

COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
RICHMOND, VIRGINIA

**MINUTES**

June 28, 2012

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:

Mr. David M. Foster, President  
Mrs. Betsy D. Beamer, Vice President  
Mrs. Diane T. Atkinson  
Mr. Christian N. Braunlich

Dr. Billy K. Cannaday, Jr.  
Mr. K. Rob Krupicka  
Ms. Darlene D. Mack  
Dr. Virginia L. McLaughlin\*  
Mrs. Winsome E. Sears

Dr. Patricia I. Wright, Superintendent of  
Public Instruction

\*Dr. McLaughlin participated through electronic communication pursuant to § 2.2-3708.1 of the *Code of Virginia* due to a temporary medical condition preventing her physical attendance. She participated from 3336 N. Riverside Drive, Lanexa, Virginia.

Mr. Foster called the meeting to order at 9 a.m.

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

Mr. Foster led in a moment of silence and Mrs. Beamer led in the Pledge of Allegiance.

***APPROVAL OF MINUTES***

Mrs. Beamer made a motion to approve the minutes of the May 24, 2012, meeting of the Board. The motion was seconded by Dr. Cannaday and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

***PUBLIC COMMENT***

The following persons spoke during public comment:

Brian Pace  
Dr. Steven King  
Melissa Brichacek

## **CONSENT AGENDA**

The following items were moved from the consent agenda to the action/discussion portion of the agenda:

- Final Review of Proposed Amendments to the *Regulations Governing Educational Services for Gifted Students* (8 VAC 20-40-10 et seq.) to Conform to HB 1295 and SB 679 Passed by the 2012 General Assembly
- Final Review of Emergency Amendments to the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia* (8 VAC 20-131) to Conform to HB 1061 and SB 489 (2012) and a Notice of Intended Regulatory Action (NOIRA) for Permanent Amendments to the Regulations

Mrs. Beamer made a motion to accept the following items on the consent agenda. The motion was seconded by Dr. Cannaday and carried unanimously.

- Final Review of an Exempt Regulatory Action to the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia* (8 VAC 20-131) to Conform to HB 96 (2012)
- Final Review of Emergency Amendments to Revise the *Regulations Governing Adult High School Programs* (8 VAC 20-30) and to Repeal the *Regulations Governing the General Achievement Diploma* (8 VAC 20-680) to Conform to HB 1061 and SB 489 (2012), and the Notice of Intended Regulatory Action (NOIRA) for Permanent Amendments to the Regulations

### **Final Review of an Exempt Regulatory Action to the Regulations Establishing the Standards for Accrediting Public Schools in Virginia (8 VAC 20-131) to Conform to HB 96 (2012)**

With the Board's approval of the consent agenda, the Board approved the proposed amendment to the Standards of Accreditation to conform to HB 96.

### **Final Review of Emergency Amendments to Revise the Regulations Governing Adult High School Programs (8 VAC 20-30) and to Repeal the Regulations Governing the General Achievement Diploma (8 VAC 20-680) to Conform to HB 1061 and SB 489 (2012), and the Notice of Intended Regulatory Action (NOIRA) for Permanent Amendments to the Regulations**

With the Board's approval of the consent agenda the Board approved the proposed emergency regulations to revise the *Regulations Governing Adult High School Programs* (8 VAC 20-30) and to repeal the *Regulations Governing the General Achievement Diploma* (8 VAC 20-680); and the Notice of Intended Regulatory Action (NOIRA) for the permanent amendments to these regulations.

## Action/Discussion Items

### **Final Review of Proposed Amendments to the Regulations Governing Educational Services for Gifted Students (8 VAC 20-40-10 et seq.) to Conform to HB 1295 and SB 679 Passed by the 2012 General Assembly**

Dr. Linda Wallinger, assistant superintendent for instruction, presented this item. Dr. Wright noted a proposed amendment to unstrike the phrase “who are appointed by the school board” to be consistent with precise wording of the legislation.

Mr. Krupicka made a motion to approve the amendment to the *Regulations Governing Educational Services for Gifted Students* to comport with HB 1295 and SB 679, as passed by the 2012 General Assembly, and to unstrike the phrase “who are appointed by the school board.” The motion was seconded by Mrs. Atkinson and carried unanimously.

### **Final Review of Emergency Amendments to the Regulations Establishing the Standards for Accrediting Public Schools in Virginia (8 VAC 20-131) to Conform to HB 1061 and SB 489 (2012) and a Notice of Intended Regulatory Action (NOIRA) for Permanent Amendments to the Regulations**

Mrs. Anne Wescott, assistant superintendent for policy and communications, presented this item. Her presentation included the following:

The following changes would be made to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* to comport with the legislation:

- The proposed regulations would require that, beginning with first-time ninth graders in the 2013-2014 school year, students must earn a career and technical education credential that has been approved by the Board in order to graduate with a Standard Diploma. This credential could include, but not be limited to, the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment.
- The regulations would fold the Modified Standard Diploma into the Standard Diploma, and the Board of Education would establish, through guidelines, credit accommodations for students with disabilities. Such credit accommodations for students with disabilities may include:
  - ✓ Approval of alternative courses to meet the standard credit requirements;
  - ✓ Modifications to the requirements for local school divisions to award locally awarded verified credits;
  - ✓ Approval of additional tests to earn a verified credit;
  - ✓ Adjusted cut scores required to earn verified credit; and
  - ✓ Allowance of work-based learning experiences.
- The proposed regulations would require that students pursuing a Standard or Advanced Studies Diploma successfully complete one virtual course, which may be a noncredit-bearing course.
- The Standard Technical Diploma and the Advanced Technical Diploma would be eliminated. These diplomas have not yet been implemented.
- Consistent with the legislation, the regulations would specify that the Advanced Studies Diploma shall be the recommended diploma for students pursuing baccalaureate study. Both the Standard and the Advanced Studies Diploma shall prepare students for postsecondary education and the career readiness required by the Commonwealth’s economy.

