

COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
RICHMOND, VIRGINIA

**MINUTES**

November 18, 2010

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

Mrs. Eleanor B. Saslaw, President  
Dr. Ella P. Ward, Vice President  
Mrs. Betsy D. Beamer  
Dr. Billy K. Cannaday, Jr.  
Mrs. Isis M. Castro

Mr. David M. Foster  
Mr. David L. Johnson  
Mr. K. Rob Krupicka  
Dr. Virginia L. McLaughlin

Dr. Patricia I. Wright, Superintendent of  
Public Instruction

Mrs. Saslaw called the meeting to order at 9 a.m.

***MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE***

Mrs. Saslaw asked for a moment of silence, and Mrs. Beamer led in the Pledge of Allegiance.

***APPROVAL OF MINUTES***

Mrs. Castro made a motion to approve the minutes of the September 23, 2010, meeting of the Board. The motion was seconded by Mrs. Beamer 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 Virginia's 2011 Regional Teachers of the Year and State Teacher of the Year. They are as follows:

Region 1	LaTonya E. Waller	Region 5	Janice C. Wiley
Region 2	Karen J. Drosinos	Region 6	Lisa R. Taylor
Region 3	Gregory A. Feducia	Region 7	Diana D. Blanton
Region 4	Colette Fraley	Region 8	Valarie W. Harris

Virginia Teacher of the Year: LaTonya E. Waller, Region 1

***PUBLIC COMMENT***

The following persons spoke during public comment:

Dr. James Batterson  
Dr. Kitty Boitnott  
Sarah Rainey

***ACTION/DISCUSSION: BOARD OF EDUCATION REGULATIONS***

***First Review of Proposed Amendments to the Regulations Establishing Standards for Accrediting Public Schools in Virginia (8 VAC 20-131) to Conform to HB 1199 by the 2010 General Assembly***

Mrs. Anne Wescott, assistant superintendent, policy and communications, presented this item. Mrs. Wescott said that the waiver provision in the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* would be amended to address the requirements of House Bill 1199. The amended language would read as follows:

“Waivers of some of the requirements of these regulations may be granted by the Board of Education based on submission of a request from the division superintendent and chairman of the local school board. The request shall include documentation of the need for the waiver. In no event shall waivers be granted to the requirements of Part III (8 VAC 20-131-30 through 8 VAC 20-131-60) of these regulations except that the Board of Education may provide for the waiver of certain graduation requirements in 8 VAC 20-131-50 (i) upon the Board’s initiative or (ii) at the request of a local school board on a case-by-case basis in accordance with guidelines established by the Board.”

Mrs. Castro made a motion to accept for first review the proposed revisions to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*. The motion was seconded by Dr. Cannaday. The motion was passed with seven “yes” votes and two “no” votes, cast by Mr. Johnson and Mr. Krupicka.

***First Review of the Proposed Revisions to the Guidance Document Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia***

Anne Wescott presented this item. Mrs. Wescott said that the guidelines would provide that the Board of Education may waive certain graduation requirements in 8 VAC 20-131-50 by resolution. The resolution shall specify the requirement(s) being waived and, if the waiver is time-limited, when the waiver would expire.

The guidelines for waiver requests from local school boards would include the following:

1. Provisions for local school boards to submit to the Superintendent of Public Instruction, on behalf of the Board, requests for waivers of certain graduation requirements for a student.
2. A requirement that any local school board submitting a waiver must include an explanation of what requirements are requested to be waived and a justification, which shall include a statement of all efforts that the local school board has made to assist the student prior to the submission of the request to the Board.
3. A provision that a waiver request may not be submitted more than 90 days prior to the date of graduation.
4. A provision allowing the Superintendent of Public Instruction to approve a waiver on behalf of the Board. The Superintendent will also report to the Board any waivers granted or denied.
5. Provisions for determining 'good cause', which would include, but not be limited to:
  - A catastrophic, sudden, or debilitating illness or injury suffered by the student late in his high school career; or
  - A sudden, unexpected requirement or event that causes a student's family to relocate to another state where the student is unable to complete graduation requirements in Virginia or the receiving state.
6. In no event shall a waiver be granted if that waiver substantially reduces or diminishes the integrity of the diplomas approved by the Board.
7. Graduation requirements that have been approved for a waiver shall be noted on a student's official academic record.

Mrs. Castro made a motion to accept the proposed revisions for first review and authorize 30 days of public comment. The motion was seconded by Mr. Foster and carried unanimously. Following public comment, the proposed revisions to the guidance document will be presented to the Board for approval on January 13, 2011.

***ACTION/DISCUSSION ITEMS***

***First Review of a Report on Homebound Instructional Services in Response to House Bill 257 Passed by the 2010 General Assembly***

Anne Wescott presented this item. Mrs. Wescott said that in order to assist the Board in its review required by House Bill 257, the Virginia Department of Education (VDOE) administered a short survey to solicit information about homebound instructional services offered by school divisions during the 2009-2010 academic year. This survey was provided to school divisions in September 2010, and it asked general questions about the number of students referred for homebound services, whether complaints were received from parents about the homebound program, including the certification process, and whether school divisions had any suggested changes to the current structure of the homebound program. Ninety-one school divisions responded to this survey.

Mrs. Wescott said that none of the 91 school divisions responding indicated that there are any deficiencies with the current certification process. Three respondents indicated that the current certification structure is effective. Many of the comments received from school divisions indicate that additional guidance from the VDOE would be helpful. The conclusions and recommendations section of the report suggests that the Board may want to consider directing the VDOE to review its Homebound Instructional Services Guidelines to determine whether revisions to the guidelines are necessary.

Dr. Ward made a motion to accept the report for first review and authorize 30 days of public comment on the findings of the review. The motion was seconded by Mrs. Beamer and carried unanimously.

***First Review of the Criteria for Charter Schools, the Application for Charter Schools, and the Procedures for Receiving and Reviewing Charter School Applications***

Mrs. Wescott presented this item. Mrs. Wescott said that House Bill 1390 and Senate Bill 737, passed by the 2010 General Assembly and signed by the Governor, amended the provisions in the *Code of Virginia* related to charter schools. The legislation requires a public charter school applicant to submit its proposed charter application to the Board of Education for review, comment, and a determination as to whether the application meets approval criteria developed by the Board, prior to submission to the local school board.

The legislation also provides for an opportunity for a public charter school applicant to petition for reconsideration of a decision by a local school board to deny an application. Prior to such petition for reconsideration, an applicant may seek technical assistance from the Superintendent of Public Instruction.

Section 22.1-212.5 of the *Code of Virginia* defines a public charter school as “a public, nonreligious, or non-home-based alternative school located within a public school division. A public charter school may be created as a new public school or through the conversion of all or

part of an existing public school; however, no public charter school shall be established through the conversion of a private school or a nonpublic home-based educational program. A charter school for at-risk pupils may be established as a residential school.”

Section 22.1-212.9 of the *Code of Virginia* requires all applications for public charter schools to be submitted to the Virginia Board of Education for review prior to submission of the application to the local school board. The Board is required to establish procedures for receiving and reviewing applications, and making a determination as to whether the application meets approval criteria developed by the Board. The *Code* further provides that the Board's review would examine such applications for feasibility, curriculum, financial soundness, and other objective criteria as the Board may establish, consistent with existing state law.

§ 22.1-212.9. Review of public charter school applications.

A. Public charter school applications shall be received and reviewed by the Board of Education and local school boards or, in the case of a regional public charter school, by all of the relevant school boards, as provided in subsection C.

The Board of Education and each local school board shall establish procedures for receiving, reviewing, and, in the case of local school boards, ruling upon applications. The Board of Education and local school boards shall post their procedures on their websites and make a copy of the procedures available to all interested parties upon request. If any such board finds the public charter school application is incomplete, the board shall request the necessary information from the charter applicant.

B. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist local school boards in their decisions to grant or deny a public charter school application, local school boards shall establish a procedure for public notice and to receive comment on public charter school applications. A local school board shall give at least 14 days' notice of its intent to receive public comment on an application.

C. Prior to submission of an application to a local school board for review, the public charter school applicant shall submit its proposed charter application to the Board of Education for its review, comment, and a determination as to whether the application meets the approval criteria developed by the Board. The Board's review shall examine such applications for feasibility, curriculum, financial soundness, and other objective criteria as the Board may establish, consistent with existing state law. The Board's review and comment shall be for the purpose of ensuring that the application conforms to such criteria, and the Board shall make a determination as to whether the application meets the approval criteria developed by the Board. Nothing in this section shall prevent a local school division from working with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

Section 22.1-212.8 of the *Code of Virginia* specifies what the public charter school application must include:

Section 22.1-212.8. Charter application.

