

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

January 10, 2013

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

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

Dr. Billy K. Cannaday, Jr.
Ms. Darlene Mack
Dr. Virginia L. McLaughlin
Mrs. Winsome E. Sears

Dr. Patricia I. Wright, Superintendent of
Public Instruction

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

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Mr. Foster asked for a moment of silence, and Dr. McLaughlin led in the Pledge of Allegiance.

APPROVAL OF MINUTES

Mrs. Beamer made a motion to approve the minutes of the November 29, 2012, meeting of the Board. The motion was seconded by Mrs. Atkinson and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

RECOGNITIONS

Resolutions of Recognition were presented to the 2012 Virginia Outstanding Middle and High School Principals of the Year as follows:

- Mrs. Antonia M. Fox – 2012 Outstanding High School Principal of Virginia. Mrs. Fox is currently Principal of Tabb Middle School in York County. At the time of the award, Mrs. Fox was Principal of York High School in York County.
- Mr. Timothy A. McClung – 2012 Outstanding Middle School Principal of Virginia. Mr. McClung is Principal of Central Academy Middle School in Botetourt County.

A Resolution of Appreciation for Outstanding Leadership and Service to Public Education was presented to Dr. Virginia L. McLaughlin, member of the Virginia Board of Education, January 2009-January 2013.

PUBLIC COMMENT

The following person spoke during public comment:
Dr. Allison Powell

CONSENT AGENDA

Mrs. Atkinson made a motion to approve the consent agenda. The motion was seconded by Dr. Cannaday and carried unanimously.

- Final Review of Financial Report on Literary Fund
- Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Funds or Placement on a Waiting List
- Final Review of Revised *Guidelines for the Neighborhood Assistance Act Tax Credit Program for Education* to Conform to HB 321 and SB 131
- Final Review of a Memorandum of Understanding for Norfolk City School Board for Lafayette-Winona Middle School and William H. Ruffner Academy Middle Schools

Final Review of Financial Report on Literary Fund

With the Board's approval of the consent agenda, the Board approved the financial report (including all statements) on the status of the Literary Fund as of September 30, 2012.

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

With the Board's approval of the consent agenda, the Board approved the action described in the four elements listed below:

1. The Town of West Point submitted plans for West Point High School. Pursuant to Section 4.2 of the Literary Fund regulations, this project, totaling \$3,320,985 is now eligible for placement on the First Priority Waiting List at Priority 41.
2. The Town of West Point submitted plans for West Point Elementary School. Pursuant to Section 4.2 of the Literary Fund regulations, this project, totaling \$2,390,440 is now eligible for placement on the First Priority Waiting List at Priority 42.
3. Three projects from the First Priority Waiting List were partially funded under the Virginia Public School Authority/Qualified School Construction Bonds Program, Series 2012-1, on October 31, 2012. Caroline County's Bowling Green Elementary

School project is reduced by \$1,071,181.16, and Smyth County's New Elementary School and Marion Primary School projects are each reduced by \$1,071,180.66.

4. Richmond County's Rappahannock High School project on the First Priority Waiting List was also partially funded through the school division's participation in the Series 2012-1 Virginia Public School Authority/Qualified School Construction Bonds Program on October 31, 2012. However, the school division requested on December 13, 2012, that the reduced amount of \$6,428,819 remaining on the First Priority Waiting List be withdrawn from funding.

Final Review of Revised Guidelines for the Neighborhood Assistance Act Tax Credit program for Education to Conform to HB 321 and SB 131

With the Board's approval of the consent agenda, the Board approved the revised *Guidelines for the Neighborhood Assistance Act Tax Credit Program for Education* with an effective date of January 10, 2013, and authorized the Department of Education to make subsequent changes to the guidelines as may be necessary in consultation with the Office of the Attorney General.

The *Guidelines for the Neighborhood Assistance Act Tax Credit Program for Education* is as follows:

Guidelines for Neighborhood Assistance Act Tax Credit Program for Education

Chapter 851, Virginia Acts of Assembly (2009), established a program, known as the *Neighborhood Assistance Act Tax Credit Program for Education*, whereby individuals or businesses may receive state tax credits for eligible contributions made to neighborhood organizations whose primary function is providing neighborhood education assistance. The legislation specified that the Board of Education adopt guidelines for the approval of proposals submitted by neighborhood education organizations and for the administration of this program.

The Neighborhood Assistance Act Tax Credit Program for Education is established in §§ 58.1-439.18 through 58.1-439.22, and § 58.1-439.24 of the *Code of Virginia*.

Chapters 842 and 731 enacted by the 2012 General Assembly amended and reenacted §§58.1-439-18 through 58.1-439.21, and § 58.1-439.24 of the *Code of Virginia*.

Definitions

Under this Program, definitions are set forth in § 58.1-439.18 and further include the following:

"Neighborhood education assistance" means providing any type of scholastic instruction or scholastic assistance, including scholarships, to a low income person or an eligible student with a disability.

Procedure for submitting proposals; eligibility criteria; termination of approval of program of a neighborhood organization; appeal procedure

- A. Neighborhood organizations wishing to obtain an allocation of tax credits under this program must submit an education proposal as set forth in § 58.1-439.20 of the *Code of Virginia* and provide the following information to the Superintendent of Public Instruction:
1. A description of their eligibility as a neighborhood organization, the education program to be conducted, the low-income persons or eligible students with a disability to be assisted, the estimated amount that will be donated to the program, and plans for implementing the program.
 2. Proof of the neighborhood organization's current exemption from income taxation under the provisions of § 501 (c) (3) or § 501 (c) (4) of the Internal Revenue Code, or the organization's eligibility as a community action agency as defined in the Economic Opportunity Act of 1964 (42 USC § 2701 et seq.) or housing authority as defined in § 36-3 of the *Code of Virginia*.
 3. A copy of the neighborhood organization's current audit, review, or compilation as required by OMB Circular No. A-133 as may be applicable to nonprofit organizations or, if a current audit, review, or compilation is not required by OMB Circular No. A-133, the reason for the exemption and a current audit, review or compilation prepared in accordance with generally accepted accounting principles for nonprofit organizations; a copy of the organization's current federal form 990; materials that describe the organization's programs; and certification that the organization complies with *Code of Virginia* § 57-48 et seq.
 4. A statement of objective and measurable outcomes that are expected to occur and the method the organization will use to evaluate the education program's effectiveness and, for established programs, a statement about the measurable outcomes that have occurred, and the method used to evaluate the program's effectiveness.
- B. To be eligible for participation in the Neighborhood Assistance Act Tax Credit Program for Education, the neighborhood organization must meet the following criteria:
1. Applicants must be able to demonstrate that at least 50 percent of the total persons served are low-income persons or eligible students with a disability.
 2. Applicant's audit must not contain any significant findings or areas of concern for the ongoing operation of the neighborhood organization.
- C. The program year for the implementation of awarded tax credits will be July 1 through June 30 of each year. The application period will start no later than March 15 prior to the beginning of each program year. All applications must be received by the Department of Education no later than the first business day of May prior to the beginning of each program year.
- D. Those applicants submitting proposals, including all required information and reports and meeting the eligibility criteria described in this section will be notified by the Superintendent of Public Instruction of the approval or disapproval of such proposals by July 1.
- E. The Department of Education must work cooperatively with the Department of Social Services for purposes of ensuring that neighborhood organization proposals are submitted to the proper agency.
- F. The Superintendent of Public Instruction may terminate a neighborhood organization's eligibility to participate under the Neighborhood Assistance Act Tax Credit Program for Education based on a finding of program abuse including, but not limited to, illegal activities, fraudulent valuation or reporting of

contributions, material deviations from the approved proposal, or other actions that are inconsistent with the purpose of the Neighborhood Assistance Act Tax Credit Program.

- G. Any neighborhood organization that disagrees with the disposition of its application, or its termination as an approved organization, may appeal to the Superintendent of Public Instruction in writing for reconsideration. Such requests must be made within 30 days of the denial or termination. The Superintendent of Public Instruction will act on the request and render a final decision within 30 days of the request for reconsideration.
- H. Actions of the Superintendent of Public Instruction or the Department of Education relating to the review of neighborhood organization proposals and the allocation of tax credits to proposals shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.). Decisions of the Superintendent of Public Instruction shall be final and not subject to review or appeal.

Allocation of tax credits

- A. The available tax credits will be allocated equitably among the approved proposals submitted by neighborhood organizations as set forth in § 58.1-439.20 of the *Code of Virginia*.
- B. If the Superintendent of Public Instruction approves a proposal submitted by a neighborhood organization, the organization shall make the allocated tax credit amounts available to business firms and individuals making donations to the approved program. A neighborhood organization shall not assign or transfer an allocation of tax credits to another neighborhood organization without the approval of the Superintendent of Public Instruction. Such action will be deemed program abuse and will be cause for termination of a neighborhood organization's eligibility to participate under the Neighborhood Assistance Act Tax Credit Program for Education.
- C. During the program year, neighborhood organizations that have used at least 75 percent of their allocation of tax credits for education programs may request additional allocation of tax credits for education purposes in accordance with § 58.1-439.20(C). Requests will be evaluated on a basis of reasonableness and tax credits will be reallocated on a first-come basis as they are available.
- D. Tax credits to be allocated are limited to the amounts as set forth in § 58.1-439.20.
- E. Organizations may release all or a portion of their unused tax credit allocation to be reallocated in accordance with § 58.1-439.20(C).

Value of donations

- A. The neighborhood organization with an approved education proposal is responsible for maintaining documentation as required by the Department of Education to verify the date and value of all donations.
- B. Monetary donations and donations of marketable securities shall be valued at fair market value as of the date of the donation.
- C. The value of merchandise (other than motor vehicles) donated by businesses to be sold, auctioned, or raffled is the lesser of the actual cost of the item or the proceeds received by the neighborhood organization.
- D. For rent/lease of facility, the value assigned to a donation to a neighborhood organization by a business cannot exceed the prevailing square footage rental charge for comparable property and must be agreed to by the donor and the neighborhood organization in advance. The neighborhood organization is responsible for obtaining documentation verifying reasonable costs for comparable property.
- E. The value of professional services donated by businesses is as set forth in § 58.1-439.22.

- F. No tax credit shall be granted to any business firm for donations to a neighborhood organization providing job training or education for individuals employed by the business firm.
- G. No tax credits shall be issued by the Department of Education for donations of contracting services.
- H. The value of eligible donations by businesses not addressed above shall be such value as determined for federal income tax purposes using the laws and regulations of the United States related to federal income taxes.

Minimum and maximum amounts

- A. Organizations shall grant tax credits to business firms consistent with the minimum amounts and other provisions set forth in § 58.1-439.21 of the *Code of Virginia*.
- B. Organizations shall grant tax credits to individuals consistent with the minimum and maximum amounts and other provisions set forth in § 58.1-439.24 of the *Code of Virginia*. Individuals and married persons who make donations to more than one neighborhood organization approved by the Department of Social Services or the Department of Education should contact the Department of Education prior to requesting tax credits that would result in more than a total of \$50,000 in tax credits being issued to the individual or married persons in a taxable year.
- C. The donor and neighborhood organization shall complete a certification on a form prescribed by the Department of Education. The certification shall identify the date, type, donor and value of the donation eligible for tax credits.
- D. Upon receipt and approval of the certification, the Superintendent of Public Instruction shall issue a tax credit certificate to the donor eligible for the tax credit.

Determining date of donation

- A. Except as noted below, the date of donation is the date used for federal income tax purposes according to IRS regulations.
- B. For merchandise donated to be sold, auctioned, or raffled, the date the proceeds are received by the neighborhood organization is the date of the donation.
- C. The date of donation for professional services is the date such services are rendered. The neighborhood organization with an approved education proposal is responsible for maintaining documentation as required by the Department of Education to verify the date and value of all services donations.
- D. The date of donation for donated rent/lease is the date of the use by the neighborhood organization.

Final Review of a Memorandum of Understanding for Norfolk City School Board for Lafayette-Winona Middle School and William H. Ruffner Academy Middle Schools

With the Board's approval of the consent agenda, the Board approved the memorandum of understanding with the Norfolk City School Board for Lafayette-Winona Middle School and William H. Ruffner Academy Middle School.

The memorandum of understanding for Norfolk City School Board for Lafayette-Winona Middle School and William H. Ruffner Academy Middle School is as follows:

**Memorandum of Understanding
Between the Virginia Board of Education
and the Norfolk City School Board**

I. Purpose and Scope

The purpose of this Memorandum of Understanding (MOU) is to define state and federal sanctions for Lafayette-Winona Middle School and William H. Ruffner Academy Middle School in Norfolk City Public Schools (NCPS).

In an effort to provide continuous support to Lafayette-Winona Middle School and William H. Ruffner Academy Middle School, NCPS will comply with all requirements included in the approved *Elementary and Secondary Education Act of 1965* (ESEA) Flexibility Waiver and the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA).

A copy of the ESEA Flexibility Waiver submitted by the VDOE and approved by the U.S. Department of Education (USED) is located at the following link:

http://www.doe.virginia.gov/federal_programs/esea/va_esea_flexibility_application.pdf.

