

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

March 28, 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
Mr. Christian Braunlich

Ms. Darlene Mack
Mrs. Winsome E. Sears
Mrs. Joan E. Wodiska

Dr. Patricia I. Wright, Superintendent
of Public Instruction

Mr. Foster called the meeting to order at 9 a.m. noting that Dr. Baysal and Dr. Cannaday were unable to attend.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Mrs. Sears made a motion to approve the minutes of the February 28, 2013, 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

A Resolution of Recognition was presented to Gail Kinsey, Virginia's 2012 National Distinguished Principal Award Recipient. Ms. Kinsey is principal at Fairfax Villa Elementary School, Fairfax County Public Schools.

A Resolution of Recognition was also presented to Northumberland County Public Schools as a recipient of AdvancED/SACS District Accreditation. Ms. Betty Christopher, school board chair, and Mrs. Susan Saunders, school board member, accepted the resolution for Northumberland County Public Schools.

PUBLIC COMMENT

The following persons spoke during public comment:

- Dr. Sheila Bailey spoke on proposed guidelines for credit accommodations for the standard diploma.
- Jim Gallagher spoke on proposed guidelines for credit accommodations for the standard diploma.
- Dr. Sheila Carr spoke on the proposed guidelines for credit accommodations for the standard diploma.
- Sara Staton spoke on the proposed guidelines for credit accommodations for the standard diploma.
- Barry Hollandsworth spoke on proposed guidelines for credit accommodations for the standard diploma.
- Dr. Michael Asip spoke on proposed guidelines for credit accommodations for the standard diploma.
- Gail Allen spoke on proposed guidelines for credit accommodations for the standard diploma.
- Dr. Eric Williams spoke on proposed regulations pertaining to public virtual schools.
- Nicole Dooley spoke on proposed guidelines for credit accommodations for the standard diploma.
- Meg Gruber spoke on teacher professionalism and morale.
- George Peyton deferred his time to Mary Hufford.
- Kristian Harvard spoke on proposed guidelines for adopting pre-Labor Day requests.
- Mary Hufford spoke on proposed guidelines for adopting pre-Labor Day requests.
- John Easter spoke on proposed guidelines for adopting pre-Labor Day requests.
- Johnna Workman spoke on proposed guidelines for credit accommodations for the standard diploma.

Action/Discussion Items

Final Review of Proposed Guidelines for Standard Diploma Credit Accommodations for Students with Disabilities

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

- At its February meeting, the Board authorized staff to post the proposed guidelines on the Department Web site for public comment. The proposed guidelines were posted through March 27, 2013.
- Over 80 public comments were received and reviewed. Feedback came from a variety of stakeholders including; parents, institutes of higher education, community service boards, private advocacy organizations and local educational agencies (stakeholders included, but not limited to, superintendents, executive directors, special education directors, teachers, administrators, guidance counselors, related service professionals and members of local Special Education Advisory Committees).

- Feedback was received from over 60 respondents who support the proposed credit accommodations guidelines. Respondents commented that:
 - ✓ A large and diverse group of stakeholders was used in the development of the proposed guidelines
 - ✓ Flexibility options outlined in the proposed accommodations would assist local school divisions in providing the supports necessary for this unique population of students to obtain a Standard Diploma
 - ✓ The Individualized Education Program (IEP) team or 504 Committee team is the most appropriate group to make decisions on specific credit accommodations for these students
 - ✓ The proposed guidelines keep the rigor of the Standard Diploma intact and significantly increase expectations of those students who would have previously obtained a Modified Standard Diploma
 - ✓ The expanded use of locally awarded verified credit administrative procedures for Reading, Writing and Mathematics is strongly supported
- Feedback from less than 20 respondents expressed concerns that expectations for students with disabilities may be lowered. Respondents commented that:
 - ✓ These proposed guidelines are holding students with disabilities to lowered expectations
 - ✓ They share concerns about the possible degree of local variability in awarding credit accommodations to students with disabilities
 - ✓ Inappropriate use of the Virginia Modified Achievement Standards Test (VMAST) might occur similar to those reported under the Virginia Grade Level Alternative (VGLA)
 - ✓ Credit accommodations may have a negative impact on the rigor and perceived value of the Standard Diploma
- A change in the form of a language substitution was made to the proposed guidelines from the version presented for first review at the February meeting. On page seven under item three (Locally Awarded Verified Credits) ‘divisions’ was substituted with ‘boards’ to reflect the appropriate terminology referenced in the Standards for Accrediting Public Schools in Virginia (8 VAC20-131).

An amendment was presented to the Board in response to public comments to add language regarding criteria for determining eligibility of students, and to clarify VMAST eligibility and the timeline for the additional criteria to become effective (2014-2015).

The Board discussed the following:

- Ms. Mack noted the positive feedback from parents and educators during public comment. Mrs. Sears also thanked the speakers from public comment.
- Mrs. Atkinson said it is an honor to support the revised high school standards for students with disabilities.
- Mrs. Wodiska commended department staff for their leadership in engaging the public to share their viewpoints and providing additional information.
- Dr. Wright thanked Governor McDonnell for supporting the legislation which enables the Board to make provisions in its regulations for students with disabilities to earn a standard diploma.

Ms. Mack made a motion to approve the proposed *Guidelines for Standard Diploma Credit Accommodations for Students with Disabilities* as amended. The motion was seconded by Mrs. Atkinson and carried unanimously.

The Guidelines for Standard Diploma Credit Accommodations for Students with Disabilities are as follows:

Student Eligibility Criteria

Credit accommodations for the Standard Diploma shall be determined by the student's Individualized Education Program (IEP) team or 504 plan committee, including the student where appropriate, at any point after the student's eighth-grade year. The school must secure the informed written consent of the parent/guardian and the student, as appropriate, to choose credit accommodations after review of the student's academic history and full disclosure of the student's options.

The student must meet the following criteria to be eligible to receive credit accommodations for the Standard Diploma:

- a. Student must have a current IEP or 504 plan with standards-based content goals.
- b. Student has a disability that precludes him or her from achieving and progressing commensurate with grade level expectations, but is learning on-grade-level content.
- c. Student needs significant instructional supports to access grade level SOL content and to show progress.
- d. Based on multiple objective measures of past performance, student might not be expected to achieve the required standard and verified units of credit within the standard time frame.

Assessments Used to Verify Credits

1. Identify and approve additional substitute tests to earn a verified credit. The Board of Education may from time to time approve additional tests that are recommended by the Superintendent of Public Instruction for the purpose of awarding verified credit. The Virginia Department of Education may partner with a local school division in the procedure to nominate an additional test. Such additional tests, which enable students to earn verified units of credit, must, at a minimum, meet the following criteria:
 - a. The test must be standardized and graded independently of the school or school divisions in which the test is given;
 - b. The test must be knowledge based;
 - c. The test must be administered on a multistate or international basis, or administered as part of another state's accountability assessment program; and
 - d. To be counted in a specific academic area, the test must measure content that incorporates or exceeds the SOL content in the course for which verified credit is given.
2. Permit the continued use of the Virginia Modified Achievement Standards Test (VMAST) for verified credit purposes for Algebra I and EOC reading. To take the VMAST for verified credit purposes, a student must meet all current VMAST eligibility requirements and beginning in the 2014-2015 school year the student must also meet the following additional criteria:
 - a. Student must pass the high school course; and
 - b. Score 374 or below on the end-of-course Standards of Learning test after taking the test at least twice

Beginning in 2014-2015, scores of students who participate in VMAST will no longer be included in the participation rate or pass rate calculations for federal accountability, as required for approval of Virginia's *Elementary and Secondary Education Act (ESEA)* flexibility application.

Locally Awarded Verified Credits

3. Permit local school boards to award locally awarded verified credits in reading, writing, and mathematics, in addition to science and history, to students with disabilities. Use the same criteria for awarding credits currently approved for science and history. Eligible students must:
 - a. Pass the high school course,
 - b. Score within 375-399 scale score range on any administration of the Standards of Learning test after taking the test at least twice, and
 - c. Demonstrate achievement in the academic content through an appeal process administered at the local level.