B. The public charter school application shall be a proposed agreement and shall include:

1. The mission statement of the public charter school that must be consistent with the principles of the Standards of Quality.
2. The goals and educational objectives to be achieved by the public charter school, which educational objectives must meet or exceed the Standards of Learning.
3. Evidence that an adequate number of parents, teachers, pupils, or any combination thereof, support the formation of a public charter school.
4. A statement of the need for a public charter school in a school division or relevant school divisions in the case of a regional public charter school, or in a geographic area within a school division or relevant school divisions, as the case may be.
5. A description of the public charter school's educational program, pupil performance standards, and curriculum, which must meet or exceed any applicable Standards of Quality; any assessments to be used to measure pupil progress towards achievement of the school's pupil performance standards, in addition to the Standards of Learning assessments prescribed by Section 22.1-253.13:3; the timeline for achievement of such standards; and the procedures for taking corrective action in the event that pupil performance at the public charter school falls below such standards.
6. A description of the lottery process to be used to determine enrollment. A lottery process shall also be developed for the establishment of a waiting list for such students for whom space is unavailable and, if appropriate, a tailored admission policy that meets the specific mission or focus of the public charter school and is consistent with all federal and state laws and regulations and constitutional provisions prohibiting discrimination that are applicable to public schools and with any court-ordered desegregation plan in effect for the school division or, in the case of a regional public charter school, in effect for any of the relevant school divisions.
7. Evidence that the plan for the public charter school is economically sound for both the public charter school and the school division or relevant school divisions, as the case may be; a proposed budget for the term of the charter; and a description of the manner in which an annual audit of the financial and administrative operations of the public charter school, including any services provided by the school division or relevant school divisions, as the case may be, is to be conducted.
8. A plan for the displacement of pupils, teachers, and other employees who will not attend or be employed in the public charter school, in instances of the conversion of an existing public school to a public charter school, and for the placement of public charter school pupils, teachers, and employees upon termination or revocation of the charter.
9. A description of the management and operation of the public charter school, including the nature and extent of parental, professional educator, and community involvement in the management and operation of the public charter school.

10. An explanation of the relationship that will exist between the proposed public charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees.
  11. An agreement between the parties regarding their respective legal liability and applicable insurance coverage.
  12. A description of how the public charter school plans to meet the transportation needs of its pupils.
  13. Assurances that the public charter school (i) is nonreligious in its programs, admission policies, employment practices, and all other operations and (ii) does not charge tuition.
  14. In the case of a residential charter school for at-risk students, a description of (i) the residential program, facilities, and staffing; (ii) any parental education and after-care initiatives; (iii) the funding sources for the residential and other services provided; and (iv) any counseling or other social services to be provided and their coordination with any current state or local initiatives.
  15. [Expired.]
  16. Disclosure of any ownership or financial interest in the public charter school, by the charter applicant and the governing body, administrators, and other personnel of the proposed public charter school, and a requirement that the successful applicant and the governing body, administrators, and other personnel of the public charter school shall have a continuing duty to disclose such interests during the term of any charter.
- C. [Expired.]
- D. The charter applicant shall include in the proposed agreement the results of any Board of Education review of the public charter school application that may have been conducted as provided in subsection C of Section 11.1-212.9.

Mr. Krupicka made a motion to accept the item for first review and authorize 30 days of public comment on the proposed criteria, procedures, and application package. The motion was seconded by Mrs. Castro and carried unanimously. Following a 30-day public comment period, this item is expected to be presented to the Board for final review and approval on January 13, 2011.

**First Review of the Application for College Partnership Laboratory Schools and the Procedures for Receiving, Reviewing, and Ruling on College Partnership Laboratory School Applications**

Mrs. Wescott presented this item. Mrs. Wescott said that House Bill 1389 and Senate Bill 736 passed by the 2010 General Assembly and signed by the Governor, added sections to the *Code of Virginia* providing for the establishment of college partnership laboratory schools.

Section 23-299 of the *Code of Virginia* defines a college partnership laboratory school as “a public, nonsectarian, nonreligious school established by a public institution of higher education that operates a teacher education program approved by the Virginia Board of Education (Board).” College partnership laboratory schools are public schools established by

contract between the governing board of a college partnership laboratory school and the Board of Education. The members of the governing board are selected by the institution of higher education establishing the college partnership laboratory school.

As provided in Section 23-299 of the *Code*, a college partnership laboratory school may be established to:

- Stimulate the development of innovative programs for preschool through grade twelve students;
- Provide opportunities for innovative instruction and assessment;
- Provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management, and structure;
- Encourage the use of performance-based educational programs;
- Establish high standards for both teachers and administrators;
- Encourage greater collaboration between education providers from preschool to the postsecondary level; and
- Develop models for replication in other public schools.

Section 23-299.4 of the *Code of Virginia* specifies the essential elements of the proposed school plan. It says:

Section 23-299.4. College partnership laboratory school application.

- A. Any public institution of higher education operating within the Commonwealth and having a teacher education program approved by the Board of Education may submit an application for formation of a college partnership laboratory school.
- B. Each college partnership laboratory school application shall provide or describe thoroughly all of the following essential elements of the proposed school plan:
  1. An executive summary;
  2. The mission and vision of the proposed college partnership laboratory school, including identification of the targeted student population;
  3. The proposed location of the school;
  4. The grades to be served each year for the full term of the contract;
  5. Minimum, planned, and maximum enrollment per grade per year for the term of the contract;
  6. Background information on the proposed founding governing board members and, if identified, the proposed school leadership and management team;
  7. The school's proposed calendar and sample daily schedule;
  8. A description of the academic program aligned with state standards;

9. A description of the school's educational program, including the type of learning environment (such as classroom-based or independent study), class size and structure, curriculum overview, and teaching methods;
10. The school's plan for using internal and external assessments to measure and report student progress in accordance with the Standards of Learning;
11. The school's plans for identifying and successfully serving students with disabilities, students who are English language learners, students who are academically behind, and gifted students, including but not limited to compliance with applicable laws and regulations;
12. A description of co-curricular and extracurricular programs and how they will be funded and delivered;
13. Plans and timelines for student recruitment and enrollment, including lottery procedures if sufficient space is unavailable;
14. The school's student disciplinary policies, including those for special education students;
15. An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies (such as advisory bodies or parent and teacher councils), Board of Education, and any external organizations that will play a role in managing the school;
16. A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown in the organization chart;
17. A staffing chart for the school's first year and a staffing plan for the term of the contract;
18. Plans for recruiting and developing school leadership and staff;
19. The school's leadership and teacher employment policies, including performance evaluation plans;
20. A plan for the placement of college partnership laboratory school pupils, teachers, and employees upon termination or revocation of the contract;
21. Explanation of any partnerships or contractual relationships central to the school's operations or mission;
22. The school's plans for providing transportation, food service, and all other significant operational or ancillary services;
23. Opportunities and expectations for parent involvement;
24. A detailed school start-up plan, identifying tasks, timelines, and responsible individuals;
25. Description of the school's financial plan and policies, including financial controls and audit requirements;

26. A description of the insurance coverage the school will obtain;
27. Start-up and five-year budgets with clearly stated assumptions;
28. Start-up and first-year cash-flow projections with clearly stated assumptions;
29. Evidence of anticipated fundraising contributions, if claimed in the application;
30. A sound facilities plan, including backup or contingency plans if appropriate; and
31. Assurances that the college partnership laboratory school (i) is nonreligious in its programs, admission policies, employment practices, and all other operations and (ii) does not charge tuition.

The purposes of the college partnership laboratory school application are to present the proposed school's academic and operational vision and plans, demonstrate the applicant's capacities to execute the proposed vision and plans, and provide the Board of Education a clear basis for assessing the applicant's plans and capacities.

