highest priority:

- As noted in the NOIRA comment provided on February 23, 2007, the Policy and Regulations Subcommittee recommend the following:
 - a. Expand the Foreword to include information that sets the stage for the people who will need to access the regulations: teachers, administrators, parents and students. Specifically, the SSEAC encourages you to include:
 - An overview of the regulations, written in easy-to-access language,
 - IDEA 2004 intent language, including the emphasis on “high expectations,” and “educating children in the regular classroom, so they can meet developmental goals and, to the maximum extent possible, the challenging expectations that have been established for all children and be prepared to lead productive and independent adult lives, to the maximum extent possible.” (Section 1400(c)(5)(A)) (from the “Findings” section, IDEA 2004)
 - Information about best practices
The regulations have the force of the law, best practices change over time, therefore policy and guideline documents should reflect those practices
 - IDEA 2004 purposes language – especially the provision that special education services should be designed to meet students’ “unique needs and prepare them for further education, employment and independent living.” (Section 1400(d)(1)(A))
The fiscal and administrative impact would be minimal, because this language will simply provide clarification and background information.
- The following statements were approved by the full SSEAC on April 17 and 18, 2008, by a vote of 14 to 1 with no abstentions.

1. 8 VAC 20-81-110

Short Term Objectives for the Adaptive Curriculum

The SSEAC supports the language of short term objectives or a description of benchmarks for all students participating in alternate assessments, but would further support language that mandates the IEP team to consider short term objectives for all students receiving special education and note that consideration in the IEP document.

2. 8 VAC 20-81-10**Developmental Delay**

The SSEAC supports maintaining current regulatory language which would allow the local education agency the option of extension of that classification for ages 5-8, inclusive. The committee supports a general category that avoids inaccurate labeling at an age where developmental milestones are still emerging.

3. 8 VAC 20-81-60**Timelines for Evaluation and Eligibility/ Reevaluation**

The SSEAC supports a timeline of 65 business days from *date of referral* for evaluation and the determination of eligibility. We recommend that the 'trigger date' be the receipt of referral and not prompted by date of parental consent.

4. 8 VAC 20-81-50**Elimination of Child Study Team**

The SSEAC supports the elimination of the child study team with the following support to the regulations: The LEA must establish and follow the procedures developed in accordance with the regulatory language proposed in 8 VAC 20-81-50 D.1. Furthermore the SSEAC maintains that the suggested 65 business day timeline associated with the date of referral will provide a more efficient response time by the LEA.

5. 8 VAC 20-81-10**Functional Behavior Assessment**

The SSEAC supports the proposed definition with the request for the following additional language". . . may be a review of existing data" in addition, ". . .or new testing data as may be required."

6. 8 VAC 20-81-10**Definitions of Emotional Disturbance, Mental Retardation, Child with a Disability**

The SSEAC supports the following changes to the definitions: Emotional Disturbance to Emotional Disability, and Mental Retardation to Intellectual Disability. These terms should be cross-referenced throughout the document. We also request that the term "developmental delay" be inserted into the definition of "Child with a Disability."

7. 8 VAC 20-81-10**Definition of Autism**

The SSEAC recommends that the term "diagnosed" be changed to "identified" in the definition. While diagnosis is referenced in the eligibility criteria (8 VAC 20-81-80),

the use of the word “identified” is used in federal regulation.

8. 8 VAC 20-81-110

Secondary Transition

The SSEAC supports the language in the proposed regulations regarding a 2-tiered system of transition beginning at age 14, similar to the 2002 regulations.

9. Parent's Resource Guide

The SSEAC recommends that the Department of Education develop a Parent's Resource Guide to coincide with the release of the regulations. In the past revision years, an understandable, workable, readable resource did not appear until long after the regulatory process closed. A parent's guide that is timely in its release would be beneficial to all parents.

10. 8 VAC 20-81-169

Discipline Procedures

The SSEAC supports the inclusion of language similar to that of 8 VAC 20-81-110 F.2 referencing the strategies and positive behavioral supports already in place be inserted into the General description (8 VAC 20-81-160 A). We recognize that "school personnel may consider any unique circumstances on a case-by-case basis. . ." must reflect all of the considerations of the IEP team on the record.

