

Virginia Board of Education Agenda Item



Agenda Item: O

Date: October 25, 2012

Title	Final Review of Proposed Revisions to the Board of Education Application Criteria for Establishing a College Partnership Laboratory School to Allow Consideration of an Exception to the Application Process and Approval Timelines		
Presenter	Mrs. Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure		
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Purpose of Presentation:

Action required by state or federal law or regulation.

Previous Review or Action:

Previous review and action. Specify date and action taken below:

Date: January 13, 2011

Action: Approval of the application and criteria for establishing a college partnership laboratory school

Date: July 26, 2012

Action: Approval 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

Date: September 27, 2012

Action: First Review of a Proposed Revision to the Board of Education Application Criteria for Establishing a College Partnership Laboratory School to Allow Consideration of an Exception to the Application Process and Approval Timelines

Action Requested:

Final review: Action requested at this meeting.

Alignment with Board of Education Goals: Please indicate (X) all that apply:

X	Goal 1: Expanded Opportunities to Learn
	Goal 2: Accountability of Student Learning
	Goal 3: Nurturing Young Learners
	Goal 4: Strong Literacy and Mathematics Skills
	Goal 5: Highly Qualified and Effective Teachers and Administrators
	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
	Other Priority or Initiative. Specify:

Background Information and Statutory Authority:

Goal 1: The *Code of Virginia* allows an institution of higher education that operates a Board of Education approved teacher education program to establish a public, nonsectarian, nonreligious college partnership laboratory school. The Board of Education is required to approve procedures and criteria for receiving and reviewing college partnership laboratory school applications.

The following sections of the *Code of Virginia* define a college partnership laboratory school, specify the essential elements of a proposed school plan, and set forth requirements for the establishment and operation of a college partnership school. Section [23-299.5](#) of the *Code* requires the Board to establish procedures for receiving, reviewing, and ruling on applications.

23-299	Objectives; definitions.
23-299.1	College Partnership Laboratory School Fund established.
23-299.2	Establishment and operation of college partnership laboratory schools; requirements.
23-299.3	Contracts for college partnership laboratory schools; release from certain policies and regulations...
23-299.4	College partnership laboratory school application.
23-299.5	Review of college partnership laboratory school applications.
23-299.6	Decision of the Board of Education final.
23-299.7	College partnership laboratory school terms; renewals and revocations.
23-299.8	Employment of professional, licensed personnel.
23-299.9	Funding of college partnership laboratory schools.
23-299.10	Immunity.

Legislation passed by the 2010 Virginia General Assembly and signed by the Governor established college partnership laboratory schools. On January 13, 2011, the Board of Education approved the application for college partnership laboratory schools and the procedures for receiving, reviewing, and ruling on college partnership laboratory school applications. Amended provisions in the *Code of Virginia* related to college partnership laboratory schools were passed by the 2012 General Assembly and approved by the Governor, to be effective July 1, 2012. On July 26, 2012, the Board of Education approved the revisions to the 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.

Summary of Important Issues:

The Board of Education’s application process includes, in part, the following timelines:

Virginia College Partnership Laboratory Application Process

...SECTION II: GENERAL INSTRUCTIONS

...Applications for college partnership laboratory schools must be submitted to the Board at least **twelve (12) months** prior to the proposed opening day of the school....

SECTION III: APPLICATION COMPONENTS

Part C: Assurances

- ...4. The applicant will take all actions necessary to enter into a contract with the Virginia Board of Education no later than **nine (9) months** prior to the opening date of the college partnership laboratory school.

5. The school leadership of the college partnership laboratory school will be retained on contract no later than **six (6) months** prior to the opening date of the school....
7. All initial requests for waivers from the Virginia Board of Education will be made no later than **six (6) months** prior to the opening date of the school. (This does not preclude a college partnership laboratory school from working with the local school board to request additional waivers once the school is operational.)...

The proposed revisions to the Virginia College Partnership Laboratory School Application Process are as follows:

SECTION II: GENERAL INSTRUCTIONS

Applications for college partnership laboratory schools must be submitted to the Board at least twelve (12) months prior to the proposed opening day of the school.

The application must be sent to the following address:

Ms. Melissa Luchau
Executive Assistant for Board Relations
Virginia Board of Education
P. O. Box 2120
Richmond, Virginia 23218-2120

Applicants must adhere to the form prescribed by the Board that is included in this document. The format provided addresses the application elements included in [§ 23-299.4, Code of Virginia](#).

Requests for exceptions to the Board of Education application process and approval timelines may be considered on a case-by-case basis. Approval of any exceptions must be granted by the Board of Education President in consultation with the Superintendent of Public Instruction prior to the commencement of the application review process. To be considered, the institution must include the rationale for the exception to the timeline(s); documentation of the research and planning completed to establish a school; and the capacity and resources available to support the application for a college partnership laboratory school....