Section 23-299.5 of the *Code of Virginia* requires the Board to establish procedures for receiving, reviewing, and ruling on applications. It says:

- Section 23-299.5. Review of college partnership laboratory school applications.
- A. The Board of Education shall establish procedures for receiving, reviewing, and ruling upon applications and shall make a copy of any such procedures available to all interested parties upon request. If the Board finds the application is incomplete, the Board shall request the necessary information from the applicant. The Board of Education's review procedures shall establish a review committee that may include experts with the operation of similar schools located in other states.
  - B. To provide appropriate opportunity for input from parents, teachers, and other interested parties and to obtain information to assist the Board of Education in its evaluation of a college partnership laboratory school application, the Board of Education may establish a procedure for public notice, comment, or hearings on such applications.

Dr. Cannaday made a motion to accept the item for first review and authorize 30 days of public comment on the proposed procedures and application package. The motion was seconded by Mrs. Beamer and carried unanimously. Following a 30-day public comment period, this item is expected to be presented to the Board for final review and approval on January 13, 2011.

***Final Review of the Proposed Criteria and Processes for Approving and Monitoring Multidivision Online Providers in Virginia (§22.1-212.23.-27)***

Mr. Lan Neugent, assistant superintendent for technology, career and adult education, presented this item. Mr. Neugent said that as specified in Section 22.1-212.24.A & B, the Superintendent of Public Instruction will develop, and the Board of Education will approve, the criteria and application process for approving multidivision online providers; a process for monitoring approved multidivision online providers; a process for revocation of the approval of

a previously approved multidivision online provider; and an appeals process for a multidivision online provider whose approval was revoked or whose application was denied. The purpose of the legislation is to ensure that quality online instruction is available to school divisions who are interested in offering students alternative methods of instruction. The legislation is intended to expand educational options for public school students.

Dr. Ward made a motion to approve the proposed criteria and processes for approval, monitoring, revocation, and appeal of multidivision online providers. The motion was seconded by Mrs. Castro and carried unanimously.

Following is the criteria for approval of multidivision online providers:

Criteria for Approval of Multidivision Online Providers

The Criteria for Approval of Multidivision Online Providers address the following sections of the *Code of Virginia*. As specified in § 22.1-212.24.A & B, the Superintendent of Public Instruction will develop, and the Board of Education will approve, the criteria for approving multidivision online providers, including those specified in these sections. Per § 22.1-212.26.A & B, teachers and administrators for multidivision online providers must meet specified requirements.

CATEGORY	CRITERIA
<b>ORGANIZATION REQUIREMENTS</b>	
Accreditation	<p>The multidivision online provider’s program is accredited by one of the following accrediting agencies:</p> <ul style="list-style-type: none"> <li>• AdvancEd (formerly Commission on International and Trans-Regional Accreditation [CITA], North Central Association Commission on Accreditation and School Improvement [NCA CASI], and Southern Association of Colleges and Schools Council on Accreditation and School Improvement [SACS CASI])</li> <li>• Middle States Association of Colleges and Schools Commission on Elementary Schools and Commission on Secondary Schools</li> <li>• New England Association of Schools and Colleges (NEASC)</li> <li>• Northwest Accreditation Commission (NWAC) (formerly Northwest Association of Accredited Schools)</li> <li>• Western Association of Schools and Colleges (WASC)</li> <li>• Virginia Council for Private Education (VCPE)</li> </ul> <p>School divisions operating as multidivision online providers may be deemed as meeting accreditation requirements if a majority of its schools are fully accredited by the Virginia Board of Education.</p>
Organizational Stability	<p>The multidivision online provider has an effective and stable organizational and management structure. The multidivision online provider is financially solvent. The legal status of the online program is clear with no ambiguities in ownership, control, or responsibility.</p>

STAFFING	
Teachers	<p>All teachers hired by the multidivision online provider who provide instruction to students meet the requirements set forth in section § 22.1-296.1 and 22.1-296.2 of the <i>Code of Virginia</i> and will be highly qualified, licensed by the Virginia Board of Education, and endorsed in their course content area. The established agreements between Virginia and other states for reciprocal teacher licensure are also in effect for virtual schools.</p> <p>The multidivision online provider must provide at least one FTE teacher at a reasonable ratio to students based on grade and subject being taught but not exceeding 150 students per FTE teacher.</p>
Administrators	<p>All administrators hired by the multidivision online provider meet the requirements set forth in section § 22.1-212.26.B of the <i>Code of Virginia</i>. The <i>Code of Virginia</i> states: “The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering education programs.”</p>
DATA	
Data Reporting	<p>Multidivision online providers provide data to each division in which students are enrolled for the purposes of monitoring student participation and progress to ensure that students meet division participation requirements and make progress toward successful completion of the course. Data and data management meet state and federal reporting requirements.</p>
Data Reporting	<p>Multidivision online providers provide data to the Virginia Department of Education for the purposes of reporting information to the Governor and the General Assembly regarding multidivision online learning during the previous school year.</p>
ACCOUNTABILITY	
Pupil Performance	<p>The pupil performance standards for online courses or virtual school programs meet or exceed any applicable Virginia Board of Education Standards of Accreditation. Any educational objectives and assessments used to measure pupil progress toward achieving pupil performance standards are in accordance with the Board’s Standards of Accreditation and all applicable state and federal laws.</p>
Content	<p>The content of each online course is accurate, rigorous, and meets or exceeds the content of courses taught in traditional school environments. The multidivision online provider must provide evidence that at least two subject matter experts have reviewed and validated the accuracy of online content. Standards meet or exceed the Virginia Standards of Learning and the Standards of Accreditation.</p>

CURRICULUM AND INSTRUCTION	
Research-based	Curriculum and instruction reflect both scientifically-based research and best practices for online courses.
Differentiation	Differentiation in content, delivery of content, and assessments meets the needs of a variety of learners.
Special Needs	Students with special needs, including students with disabilities, students with limited English proficiency, students with financial limitations, students from traditionally underrepresented groups, and others, are not excluded from participating in courses provided by the multidivision online provider. The provider must comply with all state and federal regulations specific to students with disabilities and work with the division to ensure student individualized education programs (IEPs) are implemented.
TECHNOLOGY	
Reliability	The system used to support course delivery and management is effective and reliable.
Support	Technical support is consistently available on a timely basis for students, parents, and school divisions.

**First Review to Reaffirm the 2009 Recommendations to the Standards of Quality**

Mrs. Anne Wescott presented this item. Mrs. Wescott said that during 2009, the Board conducted a review of the Standards of Quality (SOQ) and proposed policy directions, options for revisions to the Standards of Quality, and issues for further study. They are as follows:

**Policy Directions**

- Enhance the SOQ so that the Commonwealth’s basic foundation program for K-12 public education reflects a comprehensive educational program of the highest quality.
- Provide clarity and greater transparency in SOQ funding with the goal of maintaining the Commonwealth’s commitment to public education funding at the state and local levels and encouraging a continued emphasis on school-based instructional services.
- Provide greater flexibility to school divisions in using noninstructional personnel funding for instructional support services.
- Support the appropriateness of establishing ratio standards for individual categories of “support service” positions as is the current practice used for instructional personnel.
- Advocate against permanent structural changes to the Standards of Quality that result in decreased funding for K-12 public education.

- Begin building a more comprehensive basic foundation program by including in the SOQ gifted, special education, and career and technical staffing ratios and certain incentive programs that have become core components of K-12 educational programs statewide and currently funded in the Appropriation Act.
- Set priorities for the Board's unfunded SOQ recommendations from previous years so that these instructional staffing standards can be fully implemented in future years.
- Begin to address the Board's school leadership priorities of requiring a principal in every school and increasing the number of assistant principals in schools with the greatest need.
- Mitigate the perverse incentive of reducing a school division's special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RtI) and/or other instructional supports to reduce the number of students identified as needing special education services.
- Provide additional policy guidance and direction to school divisions offering alternative or nontraditional educational programs, such as the Individual Student Alternative Education Plan (ISAEP).

#### SOQ Language Revisions to Address Policy Directions

- Codify the Board of Education's recommendations that were included in the 2009 Appropriation Act providing flexibility in the use of existing funds for hiring reading specialists, mathematics specialists, data coordinators, and instruction of English language learners.
- Codify the provisions of the Early Intervention Reading Initiative and the Algebra Readiness program by including them in the Standards of Quality and requiring all school divisions to provide these interventions with funding currently appropriated for these incentive programs.
- Codify the Appropriation Act provision that the Standards of Quality includes a minimum of 58 licensed, full-time instructional positions per 1,000 students, including instructional positions for special education, gifted education, and career and technical education.
- Codify the staffing standards for special education (currently in regulations), gifted education (currently in the Appropriation Act), and career and technical education (currently in regulations).
- Provide school divisions the flexibility to deploy assistant principals to the schools with the greatest needs, so long as they employ a sufficient number of assistant principals divisionwide to meet the total number required in the current SOQ staffing requirement.