Course Offerings

4. Approve additional course options available only to students with disabilities to meet the standard credit requirements for the Standard Diploma
 - a. Augment the Personal Finance course (3120) to include the 21 Work Readiness Skills (WRS) for the Commonwealth. Allow this augmented course to meet the Economics and Personal Finance requirement *if* the student has earned at least 3 standard credits in history and social science. The economics strand in these courses would be deemed a credit accommodation. Upon completion of the augmented Personal Finance course, the student may take the WRS assessment to earn the Board-approved Work Readiness Skills credential. This approach would satisfy the graduation requirements for economics and personal finance, history and social sciences, and the workplace credential.
 - b. Establish minimum content courses in the subject areas required for verified credits and provide flexibility in how the courses are delivered. Allow parts I and II of certain required courses to each earn a standard credit towards the total number required in the subject area. The student must successfully complete:
 - i. 4 standard credits in English and 1 verified credit each in Reading and Writing
 - ii. 3 standard credits in mathematics that include Algebra I and Geometry, and 1 verified credit in mathematics
 - iii. 3 standard credits in science that include Earth Science and Biology, and 1 verified credit in science
 - iv. 3 standard credits in history and social science that include Virginia and U.S. History and Virginia and U.S. Government, and 1 verified credit in history and social science

Additional Credit Accommodations

5. The Board may, from time to time approve additional credit accommodations.

Final Review of Recommended Cut Scores for the Grades 3-8 Reading Standards of Learning Tests Based on the 2010 English Standards of Learning

This item was presented by Mrs. Shelley Loving-Ryder, assistant superintendent for student assessment and school improvement.

During the discussion Dr. Wright explained the standards of learning review process.

Mrs. Atkinson made a motion to adopt cut scores representing the achievement levels of *fail/basic*, *pass/proficient* and *pass/advanced* for the reading tests. The motion was seconded by Mrs. Beamer and carried unanimously. They are as follows:

- Grade 3: 13 out of 40 for fail/basic, 25 out of 40 for pass/proficient, and 35 out of 40 for pass/advanced
- Grade 4: 12 out of 40 for fail/basic, 25 out of 40 for pass/proficient, and 35 out of 40 for pass/advanced
- Grade 5: 11 out of 40 for fail/basic, 25 out of 40 for pass/proficient, and 35 out of 40 for pass/advanced
- Grade 6: 14 out of 45 for fail/basic, 28 out of 45 for pass/proficient, and 40 out of 45 for pass/advanced
- Grade 7: 14 out of 45 for fail/basic, 28 out of 45 for pass/proficient, and 40 out of 45 for pass/advanced
- Grade 8: 14 out of 45 for fail/basic, 28 out of 45 for pass/proficient, and 40 out of 45 for pass/advanced

Final Review of Recommendation of the Advisory Board on Teacher Education and Licensure (ABTEL) to Accredite the Teacher Education Program at Sweet Briar College Through a Process Approved by the Board of Education

This item was presented by Mrs. Patty Pitts, assistant superintendent for teacher education and licensure. Mrs. Pitts introduced the following representatives from Sweet Briar College: Dr. Holly Gould, associate professor and chair of the educational department, and Dr. Jim Alouf, director of graduate education.

During the discussion, Sweet Briar College explained how the weaknesses identified during the on-site visit to review the program were corrected. The Board also requested further information on the academic preparation of teachers entering the program, and if courses are available.

Mrs. Beamer made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to accept the review team's recommendation and approve the professional education program at Sweet Briar College as "accredited," indicating that the program has met the standards as set forth in 8VAC20-542-60 of the *Regulations Governing the Review and Approval of Education Programs in Virginia*. The motion was seconded by Mrs. Atkinson and carried unanimously.

Final Review of Proposed Amendments to the Guidelines for Considering and Approving Requests for Pre-Labor Day Openings

This item was presented by Mrs. Anne Wescott, assistant superintendent for policy and communications. Her presentation included the following.

- Several additional changes to the guidelines following first review are proposed:
 - ✓ On page 11, the heading "Waiver by Certification" would be changed to "Waiver by Superintendent on Board's Behalf" for clarity.
 - ✓ Beginning with the first bullet on page 11, and throughout the document, the applicable section and subsections of the *Code of Virginia* would be cited.
 - ✓ On page 11, under Waiver by Board of Education Action, in the second bullet, the phrase "*or extension of the school year*" would be deleted. The sentence would then read: "*Any waiver granted by the Board of Education pursuant to this provision shall only apply to the opening date for those schools where such experimental or innovative programs are offered generally to the student body of the school.*" The word "only" would be italicized. The phrase "*or extension of the school year*" is unnecessary and may be confusing. Although a waiver is required to begin school before Labor Day, a waiver is not required to extend the school year in the spring.
 - ✓ The last bullet on page 11, related to year-round schools, would be deleted, as year-round schools are addressed on page 12.
 - ✓ On page 12, under Examples of Experimental or Innovative Programs, in the fourth sub-bullet, the phrase "*Adding at least 10 instructional days to the school year*" would be changed to "*Adding significant instructional time to the school year,*" as significant additional instructional time could be

considered as innovative or experimental. The phrase “*and, without adjusting the opening date from the prior year, would result in the school closing after the last day in the spring testing window*” would be deleted as the setting of the testing window could be changed administratively from one year to the next.

- ✓ On page 12, at the end of the page and continuing to page 13, a new bullet would be added to the examples of experimental or innovative programs that may warrant consideration of a waiver. The language says: “*A charter school that has been established to meet one or more of the following purposes: (1) to stimulate the development of innovative programs, (2) to provide opportunities for innovative instruction and assessment, or (3) to provide teachers with a vehicle for establishing school with alternative innovative instruction and school scheduling, management and structure. (See § 22.1-212.5)*”
- ✓ On page 13, under Application for Waiver, in the first bullet, the phrase “*the Superintendent determines that*” would be added. The sentence would then read: “*Once the initial approval is granted by the Board of Education, the Superintendent of Public Instruction is hereby delegated authority to continue to approve the waiver in subsequent years, unless the Board places conditions or time limits on its approval, or unless the Superintendent determines that the conditions under which the approval was granted to the local school board are changed.*” This would give the Superintendent the authority to end a waiver if the conditions under which it was granted change.
- ✓ Similar language would be added in Section C on page 14. The phrase “*or the Superintendent determines that the conditions under which the initial approval was granted to the local school board have changed,*” would be added. The sentence would then read: “*To request approval of a waiver for a pre-Labor Day opening for an experimental or innovative program subsequent to the Board of Education’s initial approval, unless the Board of Education has specified conditions under which the waiver request must go back to the Board for approval, or the Superintendent determines that the conditions under which the initial approval was granted to the local school board have changed, the local school board shall submit information annually to the Superintendent of Public Instruction as part of the pre-Labor Day waiver self-certification process for public schools with pre-Labor Day waivers.*”

Mrs. Wodiska encouraged the business community to play an active role in education policy making.

Mrs. Sears requested department staff to post the map showing school divisions with waivers on the Department’s Web site.

The Board suggested the following changes to the *Guidelines for Considering and Approving Requests for Pre-Labor Day Openings*:

Page 12, Bullet #5

Remove examples of an experimental or innovative program.

Page 13, Bullet #6 to read as follows:

To request approval of a waiver for pre-Labor Day opening for an experimental or innovative program, the local school division shall submit such request to the Board of Education on a form prescribed by the Superintendent of Public Instruction at least 180 calendar days prior to the expected implementation date. Such a request shall set forth a thorough explanation of the experimental or innovative program as well as the specific reasons

that would compel a pre-Labor Day opening. The Department is available throughout the application process to provide technical and other assistance to the applicant.

Page 14 (c.) to read as follows:

To request approval of a waiver for a pre-Labor Day opening for an experimental or innovative program subsequent to the Board of Education's initial approval, unless the Board of Education has specified conditions under which the waiver request must go back to the Board for approval, or the Superintendent determines that the conditions under which the initial approval was granted to the local school board have changed, the local school board shall submit information annually to the Superintendent of Public Instruction as part of the pre-Labor Day waiver self-certification process for public schools with pre-Labor Day waivers. The submission shall include evidence of the results achieved throughout the experimental or innovative program in prior years.

Mr. Foster made a motion to approve the proposed revised *Guidelines for Considering and Approving Requests for Pre-Labor Day Openings* with the above mentioned amendments. The motion was seconded by Mrs. Beamer and carried unanimously.

The *Guidelines for Considering and Approving Requests for Pre-Labor Day Openings* is as follows:

**Guidelines for Considering and Approving Requests
for Pre-Labor Day Openings
Approved by the Board of Education on March 28, 2013**

Statutory Authority

Section [22.1-79.1](#) of the *Code of Virginia* governs the conditions under which the Board of Education may grant a waiver to a local school board to open school prior to Labor Day.

§ [22.1-79.1](#). Opening of the school year; approvals for certain alternative schedules.

A. Each local school board shall set the school calendar so that the first day students are required to attend school shall be after Labor Day. The Board of Education may waive this requirement based on a school board certifying that it meets one of the good cause requirements of subsection B.

