

COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
RICHMOND, VIRGINIA

**MINUTES**

November 21, 2013

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

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

Dr. Billy K. Cannaday, Jr.  
Mrs. Darla Edwards  
Mrs. Winsome E. Sears  
Mrs. Joan E. Wodiska

Mr. Kent Dickey, Deputy Superintendent

Mr. Foster called the meeting to order at 9 a.m. Mr. Foster noted Mr. Dickey, deputy superintendent, is serving as the designee for Dr. Patricia Wright, who is unable to attend due to the passing of her mother. Dr. Baysal was absent due to a previous engagement.

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

Mr. Foster asked that the families of Dr. Wright, Mr. Charles Finley and Senator Creigh Deeds are kept in mind during the moment of silence. Mr. Dickey led in the Pledge of Allegiance.

***APPROVAL OF MINUTES***

Mrs. Beamer made a motion to approve the minutes of the October 24, 2013, meeting of the Board. The motion was seconded by Mrs. Atkinson and carried unanimously. Copies of the minutes had been distributed in advance of the meeting.

***PUBLIC COMMENT***

The following persons spoke during public comment:

- Steve Staples, Virginia Education Coalition, spoke on A-F school grading formula
- Nicole Dooley, JustChildren, Legal Aid Justice Center, spoke on ESEA waiver
- Keenan Caldwell, American Cancer Society, spoke on physical education guidelines

## **CONSENT AGENDA**

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

### **Final Review of Permanent Amendments to the Regulations Governing Adult High School Programs (8 VAC 20-20-680) and Repeal of the Regulations Governing the General Achievement Diplomas (8 VAC 20-680) to Replace the Emergency Regulations Required by HB 1061 and SB 489 (2012) (Proposed Stage)**

With the Board's approval of the consent agenda, the Board approved the permanent amendments to revise the *Regulations Governing Adult High School Programs* (9 VAC 20-30) and to repeal the *Regulations Governing the General Achievement Diploma* (8 VAC 20-680) (Proposed Stage).

### **Final Review of Proposed Revisions to Virginia School Bus Specifications**

With the Board's approval of the consent agenda, the Board approved the proposed *Virginia School Bus Specifications*.

## **APPROVAL OF AGENDA**

The Board approved the removal of *Item L, First Review of Virginia's Renewal Application for Waivers from Certain Requirements of the Elementary and Secondary Education Act of 1965 (ESEA)*, from the agenda until the January 2014 Board meeting.

## **ACTION/DISCUSSION ITEMS**

### **Final Review of Consensus Report from the Board of Education Charter School Committee on the Proposed Metropolitan Preparatory Academy Charter School Application**

Mrs. Diane Jay, associate director of program administration and accountability, presented this item on behalf of Mr. Braunlich, Charter School Committee Chair. Representatives of the Richmond Urban Collective Board of Directors were available to answer questions from Board members. Representatives included: Tunya Bingham, David Hudson, Brandon Tutwiler, Shanee Harmon, Kevin Howard, and Jimmy King.

The Board's discussion included:

- Mr. Braunlich noted that Board members will not have an opportunity to review new material presented by the charter school team before voting on the proposed charter school. Mr. Braunlich indicated creating a charter school is a massive endeavor which requires an engaged team and hoped that all members of the team will respond to questions from Board members.
- Mr. Braunlich asked for the identification of the entity that will receive contributions and grants for the proposed charter school. Mr. Hudson answered that Richmond

- Urban Collective will receive the funding for the charter school and that the company is tax exempt.
- Mr. Braunlich posed the following questions to the applicant:
    - ✓ Does the proposed charter school budget include teacher salaries? Ms. Bingham responded that the budget includes salaries for teachers based on Richmond Public Schools' current teacher salary.
    - ✓ Does the proposed budget include laptops? Ms. Bingham said that laptops are included in the budget at \$400 per student and \$450 per teacher.
    - ✓ Does the proposed budget include school lunch? Ms. Bingham said that most of the students will be on free and reduced meals and the school will receive reimbursement for those meals. The cafeteria will only accept cash payments.
    - ✓ How will the student management system from Pearson be used and incorporated into the education of the students? Ms. Bingham said the charter school will use several vendors and everything will not come from Pearson. Mr. Hudson also responded giving examples of remediation that will be used for reading and mathematics as provided by Richmond Public Schools.
    - ✓ What process will be used to identify and create an IEP for students with disabilities? Mr. Hudson responded that a child study team will be in place with personnel provided by Richmond Public Schools.
  - Mrs. Atkinson urged the applicant to adhere to the requirements for children with disabilities as identified in the law. Mrs. Atkinson noted her concern regarding the assumption that the school division will provide back-up services for children with special needs. Ms. Bingham said the team will partner with area hospitals or a network of doctors to provide services if the school division is not able.
  - Mr. Braunlich clarified that the ultimate responsibility for services relies with the school division.
  - Mr. Braunlich said he is concerned that the charter school cannot sustain itself.
  - Mrs. Beamer asked if Richmond Public Schools has indicated that Oak Grove Elementary would be the location for the charter school. The other properties looked at were Binford, Baker, Norrell, Clark Springs, and Summer Hill.
  - Mrs. Beamer encouraged the applicant to take their time throughout the development process.
  - Dr. Cannaday said the proposed charter school is needed for young men but he is concerned with the budget issues.
  - Mrs. Sears applauded the charter school team on what they are trying to accomplish but said she is also concerned with the economic soundness of the charter school.
  - Mr. Foster suggested the charter school committee review the new information from the applicant before the Board takes a vote.
  - Mr. Braunlich said he agreed with Mr. Foster and that he would like for the charter school team to meet with a member of the Charter School Association who has expertise in creating charter schools.
  - Mr. Foster deferred the item and asked board members to share questions and concerns with Mr. Braunlich.