- Define the categories of personnel who make up “support services,” and specify how those positions are funded, and require transparency in the use of funds by mandating divisions publicly report the state and local amounts budgeted and expended for each category.
- Permit school divisions to use funds for support services to provide additional instructional services and include instructional services as a separate category to be reported publicly.

### Issues for Further Study

As resources become available, conduct a comprehensive study of the following complex funding issues and report the findings to the Governor and General Assembly for consideration as part of the Standards of Quality:

- The feasibility of converting the prevailing costs for each major category of the “support services” positions into ratios (for example, based on positions per 1,000 students), and including ratios for some or all of the categories in the Appropriation Act.
- The feasibility of establishing alternative staffing approaches to provide school divisions with additional instructional resources to address identified needs. This could include ratios based on positions per 1,000 students for assistant principals, school counselors, and library-media specialists that would reduce funding “cliffs.” It could also include assigning weights for students who may be at-risk and require additional support, including special education services, services to English language learners, and services to disadvantaged students.
- The feasibility of creating a special education incentive fund or other funding methodologies to mitigate the perverse incentive of reducing a school division’s special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RtI) and/or other instructional supports to reduce the number of students identified as needing special education services.
- The feasibility of updating technology staffing ratios, taking into consideration the increased role of technology in instruction, assessment, and operations since staffing standards were first established in the SOQ.
- The feasibility of updating career and technical education staffing ratios, taking into consideration the (i.) implementation of new curricular pathways that require high-tech equipment and specialized instruction and (ii.) anticipated increased enrollments in CTE courses given the newly created standard technical and advanced technical diplomas.

Mr. Krupicka made a motion to accept this item for first review and authorize 30 days of public comment on the Standards of Quality. The motion was seconded by Dr. Ward and carried unanimously.

***First Review of Proposed Guidelines for the Prevention of Sexual Misconduct and Abuse in Virginia Public Schools***

Mr. Charles Pyle, director of communications, presented this item. Mr. Pyle said that Virginia was among the first states to require criminal background checks for all public school teachers and other school board employees. Since 1989, all initial or first-time applicants offered or accepting employment have had to submit to fingerprinting and provide personal descriptive information to be forwarded along with the applicant's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for a criminal background check. This requirement was extended in 1998 to include applicants for positions with accredited private and parochial schools.

Since 1997, applicants offered or accepting employment requiring direct contact with students have been required to provide written consent and the necessary personal information for the hiring school board to obtain a search of the registry maintained by the Virginia Department of Social Services of founded complaints of child abuse and neglect. In 2006, the General Assembly expanded background check certifications to include employees of contractors employed by public schools who have direct contact with students.

Mr. Pyle said that mandatory background checks can keep offenders out of the system and reporting requirements increase the likelihood that convictions and founded cases of abuse are followed by timely licensure actions. But these measures focus on entry and exit points and do not provide a means for evaluating the conduct of current employees and volunteers.

Under the state constitution and state law, local school boards are responsible for the development of policies governing the conduct of their employees. The model policies and best practices described in *Guidelines for the Prevention of Sexual Misconduct and Abuse in Virginia Public Schools* are designed to assist school boards in crafting effective local policies to prevent abuse and meet their responsibilities under House Bill 1439 and Senate Bill 241 to develop policies and procedures to address complaints of sexual abuse of a student by a teacher or other school board employee.

The guidance and best practices contained in *Guidelines for the Prevention of Sexual Misconduct and Abuse in Virginia Public Schools* address factors contributing to actual cases of misconduct in the commonwealth's public schools and include elements and practices common to successful youth protection programs. These elements are:

- A statement of purpose and philosophy addressing the shared responsibility of school divisions, school employees, volunteers, students, parents and others for the prevention and reporting of sexual misconduct and abuse;

- Clear and reasonable policies governing communication between students and school board employees — including electronic communication — that promote transparency, accessibility and professionalism;
- Clear and reasonable policies governing physical contact between students and school board employees and volunteers in settings and circumstances common to public schools;
- Clear and reasonable policies governing permissible and unacceptable social interactions and relationships between students and school board employees and volunteers;
- Training of school personnel and volunteers and the dissemination of sexual misconduct and abuse prevention policies to school board employees, volunteers, students, and parents;
- Clear procedures for the reporting of suspected sexual misconduct and abuse; and
- Consequences for school personnel and volunteers who violate sexual misconduct and abuse prevention policies.

Dr. Cannaday made a motion to accept *Guidelines for the Prevention of Sexual Misconduct and Abuse in the Public Schools* for first review and authorize a 30-day period of public comment. The motion was seconded by Mr. Johnson and carried unanimously.

### **Final Review of Proposed Revised Curriculum Framework for 2010 Science Standards of Learning**

Ms. Paula Klonowski, science coordinator, presented this item. Ms. Klonowski said that the new academic content *Science Standards of Learning* were developed in 1995 and revised in 2003. On January 14, 2010, the Board approved the 2010 *Science Standards of Learning*. The Department of Education took the following steps to produce a draft of the proposed revised Curriculum Framework for the 2010 *Science Standards of Learning* for the Board's first review:

- Selected a review committee that consisted of individuals solicited from school divisions as well as other stakeholder groups to participate in the process;
- Met with the review committee during June 2010; and
- Developed a draft of the proposed revised Curriculum Framework for the 2010 *Science Standards of Learning*.

On September 23, 2010, the Board of Education accepted for first review the proposed revised Curriculum Framework for the 2010 *Science Standards of Learning*. A public comment period was held from September 24, 2010, through October 25, 2010.

Dr. McLaughlin made a motion to accept for final review the revised Curriculum Framework for the 2010 *Science Standards of Learning* and permit the Department of Education to make technical edits as needed. The motion was seconded by Mr. Krupicka and carried unanimously. The Department of Education will post the 2010 *Science Standards of Learning* Curriculum Framework on the Department's Web site.

**Final Review of the Proposed Revised Curriculum Framework for 2010 English Standards of Learning**

Dr. Mark Allan, director, office of standards, curriculum, and instruction, presented this item. Dr. Allan said that on January 14, 2010, the Board of Education approved the 2010 *English Standards of Learning*. Following approval of the standards, the Department of Education began the process to revise the Curriculum Framework for the 2010 *English Standards of Learning*. The proposed revised Curriculum Framework was presented to the Board and accepted for first review on September 23, 2010. Following the September Board meeting, the proposed revised Curriculum Framework was posted to the Department's Web site for a 30-day public comment period.

The 2010 *English Standards of Learning* and proposed revised Curriculum Framework contain content that was recommended by Achieve, the College Board, and ACT as a result of comparison studies of Virginia's standards with their respective standards and benchmarks for postsecondary readiness. Additionally, the proposed revised Curriculum Framework contains content from the English/Language Arts Common Core State Standards released by the National Governors Association and the Council of Chief State School Officers in June 2010.

In September 2010, the Board also received for first review a preliminary analysis of the content of Virginia's 2010 *English Standards of Learning* as compared with the English/Language Arts Common Core State Standards. In October 2010, the Department of Education convened a committee of English educators to further review and refine the analysis.

Dr. Ward made a motion to accept for final review the revised Curriculum Framework for the 2010 *English Standards of Learning* and permit the Department of Education to make technical edits as needed. The motion was seconded by Mr. Krupicka and carried unanimously. The Department will post to its Web site the Curriculum Framework and the comparison of the 2010 *English Standards of Learning* to the English/Language Arts Common Core State Standards.

**First Review of a Proposed Supplement to the Curriculum Framework for the 2009 Mathematics Standards of Learning**

Mr. Michael Bolling, mathematics coordinator, office of standards, curriculum and instruction, presented this item. Mr. Bolling said that in February 2009, the Board of Education adopted revised *Mathematics Standards of Learning*, followed by adoption of the Mathematics Curriculum Framework on October 22, 2009. As part of the development of the standards, the work of the committee members was informed by reports from Achieve, the College Board, ACT, and other national and international reports. Furthermore, as a member of Achieve's American Diploma Project (ADP) Network, Virginia participated in a rigorous external review process of the 2009 *Mathematics Standards of Learning*, with both ACT and the College Board analyzing Virginia's mathematics standards against their own college- and career-ready benchmarks or standards. Both analyses showed strong alignment between the Virginia Standards of Learning and their respective standards for postsecondary readiness.