B. For purposes of this section, "good cause" means:

1. A school division has been closed an average of eight days per year during any five of the last 10 years because of severe weather conditions, energy shortages, power failures, or other emergency situations;

2. A school division is providing, in the school year for which the waiver is sought, an instructional program or programs in one or more of its elementary or middle or high schools, excluding Virtual Virginia, which are dependent on and provided in one or more elementary or middle or high schools of another school division that qualifies for such waiver. However, any waiver granted by the Board of Education pursuant to this subdivision shall only apply to the opening date for those schools where such dependent programs are provided;

3. A school division is providing its students, in the school year for which the waiver is sought, with an experimental or innovative program which requires an earlier opening date than that established in subsection A of this section and which has been approved by the Department of Education pursuant to the regulations of the Board of Education establishing standards for accrediting public schools. However, any waiver or extension of the school year granted by the Board of Education pursuant to this subdivision or its standards for accrediting public schools for such an experimental or innovative program shall only

apply to the opening date for those schools where such experimental or innovative programs are offered generally to the student body of the school. For the purposes of this subdivision, experimental or innovative programs shall include instructional programs that are offered on a year-round basis by the school division in one or more of its elementary or middle or high schools; or

4. A school division is entirely surrounded by a school division that has an opening date prior to Labor Day in the school year for which the waiver is sought. Such school division may open schools on the same opening date as the surrounding school division....

The Board of Education will consider the following guidelines in approving requests of local school boards to open one or more schools prior to Labor Day.

Waiver by Superintendent on Board's Behalf

The Board of Education delegates to the Superintendent of Public Instruction the authority to approve, on its behalf, a local school board's request for a waiver to open all schools in the division prior to Labor Day if the school division meets one of the following good cause requirements of subsection § 22.1-79.1 B.

- The school division has been closed an average of eight days per year during any five of the last 10 years because of severe weather conditions, energy shortages, power failures, or other emergency situations. (§ 22.1-79.1 B. 1)
- The school division is entirely surrounded by a school division that has an opening date prior to Labor Day in the school year for which the waiver is sought. Such school division may open schools on the same opening date as the surrounding school division. (§ 22.1-79.1 B. 4)

Waiver by Board of Education Action

The Board of Education will consider a local school board's request for a waiver to open one or more schools in its division prior to Labor Day if one of the following good cause requirements of subsection § 22.1-79.1.B. are met. The Board will not provide advisory opinions or hypothetical waivers. The local school board must certify that if granted a waiver, the division intends to provide the program in the school year for which the waiver is being sought.

- The school division is providing an instructional program or programs in the schools for which the waiver is requested, excluding *Virtual Virginia*, which are dependent on and provided in one or more schools of another school division that qualifies for a waiver to open prior to Labor Day. Any waiver granted by the Board of Education pursuant to this provision shall *only* apply to the opening date for those schools where such dependent programs are provided. (§ 22.1-79.1 B. 2)
- The school division is providing its students with an experimental or innovative program, which *requires* the school to open prior to Labor Day. Any waiver granted by the Board of Education pursuant to this provision shall *only* apply to the opening date for those schools where such experimental or innovative programs are offered generally to the student body of the school. (§ 22.1-79.1 B. 3)

Experimental and Innovative Program Considerations

- In accordance with § 22.1-79.1 of the Code of Virginia, experimental or innovative programs shall include instructional programs which are offered on a year-round basis by a school division in one or more of its elementary, middle, or high schools.
- An *experimental program* is defined, for purposes of a waiver, as a program which is operated under controlled circumstances and which is designed to test and to establish, by objective measures, the positive cognitive effect of an educational theory. The experimental program must be offered generally to the student body of the school.
- An *innovative program* is defined, for purposes of a waiver, as an educational program that implements creative, original, or new ideas or methods and are likely to result in better outcomes for student participants. The innovative program must be offered generally to the student body of the school.
- Any experimental or innovative program must ensure parental and community involvement.

Application for Waiver

1. The initial request for a waiver to approve an experimental or innovative program, including a year-round school program, shall be submitted to the Board of Education for approval. Once the initial approval is granted by the Board of Education, the Superintendent of Public Instruction is hereby delegated authority to continue to approve the waiver in subsequent years, unless the Board places conditions or time limits on its approval, or unless the Superintendent determines that the conditions under which the approval was granted to the local school board are changed.
2. The local school board shall submit annually to the Superintendent of Public Instruction certification of eligibility for a waiver of the “good cause” requirements of § 22.1-79.1, *Code of Virginia*. Such certification shall be made in a manner prescribed by the Superintendent of Public Instruction. School divisions must maintain evidence that such “good cause” conditions have been met.
3. To request approval of a waiver for weather-related or other emergency conditions, the local school board shall submit information annually indicating that the school division has been closed for an average of eight days per year in any five of the past ten years because of severe weather conditions, energy shortages, power failures, or other emergency conditions.
4. To request initial approval of a waiver to open before Labor Day by a school division that is completely surrounded by another school division that has been approved for a waiver, the school division shall submit the request to the Superintendent of Public Instruction by letter signed by the superintendent and the chairman of the local school board. The Superintendent of Public Instruction shall determine that the school division is completely surrounded by another school division, and that the other school division has been granted a waiver to open before Labor Day. Once the initial waiver is granted, the local school board shall submit information annually to the Superintendent of Public Instruction indicating that the conditions under which a waiver was granted have not changed.
5. To request approval of a waiver for a dependent program, the local school board shall submit information annually indicating that each school for which a waiver is requested provides an instructional program, excluding Virtual Virginia, which is dependent upon a school in another division that qualifies for a waiver.
6. To request initial approval of a waiver for a pre-Labor Day opening for an experimental or innovative program, the local school division shall submit such request to the Board of Education on a form prescribed by the Superintendent of Public Instruction at least 180 calendar days prior to the expected implementation date. Such a request shall set forth a thorough explanation of the experimental or innovative program as well as the specific reasons that would compel a pre-Labor Day opening. The Department is available throughout the application process to provide technical assistance to the applicant. The following procedures apply to the initial application for experimental or innovative programs:
 - a. The experimental or innovative program must be approved by the Board pursuant to its *Regulations Establishing Standards for Accrediting Public Schools in Virginia* at 8 VAC 20-131-290. The request must include:
 - 1) The names of the participating schools and the school division requesting the waiver.
 - 2) The purpose and objectives of the experimental/innovative/year-round program: Describe how the school meets the definition of experimental or innovative or year-round school and its goals and objectives. Include the title of the program or activity, a program description, the rationale for the program, the number and names of all schools involved, the names of any other organizations, including colleges, universities, and other postsecondary organizations and community organizations that are involved in the program, the grades served, the names of any other school divisions involved in the program, and other relevant information.
 - 3) An explanation of the necessity for opening prior to Labor Day, including the proposed school year calendar’s opening and closing dates as well as a general description of the school calendar

and duration of the waiver. This explanation must show that this request meets the “good cause” requirements of §22.1-79.1. B.3, *Code of Virginia*.

- 4) Anticipated outcomes, including an explanation as to why it is believed the program will be a success.
- 5) Number of students affected, including demographic information describing the students who will be attending and the community the school serves.
- 6) Evaluation procedures including mechanisms for measuring goals and objectives, and analysis of data, to determine how this program will support an expected increase in proficiency in student academic achievement and any achievement gap.
- 7) Other anticipated outcomes.
- 8) Any other information that will support the request for a Pre-Labor Day waiver.

Each pre-Labor Day waiver request must be approved by the local school board and signed and dated by the chairman of the school board and the school superintendent and forwarded to Superintendent of Public Instruction.

- b. Any waiver or extension of the school year granted by the Board pursuant to the experimental or innovative program provisions contained in § 22.1-79.1 of the *Code of Virginia*, or the Board’s *Regulations Establishing Standards for Accrediting Public Schools in Virginia* shall apply only to the opening date for those schools where such experimental or innovative programs are offered generally to the student body of the school.
- c. To request approval of a waiver for a pre-Labor Day opening for an experimental or innovative program subsequent to the Board of Education’s initial approval, unless the Board of Education has specified conditions under which the waiver request must go back to the Board for approval, or the Superintendent determines that the conditions under which the initial approval was granted to the local school board have changed, the local school board shall submit information annually to the Superintendent of Public Instruction as part of the pre-Labor Day waiver self-certification process for public schools with pre-Labor Day waivers. The submission shall include evidence of the results achieved throughout the experimental or innovative program in prior years.

Reports to the Board of Education

- The Board of Education may request that the Superintendent of Public Instruction provide a report to the Board regarding the status of certifications submitted and waivers granted under the above-stated policies. Such report shall be provided in a manner and at a time as agreed to by the Superintendent and the President of the Board and shall include information deemed pertinent by the Superintendent of Public Instruction.
- Any information required to be submitted to the Superintendent of Public Instruction for a pre-Labor Day waiver shall be submitted to the: Office of Policy, Virginia Department of Education, P.O. Box 2120, Richmond, VA 23218-2120 or Policy@doe.virginia.gov, 804-225-2092.