[The following technical edit is requested to align with the July 26, 2012, Board of Education revision to the Action by the Virginia Board of Education section of the application process.]

Meeting with the Virginia Board of Education College Partnership Laboratory Schools Committee

... Following the meeting of the applicant with the Board's College Partnership Laboratory Committee, VDOE staff, on behalf of the Committee, will prepare a report to the full Board with the recommendation of the Committee as to whether the application meets the Board's approval criteria. The report will normally be presented ~~within thirty (30) business days of~~ at the next regularly scheduled full Board meeting and the applicant will be requested to attend this meeting to answer questions or make comment on the application

The proposed revised application process is attached as Appendix A.

Impact on Fiscal and Human Resources:

There is a minimum impact on resources.

Timetable for Further Review/Action:

Following the action by the Board, the application criteria will be posted on the Department of Education Web site.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education approve the proposed revisions to the Board of Education application criteria for establishing a college partnership laboratory school to allow consideration of an exception to the application process and approval timelines.



Virginia College Partnership Laboratory School Application Process

**Presented to the Virginia Board of Education
on October 25, 2012**

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Virginia Board of Education
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**Virginia College Partnership Laboratory School Application Process
Virginia Board of Education**

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Virginia College Partnership Laboratory School Application Process

Virginia Board of Education

SECTION I: BACKGROUND

Section [23-299](#) of the *Code of Virginia* defines a college partnership laboratory school as “a public, nonsectarian, nonreligious school established by a public or private 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. Pursuant to the *Code*, the members of the governing board are selected by the institution of higher education establishing the college partnership laboratory school.

As provided in [§ 23-299](#) of the *Code*, a college partnership laboratory school may be established in Virginia to:

- Stimulate the development of innovative programs for preschool through grade 12 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.
- Develop models for replication in other public schools.

A college partnership laboratory school shall be subject to all federal and state laws and regulations and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services. Enrollment shall be open to any child who is deemed to reside within the Commonwealth through a lottery process on a space-available basis.

In accordance with [§ 23-299.4](#), *Code of Virginia*, 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.”

This section of the *Code* also states: “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 23-299.4](#), *Code of Virginia*, states the following regarding college partnership laboratory school applications:

- 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.
- 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, except as described in subsection D of [§ 23-299.2](#).

The application processes address each of these 31 elements as well as several others that are not mandated in the *Code of Virginia* but are needed in order for the Virginia Board of Education to evaluate an application. The Board has established procedures for receiving, reviewing, and ruling upon applications for college partnership laboratory schools and will make a copy of the procedures available to all interested parties upon request.

Please visit the Virginia Department of Education's (VDOE) Web site at: http://www.doe.virginia.gov/instruction/laboratory_schools/index.shtml for additional information on college partnership laboratory schools in Virginia.

SECTION II: GENERAL INSTRUCTIONS

Applications for college partnership laboratory schools must be submitted to the Board at least twelve (12) months prior to the proposed opening day of the school.

The application must be sent to the following address:

Ms. Melissa Luchau
Executive Assistant for Board Relations
Virginia Board of Education
P. O. Box 2120
Richmond, Virginia 23218-2120

Applicants must adhere to the form prescribed by the Board that is included in this document. The format provided addresses the application elements included in [§ 23-299.4](#), *Code of Virginia*.

Requests for exceptions to the Board of Education application process and approval timelines may be considered on a case-by-case basis. Approval of any exceptions must be granted by the Board of Education President in consultation with the Superintendent of Public Instruction prior to the commencement of the application review process. To be considered, the institution must include the rationale for the exception to the timeline(s); documentation of the research and planning completed to establish a school; and the capacity and resources available to support the application for a college partnership laboratory school.

Part A: Submission

Two hard copies of the completed application with the original signature of the authorized official on the cover page and on the certification page must be submitted to:

Ms. Melissa Luchau
Executive Assistant for Board Relations
Virginia Board of Education
P. O. Box 2120
Richmond, Virginia 23218-2120

In addition, a PDF version of the completed application document should be sent to Melissa Luchau at Melissa.Luchau@doe.virginia.gov.

Notice: The Virginia Freedom of Information Act (FOIA), §§ [2.2-3700](#) et seq. of the *Code of Virginia*, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees. Please be advised that documents submitted to the Virginia Department of Education are subject to FOIA and must be released in response to a FOIA request unless the records are exempt as specifically provided by law.