**Final Review of Proposed Physical Education Program Guidelines for Public Elementary and Middle Schools as required by HB 1092 (2012)**

Mrs. Anne Wescott, director of policy and communications, presented this item. Mrs. Westcott's presentation included the following:

- Two public comments were received by the Board at its October 24 meeting. The American Health Association recommended adding two indicators under the first guideline, that physical education programs should provide students with an opportunity to learn health-enhancing concepts and skills, and three indicators under the fourth guideline, that physical education programs should encourage students to be physically active and become physically fit for life. These suggested indicators are: (1) all students are required to take physical education in elementary and middle schools; (2) schools offer instructional periods totaling 150 minutes per week (elementary) and 225 minutes per week (middle and secondary school) that support intellectual, physical, and personal development; (3) policies are adopted and practices are implemented to attain 150 minutes (elementary) and 225 minutes per week (middle and secondary school) or physical activity a week; (4) policies are developed and programs are implemented to increase the opportunities for daily physical activity outside of physical education, such as opportunities for daily physical activity outside of physical education, such as safe routes to school, intramurals, active recess, classroom breaks, after-school physical activity programming, clubs, and interscholastic sports; and (5) the community provides and supports programs designed to increase physical activity.
- The American Academy of Pediatrics recommended that the guidelines be a blueprint of best practices for implementing 150 minutes of physical education in elementary school and 225 minutes in middle school for those schools who voluntarily want to increase the time for physical education.
- A 10-day public comment period began on October 24, 2013, following the Board of Education's acceptance of the proposed Physical Education Program Guidelines for Public Elementary and Middle Schools for first review. In addition to the two speakers who offered comment during the public comment period at the October 24, 2013 Board of Education meeting, written comments were received from 32 individuals affiliated with eight Virginia public school divisions; two special interest organizations; and one public university.
- Seventeen individuals affiliated with two school divisions asked that the draft guidelines be modified to (1) clarify that physical education is required; (2) require highly qualified physical education teachers; (3) include health education and instruction; and (4) specify a minimum amount of time allotted to physical education (150 minutes per week was suggested most frequently). One individual affiliated with a school division asked that the guidelines be amended to require highly qualified physical education teachers and to specify a minimum amount of time allotted to physical education – 150 minutes per week for elementary school students and 225 minutes per week for middle school students. The Virginia Association of Health, Physical Education, Recreation and Dance (VAHPERD) in addition to two individuals affiliated with different school divisions requested that the guidelines specify a minimum amount of time allotted to physical education.
- One individual affiliated with a school division asked that the draft guidelines be amended to be more specific; to address instruction and assessment; to encourage school divisions to provide instruction beyond that which is required by the *Physical Education Standards of Learning for Virginia Public Schools*; and to clarify how an individualized program of fitness will be developed.
- A representative of the American Cancer Society Cancer Action Network requested that content from an earlier version of the draft guidelines be reinstated – most notably, a specific number of minutes allotted to physical education (i.e., 150 minutes per week for elementary school students and 225 minutes per week for middle and high school students); increased opportunities for daily physical activity outside of physical education; and community support for programs designed to increase physical activity.

- Finally, nine individuals affiliated with seven school divisions and one university expressed their appreciation to the Academy of Pediatrics, the American Heart Association, Dr. Oktay Baysal and others for their support of physical education programs in Virginia.
- In response, the following language from the Standards of Quality, § 22.1-253.13:1 (D) of the *Code of Virginia*, is proposed to be added: Local school divisions shall implement a program of physical fitness available to all students with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, or (iii) other programs and physical activities deemed appropriate by the local school board. Each local school board shall incorporate into its local wellness policy a goal for the implementation of such program during the regular school year.

The Board's discussion included:

- Mr. Foster said he was happy to see the additional language from the Standards of Quality.
- Mrs. Atkinson noted this is a guidance document and would be concerned if something was put in the document that went beyond the statutory language. Making available the original document as technical assistance will show local school divisions what best practices are.
- Mrs. Sears asked Mrs. Wescott about the fiscal impact of the legislation. Mrs. Wescott said the bill had a fiscal impact statement.

Mr. Foster made a motion to approve the proposed *Physical Education Program Guidelines for Public Elementary and Middle Schools*. The motion was seconded by Mrs. Beamer and carried unanimously.

**Final Review of Advisory Board on Teacher Education and Licensure's Recommendation to Grant Approval to Add New Education (Endorsement) Programs at Averett University, Hollins University, Lynchburg College, Old Dominion University, Randolph College, Randolph-Macon College, Shenandoah University, Sweet Briar College, and Virginia Wesleyan College**

Mrs. Patty Pitts, assistant superintendent for teacher education and licensure, presented this item. There were no changes to the recommendation since first review by the Board of Education on October 24, 2013.

Mr. Foster made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendations to grant approval to add new education (endorsement) programs at Averett University, Hollins University, Lynchburg College, Old Dominion University, Randolph College, Randolph-Macon College, Shenandoah University, Sweet Briar College, and Virginia Wesleyan College, including the accountability measurement of partnerships and collaborations based on PreK-12 school needs for each of the programs. The motion was seconded by Mrs. Beamer and carried unanimously.

**Final Review of the Advisory Board on Teacher Education and Licensure's Recommendation to Approve Education Programs Offered by Virginia Institutions of Higher Education as Required by the Regulations Governing the Review and Approval of Education Programs in Virginia (8 VAC 20-542-10 et seq.)**

Mrs. Pitts also presented this item. There were no changes to the recommendation since first review by the Board of Education on October 24, 2013.

Mrs. Beamer made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to grant "Approved" status to the education (endorsement) programs at The University of Virginia. The motion was seconded by Mrs. Atkinson and carried with seven "yes" votes. Dr. Cannaday recused himself because of his affiliation with The University of Virginia.

Mrs. Beamer made a motion to approve the Advisory Board on Teacher Education and Licensure's recommendation to grant "Approved" status to the education (endorsement) programs offered at all other colleges and universities with the exception of the Advisory Board's recommendation to grant "Approval Denied" status to the History and Social Sciences program at Emory and Henry College. [Upon denial of a program, the public must be notified. Enrolled candidates will be permitted to complete their programs of study. New candidates shall not be admitted. The program may resubmit a request for approval at the end of the next biennial period.] The motion was seconded by Dr. Cannaday and carried unanimously.