First Review of Consensus Report from the Board of Education Charter School Committee on the Proposed Green Run Collegiate Charter School Application

This item was presented by Ms. Veronica Tate, director of program administration and accountability, on behalf of Mr. Braunlich, Charter School Committee Chair. Ms. Tate recognized the following persons attending from Virginia Beach City Public Schools: Ms. Jill Gaitens, director of grants developments and Mr. Dan Edwards, chairman of the School Board.

Ms. Tate’s presentation included the following:

- As a result of legislation approved by the 2010 General Assembly, the *Code of Virginia*, [Section 22.1-212.9](#), requires that all charter school applications be submitted to the Board prior to being submitted to the local school board. Applications must adhere to the format prescribed by the Board and address the application elements stated in the *Code of Virginia*, [Section 22.1-212.8](#). The Board is required to render a decision on whether the application meets its approval criteria. A decision by the Board that an application meets its approval criteria does not guarantee that the local school board will approve a request for a charter. The process required by charter school applicants can be found at http://www.doe.virginia.gov/instruction/charter_schools/application/application_process.pdf.
- To meet the intent of the legislation, the Board of Education has appointed a charter school committee to examine charter school applications submitted to the Board of Education and ensure they are consistent with existing state law. The Board of Education Charter School Committee met on February 27, 2013, to discuss the charter school application submitted by Green Run Collegiate in Virginia Beach and to meet with the applicant. A copy of the application can be found at http://www.doe.virginia.gov/boe/committees_standing/charter_schools/meeting_materials.shtml.

Board of Education Charter School Committee Minutes, February 27, 2013

The Board of Education Charter School Committee met at the James Monroe State Office Building, Jefferson Conference Room, 22nd floor, Richmond, with the following members present: Mr. Chris Braunlich, chair, Mrs. Betsy Beamer, Mr. Dave Cline, Mr. Walter Cross, Ms. Andrea James, and Ms. Darlene Mack. Also present were Superintendent of Public Instruction Dr. Patricia Wright and Board member, Dr. Oktay Baysal.

Mr. Braunlich called the meeting to order at 1 p.m. After introducing the Charter School Committee, Mr. Braunlich described the steps of the review process and reviewed the committee's task of examining the Green Run Collegiate (GRC) public charter school application as stipulated in the *Code of Virginia*. The purpose of the meeting was for the committee to discuss the application, meet with the applicant, and decide if the application met the Board's approval criteria. Mr. Braunlich explained that it was not the responsibility of the committee or Board to approve or disapprove an application.

A public comment period followed with Dr. James Merrill, superintendent of Virginia Beach City Public Schools (VBCPS), addressing the committee.

Mr. Braunlich introduced Ms. Jill Gaitens, applicant and director of grants development in the VBCPS who provided opening remarks. Joining Ms. Gaitens were the following individuals from the school system who also serve on the GRC board:

- Mr. Joseph Burnsworth, assistant superintendent of instruction and curriculum
- Ms. Jobynia Caldwell, assistant superintendent for high schools in the Department of School Administration
- Mr. Farrill Hanzaker, chief financial officer

Mr. Braunlich confirmed that the applicant information (Part A) was complete; an executive summary provided an overview of the proposed charter school; and the assurances (Part C) were signed. Mr. Braunlich then gave the GRC team the opportunity to address the educational (Sections II.-VI.), logistical (Sections VII.-X.), and business (Sections XI.-XV.) components of the application. After each of these was addressed, the committee asked questions.

Mr. Burnsworth provided a general overview of the proposed charter school, including the governance structure and how the school would operate. He addressed the educational components:

- School Mission
- Goals and Objectives
- Evidence of Support
- Statement of Need
- Educational Program

Ms. Caldwell addressed the logistical components:

- Enrollment
- Displacement
- Transportation
- Residential Charter School (not applicable)

Mr. Hanzaker addressed the business components:

- Economic Soundness
- Management and Operation
- Employment Terms and Conditions
- Liability and Insurance
- Disclosures

Fiscal issues were noted regarding the Economic Soundness component with a recommendation to the applicant to re-examine the five-year budget forecast to ensure that it is realistic and covers all operational costs. The chair entertained additional questions and discussion. The Green Run Collegiate team assured the committee that deficiencies noted by reviewers would be addressed before the application is presented to the Virginia Beach School Board.

Committee members then made a determination by casting a vote and reaching a consensus as to whether the application addressed each of the required application components and if the Board's criteria had been met. Consensus was reached on all components of the application, with one dissenting vote by Mr. Dave Cline on Economic Soundness.

The action by the committee is listed below.

Required Application Components		Met the Criterion
I.	Executive Summary	Yes
II.	Mission Statement	Yes
III.	Goals and Educational Objectives	Yes
IV.	Evidence of Support	Yes
V.	Statement of Need	Yes
VI.	Educational Program	Yes
VII.	Enrollment Process	Yes
VIII.	Displacement	Yes
IX.	Transportation	Yes
X.	Residential Charter School	NA
XI.	Economic Soundness	Yes
XII.	Management and Operation	Yes
XIII.	Employment Terms and Conditions	Yes
XIV.	Liability and Insurance	Yes
XV.	Disclosures	Yes

Mr. Braunlich explained that a consensus report will be prepared and provided to the applicant within ten business days. The report will be presented to the Board for first review at the March 28, 2013, meeting. The Board will make a determination as to whether the Green Run Collegiate charter school application meets the approval criteria and take final action at the April 2013 meeting.

Virginia Board of Education Charter School Committee Consensus Report Application Submitted by the Green Run Collegiate Charter School, Virginia Beach, Virginia, February 28, 2013

The *Code of Virginia*, [Section 22.1-212.9](#), requires that all public charter school applications be submitted to the Board prior to being submitted to the local school board. Applications must adhere to the format prescribed by the Board and address the application elements stated in the *Code of Virginia*, [Section 22.1-212.8](#). The Board is required to render a decision on whether the application meets its approval criteria. A decision by the Board that an application meets its approval criteria does not guarantee that the local school board will approve a request for a charter.

To meet the intent of the legislation, the Board of Education established a Charter School Committee. The committee met at the Virginia Department of Education on February 27, 2013, to discuss the charter school application submitted by Green Run Collegiate in Virginia Beach and to meet with the applicant.

It was confirmed by the committee chair that the applicant information was complete; an executive summary provided an overview of the proposed charter school; and the assurances were signed. The applicant provided an introductory overview of the charter school including the governance structure and how the school will operate, followed by a discussion of the three combined sections of the application: Education (Sections II.-VI.), logistical (Sections VII.-X.), and business (Sections XI.-XV.). After the applicant addressed each section, the committee had the opportunity to ask questions. Fiscal issues were noted regarding the Economic Soundness component with a recommendation to the applicant to re-examine the five-year budget forecast to ensure that it is realistic and covers all operational costs. The Green Run Collegiate team assured the committee that deficiencies noted by reviewers would be addressed before the application is presented to the Virginia Beach School Board.

Consensus was reached on all components of the application, with one dissenting vote on Economic Soundness. The consensus report is based on the Board's criteria. The components and consensus determination are outlined below.

Required Application Components		Met the Criterion
I.	Executive Summary	Yes
II.	Mission Statement	Yes
III.	Goals and Educational Objectives	Yes
IV.	Evidence of Support	Yes
V.	Statement of Need	Yes
VI.	Educational Program	Yes
VII.	Enrollment Process	Yes
VIII.	Displacement	Yes
IX.	Transportation	Yes
X.	Residential Charter School	NA
XI.	Economic Soundness	Yes
XII.	Management and Operation	Yes
XIII.	Employment Terms and Conditions	Yes
XIV.	Liability and Insurance	Yes
XV.	Disclosures	Yes

In advance of the business meeting the applicant provided the Board a revised five-year budget and written responses to questions posed by the Charter School Committee.

Mr. Braunlich made a motion to waive first review and approve the Charter School Committee's recommendation that the application for Green Run Collegiate Charter School in Virginia Beach meets all applicable Board of Education charter school application criteria. The motion was seconded by Mrs. Wodiska and carried unanimously.

First Review of Consensus Report from the Board of Education College Partnership Laboratory Schools Committee on the Proposed George Mason University Application to Establish the Mason's Patriot Innovation Academy

This item was presented by Mrs. Patty Pitts, assistant superintendent for teacher education and licensure on behalf of Mrs. Sears, College Partnership Laboratory Schools Committee Chair. Mrs. Pitts recognized the following persons in attendance: Dr. Libby Hall, principal investigator, college partnership laboratory school initiative and director, office of

education services, George Mason University; Dr. Jack Dale, superintendent, Fairfax County Public Schools; Ms. Anne Horak, educational specialist, Fairfax County Public Schools, Patriot Innovation Academy; Dr. Laura Horvath, project manager, Patriot Innovation Academy, George Mason University; Aimee Holleb, director, Cluster 6 Fairfax County Public Schools. Mrs. Pitts noted that Dr. Mark Ginsberg, dean, George Mason University was unable to attend.