A copy of the SOA requirements for schools rated *Accredited with Warning* is located at the following link:

http://www.doe.virginia.gov/support/school_improvement/academic_reviews/index.shtml.

Both the VDOE and NCPS should ensure that program activities are conducted in compliance with all applicable federal laws, rules, and regulations.

II. VDOE Responsibilities

The VDOE shall undertake the following activities during the duration of the MOU term:

1. Ensure adherence of NCPS to applicable federal and state laws and regulations and waiver guidelines.
2. Review and approve all documentation evidencing the LEA's performance of requirements as set forth in the ESEA Flexibility Waiver for the Virginia Department of Education (VDOE) as approved by the U.S. Department of Education (USED), and monitor NCPS' compliance with the MOU.
3. Review and approve all documentation evidencing the division's performance of requirements as set forth in the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*.
4. Assign an external VDOE contractor to NCPS for the purpose of building local capacity for supporting each identified school. The contractor will:
 - a. Monitor the implementation of the corrective action plan for Lafayette-Winona Middle School and William H. Ruffner Academy Middle School and ensure the schools' and division's compliance to the MOU and SOA.
 - b. Monitor the implementation of Title I schools or non-Title I schools not meeting an AMO, focus and priority schools' intervention and corrective action plans as prescribed by the waiver and/or 1003(g) grant award for schools as indicated in Attachment A-1 to this MOU.
 - c. Provide oversight to the academic review process including scheduling and follow-up.
 - d. Monitor the development and implementation of corrective action plans for Lafayette-Winona Middle School and William H. Ruffner Academy Middle School (and school improvement plans for those schools listed in Attachment A-1).
 - e. Meet with NCPS team and VDOE representatives monthly via Web conference.
 - f. Monitor NCPS' compliance to state and federal sanctions ten to twelve days per month (funded through set-aside or grant funds).
 - g. Assist in monitoring NCPS' implementation of a division plan to support Lafayette-Winona Middle School and William H. Ruffner Academy Middle School. The contractor will communicate with division and school representatives through telephone calls and coaching comments entered into the Indistar® Web-based planning tool.

- h. Provide lead turnaround partner (LTP) training sessions with William H. Ruffner Academy Middle School. This activity will be funded through the set-aside or grant funds.

III. NCPS Responsibilities and School Responsibilities

NCPS shall undertake the following activities during the duration of the MOU term:

1. Ensure adherence of applicable federal and state laws and regulations and waiver guidelines.
2. Provide reports to the Virginia Board of Education, as requested, on the progress of the schools denied accreditation.
3. Ensure that the NCPS team is comprised of administrators or other key staff representing Title I, instruction, special education, English language learners (ELLs), and the principals of the schools denied accreditation.
4. Ensure division-level administrators establish and participate continuously in supporting school-level improvement efforts and monitor monthly the school improvement process. This includes support and monitoring of targeted interventions at the school-level for students at-risk for not passing a grade-level assessment including students with disabilities and ELLs.
5. Ensure the schools identified in this MOU establish school improvement teams comprised of one division-level representative, the principal, and school-level leaders representing Title I, special education, and ELLs.
6. Use Indistar®, an online school improvement tool, to develop, coordinate, track, and report division- and school-level improvement activities, including the following:
 - a. School-level annual goals for student achievement on the State’s assessments in both reading/language arts and mathematics;
 - b. Meeting minutes, professional development activities, strategies for extending learning opportunities, and parent activities as well as indicators of effective leadership and instructional practice at NCPS and school-level;
 - c. Analysis of data points for quarterly reports to ensure strategic, data-driven decisions are made to deploy needed interventions for students who are not meeting expected growth measures and/or who are at risk of failure and dropping out of school; and
 - d. Tasks for the three required rapid improvement school indicators. These indicators meet the remedial requirements of 8-VAC 20-630 *Regulations for State Funded Remedial Programs* for schools rated *Accredited with Warning* and Title I schools required to develop a plan.

TA01	The school uses an identification process (including ongoing conversations with instructional leadership teams and data points to be used) for all students at risk of failing or in need of targeted interventions.
TA02	The school uses a tiered, differentiated intervention process to assign research-based interventions aligned with the individual needs of identified students (the process includes a description of how interventions are selected and assigned to students as well as the frequency and duration of interventions for Tier 2 and Tier 3 students).
TA03	The school uses a monitoring process (including a multidisciplinary team that meets regularly to review student intervention outcome data and identifies “triggers” and next steps for unsuccessful interventions) for targeted intervention students to ensure fidelity and effectiveness.

7. Develop an intervention strategy for students who: 1) are not meeting expected growth measures; 2) are at risk of failure; or 3) at risk of dropping out of school. This includes students who have failed an SOL assessment in the past and students who are identified as below grade level on the Algebra Readiness Diagnostic Test (ARDT) (grades 5-8) or the Phonological Awareness and Literacy Screening (K-3), with a special focus on low-performing subgroups.

8. Participate in division- or school-level technical assistance as recommended by the assigned VDOE contractor that may include: peer mentors for schools/divisions; direct technical assistance; and Differentiated Technical Assistance Team webinar series.
9. Collaborate with assigned VDOE contractor(s) to ensure NCPS and schools maintain the fidelity of implementation necessary for reform.

IV. Modification and Termination

Any and all amendments to this agreement must be made in writing and must be agreed to and executed by all parties before becoming effective.

V. Effective Date and Signature

This MOU shall be effective upon the signature of the Virginia Board of Education (VBOE) and the Norfolk City School Board's (NCSB) officials. It shall be in force beginning on January 10, 2013, and will terminate when Lafayette-Winona Middle School and William H. Ruffner Academy Middle School are *Fully Accredited* and are no longer focus or priority schools. The VBOE and division indicate agreement with this MOU by their signatures.

ACTION/DISCUSSION ITEMS

Final Review of Recommended Cut Scores for the End-of-Course Standards of Learning Tests in Reading, Earth Science, Biology and Chemistry Based on the 2010 English and Science Standards

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

- In 2012-2013 new Standards of Learning (SOL) tests measuring the 2010 English and science content standards will be administered. Because of the changes in the content measured by these tests, new passing scores must be adopted by the Virginia Board of Education. Consistent with the process used in 1998, committees of educators were convened in November 2012 to recommend to the Board of Education (BOE) minimum "cut" scores for the achievement levels of *pass/proficient* and *pass/advanced* for the Earth Science, Biology, and Chemistry tests and *pass/proficient* and *advanced/college path* for the End-of-Course Reading test.
- The following definition of the *advanced/college path* designation for the EOC Reading test reflects the deliberations of the higher education faculty who participated on the EOC reading standard setting committee:

A student obtaining an "advanced/college path" score should have the necessary knowledge and skills for enrollment, without remediation, in an introductory credit-bearing college course with a substantial reading load, assuming that the student continues to demonstrate a comparable level of achievement in subsequent high school English courses. Because college courses with heavy reading loads often require students to convey ideas gleaned from reading, successful students in such courses will demonstrate the same level of skill in oral and written communication.

**Summary and Background Information on Proposed Cut Scores for the End-of-Course Science Tests
and the End-of-Course (EOC) Reading Test Based on the 2010 Standards of Learning**

Test Name	Pass/Proficient					Pass/Advanced (Advanced/College Path for End-of-Course Reading)			
	Background Information		Standard Setting Summary		Superintendent's Recommendation	Background Information		Standard Setting Summary	
	Pass/Proficient Cut Score for Previous Test**	Estimate of Difficulty of New Test as Compared to the Previous Test	Round 3 Median for Proficient	Articulation Committee Recommendation	Superintendent's Recommendation	Pass/Advanced Cut Score for Previous Test**	Round 3 Median for Advanced	Articulation Committee Recommendation	Superintendent's Recommendation
Earth Science	30 out of 50	Moderately more difficult	24 out of 50	24 out of 50	25 out of 50	45 out of 50	45 out of 50	45 out of 50	45 out of 50
Biology	26 out of 50	Slightly more difficult	30 out of 50	26 out of 50	27 out of 50	45 out of 50	46 out of 50	45 out of 50	45 out of 50
Chemistry	27 out of 50	Moderately more difficult	25 out of 50	25 out of 50	25 out of 50	45 out of 50	44 out of 50	44 out of 50	44 out of 50
EOC Reading*	31 out of 55***	Slightly more difficult	28 out of 55	N/A	31 out of 55	42 out of 50	49 out of 55	N/A	49 out of 55

* The EOC Reading Test based on the 2010 Standards of Learning (SOL) has 55 items.

** Tests based on the 2003 Science SOL or the 2002 English SOL.

*** The EOC Reading test based on the 2002 English SOL had 50 items. The EOC reading test based on the 2010 SOL has 55 items. This score represents an adjustment based on the increase in the length of the test.

Mrs. Beamer made a motion to adopt cut scores representing the achievement levels of *pass/proficient* and *pass/advanced* for the end-of-course Earth Science, Biology and Chemistry Standards of Learning Tests and *pass/proficient* and *advanced/college path* for the end-of-course reading test as shown below. The motion was seconded by Mr. Braunlich and carried unanimously.

- Earth Science: 25 out of 50 for proficient and 45 out of 50 for advanced
- Biology: 27 out of 50 for proficient and 45 out of 50 for advanced
- Chemistry: 25 out of 50 for proficient and 44 out of 50 for advanced
- End-of-course reading: 31 out of 55 for proficient and 49 out of 55 for advanced/college path

Final Review of Proposed Revisions to the Computer Technology Standards of Learning

This item was postponed until the February 28, 2013, Board business meeting.

Final Review of Training Standards for Paraprofessionals Assigned to Work with a Teacher Who has Primary Oversight of Students with Autism Spectrum Disorders

This item was presented by John Eisenberg, assistant superintendent for special education and student services. His presentation included the following:

- House Bill 325 (Massie), passed by the 2012 General Assembly, requires that “...by September 1, 2014, each school board shall ensure that aides assigned to work with a teacher who has primary oversight of students with autism spectrum disorders receive training in student behavior management within 60 days of assignment

to such responsibility.” The bill further specifies that the Board of Education, in consultation with Virginia Commonwealth University, shall develop online training that school divisions may use to fulfill the requirements of § 22.1-298.3 of the *Code of Virginia* and that the training shall be made available to local school divisions free of charge.

- The document *Training Standards for Paraprofessionals Assigned to Work with a Teacher Who Has Primary Oversight of Students with Autism Spectrum Disorders* describes a broad set of competencies needed by paraprofessionals who work with students with autism. The competencies contained in the document include those that are relevant to behavior management, as specified in HB 325. These training standards have been developed in consultation with staff from the Autism Center for Excellence (ACE) at Virginia Commonwealth University. The ACE is currently preparing for online delivery of instructional modules that will incorporate the competencies addressed in the standards. The training standards were presented for first review at the November 2012 Board meeting. No additional corrections or amendments were requested.
- In order to meet the requirement in HB 325 that the online training for paraprofessionals be made available at no cost to school divisions, fiscal support for this initiative will be borne by the Department of Education through the state set-aside portion of its allocation from the federal Individuals with Disabilities Education Act (IDEA). The annual cost of staff to deliver the instruction and the technology infrastructure is estimated at \$300,000.

During the discussion Dr. Wright clarified that the fiscal impact of \$300,000 is funded by the Virginia Department of Education with federal Individuals with Disabilities Education Act (IDEA) funds. The training is provided at no cost to the individual or the school division.

Dr. McLaughlin made a motion to approve the *Training Standards for Paraprofessionals Assigned to Work with a Teacher Who Has Primary Oversight of Students with Autism Spectrum Disorders*. The motion was seconded by Dr. Baysal and carried unanimously.

The *Training Standards for Paraprofessionals Assigned to Work with a Teacher Who Has Primary Oversight of Students with Autism Spectrum Disorder* is as follows:

***Training Standards for Paraprofessionals Assigned to Work with a Teacher
Who Has Primary Oversight of Students with Autism Spectrum Disorder***

General Autism Standards	
1.	Lists and explains the defining characteristics of autism (communication, patterns of stereotypical behavior, socialization, and social skill development) and the impact on the individual as defined by the Virginia Department of Education.
2.	Lists and explains the associated characteristics commonly present in autism (e.g., difficulties in sensory processing, motor skills, theory of mind, and imitation) and the impact on the individual.
3.	Lists and explains the associated cognitive characteristics and learning styles commonly present in autism (e.g., difficulties in executive functioning, attending, planning, abstract thinking, problem solving) and the impact on the individual.
4.	Describes the continuum of Autism Spectrum Disorder (ASD) and the range of characteristics, abilities and learning needs that may be present.

Behavior Standards	
5.	Defines the term interfering behavior and identifies when interfering behavior is / is not present and when intervention is warranted.
6.	Explains the components of the behavior chain (setting event, antecedents, behavior, and consequences) and the impact on interfering behavior and identifies examples with students with ASD.
7.	Describes the relationship between communication and interfering behaviors and identifies examples with students with ASD.
8.	Lists the potential functions of interfering behaviors and identifies examples with students with ASD.