Several minor technical changes to the draft of the regulations were proposed:

- In 8 VAC 20-131-50, subsection C, on page 13, the reference to subsection K would be changed to subsection H.
- In 8 VAC 20-131-50, on page 17, subsections M and N would be changed to subsections J and K.
- Language would be added to 8 VAC 20-131-50, subsection J, on page 17, to clarify that the provisions about Advanced Placement, dual enrollment, and International Baccalaureate courses apply to Standard and Advanced Studies Diplomas.
- Language would be added to 8 VAC 20-131-360, subsection B, on page 28, to clarify that the provision about the new graduation requirements effective with the ninth-grade class of 2013-2014 refers to the Standard and Advanced Studies Diplomas.
- In 8 VAC 20-131-360, subsection F, on page 28, the reference to the Academic and Career Plan would become effective in 2013-2014.

At the meeting, additional amendments were proposed:

- In 8 VAC 20-131-50, subsection C, on page 12, the reference to the ninth-grade class of 2011-2012 would be changed to 2013-2014.
- In 8 VAC 20-131-50, on page 9, sections 1 and 2 would be changed to A and B.

Dr. Cannaday made a motion to approve the proposed emergency amendments and additional technical changes to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* and the Notice of Intended Regulatory Action (NOIRA) for the permanent regulations. The motion was seconded by Mrs. Atkinson and carried unanimously.

### **Final Review of a Proposal from New Kent County Public Schools to Establish the Bridging Communities Regional Career and Technical Center**

Ms. Lolita Hall, director for career and technical education, presented this item. Ms. Hall acknowledged Dr. Robert Richardson, superintendent of New Kent County Public Schools. Her presentation included the following:

- The proposed Bridging Communities Regional Career and Technical Center will open fall 2012, in New Kent, Virginia. This new Regional Career and Technical Center will serve Charles City, King William, King and Queen, Middlesex, and New Kent counties. Rappahannock Community College and J. Sargeant Reynolds Community College are active postsecondary partners. The Center will be owned, funded, and operated by the five school division partners. Regional center planning is directed by a Joint Board of Control. The Joint Board membership includes one school board member from each of the five partner school divisions, a superintendent, and the regional center director. The Center will open with approximately 100 students and offer programs in Health Science, Criminal Justice, Heating, Ventilation, and Air Conditioning, Diesel Technology, Pre-Engineering, and Modeling and Simulation. The facility will be used by Rappahannock Community College for evening educational programs.
- The Bridging Communities school divisions represent rural school divisions with limited resources and enrollment. Individually, the school divisions cannot fund and support a variety of Career and Technical Education programs. The five counties' economic base is small business and agriculture. The Richmond and the Williamsburg areas are common work commuting sites for citizens. Program selection for the Center will provide opportunities for students to work in the local area or find productive employment within daily driving distance from home.
- Limited resources will be maximized among the five school divisions by offering innovative rigorous and relevant CTE programs for students at the Bridging Communities Regional Career and Technical Center. The coordination with community partners and postsecondary education institutions will

expand opportunities for students' access to dual enrollment classes at the community college and successful transition into the work force. The newly established CTE Center will operate in accordance with the Board of Education's *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs* (8VAC 20-281 et seq.).

Mrs. Beamer made a motion to approve the proposal to establish the Bridging Communities Regional Career and Technical Center, New Kent County Public Schools with the understanding that additional state funding is subject to approval by the General Assembly. The motion was seconded by Mr. Braunlich and carried unanimously.

**Final Review of a Proposal from New Kent County Public Schools to Establish the Bridging Communities Governor's STEM Academy**

Ms. Lolita Hall also presented this item. Ms. Hall acknowledged Mr. Larkin Phillips, director, Bridging Communities Regional Career and Technical Center, New Kent County Public Schools. Her presentation included the following:

- The proposal for the Bridging Communities Governor's STEM Academy consists of partnerships among five school divisions: New Kent County; Charles City County; King William County; King and Queen County; and Middlesex County. In addition, Rappahannock Community College, Town of West Point Town Council, Dominion Resources Services, and J. Sanders Construction Company will be other active partners.
- The Bridging Communities Governor's STEM Academy will emphasize two career clusters that will provide students a clear pathway among high school and higher education and high-demand jobs. Students enrolled in the proposed Academy will receive academic and technical training in career preparation for Health Sciences and Engineering and Technology. The study of health science careers prepares students in occupations for wellness and preventive care. This field allows one to work in diverse environments such as hospitals, medical offices, or labs. The increasing proportion of middle-aged and aging populations will continue to drive demand. A dramatic growth in the employment of registered nurses is expected with one of the largest numbers of new jobs predicted, plus thousands of jobs will open up as employers replace experienced nurses who leave the occupation.
- In *Therapeutic Services*, students in the Academy will learn about the care and treatment of patients to improve their health over time. They will explore and learn about the tools necessary to live a healthier and problem-free lifestyle. Students will be provided an opportunity to participate in the senior level Nurse Aide Program for dual enrollment with the Rappahannock Community College. Additionally, high school senior students will have the opportunity to complete up to four dual enrollment classes selected from the Licensed Practical Nurse Program. Students enrolled in this program will complete the clinical experience requirement not later than the summer after high school graduation.
- The *Engineering and Technology* pathway is in the Science, Technology, Engineering, and Mathematics (STEM) Cluster. Engineers are needed to provide the ideas that lead to improved products and more efficient processes. Specializations in engineering will continue to serve as integral elements to growing industries, promoting steady job growth overall. The specialty that can expect the most employment growth is biomedical engineering, which has an expected employment growth of 72 percent by 2018. The Modeling and Simulation program will provide students learning experiences in STEM concepts by applying design, construction, and programming of robots. Students will participate in service-learning projects that focus on a local issue or problem and develop possible solutions or models.