Mrs. Pitt's presentation included the following:

- The *Code of Virginia*, [Section 23-299.4](#), sets forth that any public or private institution of higher education operating within the Commonwealth and having a teacher education program approved by the Board of Education may submit an application for formation of a college partnership laboratory school. Each college partnership laboratory school application shall provide or describe thoroughly all of the following essential elements of the proposed school plan. [Section 23-299.5](#) of the *Code* states, in part, "The Board of Education shall establish procedures for receiving, reviewing, and ruling upon applications and shall make a copy of any such procedures available to all interested parties upon request. If the Board finds the application is incomplete, the Board shall request the necessary information from the applicant. The Board of Education's review procedures shall establish a review committee that may include experts with the operation of similar schools located in other states." [Section 23-299.6](#) of the *Code* states, "The decision of the Board of Education to grant or deny a college partnership laboratory school application or to revoke or fail to renew an agreement shall be final and not subject to appeal."
- The Board of Education approved the Virginia College Partnership Laboratory School Application Process on January 13, 2011, and it was amended on July 26, 2012, and October 25, 2012. The process required by the college laboratory partnership school applicant, as well as the Criteria Checklist for Virginia College Partnership Laboratory School Applications, can be accessed at http://www.doe.virginia.gov/instruction/laboratory_schools/index.shtml.
- To meet the requirements of the legislation, the Board of Education established a College Partnership Laboratory Schools Committee. The Committee met at the Virginia Department of Education on February 27, 2013, to discuss the college partnership laboratory school application for the Mason's Patriot Innovation Academy (PIA) submitted by George Mason University. A copy of the application can be accessed at the following Web site: http://www.doe.virginia.gov/boe/committees_standing/laboratory_schools/meeting_materials.shtml#feb272013

College Partnership Laboratory Schools Committee Minutes, February 27, 2013

The Virginia Board of Education College Partnership Laboratory Schools Committee met at the James Monroe State Office Building, Jefferson Conference Room 22nd Floor, Richmond, Virginia, with the following members present: Mrs. Winsome E. Sears, chair, Ms. Diane T. Atkinson, Dr. Oktay Baysal, Dr. Stephen Smith, Dr. William C. Boshier, Jr., and Ms. Patricia E. Diebold. Ms. Joan E. Wodiska was not present. Also present were Superintendent of Public Instruction Dr. Patricia Wright; Board of Education President, Mr. David M. Foster, and Board members, Mrs. Betsy D. Beamer and Mr. Christian N. Braunlich.

Mrs. Winsome E. Sears called the meeting to order at 3 p.m.

After opening remarks and introductions of Committee and Board members, Mrs. Sears introduced the applicant for the Mason's Patriot Innovation Academy. Dr. Mark Ginsberg, dean at George Mason University, and Ms. Susan Quinn, assistant superintendent and chief financial officer from Fairfax County Public Schools, joined the meeting by teleconference. Dr. Jack Dale, superintendent, Fairfax County Schools, introduced the following presenters from the team: Dr. Libby Hall, principal investigator, College Partnership Laboratory School Initiative, George Mason University; Ms. Aimee Holleb, director, Cluster 6, Fairfax County Public Schools; Ms. Anne Horak, educational specialist, Fairfax County Schools; and Dr. Laura Horvath, project manager, College

Partnership Laboratory School Initiative, George Mason University.

The Committee offered a public comment period; however, no one requested to speak. No written comment was received.

Mrs. Sears made note of the materials submitted by the applicant, and Committee members concurred that the applicant information was complete; the executive summary provided an overview of the proposed college partnership laboratory school; and the assurances were signed. Dr. Wright mentioned that even though the assurances were signed, the Committee will need to address the assurances involving timelines that George Mason University (GMU) cannot fulfill. George Mason University was in contact with the Board President, and the Committee may make a recommendation to the Board of Education regarding possible adjustments in the following timelines:

- The applicant will take all actions necessary to enter into a contract with the Virginia Board of Education no later than nine (9) months prior to the opening date of the college partnership laboratory school.
- The school leadership of the college partnership laboratory school will be retained on contract no later than six (6) months prior to the opening date of the school.

Mrs. Sears gave Dr. Ginsberg, Dr. Dale, and their teams the opportunity to address critical areas in the application. The applicant provided an overview of the main points of the application's components grouped into the following areas: Executive Summary, Mission and Vision, Education Program, Governance, Management Structure, Financial and Operations Information, Placement Plan, and Assurances and Other Requirements. Mason's Patriot Innovation Academy is proposed as a George Mason University college partnership laboratory school for seventh- and eighth-grade students in partnership and contract with Fairfax County Public Schools. After the applicant addressed each area, the Committee had the opportunity to ask questions.

The Committee discussed the Board's criteria and whether the applicant meets the requirements. In the presentation, the applicant stated that GMU would seek waivers for seat hours by core content, class size, and staffing. The applicant was advised that the *Code of Virginia* does not allow the Board of Education to waive "class size." Concern was expressed by the Committee about staffing, class size, and teacher load – how the small number of teachers assigned to the school will provide instruction to 200 students. The applicant proposed to employ six teachers with dual endorsements for 200 students (with contracted services from Fairfax County Public Schools); documentation of teacher loads needs to be provided.

The Committee advised the applicant that the Board of Education will want an assurance that the Standards of Learning will be taught in the self-regulated Problem Based Learning units, as well as documentation on where the primary instruction is taking place in the units. Additional information needs to be provided on how the applicant will assess student learning in this interdisciplinary teaching approach. A challenge is to have a balance between the disciplines and the interdisciplinary instructional model.

The applicant said that they are not on schedule with the proposed timelines. The Web site posting and dates for seeking and registering students and recruiting an executive director set forth in the application were delayed pending response from the review process.

In the area of governance, the executive director will be dually appointed by Fairfax County Schools and George Mason University. Teachers will be employed by the school division and have affiliate faculty status (no compensation) at GMU; the University will contract with Fairfax for staffing services.

A concern was expressed about the initial funds and sustainability of funds for the executive director position. The applicant stated that there is a university commitment to fund the position even though the proposal references reliance of state funds for the position that have not been committed.

The applicant stated that they anticipate that Fairfax County Public Schools will charge tuition for students outside of the school division who first enroll in Fairfax County and, subsequently, attend Mason’s Patriot Innovation Academy. Fairfax currently has a local school board adopted policy on charging tuition. Since the *Code of Virginia* does not allow a college partnership laboratory school to charge tuition, the Committee inquired about whether this prohibition also applies to the partnering school division. Counsel will need to be consulted related to this matter.

After the committee’s discussion on the application components, the Committee discussed whether there was agreement whether the applicant met the criteria.

	Required Application Components	Met the Criterion
I.	Executive Summary	Yes
II.	Mission and Vision	Yes
III.	Educational Program	¹
IV.	Governance	Yes ²
V.	Management Structure	Yes
VI.	Financial and Operations Information	³
VII.	Placement Plan	⁴
VIII.	Other Assurances and Requirements	No ⁵

¹ The concern about meeting the *Code of Virginia*’s class size requirement must be addressed. The applicant was advised that the *Code of Virginia* does not allow the Board of Education to waive “class size.” Also, there needs to be a request with a rationale related to “seat time.” Staffing resources need to be further clarified as the applicant proposed to employ six teachers with dual endorsements for 200 students. The Committee further advised the applicant that the Board of Education will want an assurance that the Standards of Learning will be taught in the self-regulated Problem Based Learning units, as well as documenting where the primary instruction is taking place in the units. Additional information needs to be provided on how the applicant will assess student learning in this interdisciplinary teaching approach.

² Even though the proposal appears to be compliant, concern was expressed about how the bifurcated governance will actually operate.

³ Clarification is needed for out-of-division students. [The applicant stated that they anticipate that Fairfax County Public Schools will charge tuition for students outside of the school division who first enroll in Fairfax County and, subsequently, attend Mason’s Patriot Innovation Academy. Fairfax currently has a local school board adopted policy on charging tuition. Since the *Code of Virginia* does not allow a college partnership laboratory school to charge tuition, the Committee inquired about whether this prohibition also applies to the partnering school division. Counsel will need to be consulted related to this matter.] In addition, funds for the salary of the executive director must be identified. Concern was expressed about the reliance of state funds that have not been identified or appropriated for the salary and benefits of the executive director. The question that needs to be answered is whether the opening of the school is dependent on receiving state funding for the executive director.

⁴ There was discussion regarding the assurance of the plan for student placement if the school closes. The Committee inquired whether it would be feasible to include in the partnership that if the school closes it would be at the end of a semester or the end of a school year. George Mason University responded that this provision could be written into the agreement.

⁵ The Committee discussed the requests from the applicant for the following waivers of Board of Education timelines. Since the request for these waivers was submitted to the Board President after the review of the application commenced, the requests will need to be forwarded to the full Board of Education for review and action.