9.	Lists and describes the components of a positive behavior support plan and explains how each component can reduce interfering behavior while promoting the dignity and respect of the student.
10.	Implements proactive strategies designed to prevent the occurrence of interfering behaviors.
11.	Provides individualized positive reinforcement for demonstration of new skills designed to replace interfering behavior as well as the absence of interfering behaviors.
12.	Implements all components of a positive behavior support plan with consistency across all environments.
13.	Implements strategies to de-escalate a crisis situation to keep the student, self, and others safe as outlined by the student's intervention plan and division policies.
14.	Communicates any instances of crisis level interfering behaviors with the educational team immediately and reports the incident according to school and division policies.
15.	Provides the educational team with information regarding any areas of concern or changes in behavior.
16.	Observes behaviors and records data using objective measures and criteria to decrease the interfering behavior and increase the alternative and positive behaviors.

Communication Standards	
17.	Implements evidence-based practices to teach receptive and expressive communication outlined in the student's goals and objectives.
18.	Provides numerous communication opportunities throughout the day to enable students to achieve communication goals through environmental arrangement, routines, peer interactions and motivational activities.
19.	Implements programs designed to enhance communication skills across all daily activities and with multiple communication partners to ensure generalization of skills.
20.	Implements evidence-based practices to teach and promote choice-making skills.
21.	Implements evidence-based practices to teach receptive communication skills which will enable a student to expand knowledge of vocabulary, follow directions and increase comprehension.
22.	Implements evidence-based practices to teach expressive communication skills which will enable a student to communicate effectively in his or her environment and increase positive interactions.
23.	Implements evidence-based practices to develop pragmatic communication skills.
24.	Implements appropriate augmentative communication interventions such as object or picture exchange systems, voice output communication devices, gestures, signs, and text, among others, to promote or enhance communication based on the student's goals and objectives.

Social Skills Standards	
25.	Uses evidence-based practices to teach social skills and to foster social interest and interactions outlined in the student's goals and objectives.
26.	Provides numerous opportunities throughout the day to work on social skills that enable students to achieve social goals.
27.	Implements programs designed to enhance social skills across all daily activities and with multiple social partners to ensure generalization of skills.
28.	Implements evidence-based practices to teach and promote the understanding and following of common social rules and norms.
29.	Implements evidence-based practices to teach and promote emotional development and emotional regulation as it relates to self as well as others.
30.	Supports interactions between peers and students with ASD providing relevant information and guidance to peers that will foster interactions and provide opportunities to learn social goals and objectives.

Comprehensive Instructional Programming Standards	
31.	Provides intervention through a full range of instructional formats (e.g., one-to-one, small group, school/community interactions, and peer-mediated instruction).
32.	Implements a wide variety of evidence-based practices that effectively address the individual's goals and objectives.
33.	Implements prompting strategies and hierarchies that promote high rates of successful performance.
34.	Identifies individualized reinforcement preferences using indirect and direct measures on an ongoing basis.

35.	Provides appropriate reinforcement contingent on behavior, emphasizes the use of naturally occurring reinforcement, and fades systematically to support student independence.
36.	Delivers instruction that is clear, concise and appropriate for the student and ensures student understanding.
37.	Implements task analysis by breaking skills into small teachable parts and chaining steps of a task for skill acquisition.
38.	Implements instruction that promotes active engagement and maximizes opportunities for learning.
39.	Implements evidence-based practices with fidelity across all settings to foster generalization and maintenance of skills.
40.	Implements accommodations and/or modifications of tasks that effectively address the individual's goals and objectives.
41.	Utilizes adaptive equipment and assistive technology options that effectively address the individual's goals and objectives.
42.	Respects the needs, desires, and interests of the individual and families when implementing evidence-based practices and providing support to the individual.
43.	Collaborates with the Individualized Education Program (IEP) team as evidenced by regular communication and participation in scheduled team meetings and informs the team of any areas of concern or changes in behavior.
44.	Implements and follows-up on team decisions and communicates results to the team.
45.	Observes behaviors and records data using objective measures and criteria.

Environmental Structure and Visual Supports Standards

46.	Assists in implementing safe environments that are free of hazards.
47.	Assists in implementing a positive climate that promotes respect for the individual.
48.	Implements a variety of visual supports and strategies to communicate information and expectations and increase independence of the student (e.g., break cards, rule cards, narratives, and scripts).
49.	Implements a daily schedule of activities that is individualized by length (e.g., full day, part day) and type (e.g., objects, photos, icons, words).
50.	Implements mini-schedules to help the individual participate in the environment and complete activities and routines independently.
51.	Uses visual supports and strategies to help the individual prepare for and complete transitions.
52.	Uses evidence-based practices to teach the individual the purpose of visual supports and how to use the visual supports independently.

Sensory Motor Development Standards

53.	Describes the basic function of the sensory system, impact that sensory processing has on learning and the potential differences for students with ASD.
54.	Implements sensory motor intervention plan with fidelity across all environments determined by the student's goals and the educational team.

Independence and Aptitude Standards

55.	Implements a variety of evidence-based practices to increase an individual's short-term and long-term independence in functional and daily living skills as outlined in his/her goals and objectives.
56.	Implements a variety of evidence-based practices to increase an individual's cognitive and learning abilities outlined in his/her goals and objectives.
57.	Implements a variety of evidence-based practices to increase an individual's academic skills outlined in his/her goals and objectives.
58.	Provides numerous opportunities throughout the day to work on independence and aptitude skills to enable students to achieve goals and foster generalization and maintenance of skills.

First Review of a Proposal from Richmond County Public Schools to Establish the Northern Neck Technical Center Governor’s STEM Academy for Agriculture and Maritime Studies

This item was presented by Ms. Lolita Hall, director for career and technical education services. Ms. Hall introduced the following persons in attendance: Dr. James Gregory Smith, superintendent, Richmond County Public Schools; Mrs. Kathleen Beane, interim superintendent, Colonial Beach Public Schools; Dr. Rebecca Gates, superintendent, Northumberland County Public Schools; Dr. Rebecca Lowry, superintendent, Westmoreland County Public Schools; Mr. Don McCann, chair, Northern Neck Regional Technical Center Board; Ms. Brenda Pemberton, vice chair, Richmond County School Board; Mr. Randy Long, director, Richmond County Career and Technical Education; and Mr. Todd Davis, assistant principal, Northern Neck Technical Center.

Ms. Hall’s presentation included the following:

- Partnerships establishing academies must include at least one public school division, business and industry, and postsecondary education. On November 29, 2007, the Board of Education approved the criteria to establish a Governor’s STEM Academy. Subsequently, on March 19, 2008, the Board approved the standards for the Governor’s Career and Technical Education Exemplary Standards Awards Program, which all Career and Technical Academies must implement.
- As required by the Board of Education, the State Council of Higher Education for Virginia (SCHEV) is currently reviewing the proposal. Their report and recommendation is expected by February 1 prior to the second review of the proposal by the Board of Education.
- Currently, there are 17 Governor’s STEM Academies in Virginia. They are located in Arlington County, Carroll County, Chesapeake City, Chesterfield County, Fairfax County, Halifax County, Hampton City, Loudoun County, Lynchburg City, New Kent County, Newport News City, Richmond City, Roanoke County, Russell County, Stafford County, Suffolk City, and Virginia Beach City.
- The proposal for the Northern Neck Technical Center Governor’s STEM Academy for Agriculture and Maritime Studies consists of partnerships with the Northern Neck Technical Center (*Academy Lead Agency*), Town of Colonial Beach Public Schools, Essex County Public Schools, Lancaster County Public Schools, Northumberland County Public Schools, Richmond County Public Schools, Westmoreland County Public Schools, Rappahannock Community College, The College of William and Mary, Rappahannock Educational Consortium, National Science Foundation Southeast Maritime and Transportation Center (NSF SMART Center), STEM Education Alliance, Friends of the Rappahannock, Richmond County Extension Service, Bay Consortium Workforce Investment Board, Inc., Historyland Nursery, Montague Farms, Inc., Northern Neck Nursery, Northern Neck Vegetable Growers Association, Inc., Whelan’s Marina, and White Point Marina, Inc.
- The Academy will focus on the following three career pathways within three career clusters:

CAREER CLUSTER	CAREER PATHWAY
Agriculture, Food, and Natural Resources	Plant Systems
Transportation, Distribution, and Logistics	Facility and Mobile Equipment Maintenance (Maritime)
Science, Technology, Engineering, and Mathematics (STEM)	Engineering and Technology

- Students trained in the *Plant Systems Career Pathway* will contribute to regional economic growth on the Northern Neck through the rebirth of traditional agricultural career opportunities in combination with twenty-first century careers. An area of growth in the agricultural industry on the Northern Neck is the emergence of nontraditional farms, such as organic vegetable farms, wineries and vineyards, and turf-management industries.

Significant agricultural areas of focus include landscape design, landscape maintenance, and landscape chemical treatment. All these occupational areas require twenty-first century knowledge and skill sets that the Academy will provide. Within this pathway, students will have the opportunity to engage in internships, mentorships, and other work-based experiences at placement sites, such as the Northern Neck Nursery and Historyland Nursery.

- Careers in the *Facility and Mobile Equipment Maintenance (Maritime)* Career Pathway are integral to the Northern Neck because of the myriad of crafts that traverse the area's extensive waterways for business and pleasure. The maritime maintenance industry has evolved from making basic mechanical repairs to encompassing jobs requiring expert technicians with creative problem-solving, mathematical, technical reading, and analytical thinking skills. Students graduating from the Academy with a concentration in Marine Service Technology will be equipped for job opportunities in the shipyards and boatyards stretching from Norfolk-Newport News to Baltimore. Additionally, internships, mentorships, and other work-based learning experiences in this pathway will be available through local and regional placement sites such as Whelan's Marina, one of the Academy's regional partners.
- Students educated in the *Engineering and Technology Career Pathway* will fill the jobs in the growing architecture and engineering occupational fields. By 2018, engineering and architecture jobs are predicted to increase by 16.3 percent in the Commonwealth, and on the Northern Neck, this figure is 17.54 percent, putting careers in the STEM Career Cluster among the fastest growing in the region: for example, civil engineering jobs on the Northern Neck are predicted to experience growth of 33.44 percent by 2018.
- The Academy's instructional program will include virtual classes that feature blended learning – consisting of traditional face-to-face classroom settings with a computer-mediated environment. The virtual classes will be enhanced by in-person, project-based learning experiences.

Dr. James Gregory Smith, superintendent, Richmond County Public Schools, used a PowerPoint presentation to summarize further functions of the academy.

The Board discussed the following:

- Collecting student data to track postgraduate employment
- Adding engineering courses to the curriculum and facilities required to teach the courses
- Using engineering training programs at Virginia Commonwealth University and Old Dominion University in addition to The College of William and Mary for staff development
- Using separate preparation tracks for career and technical education and engineering programs
- Inclusion of students with varying skill sets and different levels of academic achievement

The Board accepted for first review the proposal to establish the Northern Neck Technical Center Governor's STEM Academy for Agriculture and Maritime Studies, Richmond County Public Schools.

First Review of Proposed Revised Regulations Governing Local School Boards and School Divisions (8 VAC 20-720-170) Under the Fast Track Provision of the Administrative Process Act to Incorporate Provisions Regarding Local Selection of Textbooks Other Than Those Approved by the Board of Education

Mrs. Anne Wescott, assistant superintendent for policy and communications, presented this item for Dr. Linda Wallinger, assistant superintendent for instruction. The presentation included the following:

- On March 24, 2011, the Virginia Board of Education adopted a revised state textbook review process that places primary responsibility on publishers to ensure the accuracy of their textbooks. A publisher must: 1) certify that textbooks it has submitted for review have been thoroughly examined for content accuracy; and 2) agree that if factual or editing errors are identified, it will submit a corrective action plan to the Department of Education for review and approval by the Board of Education or by the superintendent of public instruction for plans not involving significant errors.
- On September 22, 2011, the Board adopted *Guidelines for Local Textbook Approval* to assist school divisions as they review and approve textbooks at the local level. The *Guidelines* encourage local school boards that opt to use a textbook that has not been approved by the Board of Education to conduct a local textbook review that includes components similar to the state level review. Such components include a correlation with the Standards of Learning for the particular subject area and a review of strengths and weaknesses in instructional planning and support. Additionally, the publisher of the textbook must certify the accuracy of the content of the textbook and sign an agreement to correct all factual and editing errors found in a textbook, at its expense. Finally, the publisher must certify that the books meet other requirements of the *Code of Virginia* related to textbooks.
- The proposed revisions to the *Regulations Governing Local School Boards and School Divisions* presented to the Board include requirements from the Board of Education's *Guidelines for Local Textbook Approval*, thus changing them from optional guidelines to required regulations.

The Board discussed the following:

- Clarifying that local school boards have their own processes for approving textbooks
- Recognition that in the virtual age, textbooks and instructional materials are changing at a rapid pace

The Board accepted for first review the proposed revised *Regulations Governing Local School Boards and School Divisions* under the Fast Track provision of the Administrative Process Act to incorporate provisions regarding local selection of textbooks other than those approved by the Board of Education.

