

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

September 18, 2014

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. Christian N. Braunlich, President
Mrs. Winsome E. Sears, Vice President
Mrs. Diane T. Atkinson
Dr. Billy K. Cannaday, Jr.

Mr. James H. Dillard
Mrs. Darla Edwards
Mrs. Joan E. Wodiska

Dr. Steven R. Staples, Superintendent
of Public Instruction

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

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Mrs. Atkinson made a motion to approve the minutes of the July 24, 2014, meeting of the Board. The motion was seconded by Mrs. Wodiska and carried unanimously. Copies of the minutes had been distributed in advance of the meeting.

ANNOUNCEMENTS

Mr. Braunlich announced that Dr. Baysal had professional obligations and could not attend the meeting. Mr. Ko was dialed in through teleconference to speak with Board members. Mr. Ko announced that he has accepted a position in South Korea and has tendered his resignation to the Governor. Mr. Braunlich and Board members expressed their appreciation to Mr. Ko and wished him well.

Dr. Staples announced three positions at the Department of Education that have been filled recently. Dr. Staples gave each an opportunity to introduce themselves to the Board. They are as follows:

- ❖ Dr. Billy Haun, Chief Academic Officer and Assistant Superintendent for Instruction
- ❖ Dr. Cynthia Cave, Assistant Superintendent for Policy and Communications

❖ Dr. Beverley Rabil, Director, Office of School Improvement and Student Assessment

RECOGNITION

Mr. Braunlich recognized members of the Virginia Aspiring Special Education Leaders Academy (ASELA), Cohort VII, attending the Board meeting.

PUBLIC COMMENT

The following persons spoke during public comment:

- C. T. Turner, senior director, State Accounts and Government Relations, GED Testing Service, spoke on high school equivalency
- Dr. Rosa Atkins, superintendent, Charlottesville City Public Schools, spoke on local assessment guidelines
- Dr. Jennifer Parish, superintendent, Poquoson City Public Schools, spoke on local assessment guidelines
- Dr. Scott Kizner, superintendent, Harrisonburg City Public Schools, spoke on local assessment guidelines
- Delores Dunn, VAST Advocacy Chair, spoke on science education
- Nicole Dooley, Legal Aid Justice Center, spoke on suspension rates
- Emily Webb, Government Relations Coordinator, Virginia School Boards Association, spoke on local assessment guidelines
- Mike Johnson, National Adult Education Manager, CTB, McGraw-Hill Education, spoke on high school equivalency
- Douglas Garcia, director, ETS High School Equivalency Test HiSET®), Educational Testing Service, spoke on high school equivalency
- Jim Baldwin, VAESP representative, spoke on local assessment guidelines

ACTION/DISCUSSION ITEMS

Final Review of Request for Approval of the 2014 General Educational Development (GED®) Testing Program

Dr. Susan Clair, director of Adult Education and Literacy, and Dr. C. Michael Nusbaum, interim GED® state administrator, presented this item. Their presentation included the following:

In response to the Board of Education's first review of the request for approval of the GED® Testing Program, staff members at the Office of Adult Education and Literacy (OAEL) have taken the following action:

- The OAEL requested that the GED Testing Service® provide an alignment of the GED® Assessment Targets and Indicators to Virginia College and Career Ready Performance Expectations. Staff members of the OAEL have reviewed the assessment targets for alignment to the Virginia College and Career Readiness Expectations.
- As of July 1, 2014, the state *Code* was revised, changing the *Code* language from GED® to high school equivalency examination approved by the Board of Education. Currently, there is no equivalency exam

approved by the Board.