11. 8 VAC 20-81-210

Due Process

The SSEAC supports the transfer of the administration of the due process system from the Virginia Supreme Court to the Virginia Department of Education with an additional recommendation. In establishing the procedures of this administration outlined in 8 VAC 20-81-210 B.1, the SSEAC requests the requirement of a parent advisory role in the selection/ training process. This advisory role would follow the Department of Rehabilitative Services model. The SSEAC also recommends that neither party (parent or LEA) referenced in 8 VAC 20-81-210 D. 6, be allowed to raise any issues not previously indicated in the notice of the due process hearing.

- The following comments required a separate vote from the full committee, due to lack of consensus within the policy and regulation subcommittee:

12. 8 VAC 20-81-230

Local Advisory Committee

The SSEAC supports retaining the current regulatory language regarding membership. The SSEAC does not support the representation of gender and ethnicity reflected in membership, but recognizes that local committees should show intent to be represented by a diverse population. The SSEAC does not support the deletion of current language regarding LAC personnel serving the committee as consultants. The vote was recorded as 13-yes, 1-no, and 1-abstain.

13. 8 VAC 20-81-90 and 8 VAC 20-81-120

Parental Consent

The SSEAC supports retaining ALL parental consent requirements in the current regulations of 2002. A roll-call vote was requested and can be viewed in the minutes of the April 2008 SSEAC meeting. The count as voted was 12-yes, 2-no, and 1-abstain.

After Ms. Fischer's presentation, a short discussion was held on SSEAC's recommendation to transfer the administration of the due process system from the Virginia Supreme Court to the Virginia Department of Education. Several Board members expressed their opinions/views on the issue. Dr. Emblidge said that the Board will continue to take into consideration the information received from the public and the Board will make a final decision at the September meeting.

The Board received the report of the State Special Education Advisory Committee.

Report from the Virginia Advisory Committee on the Education of the Gifted Regarding the Proposed Regulations Governing Educational Services for Gifted Students (8 VAC 20-40-30 et seq.)

Dr. Linda Wallinger, assistant superintendent for instruction, and Ms. Sheila Roalf, chair, Virginia advisory committee for the education of the gifted, presented this item. Ms. Roalf's report from the Virginia Advisory Committee for the Education of the Gifted included the following:

- The current *Regulations Governing Educational Services for Gifted Students* were adopted by the Board of Education in 1993, and they became effective in 1995. At its meeting in September 2006, the Board of Education approved the Department of Education's request for a Notice of Intended Regulatory Action (NOIRA) to update the *Regulations Governing Educational Services for Gifted Students* (8 VAC 20-40-10 et seq.)
- Representatives of the Virginia Advisory Committee for the Education of the Gifted as well as an advisory group of representatives from school divisions and higher education contributed to the proposed revised regulations. The diverse stakeholders provided suggestions regarding the implementation and development of gifted education programs. Additionally, a study of current literature and practice from the field of gifted education informed the process. An attempt was also made to revise language in the regulations to comport with language in the *Code of Virginia* and the Appropriation Act.
- The Board received for first review the proposed revised *Regulations Governing Educational Services for Gifted Students* at its meeting on May 30, 2007. In June 2008, the proposed regulations were posted to the Virginia Regulatory Town Hall signifying a public comment period from June 23, 2008, through September 26, 2008.

The Board received the report from the Advisory Committee of the Education of the Gifted.

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, 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.

EXECUTIVE SESSION

Dr. Ward made a motion to go into executive session under *Virginia Code 2.2-3711.A.1*, specifically to discuss personnel matters involving identifiable employees or perspective employees. Mr. Moore seconded the motion and it carried unanimously. The Board adjourned for the Executive Session at 11:45 a.m.

Dr. Ward made a motion that the Board reconvene in open session. The motion was seconded by Dr. Jones and carried unanimously. The Board reconvened at 12:17 p.m.

Dr. Ward made a motion that the Board certify by roll-call vote that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (2) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Board. The motion was seconded by Mr. Moore and carried unanimously.

Board Roll call:

Thomas Brewster – yes	Eleanor Saslaw – Yes
Andrew Rotherham – Yes	David Johnson – Yes
Ella Ward – Yes	Kelvin Moore – Yes
Gary Jones – Yes	Mark Emblidge – Yes

The Board of Education revoked the following individuals' licenses:

Penny Hornsby Clements
 Pamela Yvette Hoffler-Riddick (Dr. Ella Ward recused herself from this case.)
 Robert John Karl
 Peter John Pandazides
 Oscar Guadalupe Villarreal
 James Stuart Williams, Jr.
 Michael Anthony Williams
 Jeffrey Duane Wilson

The Board of Education denied the issuance of a license to Mr. David Ray Reed until special conditions are met.