First Review of Proposed Amendments to the Regulations Establishing the Standards for Accrediting Public Schools in Virginia (8 VAC 20-131) Addressing Public Virtual Schools

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

- HB 1215 (R.P. Bell) was approved during the 2012 General Assembly Session and has been signed by the Governor. The legislation became effective July 1, 2012. As amended by that bill, § 22.1-253.13:3.A of the *Code of Virginia* (the Standards of Quality) states:

The Board of Education shall promulgate regulations establishing standards for accreditation of public virtual schools under the authority of the local school board that enroll students full time.
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- The intent of this legislation is to address situations where local school boards could establish a public virtual school, with all students taking coursework virtually, rather than in a traditional “brick and mortar” environment. The Board’s *Regulations Establishing the Standards for Accrediting Public Schools in Virginia* (SOA) are designed to ensure that an effective educational program is established and maintained in Virginia’s public schools. These regulations are applicable to all public schools in Virginia and are geared to the traditional “brick and mortar” public school. The regulations do not specifically address differences in service delivery that exist between a “brick and mortar” public school and a public virtual school that enrolls students full-time.
- SOA standards, such as those related to library media, staffing requirements, hours of instruction, extracurricular activities, and school facilities and safety, need to be examined for public virtual schools and for appropriate service delivery in a full-time virtual environment. Per 8 VAC 20-131-350, waivers shall not be granted to the requirements of Part III (Student Achievement) with limited exceptions regarding graduation. Once these regulations are promulgated, school divisions will no longer be required to request waivers of those regulations that would not be applicable to public virtual schools.
- As the options available to Virginia’s public school students through virtual learning programs continue to expand, students enrolled in public schools may be able to take all coursework virtually and may not attend traditional “brick and mortar” schools at all. Therefore, the standards governing public virtual schools are designed to maintain a level of student achievement commensurate with high-quality instruction delivered in traditional “brick and mortar” schools.
- The amendments to these regulations, as prescribed in HB 1215, will assure that the SOA requirements will address instructional service delivery for both “brick and mortar” and public virtual schools, further ensuring educational quality for Virginia’s public school students.
- The amendments would revise the definitions section of these regulations, 8 VAC 20-131-05, and the section of the regulations addressing off-site instruction, 8 VAC 20-131-180.
- The following changes are proposed in the definitions section, 8 VAC, 20-131-05, to clarify that the regulations address the accreditation of both brick and mortar and public virtual schools:
 - ✓ “Blended instruction” would be defined as instruction in which a student learns at least in part using the Internet or other computer-based method and in part at an on-site location with face-to-face instruction.
 - ✓ A “public virtual school” would be defined as a school under the authority of the local school board where a student may receive all of his instruction electronically, using the Internet or other computer-based methods, with the exception of any required on-site instruction or blended instruction.
 - ✓ Language would be added to the definition of “school” to specify that the student is receiving instruction in a traditional school setting or in a public virtual school setting, including blended instruction.
 - ✓ “Traditional school setting” would be defined to mean that a student is receiving his instruction in a course at a brick and mortar school facility that is a school.

- ✓ “Virtual school setting” would be defined to mean that a student is receiving his instruction in a course in a public virtual school or electronically in another school-approved location that is separate from a brick and mortar facility that is a school.
- The following amendments are proposed specifically addressing the requirements for public virtual schools:
 - ✓ Public virtual schools would be required to meet all laws and regulations required of all other public schools, unless otherwise specified.
 - ✓ A public virtual school would be required to accommodate all students, including students with disabilities, students identified as gifted, and students who have limited English proficiency. The school division must have written policies and procedures that address service delivery to accommodate all students. Instruction must comport with the requirements of the Standards of Learning and career and technical education competencies, and must be provided by teachers licensed by the Board of Education and endorsed in the subjects in which they provide instruction.
 - ✓ Students enrolled in a public virtual school would be required to take all applicable Virginia assessment program tests in a secure, controlled and proctored environment under the supervision of licensed personnel employed by a local school division and trained in administering the tests.
 - ✓ If a student enrolled in a public virtual school participates in a career and technical education course that requires cooperative education/work-based experience, the safety training provided in the virtual classroom would be required to be equivalent to the safety training given at a worksite.
 - ✓ Language would be added to specify that the instruction would be provided by an approved multidivision online provider, a provider not required by statute to be approved as a multidivision online provider, or the school division could design the curriculum and provide the instruction.
 - ✓ A public virtual school that provides a virtual school program that is required by § 22.1-212.23 of the *Code of Virginia* to be delivered by an approved multidivision online provider must meet all teacher licensure and staffing requirements for the virtual school programs set forth in § 22.1-212.23.
 - ✓ Each student enrolled in a public virtual school must have access to the necessary technology for participation in public virtual school courses, such as a computer and printer, and to an Internet connection for school work purposes. In addition, students and teachers would be required to have the necessary technical security to ensure student safety while using the computer for school work.
 - ✓ Technical support services and training must be provided to assist in the resolution of technical problems for teachers and students.
 - ✓ New and experienced online teachers employed to instruct students in the public virtual school must participate annually in professional development for online teaching.
- The requirement for 140-clock hours of instruction to earn a standard unit of credit may be waived, pursuant to 8 VAC 20-131-110.
- The length of the school term is required by statute to be not less than 180 teaching days or 990 teaching hours unless there are severe weather conditions or other emergency situations resulting in the closing of the school. Furthermore, students in public virtual schools are subject to the compulsory attendance law, even if they complete their course requirements in fewer than 180 days or 990 hours. Therefore, the school division would be required to develop policies and procedures to ensure that the student is in compliance with the compulsory attendance law throughout the school year.

- Where a student has mastered the course content and completed all course requirements in fewer than 180 days or 990 hours, the school could enroll the student in the next course level or in another course, provide remediation if needed, focus on increasing the student's academic proficiency, provide enrichment, or meet the student's academic needs in another way as determined by school board policies.
- The school board would be required to develop a written policy to ensure that all students receiving instruction in a public virtual school setting have access to adequate and appropriate library resources.
- Guidance counseling and other student support services are required to be available to students in the public virtual school from appropriately licensed and endorsed personnel.
- Extracurricular activities and eligibility requirements for students in virtual school settings shall be established and approved by the superintendent and the school board.
- Public virtual schools would be exempt from the school facilities and safety requirements unless the public virtual school is operated in a stand-alone facility.
- The public virtual school principal or designee would be responsible for:
 - ✓ Analyzing the school's test scores annually, by grade and by discipline;
 - ✓ Ensuring that student records are maintained and that criteria used in making placement and promotion decisions, as well as any instructional interventions used to improve the student's performance, are included in the record;
 - ✓ Monitoring and evaluating the quality of instruction, providing staff development, providing support that is designed to improve instruction, and seeking to ensure the successful attainment of the knowledge and skills required for students by the SOL tests and for college and career readiness);
 - ✓ Maintaining records of students who drop out of school, including their reasons for dropping out and actions taken to prevent these students from dropping out;
 - ✓ Notifying the parents of rising eleventh-grade and twelfth-grade students of the number of standard and verified units of credit required for graduation; and the remaining number of such units of credit the individual student requires for graduation;
 - ✓ Maintaining a current record of licensure, endorsement, and in-service training completed by staff; and
 - ✓ Maintaining records of receipts and disbursements of all funds handled. These records shall be audited annually by a professional accountant approved by the local school board.
- All of the records, reports, and other information maintained by the public virtual school related to these documents, student scholastic records, and any other record or document maintained by the public virtual school shall be made available as may be necessary to the school board, superintendent, and school board employees.
- Public virtual schools would be required to provide all policies and procedures unique to enrollment and matriculation in the public virtual school to parents prior to enrollment and post such information for the public on the school division's Web site.
- Public virtual schools would be required to develop policies and procedures regarding the monitoring of student attendance, notification of parents and students regarding attendance issues and related disciplinary actions, and maintenance of records of attendance and this information shall be provided to parents prior to enrollment.
- Information regarding student accountability and assessment would be required to be provided to the parents prior to enrollment. Public virtual schools must also develop policies and procedures to ensure that each student shall be assessed annually to determine what remediation and other support structures are needed to help the student achieve academic success.

The Board will have a work session before final review to discuss some of the following issues pertaining to the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia*: school calendar, waivers from the existing Standards of Accreditation, access to technology, definition for virtual schools, socialization development for virtual students, how to assist virtual school students needing extra instruction time, licensing of virtual educators, extra curricula activities, access to libraries, length of school year and day, facilities, and compulsory attendance.

The Board accepted for first review the proposed amendments to the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia*.

First Review of Timeline for the Review and Approval of the Revised Foreign Language Standards of Learning

Dr. Lisa Harris, specialist for foreign language, presented this item. Her presentation included the following:

- The *Code of Virginia* also requires a review of Virginia's Standards of Learning every seven years.

Code of Virginia, Section 22.1-253.13:1-2 By October 1, 2000, the Board of Education shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

- The *Foreign Language Standards of Learning* were adopted in 2007 and are scheduled for review in 2013-2014.
- Using an established review process and criteria, the Department of Education plans a review of the current *Foreign Language Standards of Learning* according to the proposed timeline.

The Board received for first review the proposed timeline for the review of the *Foreign Language Standards of Learning*.

First Review of the Advisory Board on Teacher Education and Licensure's Recommendation to Grant Approval to Add New Education (Endorsement) Programs at Averett University, Mary Baldwin College, Radford University, Regent University, University of Virginia, and Virginia Commonwealth University

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

- Colleges and universities that offer programs for the preparation of professional school personnel must obtain education program (endorsement) approval from the Board of Education. Requests to offer new education endorsement programs are submitted to the Department of Education. Personnel in the Division of Teacher Education and Licensure and program specialists within the Department of Education review the programs to ensure competencies and other requirements have been addressed. The Advisory Board on Teacher Education and Licensure (ABTEL) reviews and makes recommendations to the Board of Education on approval of Virginia education programs for school personnel. Final authority for program approval rests with the Board of Education. Requests for new program endorsements approved by the Board of Education will receive a rating of *Approved*; *Approved with Stipulations*; or *Approval Denied*.

- The *Regulations Governing the Review and Approval of Education Programs in Virginia*, in part, stipulate the following:

8VAC20-542-20. Administering the regulations

- D. Institutions of higher education seeking approval of an education program shall be accredited by a regional accrediting agency....
- H. Education programs shall be approved under these regulations biennially based on compliance with the criteria described in 8VAC20-542-40....

8VAC20-542-40. Standards for biennial approval of education programs

Approved education programs in Virginia shall have national accreditation or be accredited by a process approved by the Board of Education and demonstrate achievement biennially of the following accountability measures:

1. Candidate progress and performance on prescribed Board of Education licensure assessments. Candidate passing rates, reported by percentages, shall not fall below 70 percent biennially for individuals completing and exiting the program. Achievement of an 80 percent biennial passing rate shall be required by July 1, 2010. Candidates completing a program shall have successfully completed all coursework, required assessments, including those prescribed by the Board of Education, and supervised student teaching or internship. Candidates exiting a program shall have successfully completed all coursework, regardless of whether the individuals attempted, passed, or failed required assessments, including those prescribed by the Board of Education, and/or who may not have completed supervised student teaching or required internship.
2. Candidate progress and performance on an assessment of basic skills as prescribed by the Board of Education for individuals seeking entry into an approved education preparation program....
3. Structured and integrated field experiences to include student teaching requirements....
4. Evidence of opportunities for candidates to participate in diverse school settings that provide experiences with populations that include racial, economic, linguistic, and ethnic diversity throughout the program experiences....
5. Evidence of contributions to PreK-12 student achievement by candidates completing the program....
6. Evidence of employer job satisfaction with candidates completing the program....
7. Partnerships and collaborations based on PreK-12 school needs....

- Averett University, Mary Baldwin College, Radford University, Regent University, University of Virginia, and Virginia Commonwealth University have submitted requests to add new endorsement programs in the areas noted on the following chart:

Institution	Endorsement Program Requested	Level of Program
Averett University	• Gifted Education (Add-on)	Graduate
Mary Baldwin College	• English • History and Social Sciences • Mathematics	Graduate Graduate Graduate
Radford University	• Special Education: Adapted Curriculum K-12	Graduate
Regent University	• Mathematics	Undergraduate
University of Virginia	• Early Childhood for Three- and Four-Year-Olds (Add-on)	Graduate
Virginia Commonwealth University	• Health and Physical Education PreK-12	Graduate

- Program endorsement competencies, based on the *Regulations Governing the Review and Approval of Education Programs in Virginia* (8VAC20-542-10 et seq.), have been verified through the review of course descriptions and syllabi to determine alignment with each of the competencies required, including supervised classroom instruction. A review of the *Request for New Endorsement Program* application submitted by each institution evidenced written documentation of school division demand data, as well as institutional and school division support for the requested programs.
- Section 8VAC20-542-40 of the *Regulations Governing the Review and Approval of Education Programs in Virginia* requires institutions seeking education program approval to establish partnerships and collaborations based on PreK-12 school needs. The institutions of higher education will submit a biennial report for the education programs for the period of September 1, 2013 to August 31, 2015.