Mr. Krupicka made a motion to approve the proposal to establish the Bridging Communities Governor's STEM Academy, New Kent County Public Schools. The motion was seconded by Ms. Mack and carried unanimously.

Dr. Wright acknowledged the Governor's STEM Academies that have been approved and noted that the sixteenth STEM Academy will soon be presented to the Board. Dr. Wright also reminded Board members that during the past general assembly session, Governor McDonnell requested funding to establish eight Health/Sciences Academies.

**Final Review of Revised Guidelines for Distributing National Board Certification Incentive Awards**

Mrs. Patty Pitts, assistant superintendent for teacher education and licensure, presented this item. Her presentation included the following:

- National Board Certification, that complements but does not replace a state's teacher license, is achieved upon successful completion of a voluntary assessment program designed to recognize effective and accomplished teachers who meet high and rigorous standards established by the National Board for Professional Teaching Standards (NBPTS). Founded in 1987, NBPTS is an independent, nonprofit, nonpartisan, and nongovernmental organization governed by a board of directors, with the majority of its members being classroom teachers.
- All National Board Certification assessments consist of two major components, the portfolio entries and the assessment center exercises. Teachers submit a portfolio of their teaching practice that consists of four entries showcasing their knowledge of their students, knowledge of the subject matter and pedagogy. In addition, they submit accomplishments that provide clear, consistent, and convincing evidence of how they go above and beyond what is required of all teachers to impact the learning of their students. The assessment center exercises consist of six prompts teachers must answer about their subject matter, their knowledge of students and/or pedagogy.
- The National Board for Professional Teaching Standards offers certificates in 25 fields that are applicable to more than 95 percent of the eligible teaching population. There are over 97,000 National Board Certified teachers in all 50 states and the District of Columbia and 2,379 National Board Certified teachers in Virginia.
- The assessment fee for initial National Board Certification is \$2,500 (and a \$65 processing fee). A federal subsidy grant, contingent upon available funding, pays \$1,250 of this fee for eligible teachers.
- Offered on a voluntary basis, a National Board Certificate is valid for ten years and can be renewed in the eighth or ninth year of the certificate validity period. The renewal fee is \$1,250. At the present time, state or federal funds are not available to subsidize this fee.
- In 1999 the Virginia Board of Education approved *Guidelines for Distributing National Board Certification Incentive Awards*. Contingent upon available state funding, National Board Certified Teachers may be eligible for incentive awards. The Board *Guidelines* include eligibility criteria and procedures for distributing incentive awards. Since 1999, the number of National Board Certified Teachers eligible to receive the incentive bonus has increased each year. In 1999, 22 Virginia candidates received initial National Board Incentive Awards. In 2011, 174 teachers received an initial award of \$5,000 and 1,576 teachers were eligible for the continuing award of \$2,500.

Mrs. Sears made a motion to approve the *Guidelines for Distributing National Board Certification Incentive Awards*. The motion was seconded by Mrs. Beamer and carried unanimously.

**Final Review of Proposed Changes to the Virginia Charter School Application Process and Application to Conform to HB 1173 and SB 440 Passed by the 2012 General Assembly**

Mrs. Diane Jay, associate director for program administration and accountability, presented this item. Her presentation included the following:

- Proposed updates to the criteria and application have been made based on applicable *Code* changes and also on suggestions made by reviewers and committee members. In particular, language has been incorporated regarding the extent to which the applicant has worked with the school division before submission and additional language requesting specific academic performance indicators and measures.
- The additional changes noted below have been incorporated since the first review at the May Board meeting:
  - ✓ A prospective applicant is encouraged to initiate discussion with the local school division in advance of submitting an application to the Board and the school division and its leadership are encouraged to communicate with any applicant or potential applicant.
  - ✓ The Charter Schools Committee report will normally be considered for first review at the next regularly scheduled full Board meeting
  - ✓ At the next regularly scheduled Board meeting following first review, the Board will consider the application for final review and will take one of the following actions. . .
  - ✓ In accordance with Section 22.1-212.14 of the Code of Virginia, the per pupil funding provided to the charter school by the local school board or, in the case of a regional public charter school, the relevant school boards, shall be negotiated in the charter agreement and shall be commensurate with the average school-based costs of educating the students in the existing schools in the division or divisions unless the cost of operating the charter school is less than that average school-based cost. To the extent discussions have been held with the school division, please describe the outcome of those discussions. If there have been no discussions to date, please indicate the reason.

Changes to the *Code* are noted below:

<p><u>Section 22.1-212.6. Establishment and operation of public charter schools; requirements.</u>  <u>D. As negotiated by contract, the local school board or the relevant school boards, in the case of regional public charter schools, may allow a public charter school to use vacant or unused properties or real estate owned by the school board.</u> In no event shall a public charter school be required to pay rent for space which is deemed available, as negotiated by contract, in school division facilities. All other costs for the operation and maintenance of the facilities used by the public charter school shall be subject to negotiation between the public charter school and the school division or, in the case of a regional public charter school, between the regional public charter school and the relevant school divisions.</p> <p><u>Section 22.1-212.7. Contracts for public charter schools; release from certain policies and regulations.</u>  An approved charter application shall constitute an agreement, and its terms shall be the terms of a contract between the public charter school and the local school board or, in the case of a regional public charter school, between the regional public charter school and the relevant school boards. The contract between the public charter school and the local school board or relevant school boards shall reflect all agreements regarding the release of the public charter school from school division policies. Such contract between the public charter school and the local school board or relevant school boards shall reflect all requests for release of the public charter school from state regulations, consistent with the requirements of subsection B of <a href="#">Section 22.1-212.6</a>. The local school board or relevant school boards, on behalf of the public charter school, shall request such releases from the Board of Education. <u>In addition to any such releases granted by the Board, all purchases made by a public charter school shall be exempt from the Virginia Public Procurement Act (§ <a href="#">2.2-4300</a> et seq.), unless otherwise negotiated by contract.</u></p> <p><u>Section 22.1-212.10. Decision of local board final.</u>  <u>D. Upon reconsideration, the decision of a local school board to grant or deny a public charter school</u></p>
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application or to revoke or fail to renew a charter agreement shall be final and not subject to appeal. Following a local school board decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the local school board shall submit documentation to the Board of Education as to the rationale for the local school board's denial or revocation of the charter school application.