- The General Educational Development Certificate/Diploma (GED[®]) is the nationally accepted norm. The Office of Adult Education and Literacy (OAEL) is requesting that the GED[®] credential be approved to comply with the legislated code changes. Approval of the GED[®] test as the State's approved high school equivalency examination does not mean that other assessments may not replace or be added to the approved list at some time in the future.
- OAEL is proposing an action plan to assess alternatives to the GED[®] test.
- OAEL will be reviewing the actions of other states that have adopted the alternative tests and plans to include a side-by-side comparison of outcomes, alignment, work force credibility, and costs for each of the exams approved in other states, including the GED[®] test. However, it is imperative that any examination approved by the State Board meets Virginia's standards for college and career readiness.
- On October 16, OAEL will inform the Adult Education and Literacy Advisory Committee (AELAC) that OAEL will conduct a Request for Information (RFI) regarding alternative high school equivalency exams. An RFI is an informal document issued when an agency is not aware of the products available in the market that may satisfy its requirements.
- Members of the AELAC will be asked to give input/suggestions/ideas on questions they want OAEL to ask in the RFI. The RFI will clearly describe how the various high school equivalency exams are similar and how they are different.
- In late October 2014, OAEL will begin the RFI process.
- November 2014 to March 2015, OAEL will conduct a brief survey of stakeholders to determine their preference for and acceptability of a high school equivalency exam. The stakeholders would include employers, adult education programs, the Virginia Community College System (VCCS), the State Council of Higher Education for Virginia (SCHEV), the Department of Corrections (DOC), the Department of Juvenile Justice (DJJ), state superintendents, and other states that have adopted alternative tests. Community and business stakeholders will also be engaged in the process. OAEL will solicit advice from that AELAC to determine who the community business stakeholders may be and how to solicit feedback from them.
- April 2015, OAEL will report to the Board the results of the RFI and stakeholder survey in a comparative format and the overall evaluation of the tests.
- The staff members at the OAEL believe that the 2014 GED[®] test is currently the most beneficial test for Virginians without a high school diploma for the following reasons:
 - ✓ Alternative tests such as the HiSET[®] and the TASC test are still making adjustments to cut scores and full alignment to the CCRSAE. The states that have adopted alternative tests are in the early stages of implementing these new assessments and determining the acceptance of these tests by employers and institutions of postsecondary education.
 - ✓ Virginians would benefit from a well-known credential respected by employers and public and private colleges. Over ninety-seven percent of colleges and employers accept the GED[®] credential.
 - ✓ Virginians would benefit from a testing program that is reflective of current high school standards. The GED[®] test was normed on graduating high school seniors and is reflective of the academic skills required for high school graduation.
 - ✓ Virginians would benefit from a testing program that is fully aligned with the CCRSAE and challenges individuals to acquire the higher level critical-thinking and problem-solving skills needed for postsecondary education, for middle skill job opportunities, and for meeting Governor McAuliffe's

executive order 23, “The New Virginia Economy Workforce Initiative.” Executive order 23, announced on August 13, 2014, includes several ambitious goals, including the “Pathway to 50K” initiative, which sets a target of 50,000 credentials, licensures, apprenticeships, and sub-baccalaureate degrees earned that meet the immediate needs of Virginia’s work force.

- ✓ Virginians would benefit from access to the features and benefits that the 2014 GED Testing[®] Program provides, such as online support tools including: My GED[™]; GED Ready[™], The Official Practice Test; and GED Credentialing[™].
- ✓ Virginia test takers would benefit from financial support in the form of vouchers to offset the cost of the practice test and the operational test. Adult education programs can provide vouchers through state Race to GED[®] funds.
- ✓ Virginians in the rural areas of the state, who often face the challenge of traveling to testing centers, would benefit from access to a mobile testing solution.

The Board discussion included:

- Mr. Dillard asked for clarification of some statistical analysis Board members received in the background material. Dr. Nusbaum said staff was attempting to compare figures from 2013 under the 2002 GED test with present figures of the 2014 GED test. Mr. Dillard asked if the increased difficulty of the GED test affected the number of passers this year. Dr. Nusbaum indicated there are a number of reasons, such as apprehension about the complexity and mathematical difficulty, the amount of training adult education centers have provided on the 2014 GED test, and the cost of the GED test. Mr. Dillard asked how the cost of the test would affect the number of passers. Dr. Nusbaum said this would not affect the pass rate but the number of people taking the test would indirectly lead to pass rates.
- Dr. Clair said staff is in the process of conducting professional development with teachers to prepare them for college and career readiness standards for adult education. Dr. Clair said staff expects the number of passers to increase over time.
- Mrs. Atkinson said the data identify test takers in the last year of the 2002 GED test and asked if there was an influx of individuals taking the test because it was the last year to take the 2001 version. Dr. Nusbaum said historically there have been five GED tests since 1943 and at the end of each test the number has dramatically increased because of the fear of not being able to make the next set of standards. Dr. Nusbaum said the 2014 test does not appear to be any different. Dr. Nusbaum said approximately 4,000 people were allowed to take the test a fourth time and many people passed the test.
- Mrs. Atkinson said she was more focused on the number of people taking the test and not the number of passers. Dr. Nusbaum said staff has not done this but is something they can certainly do.
- Mrs. Wodiska thanked staff for responding to her request for a specific timeline and corresponding decision plan for how they will consider alternative high school equivalencies. Mrs. Wodiska noted it is important for Virginia to be fair and transparent in the process of considering all exams. Mrs. Wodiska said she is pleased that there is a plan in place with detailed timelines as to when those decisions will be made. Mrs. Wodiska said she would like to modify the motion to include the timeline

staff provided to consider other exams. Mrs. Wodiska said the Board is temporally approving the GED and opening the market to consider other options consistent with legislative actions.

- Mrs. Atkinson clarified the Board has to adopt a high school equivalence test due to changes in the legislation. Mrs. Atkinson said if the Board did not there would not be a test because the previous legislation reflected GED and the current legislation says high school equivalency.

Mr. Dillard made a motion to approve the 2014 GED[®] Testing Program and authorize the Department of Education to develop and present to the Board a plan to consider alternative high school equivalency exams in a timely manner. The motion was seconded by Dr. Cannaday and carried unanimously.

Final Review of Proposed Local Alternative Assessment Guidelines Developed in Response to 2014 Acts of Assembly

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

- Over the past several months the Board has heard from numerous organizations regarding the development and implementation of the local assessment guidelines required by this legislation. The following organizations have either presented to the Board's Accountability Committee or to the full Board.
 - ✓ Virginia Consortium of Social Studies Specialists and College Educators
 - ✓ Virginia Association of Science Teachers
 - ✓ Virginia Association of Teachers of English
 - ✓ Virginia Council for the Social Studies
 - ✓ Assessment and Accountability Roundtable
 - ✓ Virginia Mathematics and Science Coalition
- The proposed guidelines were developed using input from the organizations listed above and from other school division personnel. The guidelines have been revised to include suggestions made by the Board at the July 24, 2014, meeting and comments received from school divisions and members of the educational organizations following the meeting. A revised version of the guidelines was posted on the Board's page on the Department of Education's Web site on August 14, 2014, and school divisions and the educational organizations were advised that an updated version had been posted. The proposed guidelines acknowledge that the legislation's timeline provides school divisions with an immediate deadline to implement the local assessments. As such, the guidelines for the 2014-2015 year provide school divisions' considerable flexibility. The Board will review the guidelines after the 2014-2015 school year and will likely revise them based on the experiences of the first year of implementation.

The Board discussion included:

- Mrs. Atkinson chaired the Accountability Committee and summarized the work done on the local alternative assessment guidelines in response to 2014 General Assembly.
- Mr. Braunlich turned the gavel over to Mrs. Sears to preside during discussion of the amendment to the guidelines. The amendment to the guidelines was presented by Mr. Braunlich and discussed. Copies of the amended guidelines had been distributed in advance of the meeting. Mr. Braunlich said the Board met with teachers and the public in

Bristol, Bedford, Hampton and northern Virginia, and solicited feedback from all interested parties.