**Final Review of Proposed A-F School Grading Formula in Response to the 2013 Acts of the Assembly**

Mrs. Shelley Loving-Ryder, assistant superintendent for student assessment and school improvement, presented this item. Mrs. Loving-Ryder recognized Dr. Deborah Jonas for her assistance in developing the formula. Mrs. Loving-Ryder's presentation included the following:

- Revisions from the September 26, 2013 draft that were incorporated into the October 24, 2013, draft include technical and clarifying edits and the following substantive revisions, which appear in strikethrough version:
  - ✓ The higher of the current year pass rate or the 3-year pass rate will be used in determining proficiency on state assessments.
  - ✓ Meeting all federal annual measurable objectives is included in the bonus point options.
  - ✓ At-risk students are those who failed the grade 8 reading or mathematics tests, who were chronically absent in grade 8, or who have been identified as at risk using additional criteria approved by the Board.
  - ✓ The total number of bonus points available for schools was decreased from 100 to 50 points and commensurate adjustments made in the points available for earning the bonus points.
  - ✓ Two changes are proposed in the decision rules. (1) Schools that are identified as Title I *Priority* or *Focus* schools under federal accountability and that have not met federal accountability assessment benchmarks shall not earn a grade of A or B. This change allows Priority and Focus schools to receive the grade they earn when they make progress even though the designations may not change. (2) Bonus points may increase a school's letter grade by a maximum of one grade level.

- Two point-to-grade conversion options for elementary and middle schools and two options for high schools, originally presented at the October 24, 2013, meeting, are included for the Board's consideration. Additionally a "hybrid" option that combines the original two options for high schools is presented. These point-to-grade conversion options represent grades prior to applying decision rules. All changes to the October 24, 2013, proposal are noted in strikethrough version.
- Pass rates that were used to estimate the proficiency component calculation and estimated grade distribution for the grading system proposal presented at the October 24, 2013, meeting were calculated using the federal accountability inclusion rules for Limited English Proficient (LEP) students and transfer students. At the October 24, 2013, meeting, Board members asked Department staff to calculate estimated grade distributions using the LEP exemption rules in the Standards of Accreditation (SOA). The Board expressed interest in knowing its impact on schools with high concentrations of LEP students. Department staff members were also asked to provide information regarding the differences in the number of schools estimated to be assigned each grade using the federal accountability inclusion rules and the accreditation adjustments. Comparisons of the number of schools estimated to achieve each grade based on current data and using the federal accountability inclusion rules as compared to the accreditation rules will be provided to the Board.
- An explanation of the accreditation adjustments made to the pass rate calculations in the proficiency components are as follows:

Accreditation Adjustments

A school's accreditation rating may reflect adjustments to pass rates resulting from successful remediation efforts and for the allowable exclusion of some limited English Proficient (LEP) students and transfer students.

*Remediation & Retesting*

Virginia's accountability system recognizes successful remediation programs that help students achieve minimum proficiency standards in reading and mathematics in all tested grades. A school is credited for successful remedial instruction when an elementary or middle school student — who failed a particular content-area assessment during the previous year — subsequently passes the content-area test at the next grade level. If a student fails a test required for graduation and successfully retests during the same school year, the result of the failed first test is not included in the accreditation calculation.

*Limited-English Proficient (LEP) Students*

The scores of LEP students enrolled in Virginia public schools fewer than 11 semesters may be excluded from the accreditation rating calculations. While all LEP students are expected to participate in the state assessment program, a school-based committee determines the level of participation of each LEP student. In kindergarten through grade 8, the school-based committee may grant the student a one-time exemption from testing in writing (in grade 5 or 8), science (in grade 3 only) and history/social science (once during grades 3-8).

*Transfer Students*

The scores of students transferring within a Virginia school division are included in the calculation of accreditation ratings. Students transferring into a school from another Virginia school division, another state, a private school, or who have been home schooled are expected to take the assessments for the content areas in which they received instruction. Under limited circumstances as described in Board of Education regulations, the failing scores of some transfer students may be excluded from the accreditation calculation.

The Board's discussion included:

- Mrs. Atkinson thanked Mrs. Loving-Ryder, Dr. Jonas, Dr. Wright and others for their time and effort put into this proposal.

- Mrs. Atkinson said that the accreditation adjustments (remediation and retesting, LEP, and transfer students) should also be included in grading schools. Mrs. Atkinson challenged schools to use this as an opportunity to communicate with the community by using school Web sites to highlight what is happening at their schools.
- Mrs. Edwards thanked Mrs. Atkinson for her leadership as chairman of the Accountability Committee and staff for their contributions. Mrs. Edwards emphasized the importance of communication between parents and schools.
- Mrs. Wodiska thanked staff for their work and Mrs. Atkinson for her leadership. Mrs. Wodiska noted that our public education system is moving in the right direction, but expressed concern that the measuring stick of success in public education is so much more than a single letter grade based on a high stakes test. Mrs. Wodiska implored policymakers to focus on the critical needs of schools, policy decisions that empower parents, educators, and students, and creating partnerships. She also noted the importance of partnering with the Board on timelines.
- Mrs. Sears noted that the Board will have opportunities to revise the formula as needed.
- Mr. Braunlich said delaying the grading formula will not help because it needs to be communicated to schools well in advance of October 2014 deadline when the Board is expected to assign a grade from A to F to each public school in the Commonwealth.
- Dr. Cannaday said he is proud of the Board's collective efforts to do the right thing for children. Dr. Cannaday commended Mrs. Atkinson on her leadership.
- Mrs. Beamer said she is looking forward to working with stakeholder groups on the communication plan going forward.
- Mr. Foster noted he shares the same concerns as others, and fears a formula strictly correlated with income.

Mrs. Atkinson made a motion to 1) approve the A-F School Grading Formula including the point-to-grade conversions presented in Option B for elementary and middle schools and the "Hybrid A/B" option for high schools, 2) calculate pass rates for the proficiency component using accreditation adjustments, and 3) conduct an annual review of the grading formula following the release of school grades each fall. The motion was seconded by Dr. Cannaday and carried unanimously.