The Board of Education shall have no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement.

Section 22.1-212.12. Public charter school term; renewals and revocations.

B. Local school boards may revoke a charter if the public charter school:

4. Violates any provision of law from which the public charter school was not specifically exempted.

~~A charter may be revoked if the local school board determines, in its discretion, that it is not in the public interest or for the welfare of the students within the school division to continue the operation of the school or, in the case of a regional public charter school, to continue its participation in the operation of the school.~~

Section 22.1-212.13. Employment of professional, licensed personnel.

A. ~~Public~~ At the discretion of the local school board, charter school personnel ~~shall~~ may be employees of the local school board, or boards, granting the charter. Any personnel not employed by the local school board shall remain subject to the provisions of §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4.

Section 22.1-212.14. Funding of public charter schools; services provided.

B. Insofar as constitutionally valid, a local school board or, in the case of a regional public charter school, the relevant school boards may establish by contract an agreement stating the conditions for funding the public charter school, including funding for the educational program to be provided by a residential charter school for at-risk students. In accordance with subsection D, the per pupil funding provided to the charter school by the local school board or, in the case of a regional public charter school, the relevant school boards, shall be negotiated in the charter agreement and shall be commensurate with the average school-based costs of educating the students in the existing schools in the division or divisions unless the cost of operating the charter school is less than that average school-based cost.

Several amendments to the application process and the application were proposed, denoted in bold:

- Proposed amendment to Education Component IV: Evidence of Support on page 8 of the Virginia Public Charter School Application Process and page 6 of the Virginia Public Charter School Application:

***Evidence of Support:*** Provide evidence that an adequate number of parents, teachers, pupils, or any combination thereof, supports the formation of a public charter school. The following components must be addressed:

1. Information and materials indicating how parents, the community, and other stakeholders were involved in supporting the application for the public charter school.
  2. Tangible evidence of support for the public charter school from parents, teachers, students, and residents, or any combination thereof, including but not limited to information regarding the number of persons and organizations involved in the process and petitions related to the establishment of the charter school. **If applicable, provide information regarding discussions with the local public school division and/or local school board for support regarding operational and financial components of the charter school application. If there have been no discussions to date, please indicate the reason.**
  3. A description of how parental involvement will be used to support the educational needs of the students, the school's mission and philosophy, and its educational focus.
- Proposed amendment to Part B: Schedule for Review by the Virginia Board of Education on page 5 of the Virginia Public Charter School Application Process:

The Charter Schools Committee report will normally be ~~presented~~ considered for first review at the next regularly scheduled full Board meeting. The applicant will be requested to attend this meeting to answer questions or make comments on the application.

At ~~this~~ the next regularly scheduled Board meeting following first review, the Board will normally consider the application for final review and will take one of the following actions . . .

- Proposed amendment to Section II: General Instructions on page 3 of the Virginia Public Charter School Application Process:

~~There is nothing that prohibits a~~ A prospective applicant ~~from contacting a~~ is encouraged to initiate discussion with the local school division for assistance in advance of submitting an application to the Board. ~~or and~~ The school division and its leadership from communicating are also encouraged to communicate with any applicant or potential applicant. ~~The Board encourages an applicant to do so.~~ Working with the local school division prior to submission of the application can help to ensure a smooth transition for any charter school that may be approved by the local school board and then established within the local school division.

- Proposed amendment to Education Component VI" Educational Program on page 9 of the Virginia Public Charter School Application Process:

8. Information regarding the minimum and maximum enrollment per grade for each year for during the term of the charter contract, as well as class size and structure for each grade served by the public charter school.

Mr. Krupicka made a motion to approve the recommended changes, including the proposed amendments, to the Virginia charter school application process and application to become effective July 1, 2012. The motion was seconded by Mrs. Beamer and carried unanimously.

***First Review of the Consensus Report from the Board of Education Charter School Committee on the Proposed Loudoun Math and IT Academy Charter School Application***

Mrs. Diane Jay also presented this item. Mrs. Jay acknowledged Dr. Ali Bicak, Ms. Mindy Williams, Ms. Sharon Inetas, and Mr. Fatih Kandil of the proposed Loudoun Math and IT Academy Charter School planning team.

Her presentation included the following:

- The Board of Education Charter School Committee met on May 23, 2012, to discuss the charter school application submitted by the Loudoun Math and IT Academy in Loudoun County and to meet with the applicant. The table below displays the committee's recommendation as to whether the components of the application meet the Board's approval criteria.