- Mrs. Wodiska recognized the work of Mr. Braunlich and the Board and stressed the importance of creating an innovative learning environment.
- Dr. Cannaday thanked Mr. Braunlich and Mrs. Atkinson for their leadership. Dr. Cannaday said the Board President provided a model for how to engage others in conversation. Dr. Cannaday said he agreed with Mrs. Wodiska in providing a safe learning environment.
- Mrs. Atkinson said in the report to the General Assembly she would like to highlight what school divisions had to give up or stop providing in order to provide funding for alternative assessments.
- Mr. Dillard said he is in favor of the move toward alternative assessments and revision of the Standards of Learning assessments but he does not support the elimination of these assessments because it is not good for the students in Virginia, not a good move for the teaching of social studies, specifically, and it is not in the best interest of the state. Mr. Dillard said he will abstain from the vote because he does not want a positive vote to indicate that he supports the legislation. Mr. Dillard said he supports the work of department staff and Board because they have done the very best they can. Mr. Dillard said he strongly supports what has been discussed concerning flexibility and the burden the legislation has put on school divisions without the funds to support it.
- Mrs. Edwards said she is inspired because this is a true example of partnership at its best and was a great opportunity to network and listen to educational stakeholders and the public. Mrs. Edwards thanked Mrs. Atkinson and department staff for their work.
- Mrs. Atkinson acknowledged Mrs. Loving-Ryder and her staff for drafting the guidelines document for the Board.
- Mr. Braunlich also thanked Dr. Staples and staff for their work on the guidelines.
- Mrs. Sears indicated her concerns regarding the speed at which the legislation was approved without detailed discussion as to the impact. Mrs. Sears said the process has given her great pause and she has asked the question, why these assessments, but has not received a consistent answer. Mrs. Sears expressed concern for school divisions with limited resources - those who are already struggling to meet SOL expectations - who will now have to do more with less. Mrs. Sears supports power at the lowest level possible so that those affected by it have access to the decision makers. Mrs. Sears said she is careful to note that department staff will seek to gather information from school divisions through sight visits, desk reviews, examining documents, and interviewing school division staff. Mrs. Sears said the purpose of this is to determine how local school divisions are verifying that the content is being taught.

Mr. Braunlich made a motion to approve the local alternative assessment guidelines with the proposed amendments. The motion was seconded by Mrs. Wodiska and carried with six “yes” votes. Mr. Dillard abstained from voting.

The proposed amendments are as follows:

**Proposed Amendments to the Guidelines for Local Alternative Assessments for 2014-2015
Developed in Response to 2014 Acts of Assembly**

Legislative Mandate: House Bill 930 and Senate Bill 306

Legislation in the 2014 General Assembly amended § 22.1-253.13:3.C of the *Code of Virginia* to eliminate several Standards of Learning (SOL) tests:

- Grade 3 History,
- Grade 3 Science,
- Grade 5 Writing,
- United States History to 1865, and
- United States History: 1865 to the Present.

Specifically, the *Code* now states (emphasis added):

The Standards of Learning assessments administered to students in grades three through eight shall not exceed (a) reading and mathematics in grades three and four; (b) reading, mathematics, and science in grade five; (c) reading and mathematics in grades six and seven; (d) reading, writing, mathematics, and science in grade eight; and (e) Virginia Studies and Civics and Economics once each at the grade levels deemed appropriate by each local school board.

In addition to eliminating these SOL tests, the legislation also requires each local school board to annually certify that it has provided instruction and administered an alternative assessment, consistent with Virginia Board of Education guidelines, to students in grades three through eight in each SOL subject area in which the SOL assessment was eliminated. Specifically, the *Code* now states:

Each school board shall annually certify that it has provided instruction and administered an alternative assessment, consistent with Board guidelines, to students in grades three through eight in each Standards of Learning subject area in which a Standards of Learning assessment was not administered during the school year. Such guidelines shall (1) incorporate options for age-appropriate, authentic performance assessments and portfolios with rubrics and other methodologies designed to ensure that students are making adequate academic progress in the subject area and that the Standards of Learning content is being taught; (2) permit and encourage integrated assessments that include multiple subject areas; and (3) emphasize collaboration between teachers to administer and substantiate the assessments and the professional development of teachers to enable them to make the best use of alternative assessments.

Purpose of the Guidelines

In the past several years there has been increasing concern regarding the amount of testing in local school divisions and the time spent in test preparation activities. The intent of this legislation was to eliminate some of the tests used for accountability and to encourage the greater use of assessments that were designed to inform instruction. While the legislation does not mandate the type of local assessment that should be administered, the intent of these guidelines is to encourage the use of assessments that may be used by teachers to improve their instruction. Such assessments provide information about what students have learned as well as the concepts and skills that they have not yet mastered.