Part B: Schedule for Review by the Virginia Board of Education

Initial Receipt of Application

When the Board of Education receives an application, Virginia Department of Education (VDOE) staff, on behalf of the Board, will send an acknowledgement to the applicant. VDOE will determine, on behalf of the Board, that an application is complete when all of the required application elements have been submitted in the required format.

If the application is deemed incomplete, the VDOE will notify the applicant within fifteen (15) business days of receipt of the application and request that the outstanding information be submitted within thirty (30) business days of such notification to the applicant that additional information is needed.

If an applicant fails to respond to the initial request for additional information, the VDOE will contact the applicant and make a second request for any outstanding information. In this communication, VDOE will indicate that the application will not be considered for review by the Board's College Partnership Laboratory School Committee until all information is received. The applicant may withdraw his application at any time during the initial process and resubmit it at a later time.

If the application is deemed complete by VDOE, it will be sent to the Board's College Partnership Laboratory School Committee members. The committee may appoint an advisory work group to review the application and provide the committee with technical expertise. The work group could include individuals with experience in the operation of similar schools located in other states.

Meeting with the Virginia Board of Education College Partnership Laboratory Schools Committee

Representatives of the institution of higher education submitting the application for the college partnership laboratory school must attend a meeting with the Board committee. At the meeting with the College Partnership Laboratory Committee, these representatives will be asked to discuss the contents of the application and address the committee members' questions. The committee shall request public comment or schedule public hearings on the application to provide appropriate opportunity for input from parents, teachers, and other interested parties and to obtain information to assist the Board in its evaluation of a college partnership laboratory school application.

Following the meeting of the applicant with the Board's College Partnership Laboratory Committee, VDOE staff, on behalf of the Committee, will prepare a report to the full Board with the recommendation of the Committee as to whether the application meets the Board's approval criteria. The report will normally be presented within thirty (30) business days of at the next regularly scheduled full Board meeting and the applicant will be requested to attend this meeting to answer questions or make comment on the application. At this meeting, the Board will take one of the following actions:

Action by the Virginia Board of Education

Following the meeting of the applicant with the Board's College Partnership Laboratory Schools Committee, VDOE staff, on behalf of the committee, will prepare a report with the determination from the Board's College Partnership Laboratory Schools Committee as to whether the application meets the Board's approval criteria. A copy of the report will be provided to the applicant within ten (10) business days of the committee meeting.

The College Partnership Laboratory Schools Committee report will normally be 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 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:

Action 1: The Board will render a decision that the application meets the Board's approval criteria.

Following action by the Board, the applicant will be formally notified by the VDOE of the Board's action within five (5) business days. Concurrent with its notification to the applicant, the applicable institution of higher education will also receive a formal notification of the Board's action.

Action 2: The Board will render a decision that the application does not meet the Board's approval criteria.

The Board will provide the applicant with an opportunity to address any deficiencies in the application within a time frame agreed to by both the Board and the applicant. The applicant may resubmit the application at a later date. The applicant may also withdraw the application at any time and resubmit it at a later date.

Following action by the Board, the applicant will be formally notified by the VDOE of the Board's action within five (5) business days. Concurrent with its notification to the applicant, the applicable institution of higher education will also receive a formal notification of the Board's action.

The Board may request public notice, public comment, or public hearings on any applications 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.

All meetings of the Board's College Partnership Laboratory School Committee are publicly noticed at: http://www.doe.virginia.gov/boe/committees_standing/index.shtml#lab, and all interested parties are invited to attend.

Part C: Contract Execution

[Section 23-299.4](#), *Code of Virginia*, states the following:

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.

As soon as the Board takes action to approve a college partnership laboratory school, VDOE staff, on behalf of the Board, will begin working with the applicant on the terms of the contract so that it can be executed within the 90-day statutory time line.

Part D: Renewals and Revocations

[Section 23-299.7](#), *Code of Virginia*, states the following:

A college partnership laboratory school may be approved or renewed for a period not to exceed five school years. The renewal application shall include the following:

1. A report on the progress made in achieving goals, objectives, programs, and performance standards for the students, and other conditions and terms specified by the Board upon granting initial approval.
2. A concise and clearly written financial statement which discloses the costs of administration, instruction, and other spending categories for the school. This information must be submitted on forms prescribed by the Board and must provide the Board with sufficient information that will enable the Board and the public to compare costs with those of other schools or comparable organizations.

The Board may revoke a contract if the college partnership laboratory school does any of the following or otherwise fails to comply with the *Code* requirements:

1. Commits a material and substantial violation of any of the terms, conditions, standards, or procedures required by the *Code* or the contract.
2. Fails to meet or make sufficient progress toward the performance expectation set forth in the contract.
3. Fails to meet generally accepted standards of fiscal management.
4. Substantially violates any material provision of law from which the college partnership laboratory school was not exempted.