In June 2010, the National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO) released the Mathematics Common Core State Standards. Since Achieve, the College Board, and ACT were partners with NGA and CCSSO, their earlier work with states in the ADP Network provided a foundation upon which the Common Core Standards were developed. As such, Virginia's 2009 *Mathematics Standards of Learning* and Mathematics Curriculum Framework have a strong alignment to the Mathematics Common Core State Standards.

The 2009 *Mathematics Standards of Learning* and revised Curriculum Framework, taken together, contain the mathematics content that teachers in Virginia are expected to teach and students are expected to learn. The committee that reviewed the preliminary analysis indicated that addition of this material would complete and strengthen the content of the Curriculum Framework such that the 2009 *Mathematics Standards of Learning* and Curriculum Framework would equal or exceed the content and rigor of the Mathematics Common Core State Standards.

Dr. Cannaday made a motion to accept for first review the proposed supplement to the Curriculum Framework for the 2009 *Mathematics Standards of Learning*. The motion was seconded by Mrs. Castro and carried unanimously. The Department of Education will receive public comment for at least 30 days before bringing the supplement to the Curriculum Framework for the 2009 *Mathematics Standards of Learning* to the Board of Education for final review in January 2011.

**First Review of Proposed Guidelines for Policies on Concussions in Student-Athletes, Senate Bill 652 Passed by the 2010 General Assembly**

Dr. Mark Allan presented this item. Dr. Allan said that pursuant to Senate Bill 652, the 2010 General Assembly amended the *Code of Virginia* to include §22.1-271.5 directing the Board of Education to develop and distribute to local school divisions by July 1, 2011, guidelines for policies dealing with concussions in student-athletes, and requiring each local school division to develop policies and procedures regarding the identification and handling of suspected concussions in student-athletes. Senate Bill 652 also requires the Board of Education to define appropriate licensed health care providers authorized to evaluate and provide written clearance for return to play.

The goals of the Student-Athlete Protection Act (Senate Bill 652) are to ensure that student-athletes who sustain concussions are properly diagnosed, given adequate time to heal, and are comprehensively supported until they are symptom free. According to the 2008 Consensus Statement on Concussion in Sport (3<sup>rd</sup> International Conference on Concussion in Sport, Zurich, November 2008), "the cornerstone of concussion management is physical and cognitive rest until symptoms resolve and then a graded program of exertion prior to medical clearance and return to play."

Dr. Ward made a motion to accept for first review the proposed guidelines for policies on concussions in student-athletes and authorize the Department of Education staff to proceed with a 30-day public comment period. The motion was seconded by Mrs. Castro and carried unanimously. The Department of Education will receive public comment for at least 30 days before bringing the proposed guidelines to the Board for final review in 2011.

**Final Review of the Board of Education's 2010 Annual Report on the Condition and Needs of Public Schools in Virginia**

Dr. Margaret Roberts, executive assistant to the Board of Education, presented this item. Dr. Roberts said that an initial draft of the *2010 Annual Report on the Condition and Needs of Public Schools in Virginia* was presented for first review at the October meeting. During the discussion, the Board asked that the following descriptive language be added to the draft:

- (1) Description of the Board's vision and mission and what the Board's aspirations are for students (i.e., why we do what we do);
- (2) Description of how the Board's vision and mission drive its policy decisions and future plans for action ;
- (3) Highlights of the critically important national test results and data that compare Virginia's student performance with that of their peers across the nation; and
- (4) Report on local school divisions with compliance with Standards of Quality.

The Board also expressed its intent that the report maintain candor in framing the challenges and needs of the public schools as described in the report.

Dr. Roberts said that during the discussion at the Board's work session on the *Comprehensive Plan*, the Board expressed that several things be added to the *Annual Report*. They are as follows:

- (1) Additional information on international comparisons on how Virginia students are doing and how the U.S. students are doing in that regard;
- (2) Additional information regarding the English and Science curriculum framework including the supplements to the Mathematics curriculum framework;
- (3) Additional information regarding Virginia's Standards of Learning and the standing of the Standards of Learning and the national standards movement.

Dr. McLaughlin made a motion to adopt the *2010 Report on the Condition and Needs of the Public Schools in Virginia* with the understanding that department staff may make additional technical and editorial adjustments as may be necessary. The motion was seconded by Dr. Ward and carried unanimously. Following the Board's final adoption, the report will be transmitted to the Governor and the General Assembly as required by the *Code of Virginia*. It will also be made available to the public on the Board of Education's Web site.

**Final Review of a Recommendation of the Advisory Board on Teacher Education and Licensure (ABTEL) to Grant the Professional Education Program at Christopher Newport University Accreditation by the Board of Education Approved Process**

Mrs. Patty Pitts, assistant superintendent, division of teacher education and licensure, presented this item. Mrs. Pitts said that Christopher Newport University (CNU) requested accreditation through the Board of Education approved process. The following education programs offered at CNU have been approved by the Board:

- Computer Science (Graduate)
- Elementary Education PreK-6 (Graduate)
- English (Graduate)
- Foreign Language PreK-12 – French (Graduate)
- Foreign Language PreK-12 – Spanish (Graduate)
- History and Social Sciences (Graduate)
- Mathematics (Graduate)
- Music Education – Instrumental PreK-12 (Graduate)
- Music Education – Vocal/Choral PreK-12 (Graduate)
- Science – Biology (Graduate)
- Science – Physics (Graduate)
- Theatre Arts PreK-12 (Graduate)
- Visual Arts PreK-12 (Graduate)

An on-site visit to review the professional education program at CNU was conducted on March 28-31, 2010. The overall recommendation of the on-site review team was that the professional education program be “accredited.” Below are the recommendations for each of the four standards:

STANDARD	TEAM'S RECOMMENDATIONS
Standard 1: Program Design	Met
Standard 2: Candidate Performance on Competencies for Endorsement Areas	Met
Standard 3: Faculty in Professional Education Programs	Met
Standard 4: Governance and Capacity	Met

The following weaknesses were noted in Standards 1, 3, and 4. Specific issues for each standard are identified in the *Report of Findings* and must be addressed by the next accreditation review date.

**II. Findings for Each Standard**

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

Weaknesses

1. There is a need to re-examine the field experience observation hours and connect these experiences more explicitly to all applicable coursework. While the field experiences and expectations are clearly delineated in some courses (SOC 314L and PSYC 521), the department should strive for the same consistency in all linked courses and in the required volunteer field experience requirement.
  2. Assessment and evaluation of teaching competencies of the candidates enrolled in the multiple field experiences, including practica, should be clearly documented and tracked. For example, there is a field experience log that requires candidates to record hours. This component could be used to track experiences across grade levels.
  3. Candidates and cooperating teachers expressed the need for expanding the variety of experiences that candidates have during field experiences both for the elementary, middle, and high school candidates.
  4. Candidates enrolled in the student teaching experience expressed that it would be helpful to have more lead time to prepare for the intern placement. They suggested that the handbook be provided prior to the winter break to provide a longer period of time for candidates to review the material. Furthermore, candidates expressed that they would benefit from additional time with the cooperating teachers prior to the placement to review the policies and procedures outlined in the Student Teaching Handbook.
  5. The CNU Teacher Preparation Council should review the practice of candidates taking additional courses during the student teaching experience....
- C. Standard 3: Faculty in Professional Education Programs. Faculty in the professional education program represent well-qualified education scholars who are actively engaged in teaching and learning.

Weakness

Insufficient evidence was provided for the faculty demonstrating understanding of cultural differences and exceptionalities and their instructional implications. The Teacher Preparation Program (TPP) should ensure that the requirement for addressing multicultural experiences and students with exceptionalities be thoroughly addressed in course syllabi.

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

Weaknesses

1. The Steering Committee of the Teacher Preparation Council should review the policy of denying Virginia Board of Education-approved substitute SAT or ACT scores for Praxis I assessment scores for graduates from other institutions applying to the MAT program.
2. Consideration should be given to allocating resources to hire additional personnel for the purpose of supporting the field experiences for TPP candidates....

Mrs. Beamer made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to accept the recommendation of the on-site accreditation review

team that the professional education program at Christopher Newport University be “accredited,” indicating that the program has met the standards as set forth in 8 VAC-20-542-60 of the *Regulations Governing the Review and Approval of Education Programs in Virginia*. The motion was seconded by Mr. Johnson and carried unanimously. An on-site review of professional education programs will be conducted on a seven-year cycle. Specific weaknesses for each standard must be addressed by the next accreditation review date.