These guidelines are intended to inform the implementation and sharing of high quality assessments, to help assess the need for ongoing professional development, and to provide the opportunity through a variety of approaches for students to be successful.

The use of local assessments and the expanded use of authentic assessments constitutes a new direction for the Commonwealth and the timeline dictated by the legislation is rapid. There is no expectation that the early years of

these new assessments will be perfectly executed; rather, this should be viewed as an opportunity to engage in innovation that will provide new opportunities for students to demonstrate their knowledge of the curriculum.

These guidelines seek to ensure flexibility for local school divisions while simultaneously reassuring content teachers in later grades that the content upon which their own instruction is dependent has been taught, and that students come to them prepared to learn.

Revision of the Guidelines

The current version of the guidelines was developed with the understanding that the legislation's timeline provides school divisions with an immediate deadline to implement the local assessments. As such, the guidelines for the 2014-2015 year provide school divisions with considerable flexibility. The Board will review the guidelines after the 2014-2015 school year and will likely revise them based on the experiences of the first year of implementation.

Expectations for Inclusion of SOL in Alternative Assessments

For the 2014-2015 school year, school divisions should administer assessments that incorporate each strand or reporting category¹ for that content area and grade level (e.g., the Economics strand² for Grade 3 History/Social Science or the Civics and Economics Reporting Category for US History: 1865 to the Present). However, the assessments administered in the 2014-2015 school year will not be expected to cover all of the content standards contained in that strand. The requirements for coverage of the content standards may increase be further clarified in subsequent years as experience in implementing the local assessments statewide is gained, but in no case will each alternative assessment be expected to assess all content standards any more than existing SOL exams assess all content standards.

Certification That Content Has Been Taught and Assessments Administered

Scores from the local assessments will not be reported to the Department of Education. Instead local school boards and division superintendents will certify through the annual Standards of Quality (SOQ) compliance assurance that local alternative assessments measuring the Standards of Learning (SOL) and adhering to the Board's guidelines have been administered. In addition, school divisions will be asked to prepare plans that describe how local assessments that are designed to inform instruction will be implemented in 2014-2015 as well as how their use will be expanded in 2015-2016 and beyond. For 2014-2015, school divisions should retain:

1) documentation that demonstrates that the assessments administered address each strand included in the SOL for that grade and subject, 2) copies of the assessments and 3) any ancillary materials such as rubrics or sample student responses used to train teachers. Each school division's plan should address whether these documents will be retained at the school division central office or at individual schools. It is not expected that school divisions will retain each individual student assessment.

During the 2014-2015 school year Department staff seeks to gather information from school divisions, via site visits or conduct "desk reviews" in which documents will be examined and school division staff interviewed either by webinar or by telephone. The purpose of the site visits or "desk reviews" will be to determine how local school divisions are verifying that the content is being taught, and to determine the types of alternative assessments that are being administered, to identify exemplars of student assessment that may be shared with other school divisions, and to assist teachers, schools and school divisions in strengthening their own alternative assessments. The reviews will also help Department staff to identify "best practices" for sharing and distribution to other Virginia school divisions. As part of the site visits or the interviews, some of the documents mentioned above may be reviewed.

Use of Authentic Performance Assessments

As background, performance assessments generally require students to perform a task or create a product that is typically scored using a rubric. Authentic performance assessments often include tasks that mirror those that might occur in a "real-life" situation. While the legislation provides for the use of authentic performance assessments and portfolios, the use of such assessments is not required.

Development or Selection of Assessments

The development and/or selection of the local assessments are left to the discretion of the school division. School divisions may use a combination of several different assessments for each grade and content area to meet the requirement of the legislation, or they may choose a specific test or assessment method. Assessments used should be designed to provide feedback to parents and teachers regarding the extent to which the student has demonstrated proficiency in the content included in the SOL covered.