If the Board revokes or does not renew a college partnership laboratory school contract, it shall clearly state the reasons for the action in a Board resolution. The Board's decision to approve or disapprove a college partnership laboratory application or to revoke or fail to renew an agreement is final and is not subject to appeal. The applicant may, however, submit an application again at a later date.

Part E: Technical Assistance

Prior to submitting an application, the applicant may seek technical assistance from the VDOE. Requests for technical assistance should be addressed to the VDOE Division of Teacher Education and Licensure, e-mail: licensure@doe.virginia.gov, or telephone: (804) 371-2522. VDOE staff will work with each applicant on a case-by-case basis in order to address individual needs.

Part F: Additional Information

The following Web site contains additional information regarding college partnership laboratory schools in Virginia: http://www.doe.virginia.gov/instruction/laboratory_schools/index.shtml.

Inquiries regarding college partnership laboratory schools can be made to:

Ms. Melissa Luchau
Executive Assistant for Board Relations
Virginia Department of Education
P.O. Box 2120
Richmond, Virginia 23218-2120
Phone: (804) 225-2924
E-mail: Melissa.Luchau@doe.virginia.gov

SECTION III: APPLICATION COMPONENTS

Listed below are the required components of a complete application. The application is available on the Virginia Department of Education's (VDOE) Web site at:

http://www.doe.virginia.gov/instruction/laboratory_schools/index.shtml.

Part A: Applicant Information

This section provides background information on the proposed college partnership laboratory school, contact information for the applicant, and the prior experience of the applicant, or organization submitting the application, with establishing and operating a college partnership laboratory school.

Part B: Narrative Information

This section provides a detailed description of the proposed college partnership laboratory school.

- I. **Executive Summary:** This summary must be included and must address the need for the college partnership laboratory school and its goals and objectives. (The suggested length is two pages.)
- II. **Mission Statement:** State the mission and vision of the proposed college partnership laboratory school, including identification of the targeted student population, must be included. The following components must be addressed:
 1. A description of the college partnership laboratory school's mission and how it is consistent with the Virginia *Standards of Quality*, the Virginia *Standards of Learning*, and the Virginia Board of Education's [Regulations Establishing Standards for Accrediting Public Schools in Virginia](#). (Reference: [§ 23-299.2, Code of Virginia](#).)

2. A description of any specific area of academic concentration.
3. The college partnership laboratory school's core philosophy.
4. Information about the college partnership laboratory school's anticipated student population.

III. ***Educational Program:*** State the goals and objectives to be achieved by the college partnership laboratory school, which must meet or exceed the *Standards of Learning*. The following components must be addressed:

1. A description of the college partnership laboratory school's academic program and how it is aligned with state standards.
2. An overview of the curriculum, and teaching methods to be used at the college partnership laboratory school and a description of the learning environment and instructional strategies to be used at the college partnership laboratory school, including scientifically research-based instructional strategies to ensure that student engagement and achievement are occurring.
3. A plan for using internal and external assessments to measure and report student progress in accordance with the *Virginia Standards of Learning*.
4. A description of plans for identifying, evaluating, and serving students who are: 1) students with disabilities, 2) English Language Learners (ELLs), 3) academically at-risk, and 4) gifted and talented. Such plans must comply with state and federal laws and regulations.
5. An explanation of the procedures for corrective actions needed in the event that pupil performance at the college partnership laboratory school falls below the standards outlined in the Virginia Board of Education's [*Regulations Establishing Standards for Accrediting Public Schools in Virginia*](#), 8 VAC 20-131-310.
6. Information regarding the minimum and maximum enrollment per grade for the full term of the contract as well as class size and structure for each grade. (Reference: *Virginia Standards of Quality* - [§ 22.1-253.13:2](#), *Code of Virginia*.)
7. The proposed calendar and sample daily schedule.
8. A description of the performance-based goals and related measurable educational objectives to be achieved by the school. (Reference: [§ 22.1-253.13:1.B](#), paragraph A, *Code of Virginia*.)
9. For each grade or course in the college partnership laboratory school, please provide a detailed description of how the *Virginia Standards of Learning* (SOL) and the corresponding Standards of Learning Curriculum Framework will be used

as the foundation for curricula to be implemented. Include within the description how the goals and objectives of the curricula will meet or exceed the Virginia *Standards of Learning*, address student performance standards, relate to state and federal assessment standards, and include measurable student outcomes. (See <http://www.doe.virginia.gov/testing/index.shtml> on the Department's Web site for more information about the SOL.)