**Final Review of a Recommendation of the Advisory Board on Teacher Education and Licensure (ABTEL) to Approve the Accountability Measurement of Partnerships and Collaborations Based on PreK-12 School Needs Required by the Regulations Governing the Review and Approval of Education Programs in Virginia**

Mrs. Pitts presented this item. Mrs. Pitts said that each institution offering approved education preparation programs in Virginia submitted to the Department of Education a report documenting partnerships and collaborations based on preK-12 school needs for each program (endorsement) area offered. The institutions reported that they are engaged in multiple partnerships and collaborations with educational, governmental, professional, and community entities as well as with school divisions, private schools, parents, and preK-12 students.

Each of the 37 institutions of higher education offering approved programs submitted evidence that they had established partnerships and collaborations in the following categories:

1. Field experience: The partnerships and collaborations address experiences, such as internships, practica, clinical experience, student teaching, field placements, mentors for teachers, and tutoring preK-12 students.
2. Professional development: The partnerships and collaborations include staff development, research grants, workshops, training, conferences, best practices, strategy and method development, curriculum development, course offerings, and career development.
3. Community outreach activities: The partnerships and collaborations include after-school and summer programs and camps, field trips, mentors for preK-12 students, educational fairs, enrichment programs, cultural experiences and exchange, college visitations and transition, assessments and screening, and other extracurricular activities.

The 19 institutions of higher education offering administration and supervision programs submitted evidence that they had established partnerships and collaborations in the following areas:

1. Identifying, screening, and recruiting potential school leaders;
2. Preparing, training, and mentoring school leaders;
3. Providing professional development for school leaders; and
4. Offering internships, practica, and field experiences in school leadership.

The Board made the following motions:

*Motion 1:*

Dr. Ward made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to approve the accountability measurement of partnerships and collaborations based on preK-12 school needs required by the *Regulations Governing the Review and Approval of Education Programs in Virginia* for the College of William and Mary.

Dr. McLaughlin recused herself because of her employment at the College of William and Mary. The motion was seconded by Dr. Cannaday and approved with "yes" votes from the following Board members: Mr. Foster, Dr. Cannaday, Dr. Ward, Mrs. Saslaw, Mrs. Castro, Mr. Johnson, Mr. Krupicka, and Mrs. Beamer.

*Motion 2:*

Dr. McLaughlin made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to approve the accountability measurement of partnerships and collaborations based on preK-12 school needs required by the *Regulations Governing the Review and Approval of Education Programs in Virginia* for the University of Virginia and the University of Virginia's College at Wise.

Dr. Cannaday recused himself because of his employment at the University of Virginia. The motion was seconded by Mrs. Castro and approved with "yes" votes from the following Board members: Mr. Foster, Dr. McLaughlin, Dr. Ward, Mrs. Saslaw, Mrs. Castro, Mr. Johnson, Mr. Krupicka, and Mrs. Beamer.

*Motion 3:*

Dr. McLaughlin made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to approve the accountability measurement of partnerships and collaborations based on preK-12 school needs required by the *Regulations Governing the Review and Approval of Education Programs in Virginia* for all other colleges and universities with approved programs. The motion was seconded by Dr. Ward and carried unanimously.

***Final Review of a Recommendation of the Advisory Board on Teacher Education and Licensure (ABTEL) to Grant Approval to Add New Education (Endorsement) Programs at James Madison University, Longwood University, Lynchburg College, Radford University, Shenandoah University, University of Richmond, The University of Virginia's College at Wise, Virginia Intermont College, and Virginia State University***

Mrs. Pitts presented this item. Mrs. Pitts said the *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542-10 et seq.), effective September 21, 2007, require colleges and universities that offer programs for the preparation of professional school personnel to obtain education program (endorsement) approval from the Board of Education.

Mrs. Pitts stated that James Madison University, Longwood University, Lynchburg College, Radford University, Shenandoah University, University of Richmond, The University of Virginia's College at Wise, Virginia Intermont University, and Virginia State University have submitted requests to add new endorsement programs in the following areas:

<b>Institution</b>	<b>Endorsement Program Requested</b>	<b>Level of Program</b>
James Madison University	<ul style="list-style-type: none"> <li>Foreign Language PreK-12 – Italian</li> <li>Mathematics Specialist for Elementary and Middle Education</li> </ul>	Undergraduate Graduate
Longwood University	<ul style="list-style-type: none"> <li>Algebra I – Add-on Endorsement</li> </ul>	Graduate
Lynchburg College	<ul style="list-style-type: none"> <li>Special Education – General Curriculum K-12</li> </ul>	Undergraduate
Radford University	<ul style="list-style-type: none"> <li>Dance Arts PreK-12</li> <li>Science – Biology</li> <li>Science – Chemistry</li> <li>Science – Earth Science</li> <li>Science – Physics</li> <li>Special Education – Hearing Impairments PreK-12</li> </ul>	Undergraduate Graduate Graduate Graduate Graduate
Shenandoah University	<ul style="list-style-type: none"> <li>Career Technology Education – Business and Information Technology</li> <li>Elementary Education PreK-6</li> <li>English</li> <li>History and Social Sciences</li> <li>Mathematics – 6-12</li> <li>Middle Education 6-8</li> <li>Science – Biology</li> <li>Science – Chemistry</li> </ul>	Graduate Graduate Graduate Graduate Graduate Graduate Graduate
University of Richmond	<ul style="list-style-type: none"> <li>Special Education – General Curriculum K-12</li> </ul>	Undergraduate/ Graduate
The University of Virginia's College at Wise	<ul style="list-style-type: none"> <li>Theatre Arts PreK-12</li> </ul>	Undergraduate
Virginia Intermont College	<ul style="list-style-type: none"> <li>Theatre Arts PreK-12</li> </ul>	Undergraduate
Virginia State University	<ul style="list-style-type: none"> <li>Algebra I – Add-on Endorsement</li> </ul>	Graduate

The Board made the following motions:

*Motion 1:*

Dr. Ward made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to grant "Approved" status to the new endorsement programs (including approval of partnerships) at James Madison University, Longwood University, Lynchburg College, Radford University, Shenandoah University, University of Richmond, Virginia Intermont College, and Virginia State University. The motion was seconded by Dr. Cannaday and carried unanimously.

*Motion 2:*

Mrs. Castro made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to grant "Approved" status to the new endorsement program (including approval of the partnerships) at The University of Virginia's College at Wise.

Dr. Cannaday recused himself from voting because of his employment at the University of Virginia. The motion was seconded by Mrs. Beamer and approved with "yes" votes from the following Board members: Mr. Foster, Dr. McLaughlin, Dr. Ward, Mrs. Saslaw, Mrs. Castro, Mr. Johnson, Mr. Krupicka, and Mrs. Beamer.

**Final Review of Proposed English Language Proficiency Performance Target for Annual Measurable Achievement Objective (AMAO) 1 for 2009-2010 in Virginia's Consolidated State Application Accountability Plan Under the No Child Left Behind Act of 2001 (NCLB)**

Mrs. Shelley Loving-Ryder, assistant superintendent, division of student assessment and school improvement, presented this item. Mrs. Loving-Ryder said that the *Elementary and Secondary Education Act* (ESEA) as amended by the *No Child Left Behind Act of 2001* (NCLB) requires all state education agencies to submit for approval to the United States Department of Education (USED) a consolidated state application accountability plan. In September 2003, the Virginia Board of Education submitted and received USED approval for its initial Consolidated State Application Accountability Plan under NCLB. States are permitted to revise the Plan by submitting requests for review and approval from USED.

The accountability plan includes establishing Annual Measurable Achievement Objectives (AMAOs) for limited English proficient (LEP) students that measure their progress in learning English (AMAO 1) and attainment of English proficiency (AMAO 2). In January 2010, Virginia requested and received approval from USED to set AMAO 2 (proficiency) at 15 percent for 2009-2010. At that time, a request was also made and approved to defer establishing a target for AMAO 1 (progress) until two data points were available from the administration of Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs), adopted by the Virginia Board of Education as the state-approved English Language Proficiency (ELP) assessment. The 2009-2010 test administration provided the second data point and Virginia must now submit a revision to the accountability plan to establish the AMAO 1 (progress) target for LEP students for 2009-2010 based on the new ELP assessment.