Local school divisions may choose to administer the same assessments for particular grade levels and content areas to all students in the division. The use of division wide assessments ensures consistency across the division so that the local school board and superintendent can certify that the assessments required by this legislation have been administered. If school divisions choose to allow more flexibility at the school level in selecting the assessments, the school division should prepare a written plan detailing the evidence from each school that will be reviewed by the local school board and superintendent to certify that the requirements of the legislation have been met. Such evidence should include: 1) documentation that demonstrates that the assessments administered address each strand included in the SOL for that grade and subject, 2) copies of the assessments and 3) any ancillary materials such as rubrics or sample student responses used to train teachers. Each school division's plan should address whether these documents will be retained at the school division central office or at individual schools.

Use of Integrated Assessments

The legislation encourages "integrated assessments that include multiple subject areas." For example, a local assessment might address content from both grade 3 history and grade 3 science. If such assessments are used, the results should include information about the extent to which the student has demonstrated proficiency in the content of each specific set of SOL covered.

Professional Development

The capacity of teachers to design and implement assessments that are intended to inform instruction is likely to vary widely across the Commonwealth. School divisions should evaluate the capacity and experience of their teachers in implementing such assessments and to use this information to design professional development. Professional development should encourage the collaboration of teachers within grades and across grades in implementing the assessments and in using their results in determining instructional needs. Professional development should also facilitate collaboration among teachers within a school, across schools within a division, across divisions, and across the state wherever possible. School divisions are encouraged to leverage the resources and established training opportunities available from professional organizations.

Associated Costs

School divisions are encouraged to maintain records of the costs associated with 1) the development and implementation of the local alternative assessments and 2) the professional development provided to educators to assist them in implementing this requirement. Information regarding costs will be collected by the Department of Education staff and shared with the Virginia Board of Education and the General Assembly.

Individuals with Disabilities Education Act

School divisions should be aware of the following requirement found in Section 300.160 c (1) of the Individuals with Disabilities Education Act:

A State (or, in the case of a district-wide assessment, an LEA) must develop and implement alternate assessments and guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in regular assessments, even with accommodations, as indicated in their respective IEPs, as provided in paragraph (a) of this section.

Use of Local Assessments in State Accreditation or Federal Accountability

The results of the local authentic assessments will not be used to designate state accreditation or federal accountability status.

1School divisions should be aware that the Scientific Investigation, Reasoning, and Logic strand of the grade 3 Science SOL is not to be assessed separately from the content strands but rather included as a part of local alternative

assessments for each content strand. This strand represents a set of systematic inquiry skills that defines what a student will be able to do when planning and conducting investigations within the physical, biological, and Earth sciences.

The strands for history SOL are: 1) History, 2) Geography, 3) Economics, and 4) Civics

First Review of Requests for Conditional Accreditation from Nine School Divisions

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

- 8 VAC 20-131-300.C (*Regulations Establishing Standards for Accrediting Virginia Public Schools*) states that a school shall be rated *Accreditation Denied* based on its academic performance and its failure to achieve the minimum threshold for the graduation and completion index required to be rated *Fully Accredited* or *Provisionally Accredited-Graduation Rate*, for the preceding three consecutive years or for three consecutive years anytime thereafter.
- As outlined in 8 VAC 20-131-315, as an alternative to the memorandum of understanding required for schools rated *Accreditation Denied*, a local school board may choose to reconstitute the school and apply to the Board of Education for a rating of *Conditionally Accredited*. The application shall include specific responses that address all areas of deficiency that resulted in the *Accreditation Denied* status.
- If a local school board chooses to reconstitute a school, it may annually apply for an accreditation rating of *Conditionally Accredited* as provided for in 8 VAC 20-131-300.C.5. The *Conditionally Accredited* rating may be granted for a period not to exceed three years if the school is making progress toward a rating of *Fully Accredited* in accordance with the terms of the Board of Education’s approval of the reconstitution application. The school will revert to a status of *Accreditation Denied* if it fails to meet the requirements to be rated *Fully Accredited* by the end of the three-year term or if it fails to have its annual application for such rating renewed.
- Following the implementation of revised assessments in mathematics in 2011-2012 and revised reading, writing, and science assessments in 2012-2013, fourteen (14) schools have been *Accredited with Warning* for three consecutive years and remain *Accredited with Warning* in 2014:

Name of Division	Name of Schools Requesting Conditional Accreditation
Dinwiddie County Public Schools	Dinwiddie Middle School
Hampton City Public Schools	Jane H. Bryan Elementary School
Lynchburg City Public Schools	Sandusky Middle School
Newport News City Public Schools	Newsome Park Elementary School
Newport News City Public Schools	Sedgefield Elementary School
Newport News City Public Schools	Willis A. Jenkins Elementary School
Norfolk City Public Schools	Booker T. Washington High School
Norfolk City Public Schools	Tidewater Park Elementary School
Petersburg City Public Schools	Vernon Johns Junior High School
Portsmouth City Public Schools	I. C. Norcom High School
Richmond City Public Schools	Armstrong High School
Richmond City Public Schools	George Wythe High School
Richmond City Public Schools	Thomas C. Boushall Middle School
Virginia Beach City Public Schools	Bayside Middle School

- Each school must meet the definition of reconstitution. As defined by the (Emergency) *Regulations Establishing Standards for Accrediting Virginia Public Schools (SOA)*, reconstitution is defined as a process that may be used to initiate a range of accountability actions to improve pupil performance, curriculum, and

instruction to address deficiencies that caused a school to be rated *Accreditation Denied* that may include, but not be limited to, restructuring a school's governance, instructional program, staff or student population.

Name of Division	Name of Schools Requesting Conditional Accreditation	Reconstitution Type
Dinwiddie County Public Schools	Dinwiddie Middle School	Change in Instructional Program, Governance
Hampton City Public Schools	Jane H. Bryan Elementary School	Governance, LTP
Lynchburg City Public Schools	Sandusky Middle School	Governance, Staff, Instructional Program
Newport News City Public Schools	Newsome Park Elementary School	Governance
Newport News City Public Schools	Sedgefield Elementary School	Governance
Newport News City Public Schools	Willis A. Jenkins Elementary School	Governance, LTP
Norfolk City Public Schools	Booker T. Washington High School	Governance
Norfolk City Public Schools	Tidewater Park Elementary School	Governance
Petersburg City Public Schools	Vernon Johns Junior High School	Governance, Instructional Program
Portsmouth City Public Schools	I. C. Norcom High School	Staff, Instructional Program
Richmond City Public Schools	Armstrong High School	Governance, LTP; Staff, Instructional Program
Richmond City Public Schools	George Wythe High School	Governance, Staff, Instructional Program
Richmond City Public Schools	Thomas C. Boushall Middle School	Governance, LTP; Staff, Instructional Program
Virginia Beach City Public Schools	Bayside Middle School	Grade Change, Instructional Program

- The following schools have been identified as priority schools or persistently low-achieving Title I schools in reading/language arts and mathematics combined as defined by U. S. Department of Education (USED) Flexibility Waiver for the Elementary and Secondary Education Act.

Division	School	Year Identified based on Assessment Data in the Previous Year	2014-15 Priority Status
Hampton City Public Schools	Jane H. Bryan Elementary School	2012-2013	Year 3 Priority
Newport News City Public Schools	Newsome Park School Elementary School	2012-2013	Year 3 Priority
Newport News City Public Schools	Sedgefield Elementary School	2012-2013	Year 3 Priority
Newport News City Public Schools	Willis A. Jenkins Elementary School	2013-2014	Year 2 Priority
Norfolk City Public Schools	Tidewater Park Elementary School	2011-2012	Exiting Priority
Petersburg City Public Schools	Vernon Johns Junior High School	2012-2013	Year 1 Priority
Richmond City Public Schools	Armstrong High School	2010-2011	Exiting Priority
Richmond City Public Schools	Thomas C. Boushall Middle School	2010-2011	Exiting Priority

- The following schools are not Title I schools and are not considered for priority status under the U. S. Department of Education (USED) Flexibility Waiver for the Elementary and Secondary Education Act.

Division	School
Dinwiddie County Public Schools	Dinwiddie Middle School
Lynchburg City Public Schools	Sandusky Middle School
Norfolk City Public Schools	Booker T. Washington High School
Portsmouth City Public Schools	I. C. Norcom High School
Richmond City Public Schools	George Wythe High School
Virginia Beach City Public Schools	Bayside Middle School

- Data for each school division is included in Attachments A1-A9. Each division's attachment contains each

school's application for conditional accreditation, teacher performance and licensure data, and achievement data.