Public Hearing on Proposed Revisions to Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs (8 VAC 20-281-10 et seq.)

No one signed up to speak at public hearing.

ADJOURNMENT

There being no further business of the Board of Education and Board of Career and Technical Education, Dr. Emblidge adjourned the meeting at 12:19 p.m.

The Standards of Quality: Virginia's Foundation Program for Public Education

Immediately following the adjournment of the business meeting of the Board of Education, Dr. Jones, chair of the Board of Education Standards of Quality Committee, opened the meeting.

Mrs. Anne Wescott, assistant superintendent for policy and communications, presented an overview of the *Standards of Quality: Virginia's Foundation Program for Public Education* which included the following:

Constitutional and Statutory Authority

- The Constitution of Virginia states that the Commonwealth “shall seek to ensure that an educational program of high quality is established and continually maintained.”
- The Constitution also requires that the Standards of Quality (SOQ) be “determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly.”
- Section 22.1-18.01 of the *Code of Virginia* requires the Board to review the standards every other year and either propose amendments or make a determination that no changes are necessary.

Eight Standards of Quality

1. Instructional programs supporting the *Standards of Learning* and other educational objectives;
2. Instructional, administrative, and support personnel;
3. Accreditation, other standards and evaluation;
4. Student achievement and graduation requirements;
5. Quality of classroom instruction and educational leadership;
6. Planning and public involvement;
7. School board policies; and
8. Compliance.

Board of Education's Changes to the SOQ

The Board's recommendations have focused on:

- Additional staffing needs;
- Prevention and intervention, as well as remediation;
- Effective use of technology, and integrating technology into the instructional program;
- Use of data in decision making;
- Emphasis on professional development for instructional personnel;
- Assistance to low-performing schools and school divisions;
- Increased emphasis on accountability; and
- Technical and editorial changes needed for clarity.

Funding Recommendations to the 2004 General Assembly

The 2004 General Assembly funded:

- Elementary resource teachers in art, music, and physical education;
- One planning period per day or the equivalent for all middle and high school teachers;
- Positions for technology support and to integrate technology into classroom instruction; and
- Revisions to the funding formula for SOQ prevention, intervention, and remediation.

The 2004 General Assembly did not fund:

- A full-time principal for each elementary school;
- A full-time assistant principal for every 400 students in the school;
- A reduction in the caseload of speech-language pathologists; and
- One reading specialist for every 1,000 students in the school division.

Policy Recommendations to the 2004 General Assembly

The General Assembly adopted BOE policy changes that:

- Established the academic review process, and set the requirements for corrective action plans for any schools that have been rated Accredited with Warning;
- Require each school board to submit corrective action plans for any schools within its school division that do not meet the *Standards of Accreditation*;
- Strengthen provisions related to test security and unauthorized alteration of test materials and results;
- Require early identification, diagnosis, and assistance for students with reading problems, and provision of instructional strategies and reading practices that benefit the development of reading skills for all students.
- Require the *Standards of Learning* for reading in K-3 be based on the five components of effective reading instruction: phonemic awareness, phonics, fluency, vocabulary development, and text comprehension;
- Clarify the expectation for performance standards and high quality professional development for teachers;
- Require professional development in interpreting test data for instructional purposes; and
- Require school boards to provide information about policies addressing parental concerns.

Policy Recommendations to the 2005 General Assembly

The General Assembly adopted BOE policy changes that:

- Require the curriculum adopted by the local school board to be aligned to the *Standards of Learning*;
- Require all schools within a school division to be fully accredited;
- Require local school boards to collect and analyze data, and use the results to evaluate and make decisions about the instructional program;
- Specify the requirements for teacher evaluations, including regular observation of the teacher in the classroom, determination that the instruction is aligned with the curriculum, and identification of appropriate professional development;
- Require all instructional personnel to participate each year in high quality professional development programs;
- Require each local school board to review its professional development program annually for quality, effectiveness, participation by instructional personnel, and relevancy;
- Require each local school board's comprehensive, long-range plan to be based on data collection, analysis, and evaluation;
- Provide that the plan include, or be consistent with, all other division plans required by state and federal laws and regulations;
- Require the plan to include strategies for improving student achievement; and
- Require provisions for parent and family involvement to build successful school and parent partnerships.

Funding Recommendations to the 2006 General Assembly

The Board reaffirmed its previous recommendations for:

- A full-time principal for each elementary school;
- A full-time assistant principal for every 400 students in the school;
- A reduction in the caseload of speech-language pathologists; and
- One reading specialist for every 1,000 students in the school division.