**Final Review of Board of Education's 2013 Annual Report on the Conditions and Needs of Public Schools in Virginia**

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

- Based on feedback from the Board of Education at the October 24, 2013, meeting, the following contextual revisions were made to the Annual Report. Editorial and clarifying edits were also made throughout the document.
  - ✓ Revised the Executive Summary (pages 6-8) to highlight revisions to the Standards of Learning and SOL assessments, consolidate achievement indicators, and focus on the critical needs of school divisions. The

- needs were aligned with actions taken by the Board/Department over the past year, and a section was added to highlight fiscal concerns.
- ✓ Revised the critical needs section (pages 20-22):
    - Added focus on fiscal concerns
    - Noted concerns regarding lack of appropriate data with regards to A-F policy
    - Added transition issues for students with disabilities
    - Added concern related to the length of time substitute teachers can fill a teacher vacancy
    - Emphasized childhood hunger and obesity concerns
    - Expanded on VDOE resource concerns

The Board's discussion included:

- Dr. Cannaday suggested the following language be included in the executive summary of the report: *The term Standards of Learning dates back to the 1980. What Virginians today regard as the SOL program began in the mid-1990s in the wake of several ineffective attempts at reform plagued by low minimum expectations for all students, limited accountability for student learning of content and skills needed to be successful in the twenty-first century. The major takeaway from these efforts strongly suggests that students must possess twenty-first century knowledge beyond the "three Rs" (reading, writing, and arithmetic) and twenty-first century skills to include the "four Cs" (collaboration, communication, creativity, and critical thinking).*
- Mrs. Beamer said she appreciates Dr. Cannaday's suggestion and is pleased with the historical overview of the Standards of Learning provided by Charles Pyle and hopes the report could help inform legislators and the governor-elect as the Board moves forward.
- Mr. Braunlich complimented Mrs. Luchau on the report and said that the report is an excellent reference document.
- Mr. Foster suggested the following edits: on the bottom of page 6 add "*shorter testing times*" and on page 22 change "educators" to "citizens".
- Mrs. Wodiska complimented Mrs. Luchau on putting together an excellent report. Mrs. Wodiska said the report included ideas for legislators, including: legislation to change long-term substitute policies, to address hunger, and issues surrounding assessment.
- Mrs. Atkinson thanked Mrs. Luchau for her work on the report and said the information included in the report will help to educate the public. Mrs. Atkinson also thanked Charles Pyle and staff for the historical overview of the Standards of Learning.
- Mrs. Sears noted her appreciation of the Standards of Learning, and expressed hope that reforms do not take us backwards. She noted there is nothing in the SOL that keeps a child from being taught higher learning initiatives being sought. Pertaining to the issue of student testing, Mrs. Sears noted that many tests are locally driven.

Mr. Foster made a motion to approve the *2013 Annual Report on the Condition and Needs of Public Schools in Virginia* with additional edits. The motion was seconded by Mrs. Edwards and carried unanimously.

**First Review of Updated Corrective Action Plan and Memorandum of Understanding with Sussex County School Board and the Virginia Board of Education**

Dr. Kathleen Smith, director of school improvement, presented this item. Dr. Smith indicated that Sussex County School Board chairman, M. E. Morris Jr., and Superintendent, Dr. Arthur L. Jarrett, Jr., are available to answer questions. Dr. Smith's presentation included the following:

- Sussex County Public Schools were identified for division-level review status in 2004 and entered into an initial MOU with the VBOE. On September 17, 2009, Sussex County Public Schools appeared before the Virginia Board of Education to enter into a second MOU for Sussex County Public Schools. This MOU was in effect until all schools were *Fully Accredited* or the VBOE released Sussex County Public Schools from the MOU. The VDOE has provided ongoing technical assistance and monitored the implementation of the division's corrective action plan.
- In 2012-2013, Sussex County Public Schools had two schools identified as persistently low-achieving priority schools in accordance with Virginia's approved *Application for U.S. Department of Education Flexibility from Certain Requirements of the Elementary and Secondary Education Act of 1965 (ESEA)* in 2012-2013: Sussex Central Middle School (Tier 1—grades 4-7) and Ellen W. Chambliss Elementary (Tier I—grades K-3). In 2013-2014, both schools completed the three-year School Improvement Grant (SIG) cycle and the data indicated that neither school was considered low-achieving priority schools.
- In 2013-2014, Sussex County Public Schools has consolidated its elementary and middle schools and closed three schools. Sussex County Public Schools now has three schools on one campus: Sussex Central Elementary School, grades K-5; Sussex Central Middle School, grades 6-8; and Sussex Central High School, grades 9-12.
- Since Sussex County Public Schools consolidated in 2013-2014, a new MOU is needed. This MOU will remain in effect until all schools are *Fully Accredited* or the VBOE releases Sussex County Public Schools from the MOU. In addition, Sussex County Public Schools has submitted an updated corrective action plan.
- As part of the annual update on the MOU to the VBOE, the following data is provided for each of the three Sussex County Public Schools including the two schools that closed after the 2012-2013 school year.

**Accreditation Status**

<b>School</b>	<b>2009-2010 (Based on State Assessments in 2008-2009)</b>	<b>2010-2011 (Based on State Assessments in 2009-2010)</b>	<b>2011-2012 (Based on State Assessments in 2010-2011 and 2011 Graduation and Completion Index)</b>	<b>2012-2013 (Based on State Assessments in 2011-2012 and 2012 Graduation and Completion Index)</b>	<b>2013-2014 (Based on State Assessments in 2012-2013 and 2013 Graduation and Completion Index)</b>
Ellen W. Chambliss Elementary School Grades K-3	<i>Accreditation Denied: Warned in English</i>	<i>Accreditation Denied: Warned in English</i>	<i>Accreditation Denied: Warned in English</i>	<i>Fully Accredited</i>	Closed*
Jefferson Elementary School Grades K-3	<i>Fully Accredited</i>	<i>Fully Accredited</i>	<i>Fully Accredited</i>	<i>Fully Accredited</i>	Closed*

School	2009-2010 (Based on State Assessments in 2008-2009)	2010-2011 (Based on State Assessments in 2009-2010)	2011-2012 (Based on State Assessments in 2010-2011 and 2011 Graduation and Completion Index)	2012-2013 (Based on State Assessments in 2011-2012 and 2012 Graduation and Completion Index)	2013-2014 (Based on State Assessments in 2012-2013 and 2013 Graduation and Completion Index)
Sussex Central Middle School Grades 4-7	<i>Accredited with Warning: Warned in English, Math, and History</i>	<i>Fully Accredited</i>	<i>Fully Accredited</i>	<i>Accredited with Warning: Mathematics</i>	Closed*
Sussex Central High School Grades 8-12	<i>Fully Accredited</i>	<i>Fully Accredited</i>	<i>Fully Accredited (GCI 85)</i>	<i>Fully Accredited (GCI 86)</i>	<i>Accredited with Warning: Mathematics and GCI (84)</i>

\*Consolidation closed three schools; therefore, only the high school received a state accreditation rating in 2013-2014.