10. A description of the school's assessment plan to obtain student performance data, which would include how these data will be used to monitor and improve achievement and how program effectiveness will be measured. The applicant must also provide benchmark data for how student achievement will be measured over a specified period of time. The applicant must address how these data will be established and documented in the first year of operation and how the data will be measured over the successive four-year period before the contract of such school is renewed by the Virginia Board of Education. The benchmark data should address targets for student improvement to be met in each year.
11. A description of any assessment other than the Virginia *Standards of Learning* that may be used to measure progress during the academic year.

The following components should be addressed if applicable to the college partnership laboratory school:

12. A detailed description of any alternative accreditation plan, in accordance with the Virginia Board of Education's [*Regulations Establishing Standards for Accrediting Public Schools in Virginia*](#) (8 VAC 20-131-280), that the college partnership laboratory school will request from the Virginia Board of Education for approval.
13. A general description of any incentives/partnerships that the college partnership laboratory school intends to have with school divisions to enhance both the educational program of the college partnership laboratory school and the partnering school division(s).
14. If the college partnership laboratory school plans to use virtual learning in its educational program, a description of how virtual learning will be used and estimates of how many students will participate.

IV. **Governance:** The following components must be addressed:

1. Background information on the proposed founding governing board members, and, if identified, the proposed school leadership and management team. (Reference [§ 22.1-299.2 B](#), *Code of Virginia*.)

2. A 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), the Virginia Board of Education, and any external organizations that will play a role in managing the school.
3. 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. This includes a description of the functions, roles, and duties of the governing board and its proposed composition and bylaws. The description must detail the specific role of the governing board in the operation and oversight of the college partnership laboratory school.
4. A description of the governing board's relationship with the affiliated public or private institution of higher education and its Board of Visitors, any local school boards, parents, and community organizations.

V. ***Management Structure:*** The following components must be addressed:

1. Staffing chart for the school's first year and a staffing plan for the term of the contract.
2. Plans for recruiting and developing school leadership and staff.
3. A description of the academic/professional experience/qualifications of the college partnership laboratory school's leadership and proposed faculty who will teach at the school.
4. An assurance that the applicant will meet the conditions in [§ 23-299.8](#), *Code of Virginia*, which state that 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](#), [22.1-296.2](#), and [22.1-296.4](#) applicable to teachers employed by a local school board."
5. The school's leadership and teacher employment policies, including performance evaluation plans. Such performance evaluation plans must be consistent with the policies of the institution of higher education.

6. A plan that addresses the qualifications of the teachers and administrators at the college partnership laboratory school, including compliance with state law and regulations regarding Virginia Board of Education licenses and endorsements. (Please reference [§ 22.1-299.2 B](#), *Code of Virginia*, for information regarding the employment of professional, licensed personnel.)
7. A plan to provide high quality professional development programs (Reference: [§ 22.1-253.13:5](#), *Code of Virginia*.)
8. Provisions for the evaluation of staff at regular intervals.
9. Provisions for a human resource policy for the school that is consistent with state and federal law.
10. An explanation of any partnerships or contractual relationships central to the college partnership laboratory school's operations or mission, including information regarding any partnerships with school divisions to provide educational or ancillary services. (Contractual relationships include procuring the services of an education management organization, food services, transportation, school health services, custodial services, and security services. Reference: [§ 23-299.2.C](#), *Code of Virginia*.)
11. Notification to all school employees of the terms and conditions of employment.
12. Information and materials indicating how parents, the community, and other stakeholders were involved in developing the application for the college partnership laboratory school. 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.
13. Plans and timelines for student recruitment and an open enrollment process for any child who is a resident of the Commonwealth, including lottery procedures if sufficient space is unavailable. (Please include a description of the lottery process to be used to determine school enrollment on a space-available basis and a timeline for when the lottery process will begin for the first academic year of enrollment and when parents will be notified of the outcome of the lottery process. Reference: [§ 23-299.2](#), *Code of Virginia*.)

14. Any enrollment-related policies and procedures that address special situations, such as the enrollment of siblings and children of faculty and founders and the enrollment of nonresident students, if applicable. Consistent with a college partnership laboratory school's mission and purpose that may address special populations of students, the applicant must indicate how to ensure that community outreach has been undertaken so that special populations are aware of the formation of the college partnership laboratory school and that enrollment is open to all students residing in the Commonwealth. Pursuant to [§ 23-299.2, Code of Virginia](#), enrollment in a college partnership laboratory school "shall be open to any child who is deemed to reside within the Commonwealth through a lottery process on a space-available basis. A waiting list shall be established if adequate space is not available to accommodate all students whose parents have requested to be entered in the lottery process. Such waiting list shall also be prioritized through a lottery process and parents shall be informed of their student's position on the list.")
15. A model *Student Code of Conduct* policy that addresses student behavior, discipline and participation in school activities. The plan should identify the role of teachers and administrators in discipline and mentoring. The plan must also identify disciplinary policies related to students with disabilities.
16. A detailed school start-up plan, identifying tasks, timelines, and responsible individuals.
17. A description of co-curricular and extracurricular programs and how these programs will be funded and delivered.
18. A general description of any operational incentives/partnerships that the college partnership laboratory school intends to have with school divisions to enhance both the educational program of the college partnership laboratory school and the partnering school division(s).