Required Application Components		Met the Criterion
II.	Mission Statement	Yes
III.	Goals and Educational Objectives	Yes
IV.	Evidence of Support	Yes
V.	Statement of Need	Yes
VI.	Educational Program	Yes
VII.	Enrollment Process	Yes
VIII.	Economic Soundness	Yes
IX.	Displacement	Yes
X.	Management and Operation	Yes

XI.	Employment Terms and Conditions	Yes
XII.	Liability and Insurance	Yes
XIII.	Transportation	Yes
XIV.	Residential Charter School	N/A
XV.	Disclosures	Yes

Board members discussed concerns regarding the fiscal soundness of practices at Chesapeake Science Point Public Charter School in Anne Arundel County, Maryland, a school from which the Loudoun Math and IT Academy (LMITA) was modeled. The use of capital funds for operating expenses, and borrowing funds were concerns raised about Chesapeake Science Point, and Board members requested a copy of the independent audit conducted at Chesapeake Science Point. LMITA founding members noted that the public charter school will have a business manager working day-to-day to manage the finances of the school, the LMITA governing board will review finances monthly, Loudoun County Public Schools will receive quarterly financial information day-to-day, and an audit will be conducted annually by an independent organization.

Board members also discussed transparency in the lottery process and the hiring of highly qualified teachers at Chesapeake Science Point.

The Board accepted for first review the Charter School Committee's recommendation that the application for the Loudoun Math and IT Academy in Loudoun County meets all applicable Board of Education charter school application criteria.

**First Review of Revisions to the Board of Education Criteria and Application for Establishing a College Partnership Laboratory School to Conform to SB 475, HB 765, and HB 577 Passed by the 2012 General Assembly**

Mrs. Patty Pitts, assistant superintendent for teacher education and licensure presented this item. Her presentation included the following:

- Legislation passed in the 2010 Virginia General Assembly and signed by the Governor established college partnership laboratory schools. Senate Bill 475 (Locke), House Bill 765 (Peace), and House Bill 577 (Bell) were passed by the 2012 General Assembly and require revisions to the Board of Education's application and application process.
- Proposed revisions to the criteria and application have been made based on applicable *Code* changes. Changes in the legislation are noted below:

Section 23-299. Objectives; definitions.  
B. As used in this chapter:  
"At-risk pupil" means a student having a physical, emotional, intellectual, socioeconomic, or cultural risk factor, as defined in Board of Education criteria, which research indicates may negatively influence educational success.  
"College partnership laboratory school" means a public, nonsectarian, nonreligious school established by a public *or private* institution of higher education that operates a teacher education program approved by the Board of Education.

"Governing board" means the board of a college partnership laboratory school that is party to the contract with the Board of Education, with the responsibility of creating, managing, and operating the college partnership laboratory school, and whose members have been selected by the institution of higher education establishing the college partnership laboratory school. The governing board shall be under the control of the institution of higher education establishing the college partnership laboratory school.

Section 23-299.2. Establishment and operation of college partnership laboratory schools; requirements.

C. Pursuant to a college partnership laboratory school agreement, a college partnership laboratory school shall be responsible for its own operations, including, but not limited to, such budget preparation, contracts for services, and personnel matters as are specified in the agreement. A college partnership laboratory school may *also* negotiate and contract with a school board, the governing body of a ~~public~~ *an* institution of higher education, or any third party for the use of a school building and grounds, the operation and maintenance thereof, and the provision of any service, activity, or undertaking that the college partnership laboratory school is required to perform in order to carry out the educational program described in its contract. Any services for which a college partnership laboratory school contracts with a school board or institution of higher education shall not exceed the school division's or institution's costs to provide such services.

D. A college partnership laboratory school shall not charge tuition *for courses required for high school graduation. However, tuition may be charged for courses for which the student receives college credit and for enrichment courses that are not required to earn a Board of Education approved high school diploma.*

E. An approved college partnership laboratory school shall be designated as a local education agency, but shall not constitute a school division.

F. College partnership laboratory schools are encouraged to develop collaborative partnerships with public school divisions for the purpose of building seamless education opportunities for all Virginia students, from preschool to postsecondary education. *An educational program provided to students enrolled in a public school division pursuant to a collaborative partnership between the college partnership laboratory school and the public school division shall be considered to be the educational program of the public school division for purposes of the Standards of Accreditation.*

Section 23-299.4. College partnership laboratory school application.

A. Any public *or private* 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.

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, *except as described in subsection D of § 23-299.2.*

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.

An approved college partnership laboratory school application shall not serve as the school's contract. Within 90 days of approval of a college partnership laboratory school application, the Board of Education and the governing board of the approved school shall execute a contract that clearly sets forth the academic and operational performance expectations and measures by which the college partnership laboratory school will be judged and the administrative relationship between the Board of Education and the college partnership laboratory school, including each party's rights and duties. The performance expectations and measures set forth in the contract shall include but need not be limited to applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the college partnership laboratory school is operating and has collected baseline achievement data for its enrolled students.

Section 23-299.8. Employment of professional, licensed personnel.

A. College partnership laboratory school personnel shall be employees of the institution of higher education establishing the school.

B. Teachers working in a college partnership laboratory school shall hold a license issued by the Board of Education or, in the case of an instructor in the higher education institution's Board-approved teacher education program, be eligible to hold a Virginia teaching license. Teachers working in a college partnership laboratory school shall be subject to the requirements of §§ 22.1-296.1 ~~and~~, 22.1-296.2, and 22.1-296.4 applicable to teachers employed by a local school board.

C. Professional, licensed personnel of a college partnership laboratory school shall be granted the same employment benefits given to professional, licensed personnel in public schools in accordance with the agreement between the college partnership laboratory school and the Board of Education.

Section 23-299.9. Funding of college partnership laboratory schools.

E. Any tuition, room and board, and any other educational and related fees collected from students enrolled at a college partnership laboratory school shall comply with Board of Education regulations and shall be credited to the account of such school.

It was noted that the accountability of students participating in a college partnership laboratory school would be counted for the public school division participating in the contract. However, this does not remove accountability from the participating college/university, which would be included in accountability reports for the lab school as a whole.