Federal Annual Measurable Objectives (FAMOs)

FAMO (Based on State Assessments in 2011-2012 and 2012-2013 and Federal Graduation Indicator)

School Name	Title I School	Federal AMO Status 2012-2013	Federal Sanction 2012-2013	Federal AMO Status 2013-2014	Federal Sanction 2013-2014
Ellen W. Chambliss Elementary School Grades K-3	Yes	Did Not Meet	Priority	Closed	Closed
Jefferson Elementary School Grades K-3	Yes	Met	None	Closed	Closed
Sussex Central Middle School Grades 4-7	Yes	Did Not Meet	Priority	Closed	Closed
Sussex Central High School Grades 8-12	No	Met	None	Did Not Meet	Improvement Plan Required

\*Consolidation closed three schools, therefore only the high school received a FAMO rating in 2013-2014.

Pass Rates on Assessments in 2012-2013

**Ellen W. Chambliss Elementary School (Grades K-3)**

Subject Area	2009-2010	2010-2011	2011-2012	2012-2013
English:Reading	63%	73%	76%	79%
History and Social Science	83%	63%	75%	91%
Mathematics	86%	86%	57%	78%
Science	81%	74%	84%	85%

**Jefferson Elementary School (Grades K-3)**

Subject Area	2009-2010	2010-2011	2011-2012	2012-2013
English:Reading	81%	85%	91%	51%
History and Social Science	90%	92%	75%	73%
Mathematics	94%	100%	54%	22%

Subject Area	2009-2010	2010-2011	2011-2012	2012-2013
Science	90%	93%	92%	57%

**Sussex Central Middle School (Grades 4-7)**

Subject Area	2009-2010	2010-2011	2011-2012	2012-2013
English:Reading	89%	92%	74%	66%
English:Writing	89%	86%	85%	56%
History and Social Science	84%	62%	52%	74%
Mathematics	75%	83%	37%	50%
Science	78%	83%	69%	59%

**Sussex Central High School**

Subject Area	2009-2010	2010-2011	2011-2012	2012-2013
English:Reading	78%	80%	80%	59%
English:Writing	77%	75%	75%	55%
History and Social Science	70%	81%	82%	82%
Mathematics	73%	75%	52%	60%
Science	80%	80%	87%	68%

Dr. Jarrett noted that the questions raised by the Board at the Accountability Committee meeting November 20, 2013, will be included in the presentation for final review at the Board's February meeting.

The Board's discussion included:

- Mrs. Wodiska requested additional support from Department special education staff during the curriculum review. Dr. Smith noted staff from the special education office will be present during the curriculum review. Mrs. Wodiska also asked that information on the resources available from the state be made available to students and parents.
- Mrs. Beamer said Department staff has a lot of expertise and encouraged Sussex County to partner with them.

The Board accepted for first review Sussex County Public Schools' updated corrective action plan and Memorandum of Understanding. Sussex County will return to the Board in February. Dr. Jarrett thanked the Board and invited members to visit Sussex County schools. Dr. Jarrett also asked the Board for assistance in receiving funding from the state for the locations of two state prisons in Sussex County.

**First Review of Guidance Related to Maximum Class Size Requirements in the Standards of Quality for Grades K-6**

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

- The Standards of Quality (SOQ) are prescribed by the Board and approved by the General Assembly, in accordance with the Virginia Constitution, in Article VIII, § 2, which says:

Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly. The General Assembly shall determine the manner in which funds are to be provided for the cost of maintaining an educational program meeting the prescribed standards of quality, and shall provide for the apportionment of the cost of such program between the Commonwealth and the local units of government comprising such school divisions. Each unit of local government shall provide its portion of such cost by local taxes or from other available funds.

- Standard 2 of the Standards of Quality, § 22.1-253.13:2 of the *Code of Virginia*, outlines the staffing requirements for local school divisions. Subsection C prescribes the divisionwide student-teacher ratios and maximum class sizes for grades K-6, and the divisionwide student-teacher ratios for English classes in grades 6-12. It says:

Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

- There are several provisions in the *Code of Virginia* that address the requirement for licensure. Standard 2 of the Standards of Quality, in § 22.1-253.13:2 (B) says:

School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

- Section § 22.1-299 says, in part:

No teacher shall be regularly employed by a school board or paid from public funds unless such teacher holds a license or provisional license issued by the Board of Education....

- Standard 8 of the Standards of Quality, § 22.1-253.13:8 of the *Code of Virginia*, addresses compliance with the Standards of Quality. It says, in part:

... Each local school board shall report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance shall be submitted to the Board of Education by the chairman of the local school board and the division superintendent.

Noncompliance with the Standards of Quality shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § 22.1-18.

As required by § 22.1-18, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein that have failed to establish and maintain schools meeting the existing prescribed Standards of Quality.

The Board of Education shall have authority to seek school division compliance with the foregoing Standards of Quality. When the Board of Education determines that a school division has failed or refused, and continues to fail or refuse, to comply with any such Standard, the Board may petition the circuit court having jurisdiction in the school division to mandate or otherwise enforce compliance with such standard, including the development or implementation of any required corrective action plan that a local school board has failed or refused to develop or implement in a timely manner.