VI. ***Financial and Operations Information:*** The following components must be addressed:

1. A description of the college partnership laboratory school's financial plan, including financial controls and audit requirements in accordance with generally accepted accounting principles.
2. Start-up and five-year budgets with clearly stated assumptions and information regarding projected revenues and expenditures.
3. Start-up and five-year cash flow projections with clearly stated assumptions and indications of short- and long-term sources of revenue.
4. Description of anticipated fundraising contributions, if applicable.
5. The types of insurance and the levels of coverage sought. Types of insurance include, but are not limited to: 1) general liability; 2) health; and 3) property.
6. A justification for each type of insurance coverage sought and evidence that the applicant has consulted with the affiliated public or private institution of higher education to ensure that the level of coverage is satisfactory.

7. A sound facilities plan, including backup or contingency plans. Facilities information includes, but is not limited to: 1) the provision of suitable instructional space, 2) provisions for library services, 3) provisions for the safe administration and storage of student records and medications, 4) information regarding compliance with building and fire codes and compliance with the federal Americans with Disabilities Act (ADA), 5) general information on emergency evacuation plans, 6) information regarding site location and preparation, 7) the structure of operation and maintenance services, and 8) financial arrangements for facilities, including any lease arrangements with school divisions or other entities and whether debt will be incurred.
8. A description of whether transportation services will be provided. If transportation is to be provided, please indicate whether the school will contract for transportation with the local education agency or another entity. Please indicate whether transportation will be provided to all students attending the school.
9. A description of transportation services for students with disabilities. ([Section 22.1-221](#), *Code of Virginia*, states: each “disabled child enrolled in and attending a special education program provided by the school division pursuant to any of the provisions of [§ 22.1-216](#) or [§ 22.1-218](#) shall be entitled to transportation to and from such school or class at no cost if such transportation is necessary to enable such child to obtain the benefit of educational programs and opportunities.”)
10. A description of food service operations and all other operational or ancillary services to be provided.

VII. **Placement Plan:** The following components must be addressed:

1. Identification of a member of the school’s leadership who will serve as a single point of contact for all activities that may need to take place in order for the school to close, including but not limited to, the transfer of students to another school, the management of student records, and the settlement of financial obligations.
2. A notification process for parents/guardians of students attending the school and teachers and administrators of the closure date.
3. A notification process to parents/guardians of students attending the college partnership laboratory school of alternative public school placements within a set time period from the date that the closure is announced.
4. Provisions for ensuring that student records are provided to the parent or guardian or another school identified by the parent or guardian within a set time period. If the student transfers to another school division, provisions for the transfer of the student’s record to the school division to which the student transfers upon the request of that school division. (Reference: [§ 22.1-289](#) of the *Code of Virginia*)
5. A placement plan for school employees that details the level of assistance to be provided within a set period of time from the date of closure.
6. A close-out plan related to financial obligations and audits, the termination of contracts and leases, and the sale and disposition of assets within a set period of

time from the date of closure. The plan shall include the disposition of the schools' records and financial accounts upon closure.

VIII. ***Other Assurances and Requirements:*** The following components should be addressed:

1. An assurance from the applicant that no tuition will be charged to students, except as described in subsection D of [§ 23-299.2](#).
2. An assurance from the applicant that the college partnership laboratory school is nonreligious in its admission policies, employment practices, and all other operations.
3. An assurance from the applicant that the proposed college partnership laboratory school shall operate in accordance with all applicable federal and state laws and regulations and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services. (Reference: [§ 23-299.2](#), *Code of Virginia*.)
4. A description of the college partnership laboratory school's policies and procedures for compliance with the federal *Family Educational Rights and Privacy Act* (FERPA) and records retention schedules consistent with guidance issued by the Library of Virginia.
5. Evidence that the proposed college partnership laboratory school programs, services, and activities will operate in accordance with all applicable federal and state laws and regulations, including the Virginia Freedom of Information Act.
6. An assurance that the applicant will take all actions necessary to ensure that its governing board will enter into a contract with the Virginia Board of Education no later than nine (9) months prior to the opening date of the college partnership laboratory school.
7. An assurance that, if approved to open a college partnership laboratory school, the leadership of the school will be retained on contract no later than six (6) months prior the opening date of the school.
8. A listing of all waivers to state regulations needed for the college partnership laboratory school at the time of its opening. This does not preclude a college partnership laboratory school from requesting additional waivers once the school is operational.
9. A description of any collaborative partnerships that may be made with public school divisions to enhance opportunities for all Virginia students, from preschool to postsecondary. 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*. (Reference: [§ 23-299.2 F](#), *Code of Virginia*.)
10. A description of all agreements that the applicant may need in the contract with the Virginia Board of Education related to the release of the college partnership laboratory school from state regulations, consistent with the requirements in [§ 23-299.2 B](#), *Code of Virginia*, including the approval of an Individual School Accreditation Plan. [Section 23-299.3](#), *Code of Virginia* states:... "If the college partnership laboratory school application proposes a program to increase the