- The applicant will take all actions necessary to enter into a contract with the Virginia Board of Education no later than nine (9) months prior to the opening date of the college partnership laboratory school.
- The school leadership of the college partnership laboratory school will be retained on contract no later than six (6) months prior to the opening date of the school.

Dr. Boshier made a motion that the Committee recommends to the Board of Education the approval of the proposal with the stated potential amendments. Ms. Atkinson added a friendly amendment to the motion, accepted by Dr. Boshier, that the recommendation of the Committee is contingent upon the satisfaction of the responses to the Committee's questions/concerns by the Virginia Board of Education. The motion was passed unanimously.

Mrs. Sears explained that a consensus report will be prepared and provided to the applicant within ten business days. The report will be presented to the Board of Education for first review at the March 28, 2013, meeting. The meeting was adjourned by Mrs. Sears at 5:45 p.m.

College Partnership Laboratory Schools Committee Consensus Report for the Application Submitted By George Mason University For The Mason's Patriot Innovation Academy

The *Code of Virginia*, [Section 23-299.4](#), sets forth that any public or private institution of higher education operating within the Commonwealth and having a teacher education program approved by the Board of Education may submit an application for formation of a college partnership laboratory school. Each college partnership laboratory school application shall provide or describe thoroughly all of the following essential elements of the proposed school plan. [Section 23-299.5](#) of the *Code* states, in part, "The Board of Education shall establish procedures for receiving, reviewing, and ruling upon applications and shall make a copy of any such procedures available to all interested parties upon request. If the Board finds the application is incomplete, the Board shall request the necessary information from the applicant. The Board of Education's review procedures shall establish a review committee that may include experts with the operation of similar schools located in other states." [Section 23-299.6](#) of the *Code* states, "The decision of the Board of Education to grant or deny a college partnership laboratory school application or to revoke or fail to renew an agreement shall be final and not subject to appeal."

To meet the requirements of the legislation, the Board of Education established a College Partnership Laboratory Schools Committee. The Committee met at the Virginia Department of Education on February 27, 2013, to discuss the college partnership laboratory school application for the Mason's Patriot Innovation Academy (PIA) submitted by George Mason University.

The Committee members confirmed that the applicant information was complete; an executive summary provided an overview of the proposed college partnership laboratory school; and the assurances were signed. Even though the assurances were signed, the Committee agreed that timelines that the applicant could not meet must be addressed by the Board of Education.

The applicant provided an overview of the main points of the application's components grouped into the following areas: Executive Summary, Mission and Vision, Education Program, Governance, Management Structure, Financial and Operations Information, Placement Plan, and Assurances and Other Requirements. Mason's Patriot Innovation Academy is proposed as a George Mason University college partnership laboratory school for seventh- and eighth-grade students in partnership and contract with Fairfax County Public Schools. After the applicant addressed each area, the Committee had the opportunity to ask questions.

Even though the Committee unanimously recommended that the proposal be forwarded to the Board of Education for approval, the recommendation was contingent upon the satisfaction of the responses to the Committee's questions/concerns by the Virginia Board of Education. Questions and concerns were expressed in the areas of Educational Program, Governance, Financial and Operations Information, Placement Plan, and Other Assurances and Requirements. The consensus report is based on the Board's criteria found in the Attachment. The components and criteria are outlined below with notations of areas of concern that need to be addressed.

Required Application Components		Met the Criterion
I.	Executive Summary	Yes
II.	Mission and Vision	Yes
III.	Educational Program	¹
IV.	Governance	Yes ²
V.	Management Structure	Yes
VI.	Financial and Operations Information	³
VII.	Placement Plan	⁴
VIII.	Other Assurances and Requirements	No ⁵

¹ The concern about meeting the *Code of Virginia*'s class size requirement must be addressed. The applicant was advised that the *Code of Virginia* does not allow the Board of Education to waive "class size." Also, there needs to be a request with a rationale related to "seat time." Staffing resources need to be further clarified as the applicant proposed to employ six teachers with dual endorsements for 200 students. The Committee further advised the applicant that the Board of Education will want an assurance that the Standards of Learning will be taught in the self-regulated Problem-Based Learning units, as well as documenting where the primary instruction is taking place in the units. Additional information needs to be provided on how the applicant will assess student learning in this interdisciplinary teaching approach.

² Even though the proposal appears to be compliant, concern was expressed about how the bifurcated governance will actually operate.

³ Clarification is needed for out-of-division students. [The applicant stated that they anticipate that Fairfax County Public Schools will charge tuition for students outside of the school division who first enroll in Fairfax County and, subsequently, attend Mason's Patriot Innovation Academy. Fairfax currently has a local school board adopted policy on charging tuition. Since the *Code of Virginia* does not allow a college partnership laboratory school to charge tuition, the Committee inquired about whether this prohibition also applies to the partnering school division. Counsel will need to be consulted related to this matter.] In addition, funds for the salary of the executive director must be identified. Concern was expressed about the reliance of state funds that have not been identified or appropriated for the salary and benefits of the executive director. The question that needs to be answered is whether the opening of the school is dependent on receiving state funding for the executive director.

⁴ There was discussion regarding the assurance of the plan for student placement if the school closes. The Committee inquired whether it would be feasible to include in the partnership that if the school closes it would be at the end of a semester or the end of a school year. George Mason University responded that this provision could be written into the agreement.

⁵ The Committee discussed the requests from the applicant for the following waivers of Board of Education timelines. Since the request for these waivers was submitted to the Board President after the review of the application commenced, the requests will need to be forwarded to the full Board of Education for review and action.

- The applicant will take all actions necessary to enter into a contract with the Virginia Board of Education no later than nine (9) months prior to the opening date of the college partnership laboratory school.
- The school leadership of the college partnership laboratory school will be retained on contract no later than six (6) months prior to the opening date of the school.

The Board discussed the following:

- Mrs. Sears noted that the following issues were not resolved at the committee meeting and needed clarification: tuition, governance issues, teacher-student ratio, dual enrolled teachers, and timelines.
- Mrs. Sears also asked for clarification on funds for the salary of the executive director because she was concerned about the reliance on state funds that have not been identified or appropriated for the salary and benefits of the executive director.
- Mrs. Atkinson expressed concerns with the following: teacher/pupil ratio, children

in the online component being supervised by an intern, and planning time for teachers.

- When asked, the applicant indicated they would not be able to open and operate a college partnership laboratory school if they are not able to charge tuition to students attending from outside the division.
- Dr. Wright clarified that the students enrolled in the Mason Patriot Innovative Academy will have four classes as part of the Mason Patriot Innovation Academy and three classes at Lake Braddock Secondary School where they are housed.
- Mr. Braunlich recommended additional focus on the budget with a list of expenditures.
- Mrs. Wodiska complimented the partnership between K-12 and higher education, but noted that the proposal needs more data and detailed budget information. Mrs. Wodiska also suggested that students receive breakfast.
- Mrs. Atkinson asked about the mapping process to show how the standards of learning will be implemented. George Mason University presented the mapping for the *English Standards of Learning* and said that mapping for *Social Studies and Science Standards of Learning* have also been completed
- Mrs. Sears asked about accommodations provided for IEP students, resources available for the charter school, and if it was financially reliable.

The Board requested the following follow-up information from the applicant:

- Documentation (including a master schedule) to demonstrate compliance with the *Standards of Quality (SOQ)* pupil-teacher ratio.
- Verification that planning time for teachers complies with the *Standards of Accreditation (SOA)*.
- Detailed consolidated budget, including revenue (and in-kind contributions) and itemized expenses, for the school.
- Clear and quantifiable goals, objectives, and metrics to assess students' achievement, including long-term results.
- Explanation of how George Mason University will evaluate the success of teacher candidates who complete experiences at PIA and the impact of the teacher candidates on student achievement.
- Analysis of the alignment of the *Standards of Learning* and the self-regulated Problem-Based Learning units. The mapping of how the *Standards of Learning* will be implemented across content areas is needed.
- Response to whether breakfast will be provided to the students at PIA.
- If a waiver of the seat-time requirement set forth in the *SOA* is needed, the documentation and rationale for requesting the exception to the application process timeline as well as for the waiver must be submitted for consideration.

The Board accepted for first review the proposed George Mason University application to establish Mason's Patriot Innovation Academy.