- During the 2012-2013 school year, it was brought to the Board’s attention that an elementary school had several “pull-out” classes for gifted students that exceeded the maximum class size requirements in the Standards of Quality. The situation was resolved when an additional teacher was hired, but it raised questions about the definition of a class, whether students receiving special education services are included in determining the maximum class size, and when divisions calculate class size for purposes of the Standards of Quality.

Definition of class

The term “class” is not defined in Virginia statute or Board of Education regulation. Therefore, at this time, there is no official description of what constitutes a “class” in Virginia public schools. Because the Board does not presently define or describe “class,” it is unclear how the term is interpreted by local school divisions.

The *Merriam-Webster Online Dictionary* provides numerous definitions for “class,” including the following: a group of students who meet regularly to be taught a subject or activity; a series of meetings in which students are taught a particular subject or activity; a course of instruction; and one of the meetings in which students are taught a particular subject or activity.

The Standards of Quality

The Standards of Quality are the basis for most of the state funds appropriated to local school divisions. Funding for the Standards of Quality is based on the provisions in Standard 2, as well as language in the Appropriation Act.

As required by Standard 2 of the Standards of Quality and to ensure appropriate instructional staffing levels, local school divisions must employ a minimum number of licensed, full-time instructional personnel as specified in the Appropriation Act for each 1,000 pupils in average daily membership (ADM). The 2013 Appropriation Act requires the following positions per 1,000 pupils in March 31 ADM:

- ✓ Basic Aid: 51 professional instructional positions and aide positions
- ✓ Gifted Education: 1.0 professional instructional position
- ✓ Occupational-Vocational and Special Education: 6.0 professional instructional positions and aide positions

In addition, Standard 2 sets forth divisionwide ratios of students in ADM to full-time equivalent (FTE) teaching positions, and it establishes maximum class sizes. The divisionwide ratios do not include special education teachers, principals, assistant principals, counselors, and librarians.

Grade	Maximum Class Size	Student-Teacher Ratio (Divisionwide Ratio)
Kindergarten	29 (if more than 24, a teacher’s aide is required)	24 to 1
1-3	30	24 to 1
4-6	35	25 to 1
English class, 6-12	None	24 to 1
Middle and High Schools	None	21 to 1

Special Education

It should also be noted that the Board’s *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*, in 8 VAC 20-81-340, include the following special education caseload maximums as funded by the Appropriation Act:

Figure 1: Local school division caseload maximums as funded by the Virginia Appropriation Act.			
Disability Category	Level II		Level I
	With Paraprofessional 100% of the time	Without Paraprofessional 100% of the Time	
Autism	8	6	24
Deaf-blindness	8	6	
Developmental Delay: age 5-6	10	8	
Developmental Delay: age 2-5	8 Center-based 10 Combined	12 Home-based and/or Itinerant	
Emotional Disability	10	8	24
Hearing Impairment/Deaf	10	8	24
Intellectual Disability	10	8	24
Learning Disability	10	8	24
Multiple Disabilities	8	6	
Orthopedic Impairment	10	8	24
Other Health Impairment	10	8	24
Speech or Language Impairment	NA	NA	68 (Itinerant)
Traumatic Brain Injury	May be placed in any program, according to the IEP.		
Combined group of students needing Level I and Level II services	20 Points (see Figure 2)		

Figure 2: Values for students receiving Level I services when combined with students receiving Level II services.			
Disability Category	Level II Values		Level I Values
	With Paraprofessional 100% of the time	Without Paraprofessional 100% of the time	
Autism	2.5	3.3	1
Deaf-blindness	2.5	3.3	1
Developmental Delay: age 5-6	2.0	2.5	1
Emotional Disability	2.0	2.5	1

Hearing Impairment/Deaf	2.0	2.5	1
Intellectual Disability	2.0	2.5	1
Learning Disability	2.0	2.5	1
Multiple Disabilities	2.5	3.3	1
Orthopedic Impairment	2.0	2.5	1
Other Health Impairment	2.0	2.5	1
Traumatic Brain Injury	2.0	2.5	1

- Career and Technical Education: The Board's *Regulations Governing Career and Technical Education* address maximum class size, in 8 VAC 20-120-150, which say:

Enrollments in career and technical education courses shall not exceed the number of individual work stations.

1. Career and technical education laboratory classes that use equipment that has been identified by the U.S. Department of Labor for hazardous occupations shall be limited to a maximum of 20 students per laboratory. The career and technical education courses that have this restriction are published annually by the Virginia Department of Education.
2. Career and technical education courses designed specifically and approved for students who are disadvantaged shall be limited to an average of 15 students per instructor per class period with no class being more than 18.
3. Career and technical education courses designed specifically and approved for students with disabilities shall be limited to an average of 10 students per instructor per class period with no class being more than 12 or up to an average of 12 students per class period with no class being more than 15 where an instructional aide is provided.
4. Career and technical education programs offering classes that require the cooperative education method of instruction shall:
  - a. Be limited to an average of 20 students per instructor per class period with no class being more than 24; and
  - b. Have a class period assigned to the instructor for on-the-job coordination for each 20 students participating in the on-the-job training.

#### Compliance with the Standards of Quality

Each year, as a part of the annual report to the General Assembly on the condition and needs of public education in Virginia, the Board of Education is required to report the level of compliance by local school boards with the requirements of the Standards of Quality (SOQ). In order to accomplish this requirement, on an annual basis, the Virginia Department of Education (VDOE) collects data from local school divisions relative to compliance with the SOQ.

With respect to § 22.1-253.13:2(C) of the *Code of Virginia*, local school divisions are required to respond either “yes” or “no” to the following statements:

1. The school division has a divisionwide ratio of pupils in average daily membership to full-time equivalent teaching positions (excluding special education teachers, principals, assistant principals, counselors, and librarians) no greater than the following ratios:
  - a. Twenty-four to one in kindergarten, with no class larger than twenty-nine; twenty-four to one in grades one, two and three with no class larger than thirty at any of these levels.
  - b. A full-time teacher's aide is assigned to any kindergarten class where the average daily membership exceeds twenty-four pupils.
  - c. Twenty-five to one in grades four through six with no class larger than thirty-five pupils.
  - d. Twenty-four to one in English classes in grades six through twelve.
2. The school division assigns instructional personnel in a manner that produces schoolwide ratios of students in average daily membership to full-time equivalent positions of twenty-one to one in middle and high schools.
3. The school division provides all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

If a school division responds “no” to any statement, then the division is required to submit information regarding corrective action that is being taken or will be taken by the division to ensure compliance with the specific requirement of the SOQ. Once the data submission is complete, a verification report is generated asserting compliance with the SOQ and other miscellaneous reporting requirements. The signature page of the report must be signed by the local school board chairman and the division superintendent (or authorized designee) and submitted to VDOE. It is important to note that, while the annual SOQ compliance data collection pertains to the current school year and typically takes place during the spring, local school divisions are not instructed to provide responses tied to a specific date or time frame during the school year.