educational opportunities for at-risk students, the Board of Education may approve an Individual School Accreditation Plan for the evaluation of the performance of the school.”)

11. A description of how the applicant and members of the governing board will disclose any conflicts of interest, which would include a personal interest in any transactions involving the college partnership laboratory school.
12. Information regarding the frequency by which such disclosures will be made. (Reference: [§ 2.2-3114](#), *Code of Virginia*.)
13. Conflict of interest disclosure by the applicant and/or members of the governing board in the proposed school. This includes any relationships that parties may have with vendors performing services at the school. As part of this assurance, the applicant must assure knowledge of the Virginia Conflict of Interest Act and the Virginia Public Procurement Act.

Part C: Assurances

Assurances in the *Code of Virginia*: The assurances in the *Code of Virginia* represent the policies and procedures that must be developed and addressed in the application by the college partnership laboratory school to carry out the provisions of the law. By signing and submitting an application for a college partnership laboratory school, the applicant expressly assures the Board that:

1. No tuition will be charged to students attending the college partnership laboratory school, except as described in subsection D of [§ 23-299.2](#).
2. The school will be nonreligious in its admission policies, employment practices, instruction, and all other operations.
3. The proposed college partnership laboratory school programs, services, and activities will operate in accordance with all applicable federal and state laws and regulations (including the federal Americans with Disabilities Act [ADA], the federal Individuals with Disabilities Education Improvement Act [IDEIA], Section 504 of the federal Rehabilitation Act of 1973, and the Virginia Freedom of Information Act) and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services.
4. The applicant will take all actions necessary to enter into a contract with the Virginia Board of Education no later than nine (9) months prior to the opening date of the college partnership laboratory school.
5. The school leadership of the college partnership laboratory school will be retained on contract no later than six (6) months prior to the opening date of the school.
6. An assurance that the applicant will meet the condition in [§ 23-299.8](#), *Code of Virginia*, which state that 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](#), [22.1-296.2](#), and [22.1-296.4](#) applicable to teachers employed by a local school board.”

7. All initial requests for waivers from the Virginia Board of Education will be made no later than six (6) months prior to the opening date of the school. (This does not preclude a college partnership laboratory school from working with the local school board to request additional waivers once the school is operational.)
8. The applicant must assure knowledge of the Virginia Conflict of Interest Act and the Virginia Public Procurement Act.

Part D: Certification

The applicant must certify that to the best of his/her knowledge the information in the application is correct, and that the applicant has addressed all application elements that pertain to the proposed college partnership laboratory school, and that the applicant understands and will comply with the assurances listed above.

SECTION IV: VIRGINIA'S COLLEGE PARTNERSHIP LABORATORY SCHOOL LAWS

Code of Virginia (July 1, 2012)

[§ 23-299](#). Objectives; definitions.

- A. In order to (i) stimulate the development of innovative programs for preschool through grade 12 students; (ii) provide opportunities for innovative instruction and assessment; (iii) provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management, and structure; (iv) encourage the use of performance-based educational programs; (v) establish high standards for both teachers and administrators; (vi) encourage greater collaboration between education providers from preschool to the postsecondary level; and (vii) develop models for replication in other public schools, college partnership laboratory schools may be established in Virginia as provided in this chapter.
- 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.

[§ 23-299.1](#). College Partnership Laboratory School Fund established.

There is hereby created in the state treasury a special nonreverting fund to be known as the College Partnership Laboratory School Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated in accordance with the appropriation act and any gifts, grants, bequests, or donations from public or private sources shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to the Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of establishing or supporting college partnership laboratory schools in the Commonwealth that stimulate the development of alternative education programs for preschool through grade 12 students by providing opportunities for innovative instruction and greater cooperation and coordination between institutions of higher education and preschool through grade 12 education systems. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent of Public Instruction. The Board of Education shall establish criteria for making distributions from the Fund to a college partnership laboratory school requesting moneys from the Fund and may issue guidelines governing the Fund as it deems necessary and appropriate.