The Board accepted for first review the Advisory Board on Teacher Education and Licensure's recommendation to grant approval to add a new education (endorsement) program at the University of Virginia, Averett University, Mary Baldwin College, Radford University, Regent University, and Virginia Commonwealth University, including the accountability measurement of partnerships and collaborations based on PreK-12 school needs for each of the programs.

First Review of the Advisory Board on Teacher Education and Licensure's Recommendation to Grant Approval to Washington and Lee University (Rockbridge Teacher Education Consortium – RTEC) to Offer Education (Endorsement) Programs

Mrs. Pitts also presented this item. Mrs. Pitts recognized Lenna Ojure, director of teacher education at Washington and Lee University and Kim Kearney, director of teacher education at Southern Virginia University. Mrs. Pitts' presentation included the following:

- The *Regulations Governing the Review and Approval of Education Programs in Virginia* (8VAC20-542-10 et seq.), effective September 21, 2007, amended January 19, 2011, set forth the requirements for the accreditation and approval of programs preparing teachers, administrators, and other instructional personnel requiring licensure. These regulations establish policies and standards for the preparation of instructional personnel, further ensuring educational quality for Virginia public school students.
- *Regulations Governing the Review and Approval of Education Programs in Virginia Accreditation of Professional Education Programs*
 - ✓ The *Regulations Governing the Review and Approval of Education Programs in Virginia* (8VAC20-542-10 et seq.), effective September 21, 2007, set forth the options for the accreditation of "professional education programs" at Virginia institutions of higher education. The regulations define the "professional education program" as the Virginia institution, college, school, department, or other administrative body within a Virginia institution of higher education, or another Virginia entity for a defined educator preparation program that is primarily responsible for the preparation of teachers and other professional school personnel. The regulations, in part, stipulate the following:
 - ✓ 8VAC20-542-30. Options for accreditation or a process approved by the Board of Education.
 - A. Each professional education program in Virginia shall obtain and maintain national accreditation from the National Council for the Accreditation of Teacher Education (NCATE), the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.

- B. Each Virginia professional education program seeking accreditation through a process approved by the Board of Education shall be reviewed. A report of the review shall be submitted to the Board of Education in accordance with established timelines and procedures and shall include one of the following recommendations:
 - 1. Accredited. The professional education program meets standards outlined in 8VAC20-542-60.
 - 2. Accredited with stipulations. The professional education program has met the standards minimally, but significant weaknesses have been identified. Within a two-year period, the professional education program shall fully meet standards as set forth in 8VAC20-542-60.
 - 3. Accreditation denied. The professional education program has not met standards as set forth in 8VAC20-542-60. The State Council of Higher Education for Virginia (SCHEV) shall be notified of this action by the Department of Education.
 - C. Professional education program accreditation that has been denied may be considered by the Board of Education after two years if a written request for review is submitted to the Department of Education.
 - D. Professional education programs in Virginia seeking accreditation through NCATE, TEAC, or an accreditation process approved by the Board of Education shall adhere to the following requirements:
 - 1. Accredited professional education programs shall be aligned with standards in 8VAC20-542-60; and
 - 2. Accredited professional education programs shall be aligned with competencies in 8VAC20-542-70 through 8VAC20-542-600.
 - E. Professional education programs in Virginia seeking accreditation through a process approved by the Board of Education shall follow procedures and timelines as prescribed by the Department of Education....
- ✓ 8VAC20-542-60 provides the standards and indicators for the Board of Education approved accreditation process. The four standards are as follows:
 - Standard 1: Program Design. The professional education program shall develop and maintain high quality programs that are collaboratively designed and based on identified needs of the PreK-12 community.
 - Standard 2: Candidate Performance on Competencies for Endorsement Areas. Candidates in education programs shall demonstrate the knowledge, skills, and dispositions to meet professional, state, and institutional standards to ensure student success.
 - Standard 3: Faculty in Professional Education Programs. Faculty in the professional education program represents well-qualified education scholars who are actively engaged in teaching and learning.
 - Standard 4: Governance and Capacity. The professional education program demonstrates the governance and capacity to prepare candidates to meet professional, state, and institutional standards.
 - Request from Washington and Lee University for Accreditation through the Board of Education Process
 - ✓ Washington and Lee University previously requested accreditation through the Board of Education approved process. An on-site visit to review the program was conducted on November 29 through December 2, 2009. On May 27, 2010, the Board of Education approved recommendations of the Advisory Board on Teacher Education and Licensure and the Virginia Department of Education on-site accreditation review team that the professional education program at Washington and Lee University be “accredited with

stipulations,” and approve the requested education (endorsement) areas. On August 4, 2010, Washington and Lee University notified the Virginia Board of Education of its decision “not to proceed as an independently accredited professional education program on the basis of the Board’s accreditation.” In response to the request, Washington and Lee University’s accreditation by the Board of Education and education (endorsement) program approval were withdrawn.

- Request from Washington and Lee University (Rockbridge Teacher Education Consortium) for Accreditation through the Teacher Education Accreditation Council (TEAC)
 - ✓ Washington and Lee University submitted a request for accreditation through the Teacher Education Accreditation Council on behalf of the Rockbridge Teacher Education Consortium (RTEC). RTEC represents a collaborative effort between Washington and Lee University, Virginia Military Institute, and Southern Virginia University to offer selected approved education preparation programs. All three institutions of higher education are regionally accredited by the Southern Association of Colleges and Schools Commission on Colleges.
 - ✓ On June 11, 2012, the Accreditation Committee of the Board of Directors of TEAC concluded the following: “...that the evidence presented in the *Inquiry Brief Proposal*, [submitted by Washington and Lee University], as verified by the audit and evaluated by the Accreditation Panel, merits Accreditation status. The Accreditation Committee of the Board of Directors of TEAC unanimously passed the following motion:

The Rockbridge Teacher Education Consortium submitted by Washington and Lee University is granted Initial Accreditation (5 years) with one weakness and no stipulations.

Weakness in Quality Principle 2.3: Plans for training cooperating teachers in the use of new evaluation forms have yet to be implemented.
 - ✓ The Rockbridge Teacher Education Consortium’s accreditation status is effective between June 11, 2012 and June 11, 2017....”
- Regulations Governing the Review and Approval of Education Programs in Virginia Approval to Offer Education Programs
 - ✓ The *Regulations Governing the Review and Approval of Education Programs in Virginia* (8VAC20-542-10 et seq.), effective September 21, 2007, amended January 19, 2011, require colleges and universities that offer programs for the preparation of professional school personnel to obtain education (endorsement) program approval from the Virginia Board of Education. Requests to offer education endorsement programs are submitted to the Virginia Department of Education. Personnel in the Division of Teacher Education and Licensure and program specialists within VDOE review the programs to ensure competencies and other requirements have been addressed. The Advisory Board on Teacher Education and Licensure reviews and makes recommendations to the Board of Education on approval of Virginia education programs for school personnel. Final authority for program approval rests with the Board of Education. Requests for new program endorsements approved by the Board of Education will receive a rating of *Approved*; *Approved with Stipulations*; or *Approval Denied*.
 - ✓ The *Regulations Governing the Review and Approval of Education Programs in Virginia*, in part, stipulate the following:

8VAC20-542-20. Administering the regulations.
 - D. Institutions of higher education seeking approval of an education program shall be accredited by a regional accrediting agency....
 - H. Education programs shall be approved under these regulations biennially based on compliance with the criteria described in 8VAC20-542-40....

8VAC20-542-40. Standards for biennial approval of education programs.

Approved education programs in Virginia shall have national accreditation or be accredited by a process approved by the Board of Education and demonstrate achievement biennially of the following accountability measures:

1. Candidate progress and performance on prescribed Board of Education licensure assessments. Candidate passing rates, reported by percentages, shall not fall below 70 percent biennially for individuals completing and exiting the program. Achievement of an 80 percent biennial passing rate shall be required by July 1, 2010. Candidates completing a program shall have successfully completed all coursework, required assessments, including those prescribed by the Board of Education, and supervised student teaching or internship. Candidates exiting a program shall have successfully completed all coursework, regardless of whether the individuals attempted, passed, or failed required assessments, including those prescribed by the Board of Education, and/or who may not have completed supervised student teaching or required internship.
 2. Candidate progress and performance on an assessment of basic skills as prescribed by the Board of Education for individuals seeking entry into an approved education preparation program....
 3. Structured and integrated field experiences to include student teaching requirements....
 4. Evidence of opportunities for candidates to participate in diverse school settings that provide experiences with populations that include racial, economic, linguistic, and ethnic diversity throughout the program experiences....
 5. Evidence of contributions to PreK-12 student achievement by candidates completing the program....
 6. Evidence of employer job satisfaction with candidates completing the program....
 7. Partnerships and collaborations based on PreK-12 school needs....
- On June 11, 2012, the Accreditation Committee of the Board of Directors of TEAC granted the Rockbridge Teacher Education Consortium submitted by Washington and Lee University "Initial Accreditation" for five years with the following one weakness and no stipulations:

Weakness in Quality Principle 2.3:

Plans for training cooperating teachers in the use of new evaluation forms have yet to be implemented.

- Washington and Lee University submitted to the Virginia Department of Education a memorandum outlining a *Statement of Understanding* between members of RTEC (i.e., Washington and Lee University, Southern Virginia University, and Virginia Military Institute). Per the memorandum, Washington and Lee University will serve (on behalf of RTEC) as the authorized licensure officer responsible for processing and submitting to the Virginia Department of Education, Division of Teacher Education and Licensure, information required for teacher licensure.
- Washington and Lee University (Rockbridge Teacher Education Consortium-RTEC) has submitted a request to offer education (endorsement) programs in the areas noted on the following chart:

Institutions (Washington and Lee University is the lead institution for all programs.)	Education (Endorsement) Programs Requested	Level of Program
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • Computer Science 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • English 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute • Southern Virginia University 	<ul style="list-style-type: none"> • Elementary Education PreK-6 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • Foreign Languages PreK-12 <ul style="list-style-type: none"> - French - German 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute • Southern Virginia University 	<ul style="list-style-type: none"> • Foreign Languages PreK-12 <ul style="list-style-type: none"> - Spanish 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • History and Social Sciences 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University 	<ul style="list-style-type: none"> • Journalism (Add-on) 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University 	<ul style="list-style-type: none"> • Latin PreK-12 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • Mathematics 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • Mathematics, Algebra I (Add-on) 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • Middle Education: <ul style="list-style-type: none"> - English - History and Social Sciences - Mathematics - Science 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Southern Virginia University 	<ul style="list-style-type: none"> • Music Education – Instrumental PreK-12 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Southern Virginia University 	<ul style="list-style-type: none"> • Music Education – Vocal/Choral PreK-12 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • Science – Biology 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University • Virginia Military Institute 	<ul style="list-style-type: none"> • Science – Chemistry 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University 	<ul style="list-style-type: none"> • Science – Earth Science 	Undergraduate
<ul style="list-style-type: none"> • Virginia Military Institute 	<ul style="list-style-type: none"> • Science – Physics 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University 	<ul style="list-style-type: none"> • Theatre Arts PreK-12 	Undergraduate
<ul style="list-style-type: none"> • Washington and Lee University 	<ul style="list-style-type: none"> • Visual Arts PreK-12 	Undergraduate

- Program endorsement competencies, based on the *Regulations Governing the Review and Approval of Education Programs in Virginia* (8VAC20-542-10 et seq.), have been verified through the review of course descriptions and syllabi to determine alignment with each of the competencies required, including supervised classroom instruction. A review of the *Request for New Endorsement Program* application submitted by Washington and Lee University (Rockbridge Teacher Education Consortium-RTEC) evidenced written documentation of school division demand data, as well as institutional and school division support for the requested programs.
- Section 8VAC20-542-40 of the *Regulations Governing the Review and Approval of Education Programs in Virginia* requires institutions seeking education program approval to establish partnerships and collaborations based on PreK-12 school needs. Washington and Lee University (Rockbridge Teacher Education Consortium-RTEC) will submit a biennial report for the education programs for the period of September 1, 2013 to August 31, 2015.

The Board accepted for first review the Advisory Board on Teacher Education and Licensure's recommendation to grant approval to Washington and Lee University (Rockbridge Teacher Education Consortium – RTEC) to offer education (endorsement) programs and approve the accountability measurement of partnerships and collaborations based on PreK-12 school needs for the programs.

First Review of Rescission of the Board of Education's Final Adoption of the Regulations Governing Unexcused Absences and Truancy and Adoption of Re-Proposed Regulations Governing Unexcused Absences and Truancy

Dr. Cynthia Cave, director, office of student services, presented this item. Dr. Cave's presentation included the following:

- Section 22.1-16 of the *Code* establishes the authority of the Board of Education to promulgate regulations as follows:

The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title.