#### Other States

A number of other states have adopted legislation that defines “class-size” or “class.”

The Board’s discussion included:

- Mr. Foster suggested clarifying the definition of teachers.
- Mrs. Wescott indicated the document will be made available to superintendents and education stakeholders after the meeting.
- Mr. Braunlich asked Mr. Dickey if the new definition will change the way the state computes state aid. Mr. Dickey said it will not change the calculation of funding by the state. Mr. Dickey said state aid is set in the established formula and a change would require approval from the General Assembly.
- Mrs. Sears asked how this will impact hard to staff schools. Mrs. Wescott said it should not affect hard to staff schools because they are still required to meet the provisions of the SOQ.
- Mrs. Atkinson said she wants to be sure the Board’s guidance will not create local unintended consequences.
- Dr. Cannaday said that the rebenchmarking of the SOQ takes place during the General Assembly session; however, the feedback from school divisions may not coincide with when those actions take place. Dr. Cannaday said there could be unintended fiscal implications. Dr. Cannaday asked Mr. Dickey about the timeline of collecting data to inform the Board. Mr. Dickey said that the funding is based on current enrollment which is a compliance mechanism. Mr. Dickey noted that many school divisions staff below the standards.

- Mr. Foster suggested adding the following sentences for clarity: This document is for the purpose of guidance only. It is not intended to and does not affect any funding formulas.

The Board accepted the guidance related to maximum class size requirements in the *Standards of Quality* for Grades K-6 for first review.

**First Review of Recommended Revisions to the Substitute Tests Approved for Verified Credit**

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

- The Standards for Accrediting Public Schools at 8VAC20-131-110 permit the Virginia Board of Education to approve additional “substitute” tests for the purpose of awarding verified credit.

*8VAC20-131-110 Standard and verified units of credit.*

*C. The Board of Education may from time to time approve additional tests for the purpose of awarding verified credit. Such additional tests, which enable students to earn verified units of credit, must, at a minimum, meet the following criteria:*

- 1. The test must be standardized and graded independently of the school or school division in which the test is given;*
- 2. The test must be knowledge based;*
- 3. The test must be administered on a multistate or international basis, or administered as part of another state's accountability assessment program; and*
- 4. 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.*

*The Board of Education will set the score that must be achieved to earn a verified unit of credit on the additional test options.*

- At the time that these tests were approved as substitute tests, they were judged to measure content that incorporated or exceeded the Standards of Learning (SOL) in effect. Because new SOL have been implemented in all subject areas over the last few years, it was necessary to review the current substitute tests to ensure that they still incorporated or exceeded the content of the current SOL and that the adopted cut scores for “proficient” and “advanced” were still appropriate.
- Virginia Department of Education staff evaluated the current substitute tests to determine if the content they measured incorporated or exceeded the current SOL. Committees of educators were then convened to review the tests and evaluate the previously adopted cut scores. In some cases committee members verified the current cut scores. In other cases they recommended revisions to the cut scores or recommended that a test be removed from the list.

The Board’s discussion included:

- Mr. Foster asked if staff has looked at other states’ substitute tests. Mrs. Loving-Ryder said she believes Virginia has a more extensive list of substitute tests than any other state.
- Mrs. Atkinson asked when cut scores will go into effect and when will school divisions be notified. Mrs. Loving-Ryder noted the recommendation is for cut scores

- to go into effect starting with the 2014-15 school year.
- Dr. Cannaday noted that ACT plans to discontinue the WorkKeys: Writing assessment and asked how this will affect students needing it in order to meet graduation requirements. Mrs. Loving-Ryder said the recommendation is to replace it with Business: Writing starting with the 2014-2015 school year which matches well with the current standards.
  - Mrs. Beamer suggested the list of substitute tests be sent directly to teachers via TeacherDirect and parents via the Virginia PTA.
  - Mr. Braunlich asked if there were any tests not adopted that were requested by school divisions. Mrs. Loving-Ryder noted there were not any tests requested by school divisions that were not adopted.
  - Mr. Braunlich asked that a statement be added to clarify that it is the Board's policy that if a student takes a substitute test that student does not need to take the SOL test and that it is the decision of the student to take the substitute test not the school division. Mrs. Loving-Ryder said that language is in the proposed changes to the SOA and it is the existing policy.
  - Mrs. Sears suggested also involving the PTA and student council.

The Board accepted for first review revisions to the list of substitute tests approved for verified credits.

**First Review of Virginia's Renewal Application for Waivers from Certain Requirements of the Elementary and Secondary Education Act of 1965 (ESEA)**

This item was removed from the agenda.

**First Review of Nominations to Fill Vacancies on the Board of Education's Advisory Board on Teacher Education and Licensure and the Virginia Advisory Committee for the Education of the Gifted**

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

- The Board of Education's bylaws also specify the membership and term of service in Article Sixteen, Section 3 and 4, as follows:

Section 3. Membership. The Board shall determine the number of members to serve on an advisory committee, and shall appoint the members of the committee, as specified in Board bylaws under Article Nine, Section 2, except as provided by state or federal law or regulation. Nominations for all vacant positions will be solicited as widely as practicable and on forms provided by the Department of Education. . .

Section 4. Term of Service. Appointments to an advisory committee shall be for a term of three years. Members of an advisory committee may be appointed to a second consecutive three-year term, but shall not be eligible to serve for more than six consecutive years...A member filling the unexpired term of a member who resigned from the committee may be appointed to another consecutive three-year term. . .