First Review of Proposal to Establish the Newport News Public Schools and the York County Public Schools Governor's Health Sciences Academy

This item was presented by Ms. Lolita Hall, director of career and technical education services. Ms. Hall recognized the following representatives from Newport News City Public Schools, York County Public Schools, and Christopher Newport University:

Newport News City Public Schools

- Dr. Ashby Kilgore, Superintendent
- Ms. Shelly Simonds, school board member
- Mr. Everett Hicks, Sr., school board member
- Dr. Rory Stapleton, principal, Warwick High School
- Ms. Patty Chaney, IB Program Director, Warwick High School
- Mr. David Creamer, principal, New Horizons Education Center, Butler Campus
- Dr. Crystal Taylor, CTE instructional supervisor

York County Public Schools

- Dr. Eric Williams, superintendent
- Dr. Kipp Rogers, director, secondary education
- Ms. Sandy Hespe, CTE instructional specialist

Christopher Newport University

- Dr. Melissa Hedlund, mathematics professor

Ms. Hall's presentation included the following:

- On September 7, 2012, the Virginia Department of Education announced planning/implementation grants in the amount of \$10,000 each for establishment of Governor's Health Sciences Academies in the eight superintendents' regions. The Governor's Health Sciences Academies shall consist of partnerships of one or more public school divisions or multiple schools within a school division, healthcare institutions, business and industry, and higher education institutions; and offer rigorous academic content with career and technical instruction. The Academy must include specialty programs within the five career pathways.

Health Sciences Career Cluster

Career Pathways	General Description
Therapeutic Services	Care and treat patients to improve their health over time. Counsel patients and provide them the tools needed to live a healthier and problem-free lifestyle.
Diagnostic Services	Use tests and evaluations to aid in the detection, diagnosis and treatment of diseases, injuries or other physical conditions.
Health Informatics	Manage health care agencies by overseeing all patient data, financial information and technological applications to health care processes and procedures.
Support Services	Assist health care professionals with a range of administrative and maintenance duties to ensure that the health care environment is maintained.
Biotechnology Research and Development	Discover new treatments and medical technologies to improve human health and advance the overall health science field.

- At least two of the health sciences career pathways must be implemented initially. The remaining three pathways must be fully articulated and implemented within the next three years. Also, the Academy must agree to participate in the Governor's Exemplary Standards Award Program.
- The State Council of Higher Education for Virginia (SCHEV) is currently reviewing the proposal. Their report and recommendation is expected by April 1 prior to the second review of the proposal by the Board of Education. Staff members of the Virginia Department of Education (DOE) have reviewed the proposal in the context of the established criteria.

- The Newport News Public Schools and York County Public Schools Governor's Health Sciences Academy will be located at Warwick High School in Newport News and Bruton High School in York County. Beginning in 2013-14, the Academy will offer the pathway plan of study for Support Services and Therapeutic Services. By 2015-16, the Diagnostic Services, Health Informatics, and Biotechnology Research and Development pathways will be fully implemented. Students will have an opportunity to concentrate and take specialized courses in a full-day, yearlong academic program at the high school campus in addition to courses specific to health sciences. Extensive partnerships have been formalized with research labs, healthcare institutions, businesses, colleges, and universities to expand student learning beyond the classroom. Students will participate in work-based experiences such as job shadowing, internships, and clinical practicums in a variety of health care fields.
- Job projections indicate that between 2010 and 2018 there will be more than 6,700 new health care positions opening up on the Greater Peninsula, an estimated growth of 30.24 percent (Peninsula Council for Workforce Development, 2012). Health care and social assistance occupations are a large portion of the total work force on the Peninsula. The Governor's Health Sciences Academy pathway programs will help to bridge training and preparation in high-demand, high-skill, and high-wage careers.

Newport News Public Schools and York County Public Schools
Governor's Health Sciences Academy
Executive Summary
March 11, 2013

Partnership:	Newport News Public Schools, York County Public Schools, New Horizons Regional Technical Center, Riverside School of Health Careers, Riverside Health Systems, Thomas Nelson Community College, Hampton University, Old Dominion University, and Community Health Charities.
Lead/Fiscal Agent:	Newport News City Public Schools
Lead Contact Person:	Dr. Crystal B. Taylor CTE Instructional Supervisor, Newport News City Public Schools 757 283-7850 crystal.taylor@nn.k12.va.us
Secondary Contact Person:	Sandy Hesper CTE Instructional Specialist, York County Public Schools 757 898-0469 shesper@ycsd.york.va.us
Academy Locations:	The Academy will have campuses at Warwick High School in Newport News and Bruton High School in York County.
Number of Students:	The Governor's Health Sciences Academy will have the capacity to enroll 400 students, grades 9-12. During the initial school year (2013-2014) applications will be accepted for 150 students.
Career Pathways:	Support Services (2013-2014) Therapeutic Services (2013-2014) Diagnostic Services (2014-2015) Health Informatics (2015-2016) Biotechnology Research and Development (2015-2016)
Academy Goals and	The overall goals of the Governor's Health Sciences Academy are to provide expanded options for students' health science literacy and other critical knowledge, skills, and

Description: credentials that will prepare them for high-demand, high-wage, and high-skills health sciences careers in Virginia.

Specific Governor's Health Sciences Academy objectives include:

- Improve academic achievement of students in the Academy;
- Increase completion of dual enrollment courses;
- Provide work-based experiences for students through strong partnerships with businesses and health care institutions;
- Increase high school graduation rates;
- Reduce dropout rates; and
- Increase enrollment and retention in postsecondary education.

Program Highlights: As a result of participating in the Governor's Health Sciences Academy, students will:

- Gain a deeper understanding of the skills and knowledge incorporated in their health sciences fields of study;
- Benefit from specialized, project-based courses which develop critical-thinking, problem-solving, and decision-making skills, preparing them for the 21st century world;
- Acquire greater communication and collaborative skills;
- Develop workplace readiness skills;
- Receive opportunities to earn industry certifications preparing them to be more competitive in the work force and when applying to advanced training schools or postsecondary institutions;
- Obtain meaningful hands-on experiences in their career pathway studies; and
- Benefit from opportunities for internships, mentorships, clinical, and cooperative experiences, providing the student with an advantage when entering postsecondary education and/or the workplace.

Dr. Crystal Taylor, CTE instructional supervisor, Newport News City Public Schools, used a PowerPoint presentation to summarize further functions of the academy.

Dr. Wright complimented Newport News City Schools and York County Schools for coming together and working collaborately to create this proposal.

During the discussion it was noted that health care and social assistance occupations are a large portion of the total work force on the Peninsula and that the Peninsula Council for Workforce Development has already developed internships for students this summer.

The Board accepted for first review the proposal to establish the Newport News Public Schools and the York County Public Schools Governor's Health Sciences Academy.

First Review of Proposal to Establish the Hampton City Public Schools Governor's Health Sciences Academy

Ms. Hall also presented this item. Ms. Hall recognized the following representatives from Hampton City Public Schools: Dr. Linda Shifflette, superintendent; Dr. Patricia Johnson, deputy superintendent for curriculum and instruction; Ralph Saunders, principal, Bethel High School; Timothy Cason, assistant principal, Bethel High School; Kathleen May, RN and instructor, Bethel High School health program; and David Crammer, principal, New Horizons

Technical Center, Butler Campus.

Ms. Hall's presentation included the following:

- The proposal for the Hampton City Public Schools Governor's Health Sciences Academy located at Bethel High School will serve students from four high schools and the eight feeder middle schools. The Hampton City Public Schools in partnership with The Abreon Group, Riverside School of Health Careers, Sentara Healthcare, Hampton University, Thomas Nelson Community College, and ECPI College of Technology, will offer a comprehensive program starting with an existing middle school exploratory program of health care careers. Beginning in 2013-14, the Academy will implement the Diagnostic Services and Therapeutic Services pathways. These pathway programs will provide the core high school level academic and technical courses needed for successful transition to postsecondary education and careers in dentistry, medicine, nursing, biomedical technicians, and emergency medical technicians. By 2015-16, the Biotechnology Research and Development, Support Services, and Health Informatics pathways will be fully articulated and implemented. Students will engage in performance-based learning with programmable patients, hospital beds, practice models, and use common medical equipment such as blood pressure cuffs, stethoscopes, pulse oximeters, and a variety of electronic diagnostic equipment typically found in hospitals and clinics. Upon high school graduation, students will earn at least nine hours of dual credit, earn one or more Board-approved industry certifications, and participate in advanced placement courses.
- Job projections indicate that between 2010 and 2018 there will be more than 6,700 new health care positions opening up on the Greater Peninsula, an estimated growth of 30.24 percent (Peninsula Council for Workforce Development, 2012). Students completing the Hampton City Public Schools Governor's Health Sciences Academy will be well prepared for entry into postsecondary healthcare programs or entry-level jobs in the work force.