- On September 17, 2009, the Board of Education authorized a Notice of Intended Regulatory Action (NOIRA) to add new regulations governing reporting of student nonattendance and any concomitant policies and procedures. Ten public comments were received during a 21-day public comment period in support of establishing regulations. No comments were received in opposition to establishing regulations. Subsequently, staff worked with a statewide advisory committee of twenty-seven members to discuss attendance issues and to draft proposed regulations. The committee included a parent, attendance and school resource officers, alternative education program administrators, one elementary and one secondary school principal, student support administrators, school social workers, and representatives from the Department of Behavioral Health and Developmental Services, Department of Criminal Justice Services, Virginia Commission on Youth, Project Hope (VDOE's homeless student program), Virginia Association of School Social Workers, and Legal Aid Justice Center.
- On June 29, 2010, Executive Order 14 was issued, requiring that proposed regulations go forward by 180 days from the posting of the NOIRA on the Regulatory Town Hall. The NOIRA was resubmitted and approved by the Board on July 22, 2010, in order to comply with the new timeline of the Executive Order. One public comment in favor of the proposed regulations was submitted through the Town Hall Web site during the new NOIRA period. On January 13, 2011, the Board of Education reviewed the proposed *Regulations Governing Unexcused Absences and Truancy* and authorized staff to proceed with the remaining steps required by the Administrative Process Act (APA).
- During the 2012 General Assembly session, HB 886 (Alexander) was adopted by the General Assembly to require the Board of Education to promulgate regulations addressing truancy as follows:

That the Board of Education shall promulgate regulations by July 1, 2013, to address truancy. In promulgating these regulations, the Board shall address the following: (i) provisions for early intervention at the school level for repeated unexcused absences; (ii) identification of and a plan to address a student's academic, social, familial, and other barriers that impede attendance in school; and (iii) arrangement of conferences that may be necessary between school personnel, students, parents, and community services providers, as appropriate, to address plans and strategies to improve student attendance, including, but not limited to, referrals to family assessment and planning teams.

- The Governor vetoed the bill because the Board of Education was in the process of promulgating the proposed *Regulations Governing Unexcused Absences and Truancy*. His veto explanation follows:

While this Section I legislation has a worthy goal, it is not necessary since the Virginia Board of Education is currently in the process of promulgating Regulations Governing Unexcused Absences and Truancy [8 VAC 20 - 730]. These new regulations will govern the collection and reporting of truancy-related data and provide guidance on school attendance policy.

The proposed regulations were initiated in 2010, and are in the final stages of the Administrative Process Act (APA).

As the Board of Education completes the regulatory process, I will ask the Board via letter to address the criteria outlined in HB 886, and consider emphasizing the importance of working with the parents and the community organizations early in the process, before truancy becomes a serious problem for a student.

I am confident the laudable intent of HB 886 can easily be addressed in the truancy regulations currently being promulgated by the Virginia Board of Education. Hence, HB 886 is not necessary.

- On March 22, 2012, a public hearing was held to receive comments about the proposed regulations. There were three submittals of public comments received during the continued APA process. Based on comments received and on the proposed HB 886 and the Governor's veto message, the proposed regulations were amended to provide clarity and to increase specificity prior to presentation to the Board of Education for second review.
- On July 26, 2012, the amended proposed regulations were presented to the Board of Education for second review. The Board approved additional amendments to the proposed regulations during the July meeting and authorized an additional 30-day public comment period. The Board wished to receive the suggestions and concerns of educators, parents, students, civic and community leaders, and other interested citizens in addressing truancy issues prior to final approval of the regulations.
- Public comment received by the Board subsequent to the July 26 meeting included thirteen additional comments from the Virginia Education Association, individual principals and school social workers, individuals, and the Virginia Association of Secondary School Principals. In summary, the comments encompassed: the importance of accountability by parents and by students for unexcused less than full day attendance; the responsibility of the Board to enforce the *Code* statutes addressing attendance, to include partial day absences; the counting of suspended days as "excused"; the attendance by young children at meetings with school officials during attendance plan development and conferences to plan interventions; the importance of having a division policy for truancy; and the administrative impact of procedures to be followed to intervene and to address continued unexcused absences. Details of all public comments received and the agency responses to them were provided in the Town Hall document.
- At the September 27, 2012, meeting of the Board of Education, the proposed regulations were considered and reviewed for final adoption. Amendments to the language associated with the definition of "excused absence" were adopted by the Board at that time. The sentence "*Absences resulting from suspensions shall be considered excused.*" was deleted. The words "*and suspended*" were added to the sentence "*Expelled and suspended students continue to remain under the provisions of compulsory school attendance, Code of Virginia, § 22.1-254.*" Language was added to state: "*An absence from school attendance resulting from a suspension or expulsion may be considered excused for the period of the suspension or expulsion unless the parent fails to otherwise adhere to the compulsory school attendance requirements.*" The proposed regulations were approved at the meeting.
- After the Board meeting, questions were raised about the interpretation of the definition of "excused absence," as amended at the September 27th meeting. Concerns were raised that there could be unintended consequences with the phrase "unless the parent fails to otherwise adhere to the compulsory school attendance requirements," which could lead to interpretation by a school division that a suspension or an expulsion cannot be considered

an excused absence if the parent fails to adhere to compulsory attendance requirements. This could result in undesirable referrals to juvenile court for truancy when the student is suspended or expelled from school. To provide school divisions with the flexibility to make determinations based on what is best for individual students, the phrase was stricken and the proposed regulations were adopted by the Board of Education at the November 29th meeting.

- As a result of executive review and in light of the amendments to the regulations over the last several months, the Superintendent is recommending that in accordance with section 2.2-4007.03 of the *Code*, the Board of Education allow for an additional public comment period by re-proposing the regulations. The additional public comment period during the re-proposed stage will solicit comments on the numerous changes since the original proposed regulations, including the technical amendment made to the definition of “excused absence” by the Board of Education on November 29, 2012.
- The Department of Education will send a draft of the agency's summary description of public comment to all public commenters on the re-proposed regulation at least five days before final adoption of the regulation.
- Following is a summary of amendments to the proposed regulations since being presented for first review.
 - ✓ Part I of the regulations, 8VAC 20-730-10, which provides definitions of terms, has been amended as follows:
 - The definition of “attendance plan” was amended to specify participating school representatives, to include resolution of a student’s nonattendance, and to include participation by the student.
 - The definition of “attendance conference” was amended to remove “if appropriate” from “attendance of student at the conference” in order to align with the *Code* and to specify the role of community representatives.
 - The definition of “court referral” was amended to replace “referral...to intake worker” with “filing a complaint through petition” for clarity. “Records of interventions regarding the student’s unexcused absences” was added to the list of materials provided for specificity.
 - The definition of “excused absence” was amended to replace “excuse” with “reason.” The definition was further amended at the September 27 Board of Education meeting to delete “Absences resulting from suspensions shall be considered excused.” The words “and suspended” were added to the sentence “Expelled and suspended students continue to remain under the provisions of compulsory school attendance, *Code of Virginia*, § 22.1-254.” Also, language was added to state: “An absence from school attendance resulting from a suspension or expulsion may be considered excused for the period of the suspension or expulsion unless the parent fails to otherwise adhere to the compulsory school attendance requirements.” At the November 29 meeting, the Board of Education amended the definition to strike the clause “unless the parent fails to otherwise adhere to the compulsory school attendance requirements.”
 - At the July 26 meeting, the Board of Education removed the word “authority” from “school administration authority” to avoid redundancy within the definition of “excused absence.”
 - The definition of “multidisciplinary team” was amended to specify the ability of the team to participate in addressing student attendance. A reference to how work is done was deleted.
 - The definition of “parent” was amended to align with the *Code*, and “legal custodian(s)” was added.
 - The proposed regulations as presented to the Board of Education in July presented an amendment to the definition of “unexcused absence” to delete references to missing “part of the scheduled instructional school day without permission from an administrator.” School division policies vary on

how partial absences from school without acceptable reasons are counted. In some cases, a school division policy is different for how absences are counted in elementary schools (whole days) to how they are counted in high schools (specified hours for block schedules or class periods in high school.) Also, in some cases, records of an unexcused tardy or unexcused early dismissal are kept, and follow up occurs with the family and student; however, for purposes of truancy, unexcused absences are based on full days. To avoid potential complicating of division data reporting systems and overloading of court cases required by the *Code* after seven unexcused absences, the proposed definition has been amended to missing a full day only, with the recognition of the importance and goal of early intervention in attendance problems. This change also aligns the definition of “unexcused absence” with that of the federal Uniform Data Set (UDS) guidelines supporting the No Child Left Behind Act, which references missing an entire school day. The definition of “unexcused absence” was also amended to replace “excuse” with “reason” and to replace school “administrator” with “administration” for consistency. A further amendment was the deletion of “absences resulting from suspensions shall not be considered unexcused” from this definition.

- Note that the proposed definition of truancy is “the act of accruing one or more unexcused absences.” This definition differs from the federal UDS guide supporting NCLB, which defines truancy as “a pattern of repeated unexcused absences from compulsory education.” The reporting requirement from the UDS is that states collect and report data on truancy rates. The “truancy rate” as defined by UDS is “the rate of students who have 10 or more unexcused absences per year per 100 students, with the definition of ‘unexcused’ based on local definition. Prior to the issuance of the federal guidance, the Virginia Department of Education had determined that a report of truancy rates be based on unexcused absences of seven or more. Reporting ten or more unexcused absences, instead of seven, can be easily achieved.
- Part II, 8VAC 20-730-20, which provides process and responsibilities for addressing unexcused absences, has been amended as follows:
 - ✓ At the July 26 meeting, the Board of Education added the following language to Part II, creating new “A” and “B” sections.

“A. Each local school board shall provide guidance regarding what would constitute an excused absence in order to address when the explanation provided by the parent will be determined to be reasonable and acceptable.”

“B. Each local school board shall develop procedures to ensure that appropriate interventions will be implemented when a student engages in a pattern of absences less than a full day, the explanation for which, if it were a full-day absence, would not be deemed an excused absence.”
 - ✓ Under the new section C. (1), a sentence was added to state “Early intervention with the student and parent(s) shall take place for repeated unexcused absences.” to reinforce the timely identification of repeated unexcused absences and early intervention to address nonattendance reasons.
 - ✓ Under the new section C. (2), “with the student and parent(s)” was added after “attendance plan shall be made” to align with the *Code*.
 - ✓ Under the new section C. (3), “fifteen” was replaced with “15.”
 - ✓ Under the new section C. (3), the word “calendar” was replaced by “school” at the July 26 meeting to align with the *Code*.
 - ✓ Under the new section C. (3), “when applicable” after “student” was deleted to align with the *Code*.

- ✓ Under the new section C. (4), the phrase “all records of intervention regarding the student’s unexcused absences, such as” has been added before a list of materials to accompany the petition to Juvenile and Domestic Relations Court for specificity.
- ✓ Under the new section C. (4), the phrase “presented to the intake worker” was deleted and replaced with “attached to the petition” for specificity.
- ✓ Under the new section C. (4), the sentence “The decision shall be made by the intake worker either to divert the case or to file the petition for presentation before the court.” was deleted because it is unnecessary.
- ✓ Under the new section D., the sentence “This record does not become a part of the student’s permanent scholastic record” was deleted for consistency with *Code* requirements for the student record.
- Part III, 8VAC 20-730-30, which provides requirements for data collection and reporting, has been amended as follows:
 - ✓ Under “5,” the phrase “court referral” before “petition” was deleted and “or if proceedings against parents were instituted, and, if not, the reason” added after “petition was filed” for specificity and consistency
- The Superintendent of Public Instruction recommends that the Board of Education rescind its final adoption of the regulations, and re-propose the regulations, providing for an additional public comment period. The additional public comment period during the re-proposed stage will solicit comments on the numerous changes since the original proposed regulations, including the technical amendment made to the definition of “excused absence” by the Board of Education on November 29, 2012.

The Board waived first review and (1) rescinded its final adoption of the *Regulations Governing Unexcused Absences and Truancy*; and (2) approved the re-proposed *Regulations Governing Unexcused Absences and Truancy* as presented, to include additional public comment, and authorized the Department of Education staff to proceed with the requirements of the Administrative Process Act.

The re-proposed text is as follows:

Re-Proposed Text
Changes from Proposed to Re-Proposed Shown in [Brackets]

CHAPTER 730
REGULATIONS GOVERNING THE COLLECTION AND REPORTING OF TRUANCY [RELATED DATA
AND STUDENT ATTENDANCE POLICIES]

8VAC20-730-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Attendance plan" means [~~action steps~~ a plan] developed [jointly] by a school representative, [such as a school principal or his designee or attendance officer;] parent, and student [~~(if appropriate)~~] to [resolve the student's nonattendance and] engage the student in regular school attendance. The plan shall identify [reasons for nonattendance and] academic, social, emotional, and familial barriers that impede daily attendance along with positive strategies to [address them and] support regular attendance. This plan may include school-based activities or suggested referrals to community supports, or both.

"Attendance conference" means a face-to-face meeting, at a minimum, after the sixth unexcused absence among school staff, parents, and student ~~[(if appropriate)]~~. The conference may include ~~[,if necessary,]~~ community representatives to ~~[discuss the current attendance plan and make modifications to support regular school attendance~~ participate in resolving issues related to nonattendance and revisions to the current attendance plan if necessary].