- Two of the Board's advisory committees have unexpired terms to fill.
  - ✓ The Virginia Advisory Committee for the Education of the Gifted - unexpired term is through June 30,

2016. Nominations were requested for a school board member.

- ✓ The Advisory Board on Teacher Education and Licensure - unexpired term is July 1, 2013 to June 30, 2014. The current vacancy on ABTEL is for a secondary classroom career and technical education teacher. Nominations were requested for teacher nominees in Region 1.
- For all committees, the Board of Education seeks to have geographic and racial/ethnic representation among the appointees.
- Superintendent's Memorandum 250-13 dated September 20, 2013, and Superintendent's Memorandum 279-13 dated October 18, 2013, announced the call for nominations to fill the current vacancies. The call for nominations was distributed widely and posted on the Department of Education's Web site.
- Following the close of the nomination period, the nominations were reviewed. Persons recommended for appointment were selected based upon qualifications and on the required categories for membership (if applicable).

Mrs. Beamer made a motion to waive first review and approve the recommendations for appointment to the Board of Education's advisory committees. The motion was seconded by Mrs. Atkinson and carried unanimously. The appointments are as follows:

Virginia Advisory Committee for the Education of the Gifted

Robert Hundley, School Board Chair, Hanover County Public Schools

\* This vacancy is to fill an unexpired term through June 30, 2016.

Advisory Board on Teacher Education and Licensure

Allen Bierlair, Teacher, Chesterfield County Public Schools

\* This vacancy is to fill an unexpired term of July 1, 2013 to June 30, 2014.

**Annual Report from the Virginia Council for Private Education**

Mr. George McVey, president, Virginia Council for Private Education, presented this item. His presentation included the following:

- At its meeting in November 1993, the Board of Education adopted the following resolution that recognized the accrediting process for nonpublic elementary and secondary schools as administered through the Commission on Accreditation of the Virginia Council for Private Education (VCPE):

**Virginia Board of Education Resolution  
Recognizing VCPE: Accrediting Nonpublic Elementary and Secondary Schools  
November 15, 1993**

WHEREAS, the *Code of Virginia* requires that all children who are five years old by September 30 and not older than 18 attend a public or private or parochial school to satisfy compulsory attendance laws; and

WHEREAS, the Virginia Council for Private Education (VCPE) was organized in 1974 as the Virginia affiliate of the National Council for American Private Education (CAPE) for purposes including "the encouragement of a broad public commitment to excellence in education"; and

WHEREAS, the VCPE established a Commission on Accreditation in July, 1985, "...for the purpose of approving appropriate accreditation processes for nonpublic schools in order to secure recognition for those schools by the State Department of

Education"; and

WHEREAS, the Board of Education ceased accrediting nonpublic schools, and at its meeting on April 25, 1985, approved recommendations affecting the relationship of nonpublic schools and the Department of Education; and

WHEREAS, the Department of Education has maintained and fostered an ongoing and viable relationship with the VCPE since that time; and

WHEREAS, the 1993 General Assembly of Virginia amended sections of the *Code of Virginia* relating to the licensure of child day care centers which included an exemption for "a certified preschool or nursery school program operated by a private school which is accredited by a statewide accreditation organization recognized by the State Board of Education..."; and

WHEREAS, the Board is desirous of reaffirming and strengthening its relationship with the VCPE;

NOW, THEREFORE BE IT RESOLVED that the Board recognizes the accrediting process for nonpublic elementary and secondary schools as administered through the Commission on Accreditation of the Virginia Council for Private Education (VCPE) primarily for the purpose of public school acceptance of credits earned by students who attended such schools when they transfer to public schools and for any other such purpose(s) which may, from time to time, be specified by the *Code of Virginia* or as may be mutually agreed upon by the Board and VCPE; and

BE IT FURTHER RESOLVED that the Board will periodically review this recognition to ensure its continued relevancy and currency and the Superintendent of Public Instruction, or his designee, shall maintain contact with the VCPE and shall meet with its membership at least annually. Further, the Superintendent shall advise the Board on educational issues of concern to the VCPE.

*Adopted in the Minutes of the Virginia Board of Education  
November 15, 1993*

The Board received the Annual Report from the Virginia Council for Private Education.

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

The Board met for a public dinner on Wednesday, November 20, 2013, at the Crowne Plaza Richmond Downtown with the following members present: Mrs. Atkinson, Mrs. Beamer, Mr. Braunlich, Dr. Cannaday, Mrs. Edwards, Mrs. Sears, Mrs. Wodiska, and Mr. Foster. Mr. Kent Dickey, Deputy Superintendent, and Mrs. Anne Wescott, Assistant Superintendent for Policy and Communications, also attended the meeting. Members discussed pending Board agenda items. No votes were taken and the dinner meeting ended at 8:00 p.m.

### ***EXECUTIVE SESSION***

Mrs. Beamer made a motion to go into executive session under *Virginia Code* §2.2-3711(A)(41), to convene in a closed meeting for the purpose of discussion and consideration of records relating to denial, suspension, or revocation of teacher licenses, and that Noelle Shaw-Bell legal counsel to Virginia Board of Education as well as staff members, Kent Dickey, Patty Pitts, Nancy Walsh, Richard Schley, and Wendell Roberts, counsel for Virginia School Boards Association participate in this closed meeting. The motion was seconded by Mrs. Atkinson and carried unanimously. The Board went into Executive Session at 12:35 p.m.

Mr. Foster made a motion that the Board reconvene in open session. The motion was seconded by Mrs. Wodiska and carried unanimously. The Board reconvened at 12:50 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. Wodiska and carried unanimously.

Board Roll call:

Mr. Braunlich – Yes  
Mrs. Edwards – Yes  
Mrs. Beamer – Yes  
Mr. Foster – Yes  
Dr. Cannaday – Yes  
Mrs. Atkinson – Yes  
Mrs. Sears – Yes  
Mrs. Wodiska – Yes

Dr. Baysal was not available to vote.

The Board made the following motions:

- Mr. Foster made a motion to issue a license in Case # 1. The motion was seconded by Mrs. Wodiska and carried unanimously.

***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 12:53 p.m.

---

President