The Board accepted for first review the recommended revisions to the Virginia College Partnership Laboratory School Application Process.

### **First Review of Proposed Revisions to the Board of Education Criteria for Character Education**

Dr. Cynthia Cave, director for student services, presented this item. Her presentation included the following:

- Section 22.1-208.01 B of the *Code of Virginia* requires the Board of Education to establish criteria for character education programs. On February 24, 2000, the Board of Education approved criteria for character education programs, which were developed by a committee of parents, teachers and administrators. Proposed revisions to the criteria for alignment with HB 1179 (2012) include:

Each local character education program shall:

1. Be developed in cooperation with the students, parents, and the community-at-large.
2. Specify those character traits to be taught, selecting from those which are common to diverse social, cultural, and religious groups and meeting the requirements of § 22.1-208.01 of the Code.
3. Avoid indoctrination of any religious or political belief.
4. Be implemented at the elementary and secondary levels.
5. Complement the state Standards of Learning, be interwoven into existing curricula or established as a separate program, and taught primarily by example, illustration, and participation.
6. Provide for relevant professional development and adequate resources.
7. Include a method for program evaluation.
8. Be held during the regular school year and/or summer to include programming in a youth development academy, or both.

Board members discussed the following:

- The extent to which the Department of Education's website offers resources to support school divisions in the implementation of character education.
- The importance of including school counselors in this initiative.
- Adding "middle school" to the language to criteria 4.
- Three pilot programs located in Danville City, Manassas City, and Chesapeake City will hold Positive Youth Development Academies this summer.

The Board accepted for first review the proposed revisions to the criteria for character education programs.

**First Review of Recommended Cut Scores for the Virginia Alternate Assessment Program (VAAP) for Mathematics**

Mrs. Shelley Loving-Ryder, assistant superintendent for student assessment and school improvement, presented this item. Her presentation included the following:

- The Virginia Alternate Assessment Program (VAAP) is intended to assess the achievement of students with significant cognitive disabilities who are unable to participate in the Standards of Learning (SOL) assessment program. A compilation of student work called a Collection of Evidence is prepared for students participating in VAAP. The VAAP, which is required by the federal *Individuals with Disabilities Education Improvement Act of 2004* (IDEIA), was first administered in the 2000-2001 school year. VAAP was revised for the 2006-2007 school year based on guidance received from the United States Department of Education as part of the peer review process required under the *No Child Left Behind Act of 2001*, and cut scores were adopted by the Virginia Board of Education for mathematics, reading, science, and history.
- In 2011-2012 VAAP Collections of Evidence were prepared using new mathematics Aligned Standards of Learning (ASOL). The new ASOL were based on the mathematics Standards of Learning adopted by the Virginia Board of Education in 2009 but reduced in complexity. In early June 2012 committees of special educators were convened to review VAAP Collections of Evidence for mathematics and to recommend cut scores for pass/proficient and pass/advanced to the Virginia Board of Education.

Mr. Krupicka made a motion to waive first review and adopt the following cut scores for the achievement levels of pass/proficient and pass/advanced for the VAAP in mathematics so that student scores can be reported and Adequate Yearly Progress can be calculated without delay.

- Grade 3-5: 8 out of 16 for pass/proficient, and 14 out of 16 for pass/advanced
- Grade 6-8: 8 out of 16 for pass/proficient, and 14 out of 16 for pass/advanced
- Grade High School: 8 out of 16 for pass/proficient, and 14 out of 16 for pass/advanced

The motion was seconded by Mr. Foster and carried unanimously.

**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**

Mrs. Melissa Luchau, director for board relations, presented this item. Her presentation included the following:

- The Board of Education's advisory committees have vacancies for the three-year term of July 2012 to June 2015. Two of the Board's advisory committees require specific categories of expertise or geographic representation pursuant to state or federal law or regulation. For all committees, the Board

of Education seeks to have geographic and racial/ethnic representation among the appointees. The Board's bylaws permit persons to be reappointed to a second full term.

- The list of nominees recommended for appointment or reappointment to the 2012-2015 term are as follows:

Advisory Committee on Adult Education and Literacy

- Ms. Elaine Callahan, Adult Education Consultant, Richmond (Reappointment)
- Ms. Annette Loschert, Retired Literacy Organization Executive Director, Moneta (Reappointment)
- Ms. Betsy Mathias, Regional Adult Education Manager, Spotsylvania County Public Schools (Reappointment)
- Mr. Maurice G. Oliver, Assistant Manager, Virginia Adult Learning Resource Center, Richmond
- Ms. Katharine Parrish, Adult Basic Education Program Manager, Waynesboro Public Schools
- Dr. Troilen Seward, Educational Consultant, Claremont (Reappointment)

State Special Education Advisory Committee

- Ms. Paula Baker, Representing Parents, Region VIII
- Ms. Jackie Fagan, Representing Parents, Region VII (Reappointment)
- Ms. Sandra Hermann, Representing Parents, Region II (Reappointment)
- Ms. Lori Jackson, Representing Parents, Region III (Reappointment)
- Ms. Alison MacArthur, Special Education Teacher, Frederick County Public Schools  
Representing Special Education Teachers
- Ms. Jacqui Wilson, Representing Parents, Region V

Virginia Advisory Committee for Career and Technical Education

- Mrs. Jane S. Foy, Co-host and Producer, WINA Morning News Program, Charlottesville  
Representing: Arts, A/V Technology & Communications, Region V (Reappointment)
- Mrs. Patricia Lynn May, Registered Nurse, Mathews County  
Representing: Health Sciences, Region III (Reappointment)
- Mr. Allan L. Melton, Manager of Product Training, The Apprentice School, Huntington Ingalls  
Industries-Newport News Shipbuilding  
Representing: Education and Training, Region II (Reappointment)
- Mr. Frederick R. Norman, Partner/Owner, Commonwealth of Virginia Consulting, LLC  
Representing: Government and Public Administration, Region I (Reappointment)
- Mr. Chad S. Ratliff, Assistant Director of Instruction and Innovation Projects, Albemarle County  
Public Schools  
Representing: Education and Training, Region VII (Reappointment)