[§ 23-299.2](#). Establishment and operation of college partnership laboratory schools; requirements.

- A. A college partnership laboratory school shall be subject to all federal and state laws and regulations and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services.

Enrollment shall be open to any child who is deemed to reside within the Commonwealth through a lottery process on a space-available basis. A waiting list shall be established if adequate space is not available to accommodate all students whose parents have requested to be entered in the lottery process. Such waiting list shall also be prioritized through a lottery process and parents shall be informed of their student's position on the list.

- B. A college partnership laboratory school shall be administered and managed by a governing board. Pursuant to a contract and as specified in [§ 23-299.3](#), a college partnership laboratory school shall be subject to the requirements of the Standards of Quality, including the Standards of Learning and the Standards of Accreditation, and such regulations as determined by the Board of Education.
- 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 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*.

[§ 23-299.3](#). Contracts for college partnership laboratory schools; release from certain policies and regulations.

The contract between the college partnership laboratory school and the Board of Education shall reflect all agreements regarding the release of the college partnership laboratory school from state regulations, consistent with the requirements of subsection B of [§ 23-299.2](#). If the college partnership laboratory school application proposes a program to increase the educational opportunities for at-risk students, the Board of Education may approve an Individual School Accreditation Plan for the evaluation of the performance of the school.

Any material revision of the terms of the contract may be made only with the approval of the Board of Education and the governing board of the college partnership laboratory school.

[§ 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.
- 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, 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.

[§ 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.

[§ 23-299.6](#). Decision of the Board of Education final.

The decision of the Board of Education to grant or deny a college partnership laboratory school application or to revoke or fail to renew an agreement shall be final and not subject to appeal.

[§ 23-299.7](#). College partnership laboratory school terms; renewals and revocations.

- A. A college partnership laboratory school may be approved or renewed for a period not to exceed five school years. A college partnership laboratory school renewal application submitted to the Board of Education shall contain:
 - 1. A report on the progress of the school in achieving the goals, objectives, program and performance standards for students, and such other conditions and terms as the Board of Education may require upon granting initial approval of the college partnership laboratory school application; and
 - 2. A financial statement, on forms prescribed by the Board, that discloses the costs of administration, instruction, and other spending categories for the school and that has been concisely and clearly written to enable the Board of Education and the public to compare such costs with those of other schools or comparable organizations.
- B. The Board of Education may revoke a contract if the college partnership laboratory school does any of the following or otherwise fails to comply with the provisions of this chapter:
 - 1. Commits a material and substantial violation of any of the terms, conditions, standards, or procedures required under this chapter or the contract;
 - 2. Fails to meet or make sufficient progress toward the performance expectations set forth in the contract;
 - 3. Fails to meet generally accepted standards of fiscal management; or
 - 4. Substantially violates any material provision of law from which the college partnership laboratory school was not exempted.

- C. If the Board of Education revokes or does not renew a college partnership laboratory school contract, it shall clearly state, in a resolution, the reasons for the revocation or nonrenewal.

[§ 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](#), [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.

[§ 23-299.9](#). Funding of college partnership laboratory schools.

- A. Each college partnership laboratory school shall receive such funds as may be appropriated by the General Assembly in accordance with the appropriation act.
- B. The governing board of a college partnership laboratory school is authorized to accept gifts, donations, or grants of any kind and to spend such funds in accordance with the conditions prescribed by the donor. However, no gift, donation, or grant shall be accepted by the governing board of a college partnership laboratory school if the conditions for such funds are contrary to law or the terms of the agreement between the Board of Education and the college partnership laboratory school.
- C. Notwithstanding any other provision of law, the proportionate share of state and federal resources allocated for students with disabilities and school personnel assigned to special education programs shall be directed to college partnership laboratory schools enrolling such students. The proportionate share of moneys allocated under other federal or state categorical aid programs shall be directed to college partnership laboratory schools serving students eligible for such aid.
- D. College partnership laboratory schools shall be eligible to apply for and receive any federal or state funds otherwise allocated for college partnership laboratory schools in the Commonwealth.
- 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.

F. Each college partnership laboratory school shall be eligible to apply for and receive available funds from the College Partnership Laboratory School Fund and the establishing institution of higher education.

[§ 23-299.10](#). Immunity.

A college partnership laboratory school shall be immune from liability to the same extent as the public institution of higher education that established the school, and the employees and volunteers in a college partnership laboratory school are immune from liability to the same extent as the employees of the establishing institution of higher education.