"Court referral" means ~~[referral filing a complaint through petition]~~ to the Juvenile and Domestic Relations Court ~~[intake worker]~~ after the student's seventh unexcused absence. ~~[Copies Records of interventions regarding the student's unexcused absences, such as copies]~~ of the attendance plan and documentation of conference meetings will be provided ~~[to the intake worker]~~.

"Excused absence" means an absence of an entire assigned instructional school day with ~~[an excuse a reason]~~ acceptable to the school administration that is provided by the parent. If circumstances permit, the parent should provide the school ~~[authority administration]~~ with the reason for the nonattendance prior to the absence. Examples of an excused absence may include, but are not limited to, the following reasons: funeral, illness (including mental health and substance abuse illnesses), injury, legal obligations, medical procedures, suspensions, religious observances, and military obligation. ~~[Expelled and suspended students continue to remain under the provisions of compulsory school attendance, Code of Virginia, §22.1-254. An absence from school attendance resulting from a suspension or expulsion may be considered excused for the period of the suspension or expulsion unless the parent fails to otherwise adhere to the compulsory school attendance requirements.]~~

"Instructional school day" means the length of a regularly scheduled school day for an individual student.

"Multi-disciplinary team" means a school-based team that ~~[convenes on a regular basis may be convened]~~ to review student records and to ~~[identify an integrated system of care for the student in need, including (i) participate in]~~ prevention, early intervention, and ~~[provision of]~~ support services ~~[and to address unexcused absences, including]~~ ~~[(ii)]~~ school-based case management. These services should address academic, social, emotional, and familial issues in order to improve regular school attendance. ~~[Members of the team meet confidentially with the parent and the student (if appropriate) to develop, evaluate, and update action steps and supports.]~~ Team members may include, but are not limited to, the following: an administrator, school counselor, social worker or psychologist, student assistance specialist, special education and regular education teacher, and attendance officer.

"Parent" means the parent or parents, guardian or guardians ~~[, legal custodian or legal custodians,]~~ or other person or persons having legal control ~~[or charge]~~ of the student.

"Truancy" means the act of accruing one or more unexcused absences.

"Unexcused absence" means an absence where (i) ~~[either]~~ the student misses his scheduled instructional school day in its entirety ~~[or misses part of the scheduled instructional school day without permission from an administrator]~~ and (ii) no indication has been received by school personnel within three days of the absence that the student's parent is aware and supports the absence, or the parent provides ~~[an excuse a reason]~~ that is unacceptable to the school administration. ~~[An administrator The school administration]~~ may change an unexcused absence to an excused absence when ~~[it determines that]~~ the parent has provided an acceptable ~~[excuse reason meeting criteria]~~ for the student's absence or there are extenuating circumstances. ~~[Absences resulting from suspensions shall not be considered unexcused.]~~

8VAC20-730-20. Unexcused absences intervention process and responsibilities.

A. ~~[Each local school board shall provide guidance regarding what would constitute an excused absence in order to address when the explanation provided by the parent will be determined to be reasonable and acceptable.~~

B. Each local school board shall develop procedures to ensure that appropriate interventions will be implemented when a student engages in a pattern of absences less than a full day, the explanation for which, if it were a full-day absence, would not be deemed an excused absence.

C.] The following intervention steps shall be implemented to respond to unexcused absences from school and to engage students in regular school attendance.

1. Whenever a student fails to report to school on a regularly scheduled school day and no information has been received by school personnel that the student's parent is aware of and supports the absence, the school principal or designee, attendance officer, or other school personnel or volunteer will notify the parent by phone or e-mail or any other electronic means to obtain an explanation. The school staff shall record the student's absence for each day as "excused" or "unexcused." [Early intervention with the student and parent or parents shall take place for repeated unexcused absences.]

2. When a student has received five unexcused absences, the school principal or designee or the attendance officer shall make a reasonable effort to ensure that direct contact is made with the parent. The parent shall be contacted either in a face-to-face conference or by telephone. During the direct contact with the parent and the student (if appropriate), reasons for nonattendance shall be documented and the consequences of nonattendance explained. An attendance plan shall be made [with the student and parent or parents] to resolve the nonattendance issues. The student and parent may be referred to a school-based multi-disciplinary team for assistance implementing the attendance plan and case management.

3. The school principal or designee or the attendance officer shall schedule a face-to-face attendance conference within 10 school days from the date of the student's sixth unexcused absence for the school year. The attendance conference must be held within 15 [school] days from the date of the sixth unexcused absence. The conference shall include the parent, student [~~(when applicable)~~], and school personnel (which may be a representative or representatives from the multi-disciplinary team) and may include community service providers.

4. The school principal or designee shall notify the attendance officer or division superintendent of the student's seventh unexcused absence for the school year. The division superintendent or designee shall contact the Juvenile and Domestic Relations Court intake to file a Child In Need of Supervision (CHINSup) petition or begin proceedings against the parent. In addition to documentation of compliance with the notice provisions of § 22.1-258 of the Code of Virginia, [all records of intervention regarding the student's unexcused absences, such as] copies of the conference meeting notes, attendance plan, and supports provided prior to filing the petition shall be [~~presented to the intake worker attached to the petition~~] . [~~The decision shall be made by the intake worker either to divert the case or to file the petition for presentation before the court.~~]

[~~BD~~] . A record shall be maintained of each meeting that includes the attendance plan, the name of individuals in attendance at each conference meeting (including telephone or electronic devices), the location and date of the conference, a summary of what occurred, and follow-up steps. [~~This record does not become a part of the student's permanent scholastic record.~~]

8VAC20-730-30. Data collection and reporting.

Data collection shall begin on the first day students attend for the school year. Each school division shall provide student level attendance data for each student that includes the number of unexcused absences [~~as in a manner~~] prescribed by the Virginia Department of Education. A student's attendance is cumulative and begins on the first official day of the school year or the first day the student is officially enrolled. All nonattendance days are cumulative and begin with the first absence. For purposes of this data collection, truancy shall start with the first unexcused absence and will be cumulative.

Excused and unexcused absences shall be counted for each individual student and shall be reported to the Virginia Department of Education as follows:

1. All excused and unexcused absences as defined in this chapter for each individual student shall be collected.

2. For each student with five unexcused absences, whether an attendance plan was developed, and if not, the reason.

3. For each student with six unexcused absences, whether an attendance conference was scheduled, and if not, the reason.

4. For each student with six unexcused absences, whether an attendance conference was actually held, and if not, the reason.

5. For each student with seven unexcused absences, whether a [~~court referral or~~] petition was filed [or if proceedings against the parent or parents were initiated, and, if not, the reason].

Report on School Safety

Dr. Cave also presented this item. Her presentation included the following:

- Virginia Center for School Safety (VCSS) was established under Section 9.1-184 of the *Code of Virginia* in 2000 to provide training and technical assistance to Virginia school divisions to promote school safety, including collecting and analyzing information for the school safety audit.

§ 9.1-184. Virginia Center for School Safety created; duties.

A. From such funds as may be appropriated, the Virginia Center for School Safety (the Center) is hereby established within the Department. The Center shall:

1. Provide training for Virginia public school personnel in school safety, on evidence-based antibullying tactics, and in the effective identification of students who may be at risk for violent behavior and in need of special services or assistance;
2. Serve as a resource and referral center for Virginia school divisions by conducting research, sponsoring workshops, and providing information regarding current school safety concerns, such as conflict management and peer mediation, bullying, school facility design and technology, current state and federal statutory and regulatory school safety requirements, and legal and constitutional issues regarding school safety and individual rights;
3. Maintain and disseminate information to local school divisions on effective school safety initiatives in Virginia and across the nation;
4. Collect, analyze, and disseminate various Virginia school safety data, including school safety audit information submitted to it pursuant to § 22.1-279.8, collected by the Department;
5. Encourage the development of partnerships between the public and private sectors to promote school safety in Virginia;
6. Provide technical assistance to Virginia school divisions in the development and implementation of initiatives promoting school safety;
7. Develop a memorandum of understanding between the Director of the Department of Criminal Justice Services and the Superintendent of Public Instruction to ensure collaboration and coordination of roles and responsibilities in areas of mutual concern, such as school safety audits and crime prevention; and
8. Provide training for and certification of school security officers, as defined in § 9.1-101 and consistent with § 9.1-110.

- Section 279.8 of the Code specifies the responsibilities of the VCSS, the Board of Education, and local school boards in the conduct of the school safety audit and in the development of school crisis, emergency management, and medical emergency response plans.

22.1-279.8. School safety audits and school crisis, emergency management, and medical emergency response plans required.

B. The Virginia Center for School Safety shall develop a list of items to be reviewed and evaluated in the school safety audits required by this section. Such items shall include those incidents reported to school authorities pursuant to § 22.1-279.3:1.

The Virginia Center for School Safety shall prescribe a standardized report format for school safety audits, additional reporting criteria, and procedures for report submission, which may include instructions for electronic submission.

Each local school board shall require all schools under its supervisory control to annually conduct school safety audits as defined in this section and consistent with such list. ...

Each school shall submit a copy of its school safety audit to the relevant school division superintendent. The division superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School Safety. ...

D. Each school board shall ensure that every school that it supervises shall develop a written school crisis, emergency management, and medical emergency response plan, consistent with the definition provided in this section. The Department of Education and the Virginia Center for School Safety shall provide technical assistance to the school divisions of the Commonwealth in the development of the school crisis, emergency management, and medical emergency response plans... The local school board shall annually review the written school crisis, emergency management, and medical emergency response plans. ...

Upon consultation with local school boards, division superintendents, the Virginia Center for School Safety, and the Coordinator of Emergency Management, the Board of Education shall develop, and may revise as it deems necessary, a model school crisis, emergency management, and medical emergency response plan for the purpose of assisting the public schools in Virginia in developing viable, effective crisis, emergency management, and medical emergency response plans.

§ 22.1-279.6. Board of Education guidelines and model policies for codes of student conduct; school board regulations.

A. The Board of Education shall establish guidelines and develop model policies for codes of student conduct to aid local school boards in the implementation of such policies. The guidelines and model policies shall include, but not be limited to, (i) criteria for the removal of a student from a class, the use of suspension, expulsion, and exclusion as disciplinary measures, the grounds for suspension and expulsion and exclusion, and the procedures to be followed in such cases, including proceedings for such suspension, expulsion, and exclusion decisions and all applicable appeals processes; (ii) standards, consistent with state, federal and case laws, for school board policies on alcohol and drugs, gang-related activity, hazing, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others, self-defense, bullying, the use of electronic means for purposes of bullying, harassment, and intimidation, and dissemination of such policies to students, their parents, and school personnel; and (iii) standards for in-service training of school personnel in and examples of the appropriate management of student conduct and student offenses in violation of school board policies.

- The *Report on Resources Available to School Divisions to Address School Safety* is as follows:

The Virginia Department of Education (VDOE) provides technical assistance and information to school divisions on school safety, including prevention of violence in and around schools; crisis and emergency response; provision of guidelines, such as those for student conduct; collection of data on incidents of discipline, crime, and violence in schools; and promotion of a safe and positive school environment through such programs as bullying prevention and student assistance programming. Resources accessible from the VDOE Web site include guidance documents, model programs and policies, and links to information, materials, and training opportunities from state and national sources.

VDOE has a strong collaborative working relationship with the Virginia Center on School Safety (VCSS) of the Department of Criminal Justice Services (DCJS). The Center was created in 2000 by the General Assembly through the *Code of Virginia* at §9.1-184 to provide training and technical assistance for Virginia public school personnel in school safety; to be a resource and referral center for Virginia schools; to disseminate information and conduct research and collect data; and to maintain the certification of school employees as regards safety concerns. VCSS is responsible for the annual *Virginia School Safety Audit Survey* conducted to collect information about school safety assessments from school divisions.

Of importance is the establishment of the Governor's School Safety Task Force on December 17, 2012 through Executive Order 56. The Governor announced that the task force will be comprised of leading educators, public safety experts, local leaders and legislators to review school safety, including established policies and procedures, crisis and emergency management plans, communications procedures, as well as to share best practices and identify resource challenges. This task force will also provide legislative and budget proposals to the Governor to address any critical gaps or needs associated with safety and security in schools.

The following information is a summary of school safety resources, including the School Safety Audit and its latest published findings.

Guidance Documents and Model Policies

Resource Guide: Crisis Management and Emergency Response in Virginia Schools (2007) is a publication of the Virginia Department of Education. Developed in 1996 by VDOE, the original *Resource Guide for Crisis Management in Schools* has been revised and updated several times, most recently in 2006, to respond to the Virginia General Assembly's legislative requirement adding medical emergency response to the crisis management plans required of all school divisions and schools (§ 22.1-279.8.D of the *Code of Virginia*). Approved by the Virginia Board of Education on November 29, 2007, the comprehensive *Resource Guide for Crisis Management and Emergency Response in Virginia Schools* provides the following information:

1. Using This Guide in the Current Context of Crisis Management Planning
2. Steps in Developing a Crisis Plan
3. Non-Emergency School Crises
4. Medical Emergencies

5. Critical Incidents and Emergencies
6. Communications
7. New Challenges in Crises Planning
8. Quick-Reference Responses to Emergencies
9. Tools for Crisis Management and Emergency Response Planning
10. Resources

The guide is available at the VDOE Web site for Emergency and Crisis Management:

http://www.doe.virginia.gov/support/safety_crisis_management/emergency_crisis_management/index.shtml

The *Model School Crisis Management Plan* was developed in 1999 and revised in 2002, in consultation with school divisions and VCSS, as required by the *Code* at §22.1-279.8.D. It provides policies, procedures, and forms that may be adapted to meet local needs in the areas of: preparation for crisis; identification and intervention with students who may present a potential threat; and response to events impacting the school, both critical and those not presenting a serious threat.