Virginia Advisory Committee for the Education of the Gifted

- Ms. Sandra C. Cole, Secondary Supervisor and Gifted Education Supervisor, Buchanan County Public Schools
- Dr. Margee Greenfield, Summer Residential Governor's School Director, Harrisonburg (Reappointment)
- Ms. Patricia A. Griffin, Director, Chesapeake Bay Governor's School
- Ms. Sarah Gross, Chair, Legislation/Education Center for Virginia PTA
- Dr. Carol V. Horn, Coordinator of Gifted Programs, Fairfax County Public Schools (Reappointment)
- Dr. Catherine Ingrassia, Professor of English, Virginia Commonwealth University, Parent  
Representative Hanover Gifted Advisory Committee
- Mr. Reginald Johns, Gifted Resource Specialist, Hampton City Public Schools (Reappointment)
- Dr. Stephen C. Keith, Assistant Professor of Education/Educational Leadership, Longwood University,  
Co-Chair Prince Edward County Gifted Advisory Committee
- Ms. Gena C. Keller, Superintendent, Fluvanna County Public Schools
- Ms. Lori E. Vaught, Member, Roanoke City School Board and Member at Large, Virginia School  
Board Association

Advisory Board on Teacher Education and Licensure

- Mrs. Rena Berlin, Virginia Holocaust Museum  
Representing: Business Community (Reappointment)
- Dr. Courtney Gaskins, Youth for Tomorrow  
Representing: Nonpublic School (Secondary) (Reappointment)
- Mrs. Kathy M. Heil, King George Middle School, King George County Public Schools  
Representing: Classroom Teacher (Middle) (Reappointment)
- Ms. Melanie Lewis, Madison Heights Elementary and Amherst Elementary Schools, Amherst County Public Schools  
Representing: Classroom Teacher (Elementary)
- Dr. Susan G. Magliaro, Virginia Polytechnic Institute and State University  
Representing: Higher Education (Public) (Reappointment)
- Mrs. Patricia C. McGloine, Princess Anne High School, Virginia Beach City Schools  
Representing: Classroom Teacher (Secondary) (Reappointment)
- Ms. Kate Sydney, Teacher, Glebe Elementary School, Arlington County Public Schools  
Representing: Classroom Teacher (Elementary)

Mrs. Beamer made a motion to waive first review and adopt the list of nominees recommended for appointment to the Board of Education's advisory committees for the 2012-2015 term. The motion was seconded by Dr. Cannaday and carried unanimously.

**Report on the Status of Virginia's Application for U. S. Department of Education Flexibility from Certain Requirements of the Elementary and Secondary Education Act of 1965 (ESEA)**

Dr. Linda Wallinger, assistant superintendent for instruction, presented this item. Her presentation included the following:

- Virginia's ESEA flexibility application was revised to reflect changes requested by USED through June 18, 2012. The application highlights Virginia's current reform efforts under ESEA flexibility:

*Principle 1: College- and Career-Ready Standards and Assessments*

- Adoption and implementation of revised content standards that reflect college- and career-ready expectations in reading and mathematics
- Implementation of corresponding assessments in 2011-2012 and 2012-2013, respectively, that support the state's college- and career-ready standards development of projects under the state's College- and Career-Readiness Initiative such as capstone courses for college-intending seniors to strengthen their readiness for postsecondary coursework and partnerships with selected state universities to pilot professional development related to college- and career-ready expectations

*Principle 2: Differentiated Accountability Systems*

- Recognition for schools and divisions demonstrating achievement and high progress on performance indicators
- Implementation of a comprehensive support system focused on building division-level capacity to support schools in need of support and interventions
- Partnership with recognized educational organizations and institutions, consultants, and lead turnaround partners to develop and provide extensive professional development to struggling divisions and schools, and expertise in implementing effective school reform strategies

*Principle 3: Teacher and Principal Evaluation and Support Systems*

- Adoption and implementation of revised guidelines for performance standards and evaluation criteria for teachers and principals that are intended to inform instruction and personnel decisions,

include differentiated performance levels, and require student performance and growth to count toward 40 percent of an evaluation

- In May 2012, based on clarification and guidance from USED on the requirements of Principle 2, Virginia's accountability system was revised to include: 1) rigorous yet attainable Annual Measurable Objectives (AMOs) specific to each subgroup that reduce the proficiency gap in half over the next six years; and 2) meaningful criteria to inform the identification of schools in need of additional support based on performance on the new AMOs. Schools that are recognized as underperforming will be identified as either priority or focus schools. Priority schools will be comprised of five percent of the state's Title I schools (36 schools) with the most significant gaps in the reading, mathematics, or graduation performance of the "all students" group. Focus schools will be comprised of ten percent of the state's Title I schools (72 schools) with the largest gaps in the reading or mathematics performance of the lowest performing groups of students as described below.
- Based on a study of performance trends in state assessment data, three groups of students were identified as traditionally underperforming as compared to peers and in need of targeted support. These three groups of students will be represented in the state's revised accountability system as follows:
  - Gap group 1: students with disabilities, English language learners, and economically disadvantaged students
  - Gap group 2: African-American students, not of Hispanic origin
  - Gap group 3: Hispanic students, of one or more races
- The final version of Virginia's ESEA flexibility application was submitted to USED on June 18, 2012, and included the following revisions: 1) the minimum group size will be reduced to 30 students starting with results from the 2012-2013 state assessments; and 2) Title I high schools not identified as priority schools and not meeting the federal graduation indicator rate will be required to use the Virginia Early Warning System (VEWS) to help increase the graduation rate.