Hampton City Public Schools
Governor's Health Sciences Academy
Executive Summary
March 11, 2013

Partnership:	Hampton City Public Schools, Hampton University, Thomas Nelson Community College, ECPI College of Technology, The Abreon Group, Riverside School of Health Careers, and Sentara Healthcare
Lead/Fiscal Agent:	Hampton City Public Schools
Contact Person:	Jesse W. White CTE Curriculum Leader, Hampton City Public School 757 727-2466 jeswhite@hampton.k12.va.us
Academy Location:	Bethel High School will serve as Academy home school. Students will be eligible to attend from all four of the school division's high schools.
Number of Students:	The Governor's Health Sciences Academy will have the capacity to enroll 260 students, grades 9-12. During the initial school year (2013-2014) applications will be accepted for 60 students.
Career Pathways:	Diagnostic Services (2013-2014) Therapeutic Services (2013-2014) Biotechnology Research and Development (2014-2015)

Support Services (2014-2015)
Health Informatics (2015-2016)

Academy
Goals and
Description:

The overall goals of the Governor's Health Sciences Academy are to provide expanded options for students' health science literacy and other critical knowledge, skills, and credentials that will prepare them for high-demand, high-wage, and high-skills health sciences careers in Virginia.

Specific Governor's Health Sciences Academy objectives include:

- Improve academic achievement of students in the Academy;
- Increase completion of dual enrollment courses;
- Provide work-based experiences for students through strong partnerships with businesses and health care institutions.
- Increase high school graduation rates;
- Reduce dropout rates; and
- Increase enrollment and retention in postsecondary education.

Program
Highlights:

As a result of participating in the Governor's Health Sciences Academy, students will:

- Gain a deeper understanding of the skills and knowledge incorporated in their health sciences fields of study;
- Benefit from specialized, project-based courses which develop critical-thinking, problem-solving, and decision-making skills, preparing them for the 21st century world;
- Acquire greater communication and collaborative skills;
- Develop workplace readiness skills;
- Receive opportunities to earn industry certifications preparing them to be more competitive in the work force and when applying to advanced training schools or postsecondary institutions;
- Obtain meaningful hands-on experiences in their career pathway; and
- Benefit from opportunities for internships, mentorships, clinical, and cooperative experiences, providing the student with an advantage when entering postsecondary education and/or the workplace.

Mr. Jesse White, career and technical education curriculum leader, Hampton City Public Schools, used a PowerPoint presentation to summarize further functions of the academy.

Board members congratulated Hampton City Public Schools and partners on their application.

The Board accepted for first review the proposal to establish the Hampton City Public Schools Governor's Health Sciences Academy.

First Review of Recommended Cut Scores for the Grades 3, 5, and 8 Science and Grades 5, 8, and End-of-Course (EOC) Writing Standards of Learning Tests Based on the 2010 Science and English Standards of Learning

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

- In 2012-2013 new Standards of Learning (SOL) science and writing tests measuring the 2010 science and English content standards will be administered. Both the 2010 science and English SOL include an increase in content rigor and in the requirements for higher order thinking skills. For example, in the 2010 science SOL, students at all grade levels are expected to “demonstrate an understanding of scientific reasoning, logic, and the nature of science by planning and conducting investigations in which current applications are used to reinforce science concepts.” In writing, the rubrics used to evaluate the short papers written as part of the writing test at all grade levels have been revised to increase the expectations for students. For example, in grade 11, SOL 11.6b requires students to “produce arguments in writing that develop a thesis that demonstrates knowledgeable judgments, addresses counterclaims, and provides effective conclusions.”
- 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 since 1998, committees of educators were convened in February 2013 to recommend to the Board of Education (BOE) minimum "cut" scores for the achievement levels of *pass/proficient* and *pass/advanced* for the grades 3, 5, and 8 science tests and for the grades 5 and 8 writing tests and *pass/proficient* and *advanced/college path* for the EOC writing test.
- The Board is asked to review the recommendations of the standard setting committees and to adopt "cut" scores in April 2013 for the achievement levels of *pass/proficient* and *pass/advanced* for the science tests and the grades 5 and 8 writing tests and for the achievement levels of *pass/proficient* and *advanced/college path* for the EOC writing test..
- It is important to note that the following definition of the *advanced/college path* designation for the EOC writing test reflects the deliberations of the higher education faculty who participated on the EOC writing standard setting committee.

A student obtaining an advanced/college path score should have the necessary knowledge and skills for entry into an introductory credit-bearing college course with a substantial writing requirement, without prior enrollment in a remedial writing class. Such students are expected to further develop the necessary knowledge and skills in subsequent high school English courses.

The Board accepted for first review cut scores representing the achievement levels of *pass/proficient* and *pass/advanced* (*advanced/college path* for EOC writing only) for the science and writing tests as follows:

- Grade 3 Science: 24 out of 40 for *pass/proficient*, and 36 out of 40 for *pass/advanced*
- Grade 5 Science: 24 out of 40 for *pass/proficient*, and 35 out of 40 for *pass/advanced*
- Grade 8 Science: 27 out of 50 for *pass/proficient*, and 45 out of 50 for *pass/advanced*
- Grade 5 Writing: 30 out of 46 for *pass/proficient* and 40 out of 46 for *pass/advanced*
- Grade 8 Writing: 31 out of 48 for *pass/proficient* and 41 out of 48 for *pass/advanced*
- EOC Writing: 33 out of 54 for *pass/proficient* and 46 out of 54 for *advanced/college path*

First Review of Recommended Cut Scores for the Virginia Modified Achievement Standards Test (VMAST) for Grades 3-8 and End of Course (EOC) Reading Based on the 2010 English Standards of Learning

Mrs. Loving-Ryder also presented this item. Her presentation included the following:

- The Virginia Modified Achievement Standards Tests (VMAST) for grades 3-8 reading and End-of-Course (EOC) Reading are being administered for the first time in spring 2013. The VMAST is an alternate assessment designed for students with disabilities identified under the *Individuals with Disabilities Education Improvement Act of 2004* (IDEIA), who are instructed in grade level content but are not likely to achieve proficiency in the same time frame as their non-disabled peers. The new VMAST reading assessments will provide eligible students access to online tests measuring the 2010 *English Standards of Learning* (SOL) that include research-based supports identified by Virginia educators.
- Because these are new assessments, cut scores for the achievement levels of *fail/basic* (grades 3-8 only), *pass/proficient* and *pass/advanced* must be adopted by the Board. Consistent with the process used for the SOL assessments, committees of educators were convened in March 2013 to recommend to the Board of Education (BOE) minimum cut scores for the achievement levels of *fail/basic*, *pass/proficient*, and *pass/advanced* for the grades 3-8 reading tests and *pass/proficient* and *pass/advanced* for the EOC reading test.

The Board accepted for first review "cut" scores for the achievement levels of *fail/basic*, *pass/proficient*, and *pass/advanced* for the grades 3-8 and EOC VMAST reading assessments as follows:

- Grade 3: 7 out of 32 for fail/basic, 19 out of 32 for pass/proficient, and 28 out of 32 for pass/advanced
- Grade 4: 8 out of 32 for fail/basic, 19 out of 32 for pass/proficient, and 28 out of 32 for pass/advanced
- Grade 5: 8 out of 32 for fail/basic, 19 out of 32 for pass/proficient, and 28 out of 32 for pass/advanced
- Grade 6: 10 out of 36 for fail/basic, 21 out of 36 for pass/proficient, and 32 out of 36 for pass/advanced
- Grade 7: 10 out of 36 for fail/basic, 22 out of 36 for pass/proficient, and 32 out of 36 for pass/advanced
- Grade 8: 10 out of 36 for fail/basic, 22 out of 36 for pass/proficient, and 31 out of 36 for pass/advanced
- EOC: 24 out of 44 for pass/proficient, and 38 out of 44 for pass/advanced

DISCUSSION OF CURRENT ISSUES

Mrs. Sears referred to comments made during public comment about a teacher's evaluation being affected by a student's truancy. Dr. Wright indicated that this is a personnel issue at the local level. Dr. Wright noted that the *Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers* and the *Virginia Standards for the Professional Practice of Teachers* adopted by the Board have multiple indicators for academic progress of

students and student scores should not be used as a sole basis of a teacher's evaluation.

Mrs. Wodiska identified two issues of personal importance —childhood hunger and school turnaround.

The Board met for dinner on Wednesday, March 27, 2013, at the Crowne Plaza Hotel with the following members present: Mrs. Atkinson, Mrs. Beamer, Mr. Braunlich, Mr. Foster, Mrs. Edwards, Mrs. Sears, and Mrs. Wodiska. 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 Mr. Braunlich and carried unanimously. The Board went into Executive Session at 1:15 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 1:45 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:

Ms. Mack – Yes
Mr. Braunlich – Yes
Mrs. Beamer – Yes
Mr. Foster – Yes
Mrs. Sears – Yes
Mrs. Atkinson – Yes
Mrs. Wodiska – Yes

Dr. Baysal and Dr. Cannaday were not present to vote.

The Board approved the following motion:

- To revoke the license of Bradley Jefferson Norton.

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 1:50 p.m.

A handwritten signature in black ink, reading "David H. Foster". The signature is written in a cursive style with a large initial "D".

President