Funding Recommendations to the 2007 General Assembly

The Board reaffirmed its previous recommendations for:

- Elementary principals, assistant principals, reading specialists, and speech-language pathologists.

The Board also recommended:

- One mathematics specialist for every 1,000 students in K-8;
- A data manager-test coordinator for every 1,000 students in K-12; and
- Instructional positions for students who are blind or vision impaired.

The recommendations were not funded by the General Assembly.

Policy Recommendations to the 2007 General Assembly

The General Assembly adopted BOE policy changes that:

- Require the program of instruction offered by local school divisions to include the knowledge and skills needed for gainful employment;

- Specify that programs of prevention, intervention, and remediation include components that are research-based;
- Require the early identification, diagnosis, and assistance for students with problems with mathematics, and the provision of instructional strategies and practices to benefit the development of mathematics skills for all students;
- Require the School Performance Report Card to include *Standards of Learning* test results disaggregated by student subgroups;
- Specify that provisions be made to facilitate the transfer and appropriate grade placement of students from other public schools, nonpublic schools, and home instruction;
- Require that parents of secondary students be notified of the number of standard and verified credits needed for graduation, as well as the subject area requirements;
- Require local school boards to provide teachers and principals with professional development in effective classroom management;
- Clarify that the strategies for improving student achievement focus attention on the achievement of educationally at-risk students;
- Specify that the Student Conduct Policy be made available to the public;
- Require that school divisions' policies be posted on their Web sites.

Funding Recommendations to the 2008 General Assembly

The Board reaffirmed its previous recommendations for:

- Elementary principals;
- Assistant principals;
- Reading specialists;
- Speech-language pathologists;
- Mathematics specialists;
- Data coordinators; and
- Instructional positions for students who are blind or vision impaired.

The recommendations were not funded by the General Assembly.

Elementary principals	\$ 8.0 million
Assistant principals	59.3 million
Reading specialists	43.4 million
Speech-language pathologist caseloads	4.6 million
Mathematics specialists	29.5 million
Data coordinators	43.4 million
Pupil-teacher ratios for students who are blind or vision impaired	3.8 million
Total	\$ 192.0 million

Following are comments from Board members:

Dr. Jones

- Thought it would be appropriate to have a full compilation of the achievements through the submission of the Standards of Quality (SOQ) because it has been a community-wide effort, not just the Board and staff.
- Since 2002, four initiatives have been accepted by the Governor and General Assembly and since 2004, 28 policies have been submitted and passed.

- There are still seven Board recommendations since 2004 that have not been funded. The Board should continue presenting all seven options to the General Assembly and Governor.
- The Board should focus on at least one or two of the recommendations this summer and fall in order to be prepared to make a stronger presentation to the appropriate committees of the General Assembly and the Governor before January. To be successful, the Board should start communicating with legislators in October, November, and December.
- Asked Board members to give their insight on this and said three members including the president and Mrs. Saslaw should represent the Board.
- Asked staff to identify key members of the General Assembly for the Board to contact.

Mrs. Saslaw

- Agreed with Dr. Jones that the Board can do so much more by communicating with and informing key people as early as possible.
- The Board was successful during the last session of the General Assembly under the worst conditions in terms of the budget by having a pro-educational Governor which helped to get some of the Board's concerns presented and funding proposed.
- If not for advocacy of many organizations including the Board, things would have been changed radically for educators and education in Virginia in the future.

Dr. Emblidge

- At the end of the General Assembly session last year, a commission was formed to look at the funding formula for the SOQ. Susan Hogge of the House Appropriations Committee and Sarah Herzog of the Senate Finance Committee, who were in the audience, said the meeting is scheduled for late August.
- Asked Board members to follow the activities of this commission.

Dr. Ward

- Agreed with Dr. Jones and Mrs. Saslaw to start communicating with legislators before January.
- The Board should prioritize the list of seven items when presenting to General Assembly.

Mr. Johnson

- Prioritizing is important and needs to be done but the Board has a responsibility to present to the General Assembly and identify all the needs of public schools as the Board sees them, irrespective of how much funding is available, for the schools to be successful. By prioritizing the Board does not want to lose sight of those things pointed out by the Board as real needs because this is the Board's responsibility to the citizens of the Commonwealth.

ADJOURNMENT

Dr. Jones adjourned the Board of Education Standards of Quality committee meeting at 12:46 p.m.

President