The Virginia Educator's Guide for Planning and Conducting School Emergency Drills (2001), a publication produced by VDOE and DCJS, provides guidance to school division officials on legal requirements for drills, assessment of need to ensure emergency preparedness, and the appropriate protocol for planning and conducting school emergency drills. The Board of Education regulations for school facilities and safety at 8VAC20-131-260 B.2. require that fire drills be held at least once a week during the first month of school and at least once each month for the remainder of the school term. The regulations also require at least one simulated lock-down and crisis emergency evacuation activity to be conducted early in the school year.

Guidelines for the Development of Policies and Procedures for Managing Student Behaviors in Emergency Situations in Virginia Public Schools (2009) provide assistance to school divisions and public school programs in Virginia for developing policies and procedures for physical restraint and seclusion of students in emergency situations. This guidance is available on the VDOE Web site addressing student conduct: http://www.doe.virginia.gov/support/student_conduct/index.shtml

The *Elementary School Gun Safety Guidelines and Curriculum (2011)* was developed in accordance with § 22.1-204.1. of the *Code of Virginia*, which states that school boards may provide firearm safety education programs for students in elementary school. To assist local school boards electing to provide firearm safety education programs, the Board of Education “shall establish curriculum guidelines for a standardized program of firearm safety education for the elementary school grades to promote the protection and safety of children enrolled in the public schools.” The guidelines may be found at: http://www.doe.virginia.gov/support/safety_crisis_management/gun_safety/index.shtml

The *Student Conduct Policy Guidelines (2009)* were first developed in 1994 in response to action by the 1993 General Assembly requiring the Virginia Board of Education to establish guidelines to aid school boards in implementing student conduct policies. In 2004, the *Guidelines* were revised in response to requirements of § 22.1-279.6. of the *Code of Virginia*, to reflect changes in state and federal laws and regulations and best practice principles. The revised *Virginia Student Conduct Policy Guidelines* were adopted by the Virginia Board of Education in 2004, and have been updated in 2005, 2006, and 2009 to incorporate changes in state laws and regulations. The guidelines present standards, consistent with state, federal and case laws, for school board policies, including those on alcohol and drugs, gang-related activity, hazing, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others, self-defense, and bullying. Local school boards are required to adopt and revise regulations on codes of student conduct that are consistent with, but may be more stringent than, these guidelines. The guidelines can be accessed and/or downloaded at: http://www.doe.virginia.gov/boe/guidance/safety/student_conduct.pdf

A Model Policy Against Bullying is in the final stages of review by VDOE and will be made available to school divisions via the VDOE Web site. The model policy is comprehensive and includes: (1) definitions of bullying and related terms and identification of bullying issues; (2) strategies to prevent bullying, including education, training,

and information collection and dissemination; (3) investigation and responding to bullying incidents, including reporting and notification; and (4) sample forms.

Guidelines and Resources for Internet Safety in Schools (2007) is one of several resources provided by VDOE to promote safe use of the internet and acceptable use policies. Virginia public schools provide age-appropriate instruction in Internet safety, and school divisions are required to develop acceptable Internet use policies in accordance with *Code* § 22.1-70.2. VDOE has developed guidelines for instructional programs related to Internet safety and provides technical assistance to school divisions in the development of policies to protect children from cyber bullying, online abuse, and other dangers. The guidelines may be accessed from:

http://www.doe.virginia.gov/support/safety_crisis_management/internet_safety/index.shtml

The Student Assistance Programming Manual has been completed and is being prepared for posting on the VDOE Web site. Student Assistance Programming (SAP) is a systemic approach to linking students to behavioral health care education, programs, and services in the school and in the community. It provides a framework and a process for social, emotional, and mental health support for all students and intervention for those that need it. The manual provides comprehensive information and guidance on the development, organization, and implementation of SAP with community partners.

Informational Reports

The Annual Report of Discipline, Crime and Violence presents statistics on the incidents of discipline, crime, and violence which are reported to the VDOE from each school division in accordance with § 22.1-279.3:1 of the *Code of Virginia*. The reporting process employs a well-defined set of data consistent with the National Center for Education Statistics. Incidents range from criminal acts that result in law enforcement action to minor acts of misbehavior. The data can be used by school divisions to identify specific areas of focus to improve school safety and prevention programming and implementation. The data are used also to provide information required by the *Gun-Free Schools Act of 1994* for reporting of the number of students suspended or expelled statewide for possessing or bringing firearms on school property, and for the *Individuals with Disabilities Education Act*, which requires reporting disciplinary action involving students with disabilities. The report may be accessed from the VDOE Web site at:

http://www.doe.virginia.gov/statistics_reports/school_climate/discipline_crime_violence/10_annual_report.pdf

The Annual Virginia School Safety Audit Survey is conducted by the Virginia School Safety Center (VCSS) of DCJS, in cooperation with VDOE and in accordance with *Code* §§ 22.1-279.8.B. and 9.1-184. Since 1997, school boards have been required to ensure that all schools in their respective divisions complete the audit. In 2005, responsibility for conducting the survey and collection and analysis of information submitted was transferred to DCJS through legislation. VCSS develops the questions and items for the survey and receives completed audits through school division superintendents. The purpose of the audit is to assess safety conditions in schools, including crisis and emergency management planning, safety concerns of students and staff, school security and surveillance, gang activity, and disciplinary infractions and responses. The results of the *School Safety Audit Survey* are published every year. Annual reports may be found on the DCJS Web site at

<http://www.dcjs.virginia.gov/vcss/audit/index.cfm>.

Major findings from the 2010-2011 School Survey are:

- The 2010-2011 Safety Audit Survey was completed by 100 percent of the 1,980 Virginia public schools.
- Approximately one-fifth (19 percent, 366) of schools reported that they activated some portion of their crisis management plan during the 2010-2011 school year due to an actual emergency (not including weather-related activations). The most common reason for activation was an incident occurring off school grounds in the community, such as a crime or accident.

- A large majority of schools (91 percent, 1,798) had an automated Electronic Notification System (ENS) that notifies parents/guardians when there is an emergency at the school.
- A large majority of schools (78 percent, 1,552) reported using a formal threat assessment process to respond to student threats of violence.
- Schools reported an average of 4.6 prevention programs from a list of common types of programs. The most commonly reported prevention effort in all schools was a mentoring program, implemented in 73 percent (1,443) of schools. The other most commonly reported prevention efforts were anonymous reporting of safety concerns (68 percent, 1,337), conflict resolution programs (66 percent, 1,303), and substance abuse prevention programs (66 percent, 1,298).
- Nearly all Virginia schools (98 percent) reported that they made a special effort to reduce bullying last year. Formal bullying prevention programs were reported by 893 schools. The most common elements of bullying prevention efforts were counseling services, communication of rules against bullying to all students, increased supervision of areas where bullying occurs, class meetings about bullying, and disciplinary consequences for bullying.
- Thirty-six percent (755) of schools reported that they distributed a questionnaire to students during the year to assess school safety.
- The majority of schools reported practicing lockdown drills once every four months.

Other Resources

In addition to publishing the results of the annual School Safety Audit, VCSS develops documents to support school safety, such as the *Juvenile Handbook for School Administrators*; the *Virginia Rules Program: Law-Related Education Curriculum*; *School Crisis Plan Generator Software*; a *Campus Threat Assessment Team Curriculum*; and a *School Resource Officer Curriculum*.

Links to U.S. Department of Education and other state and national Web sites are provided to school divisions through e-mail notifications and from the VDOE Web site. These include the federal government's www.stopbullying.gov and the University of Virginia Curry School of Education's www.youthviolence.edschool.virginia.edu.

Training for school division personnel offered by VDOE to support school safety over the last four years has included regional workshops on crisis management, workshops on the collection and use of discipline, crime, and violence data, student assistance programming, and bullying prevention. In October 2012 the U.S. Department of Education provided training in "Readiness and Emergency Management for Schools" in Fishersville, Virginia. Also in 2012, VDOE worked with the University of Virginia, the Virginia Department of Health, and DCJS to provide an institute on understanding and preventing bullying and promoting a positive school climate; presented a one-day institute via video-stream on conditions for learning, including school climate, and supported DCJS in planning the Superintendents-Law Enforcement Forum "Public School and Public Safety Partnerships: A Conversation to Address the Impact of Community Violence on Schools."

The Board discussed the following:

- The extent of schools that use a formal threat assessment process to respond to student threats of violence
- Concerns regarding the ability to gain entry to schools
- Plans to update some of the guidelines and policy documents regarding internet safety
- The extent that cyberbullying is covered in model policies and guidelines

- Recognition that there are many best practices within our Commonwealth regarding student and school safety
- Importance of including all education stakeholders in school safety efforts

The Board received the *Report on School Safety*.

DISCUSSION OF CURRENT ISSUES

The Board met for dinner on Wednesday, January 9, 2013, at the Crowne Plaza Hotel with the following members present: Mrs. Atkinson, Dr. Baysal, Mrs. Beamer, Mr. Braunlich, Dr. Cannaday, Mr. Foster, Ms. Mack, Dr. McLaughlin, and Mrs. Sears. Members discussed pending Board agenda items. No votes were taken, and the dinner meeting ended at 8:30 p.m.

EXECUTIVE SESSION

Mrs. Beamer made a motion to go into executive session under Section 2.2-3711.A. 41, for discussion and consideration by the Board of Education of records relating to the denial, suspension, or revocation of teacher licenses. The motion was seconded by Ms. Mack and carried unanimously. The Board went into Executive Session at 12:10 p.m.

Mrs. Beamer made a motion that the Board reconvene in open session. The motion was seconded by Mr. Braunlich and carried unanimously. The Board reconvened at 1:00 p.m.

Mr. Foster made a motion that the Board certify by roll-call vote that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements of the Freedom of Information Act were discussed and (2) only matters identified in the motion to have the closed session were discussed. The motion was seconded by Mrs. Beamer and carried unanimously.

Board Roll call:

Dr. Baysal – Yes
Ms. Mack – Yes
Mr. Braunlich – Yes
Mrs. Beamer – Yes
Mr. Foster – Yes
Dr. McLaughlin – Yes
Mrs. Sears – Yes
Mrs. Atkinson – Yes

Dr. Cannaday was not present to vote.

The Board made the following motions:

- Mr. Foster made a motion to revoke the license of Michael David Shanklin, Jr. The motion was seconded by Mrs. Beamer and carried unanimously.

- Mr. Foster made a motion to revoke the license of Amber Felicia Straube. The motion was seconded by Mrs. Beamer and carried unanimously.
- Mr. Foster made a motion to deny a license to Girrard Anthony. The motion was seconded by Dr. McLaughlin and carried unanimously.
- Mr. Foster made a motion to defer Case #2. The motion was seconded by Ms. Mack and carried unanimously.
- Mr. Foster made a motion to revoke the license of Andrea Nicole Oliver. The motion was seconded by Ms. Mack and carried unanimously.
- Mr. Foster made a motion to issue a license in Case #4. The motion was seconded by Mrs. Beamer and carried unanimously.
- Mr. Foster made a motion to revoke the license of Jeffrey Smiley. The motion was seconded by Mrs. Atkinson and carried unanimously.
- Mr. Foster made a motion to issue a license in Case #6. The motion was seconded by Mrs. Beamer and carried unanimously.
- Mr. Foster made a motion to deny a license to Sakeesta Kiana Valentine. The motion was seconded by Dr. Baysal and carried unanimously.

DISCUSSION OF TEACHER LICENSURE

The Board discussed the following:

- Mrs. Sears expressed concerns with the process of issuing, revoking, or denying a teaching license in that there may be some instances in which teachers are already in the classroom teaching before it is made aware that they are not qualified. She also expressed concern regarding the number of individuals involved in hiring educators, compared to the number of individuals that review cases of issuing, revoking, or denying a teaching license.
- Mr. Foster asked if the Board has the authority to determine who is hired by a local school division and what information can be shared at the local level regarding the status of a license.
- Mrs. Beamer suggested that these concerns could be addressed through the Governor's School Safety Initiative.
- Dr. Wright noted that it is a violation of the Standards of Quality to hire a teacher without a valid teacher's license.
- Dr. Baysal suggested an online training for the hiring of teachers to include a standardization of questions to be used by employment personnel of local school divisions.

ADJOURNMENT OF THE BUSINESS SESSION

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Foster adjourned the meeting at 1:25 p.m.

A handwritten signature in cursive script that reads "David H. Foster". The signature is written in black ink and is positioned above a horizontal line.

President