The Board accepted the report.

### **Annual Report of the Virginia Advisory Committee for Career and Technical Education**

Ms. Lolita Hall, director for career and technical education, presented this item. Ms. Hall introduced Mr. Robert Mayfield, chair, Virginia Advisory Committee for Career and Technical Education. Mr. Mayfield's presentation included the following:

#### 2011-2012 Accomplishments

For background information in preparation for accomplishing the Committee's Program of Work, the Virginia Advisory Committee for Career and Technical Education members received an update on the Virginia's Career Clusters and Pathways, CTE Credentialing Initiative, Governor's STEM Academy Program, CTE state and federal funding, and guest speaker, Jaime Cook, Director of Human Resources and Development, Riverside Health System, presented information on the *Future Medical/Hospital Personnel Needs*.

- June 16, 2011, members participated in the Virginia Career and Technical Education Creating Excellence Awards Program and recognized regional and state winners for exemplary CTE Advisory Committees and Business and Industry Partnerships with CTE.
- At the October meeting, Achsah Carrier and Meredith Gunther from the Weldon Cooper Center, University of Virginia presented their recent research on the *Role of Business and Industry—Partnership Matter*. This research served as the basis for a checklist developed by the Committee. The checklist was developed as a resource for the CTE Local Advisory Committees, *Virginia CTE and Business/Industry Partnerships: Creating and Ensuring a Stronger Work Force for the Commonwealth*. Approximately 1,400 copies were disseminated to CTE Administrators across the state.

- Career awareness and development should begin early and involve parents in the process. An easy guide was created for parents to use with elementary and middle school children to help them develop an understanding of careers and begin to explore a variety of interests. With assistance from Committee member, Anne Carson, in her role as President of the Virginia PTA, approximately 1,200 copies of this guide were included in a mass mailing to parents across the state.
- CTE aligns its program offerings to current, emerging, and projected labor market needs. Based on emerging and projected labor market needs, new CTE courses are developed and every three to five years existing courses are reviewed and revised by CTE curriculum writing teams. The writing teams consist primarily of content area teachers. During the validation process several committee members served on the business and industry technical panels. This process includes a review of the curriculum, equipment needs, and professional development needs to ensure relevancy and the integration of academic and industry standards. At the same time employment and technological trends and their effect on the CTE program and implementation are identified and interpreted.
- During the school year, six Governor’s STEM Academies were approved for implementation by the Board. Three members of the Committee played a key role in the development and support of the Landstown High School and Technology Academy Governor’s STEM Academy for Engineering, Marketing, and Information Technology Studies in Virginia Beach City Public Schools; Grassfield High School Governor’s STEM Academy in Chesapeake City Public Schools; and the New Commonwealth Governor’s STEM Academy at Chantilly High School and Chantilly Academy, Fairfax County Public Schools.
- Several Committee members served on the panel to evaluate videos submitted by schools and academies to showcase their best practices for implementation of the career clusters. Videos that meet specific criteria will serve as state models and will be shared with schools across the state.

The Virginia Advisory Committee for Career and Technical Education will continue to focus on the following:

Promote increased rigor in CTE through curriculum and instruction

- Expand opportunities for collaborative instruction between core academic courses and CTE courses.
- Engage students in more projects that reflect real-world problems and solutions.
- Integrate CTE instruction with academics through STEM initiatives and other career pathways.
- Expand the use of new technologies.
- Compare student performance standards to business/industry standards.
- Continue to implement new programs that meet labor market needs and eliminate obsolete programs.
- Increase dual enrollment opportunities for students.
- Evaluate the quality and quantity of graduates and job placement.
- Continue to increase the number of CTE program completers who earn an Advanced Studies Diploma.

Year	Total CTE Completers	Completers Earning Advanced Studies Diploma
2008-09	38,334	17,254 (45.01%)
2009-10	39,708	18,004 (45.34%)
2010-11	41,329	19,282 (46.65%)

Promote the industry credentialing initiative

- Industry certification is highly regarded in the business community as an independent verification of skills sets.
- The current support for the industry certifications has enabled Virginia to be among the leaders in the nation in secondary students earning industry credentials. As the number of CTE completers earning Board-approved industry credentials increases, the need for support increases.

Year	Total CTE Completers	Credentials Earned by CTE Students
2008-09	38,334	19,842
2009-10	39,708	29,057
2010-11	41,329	36,719

The discussion included the suggestion that STEM education be included in elementary schools. Concern was also noted that there is currently no representation on the advisory committee from region six.

The Board received the report.

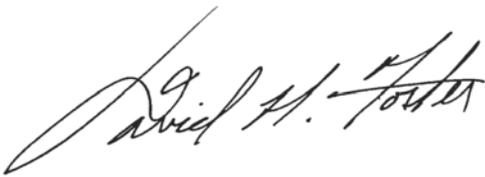
### ***DISCUSSION OF CURRENT ISSUES***

The Board recognized Mr. Doug Cox who is retiring as the assistant superintendent for special education and student services from the Virginia Department of Education with over forty years of service.

The Board met for dinner on Wednesday, June 27, 2012, at the Crowne Plaza Hotel with the following members present: Mr. Braunlich, Dr. Cannaday, Mr. Foster, Mrs. Atkinson, Ms. Mack, and Mrs. Sears. Members discussed pending Board agenda items. No votes were taken, and the dinner meeting ended at 7:30 p.m.

### ***ADJOURNMENT***

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Foster adjourned the meeting at 11:25 a.m.



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President