Based on a review of Virginia's current ACCESS for ELLs data, the proposed target for the percent of LEP students making progress in learning English for 2009-2010 is 64 percent. The targets based on ELP assessments administered in 2010-2011 through 2013-2014 will be established upon review of the ACCESS for ELLs data in subsequent years.

**English Language Proficiency Performance Targets for  
AMAO 1 (Progress) and AMAO 2 (Proficiency) for  
2009-2010 through 2013-2014**

School Year	Percent of LEP Students Making Progress in Learning English (AMAO 1)	Percent of LEP Students Attaining English Proficiency (AMAO 2)
2009-2010	64	15*
2010-2011	TBD	TBD
2011-2012	TBD	TBD
2012-2013	TBD	TBD
2013-2014	TBD	TBD

\*already approved by USED

Mrs. Castro made a motion to adopt English language proficiency performance target for AMAO 1 (progress) for 2009-2010 for inclusion in Virginia’s Consolidated State Application Accountability Plan. The motion was seconded by Dr. Ward and carried unanimously.

**First Review of Recommended Cut Scores for End-of-Course History Standards of Learning Tests Based on the 2008 History Standards**

Mrs. Loving-Ryder presented this item. Mrs. Loving-Ryder said that in 2010-2011 new Standards of Learning (SOL) tests measuring the 2008 history content standards will be administered. Because of the changes in the content measured by these tests, new passing scores must be adopted by the Virginia Board of Education. Consistent with the process used in 1998 and in 2003, committees of educators were convened to recommend to the Board of Education (BOE) minimum "cut" scores for the achievement levels of pass/proficient and pass/advanced for the new tests. Committees for the four end-of-course history tests: World History I, World History II, Virginia and U.S. History, and World Geography met in early November. Standard setting committees for the remaining history tests will be convened in February.

Mrs. Loving-Ryder presented information pertaining to the range of cut scores recommended by the committees for the achievement levels of pass/proficient and pass/advanced for the SOL tests in World History I, World History II, Virginia and U.S. History, and World Geography will be presented to the Board.

Mrs. Castro made a motion to accept for first review proposed cut scores representing the achievement levels of pass/proficient and pass/proficient and pass/advanced for or the end-of-course World History I, World History II, Virginia and U.S. History, and World Geography SOL tests. The motion was seconded by Dr. Cannaday and carried unanimously.

## Annual Report of the State Special Education Advisory Committee

Dr. Michael Behrmann, chair of the special education advisory committee was unable to attend the meeting. Mr. Douglas Cox, assistant superintendent for special education and student services, presented this item.

Mr. Cox said that the State Special Education Advisory Committee (SSEAC) is a federally-mandated panel comprised of individuals with disabilities, teachers, parents, state and local officials, and local administrators.

Mr. Cox gave a review of the report which included the following: (1) an overview of the SSEAC organizational structure, (2) a description of meetings conducted during the 2009-10 year, and (3) an overview of issues addressed by the committee during the year.

Listed below are areas on which the SSEAC will continue to monitor and advise the Virginia Department of Education and the Board of Education as they work for the families and students of Virginia.

### Special Education Regulations

The Policy and Regulations subcommittee will be charged to monitor the implementation of the new regulations as the next academic year commences. Specifically, the SSEAC will continue to focus efforts towards parent education and training on the new regulations, in addition to the new Parent's Guide to Special Education. Reauthorization of the *No Child Left Behind Act of 2001* (NCLB) will be monitored as well.

### Bullying and Disability Harassment

As a result of the changes in the new *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* that require LEAs to have policies that prohibit disability harassment, the SSEAC will be reviewing programs that have been implemented in Virginia and across the country. This has become a national issue and has received much press recently.

### Restraint and Seclusion

The SSEAC will continue to monitor the implementation of restraint and seclusion policies and procedures.

### Secondary Transition and Self-Advocacy

The SSEAC will continue to monitor self-advocacy initiatives throughout the Commonwealth and encourage expansion of such programs. The committee will also monitor secondary transition programs and receive reports from the statewide postsecondary outcomes survey conducted by the VDOE as part of the SPP/APR requirements. The SSEAC will follow developments from provisions in the Higher Education Act of 2008 that made students with Intellectual and Developmental Disabilities eligible for Pell grants and work study.

### Accessible Instructional Materials

The SSEAC is planning to review and monitor potential expansion of the statewide library AIM-VA services to children under 504 plans as well as students needing accessible instructional materials under their IEPs.

### Special Education Teacher Shortages

Due to the continued need for licensed special education teachers and the fact that they continue to be the top shortage area in the state, the SSEAC plans to research alternatives available in other states to addressing the critical shortage of special education teachers.

### Autism

The SSEAC will continue to monitor the educational issues related to instructional strategies for students with Autism Spectrum Disorders (ASDs). The committee will request periodic updates from VDOE staff, review updated information, and assist in Virginia's future plans for addressing the educational needs of students with ASD.

### Assessment Issues

Based upon the variety of assessment options that have been developed in Virginia for students with disabilities, the SSEAC will study the use of the Virginia Grade Level Alternative Assessment (VGLA) and the Virginia Substitute Evaluation Program (VSEP) in order to address issues that have appeared as a result of public comments and the data presented by VDOE. The SSEAC will also provide feedback to VDOE on the development of the new Virginia Modified Achievement Standard Test.

The Board received the report.

### **Report on the Virginia College and Career Readiness Initiative**

Dr. Deborah Jonas, executive director for research and strategic planning, presented this item. Dr. Jonas said that Virginia has moved forward to conduct a variety of additional activities that focus on increasing the number of high school graduates who meet or exceed college and career readiness benchmarks. The initiative is continuously supported by research that is aimed at identifying, validating, and updating the state's understanding of the high school courses and achievement levels that support students' preparation for success in entry-level, credit-bearing courses in college.

Virginia Department of Education's (VDOE) Career Readiness Initiative (CCRI) research is currently focused on understanding the associations among outcomes in secondary and postsecondary education. The study that is underway relies on de-identified data from both VDOE and the State Council of Higher Education for Virginia (SCHEV) that follows individual students from high school and into public and private nonprofit colleges in Virginia. The data permit VDOE to link secondary outcomes of high school students, such as SOL test scores, diploma earned, attendance, and dual enrollment, to students' course placement in their first year of college, grades in mathematics and English courses, and persistence into their second year. The initial results support prior information learned from studies focused on enrollment in four year institutions, and provide more information about course enrollment for students enrolled in Virginia's two-year institutions of higher education—where the vast majority of developmental education is provided in Virginia.<sup>1</sup> Specifically, the initial<sup>2</sup> results of the studies of students who completed high school in 2008 and enrolled in either two- or four-year institutions of higher education in Virginia in the subsequent year show that:

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<sup>1</sup> Some four-year, private nonprofit institutions offer and enroll students in developmental courses.

<sup>2</sup> These studies are ongoing. Results presented here are the first available. Additional results and complete reports will be made available as they are completed.

- Nearly 60 percent of high school graduates and completers who enrolled in two-year institutions in Virginia after high school participated in developmental mathematics or English courses within one year, with a larger percentage of students enrolled in mathematics courses relative to English courses.
- Students who earned advanced studies diplomas had a low probability of enrolling in developmental education courses.<sup>3</sup>
  - Approximately 6 percent of students who graduated high school with an advanced studies diploma enrolled in developmental English courses.
  - Approximately 8 percent of students who earned advanced studies diplomas enrolled in developmental mathematics courses.
  - Approximately 11 percent of students who earned advanced studies diplomas enrolled in developmental courses in mathematics or English.
- Students who earned standard diplomas had comparatively higher rates of enrollment in developmental education courses. Of the students who earned standard diplomas:
  - Approximately 35 percent enrolled in developmental English courses.
  - Approximately 42 percent enrolled in developmental mathematics courses.
  - Approximately 54 percent enrolled in developmental courses in mathematics or English.
- Students who earned advanced proficient scores on the SOL assessments and earned advanced studies diplomas have the lowest rates of enrollment in developmental courses.
  - Approximately 3 percent of the students who achieved advanced proficient scores on their Algebra I SOL and earned an advanced studies diploma enrolled in a developmental mathematics course.
  - Approximately 2 percent of students who scored advanced proficient on the Reading SOL and earned an advanced studies diploma enrolled in a developmental English course.
- Students who earned standard diplomas and scored advanced proficient on their SOL assessments also had low rates of enrollment in developmental education courses.
  - Approximately 14 percent of standard diploma earners who scored advanced proficient on the English reading assessment enrolled in developmental education courses.

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<sup>3</sup> The results presented here are based on data from two- and four-year institutions. Relatively few students participate in developmental education in four-year colleges in Virginia; and those who do, attend private, nonprofit institutions.

- Approximately 20 percent of standard diploma earners who scored advanced proficient in Algebra I enrolled in developmental education courses. This was a relatively small group of students in the data set, comprising only 647 students whose data were accurately matched between secondary and postsecondary data sets.
- Nearly all students (97 percent) who earned advanced proficient scores on the Algebra I SOL participated in Algebra II,<sup>4</sup> and 85 percent of students who achieved a proficient score on the Algebra I assessment enrolled in Algebra II.

As part of the research, statistical models were developed to identify factors that predict, with a high degree of accuracy, the factors that impact the likelihood that students will enroll in developmental education courses. The following summarizes key results from the predictive analysis.

- Scoring advanced proficient on the Algebra I assessment was associated with a low likelihood of enrolling in developmental mathematics courses. The model predicts that 5 percent of students who earn advanced proficient (500 or above) on the Algebra I assessment will enroll in developmental education courses.
- Scoring advanced proficient on the English reading assessment was associated with a low chance of enrolling in developmental English courses. Statistically, 3.5 percent of students who scored in the advanced proficient range (500 or above) were expected to enroll in developmental English courses.
- Participation in Algebra II and Chemistry were statistically significant predictors of enrollment in credit-bearing versus developmental mathematics courses, with course participation further reducing the likelihood that students will participate in developmental education courses in college.
- Ten percent or less of students who participated in dual enrollment and Advanced Placement courses were enrolled in developmental education courses.
- Placement in developmental education courses varied systematically across two-year institutions in Virginia. Students with similar academic achievement as measured by SOL test outcomes and diploma type had different chances of participating in developmental courses depending on the institution in which they enrolled. Recognizing that current placement practices vary by institution, VDOE will work with representatives from the Virginia Community College System to better understand these results.

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<sup>4</sup>This information uses test participation as a proxy for enrollment.

Moving forward, VDOE plans to continue examining interactions among student outcomes, and determine how other factors, such as whether students are economically disadvantaged, are English language learners, or have disabilities, are associated with postsecondary enrollment, placement, and course outcomes. VDOE will update the Board periodically as new information becomes available.

#### CCRI Development and Implementation

The Virginia Department of Education (VDOE) has worked in close collaboration with the Virginia Community College System (VCCS), and the State Council of Higher Education for Virginia (SCHEV) to fully develop and begin implementing the initiative. Through the continuing work on the initiative, Virginia is in the process of:

- 1) Defining college and career readiness performance expectations aligned to national and international college and career ready standards.
  - Using the Standards of Learning and other validated state and national college and career readiness standards, including the Common Core State Standards, department staff drafted a preliminary set of English and mathematics performance expectations for external review.
  - Faculty at two- and four-year institutions of higher education provided feedback about the importance of each of the draft college and career ready performance expectations via an online survey. With assistance from VCCS and SCHEV in recruitment, more than 100 respondents participated in each of the English and mathematics surveys.
  - English and mathematics consensus/review teams composed of two- and four-year higher education institution staff and secondary content area experts analyzed the data and made recommendations to the Department on which performance expectations reached the level of “important” or “critical” for college and career readiness.
  - The recommended *Virginia English College and Career Readiness Performance Expectations* and a correlation crosswalk between the expectations and the *Common Core State Standards, College and Career Readiness* are provided as Attachment B. Similar documents for mathematics are in preparation.
  
- 2) Developing elective “capstone courses” to support students who need additional instruction to meet college and career ready performance expectations before leaving high school.
  - Department staff members are currently developing preliminary course descriptions, program objectives, sample teaching strategies, and delivery options to define the grade-12 capstone courses. Course codes have been identified.
  - The Department has requested support from the National High School Center and Appalachia Regional Comprehensive Center (ARCC)/Edvantia to identify specific content support materials for the capstone courses. The request is part of the ARCC’s annual plan for services to Virginia, and is under review by the U.S. Department of Education.

- The Department has surveyed school divisions to determine which ones are developing capstone-like support materials and course designs and which are interested in piloting capstone programs for the 2011-2012 school year.
- 3) Providing technical assistance and professional development to Virginia's educators to support implementation of the revised English and mathematics standards and the college and career ready performance expectations.
- The Department is in the process of negotiating pilot professional development centers at certain state universities to provide coursework and ongoing teacher support for the content on the performance expectations. This will be accomplished through federal teacher training funds. Part of this professional development process will be the development of sample capstone course materials so that teachers can teach secondary courses more effectively and be ready to teach the capstone courses when their divisions implement the programs.
  - The State Council of Higher Education for Virginia has agreed to support teacher professional development on the performance expectations through its next cycle of federal Title IIa grant awards to four-year institutions, funded by the *Elementary and Secondary Education Act*.
- 4) Aligning the state assessments to measure student mastery of the more rigorous mathematics and English standards adopted in 2009 and 2010. VDOE is developing certain high school end-of-course tests to support the establishment of a college ready scale score. When the Board establishes cut scores for these new tests, the Department anticipates proposing minimum cut scores that demonstrate proficiency to verify course credit, and minimum scores that represent academic preparedness for success in introductory, credit-bearing English and mathematics courses in college. The college ready achievement level will replace advanced proficiency on certain end-of-course tests.
- 5) Identifying accountability measures and incentives for schools to increase the percentage of students who graduate high school having demonstrated the academic and career skills needed to be successful in postsecondary education programs.
- The Department is in the process of identifying incentives for high schools to increase the number of students who graduate having demonstrated that they have met college and career ready performance expectations. The current Virginia Index of Performance (VIP) is already in place and provides an example of the types of incentives that can be used to increase achievement. The award gives significant weight towards increasing advanced proficient scores on SOL assessments, which supports the CCRI goals. Other incentives could be provided through the VIP or similar recognition programs.
  - The Department has started a crucial dialogue with its partners in the higher education community and policy makers to determine whether it is appropriate to provide additional incentives to schools that make gains in increasing students' preparation for college. As well, there might be incentives available directly to

students who meet or exceed Virginia's CCR Performance Expectations, with a particular focus on student groups who have been underrepresented in postsecondary education and training programs. For example, SREB has recommended that Virginia's public postsecondary institutions adopt a policy that would permit direct enrollment in entry-level, credit-bearing college courses for students who meet or exceed the readiness performance standards on the eleventh-grade English reading and writing assessments and the Algebra II end-of-course assessment. The policy would exempt these students from additional placement or readiness testing, thereby reducing the costs and time associated with such testing. Further, this policy would afford more students the opportunity to earn credits towards college graduation.

The Board received the Report on the Virginia College and Career Readiness Initiative.

### ***DISCUSSION OF CURRENT ISSUES***

The Board met for dinner at the Crowne Plaza Hotel with the following members present: Mrs. Beamer, Dr. Cannaday, Mrs. Castro, Mr. Foster, Mr. Johnson, Mr. Krupicka, Dr. McLaughlin, 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* Section 2.2-3711.A.41, to discuss personnel matters related to licensure. The motion was seconded by Mrs. Castro and carried unanimously. The Board went into executive session at 12:04 p.m.

Dr. Ward made a motion that the Board convene in open session. The motion was seconded by Mrs. Castro and carried unanimously. The Board reconvened at 12:35 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 matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed and (2) only the matters identified in the motion to have the closed session were discussed. The motion was seconded by Mrs. Castro and carried unanimously.

Board's Roll call:

Mr. Foster – Yes	Mrs. Castro – Yes
Dr. Cannaday – Yes	Mr. Johnson – Yes
Dr. McLaughlin – Yes	Mr. Krupicka – Yes
Dr. Ward – Yes	Mrs. Beamer – Yes
Mrs. Saslaw – Yes	

The motion was made and seconded to issue a statement of eligibility for a provisional license to Case Number 1. The motion carried with eight “yes” votes and one “no” vote, cast by Mr. Foster.

***ADJOURNMENT***

There being no further business of the Board of Education and Board of Career and Technical Education, Mrs. Saslaw adjourned the meeting at 12: 38 p.m.

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President