- The Superintendent of each school requesting conditional accreditation will provide details about the instructional focus for this school year and how parents are involved in the school improvement process.

Technical Assistance

All schools granted ratings of *Conditionally Accredited* will participate in the Aligning Academic Review and Performance Evaluation (AARPE) technical assistance from the VDOE. The purpose of this technical assistance is to improve instruction and instructional leadership practices by strengthening the alignment between the Performance Standards for Teachers and Principals and the Lesson Planning, Lesson Observation, Professional Development, and Leadership Academic Review Tools. Technical assistance will focus on developing sample evidence for the sample performance indicators in selected Teacher and Principal Performance Standards. The sample evidence for each performance indicator will become a tool that can enhance the division's observation tools. Outcomes/next steps will be identified at each session.

Priority schools granted ratings of *Conditionally Accredited* will participate in both the AARPE technical assistance and in specified technical assistance delivered by the Lead Turnaround Partner (LTP) in accordance with the school's contract with the LTP.

The Board discussion included:

- Mrs. Atkinson summarized the discussion held during the Accountability Committee meeting with the nine school divisions and their superintendents. Mrs. Atkinson said each school division was struggling most with aligning their curricula. Mrs. Atkinson said school divisions need to be aware of what is going on in their classrooms and have the necessary alignment of taught and assessed curricula. Mrs. Atkinson said she was encouraged with the work that the challenged school divisions are doing in the classroom with teachers on the connection between lesson plans and instruction.
- Dr. Cannaday discussed the possibility of adding learned curriculum along with taught and assessed curriculum to the document to assist school divisions.
- Dr. Cannaday also asked to what extent staff share elements of best practice for schools and teaching with higher education programs because many of the school divisions talked about high teacher turnover which is generally the pattern for hard-to-staff schools. Dr. Cannaday asked Dr. Staples if he and Dr. Haun could have a conversation with higher education departments about job experiences because some may not have experience in working at hard-to-staff schools.
- Mrs. Sears noted the commonalities between the nine school divisions seeking conditional accreditation - hard-to-staff, lower salaries, poverty, having to do more with less, variety of programs in place, inexperienced staff, and increasing rigor of the SOL. Mrs. Sears said she wonders how the Board can help these school divisions make improvement more quickly.
- Mrs. Wodiska thanked Dr. Staples and staff for the discussion during the accountability committee meeting and the willingness to create a learning community for the school divisions. Mrs. Wodiska stressed the critical importance of strong leaders and having the right individuals in those positions. Mrs. Wodiska noted that school divisions denied accreditation will have an opportunity to partner with the state to receive additional assistance and resources.
- Mrs. Edwards noted the power of leverage in family, school, and community

partnerships. Mrs. Edwards said the strategy to involve the business and faith community with families will boost student achievement.

- Mr. Dillard said he agreed with the comments made by Mrs. Wodiska. Mr. Dillard said the Board does not like to deny accreditation to school divisions but in some cases that may be the right thing to do for that particular school division.
- Mr. Braunlich noted the inventiveness of outreach used by school divisions which included holding school meetings in apartment complexes where eighty percent of the students live.
- Dr. Staples noted the accountability committee discussion was a chance to allow school divisions to articulate in front of the Board their intent and plans. Dr. Staples said the accountability meeting was productive because it allowed school divisions to reflect on gaps that may not have seen. Dr. Staples said staff will continue to engage with the school divisions to help them understand where there are areas they need to beef up their planning.
- Mrs. Sears noted that the problems many high schools are having are also problems at lower levels, and she hopes superintendents and principals are closely examining middle and elementary schools as well.

The Board received for first review the requests from nine divisions for ratings of *Conditionally Accredited* for fourteen (14) schools.

First Review of Proposed English Language Proficiency Performance Targets for Annual Measurable Achievement Objectives (AMAOs) 1 (Progress) and 2 (Proficiency) through 2017-2018 in Virginia's Title III Accountability Plan under the Elementary and Secondary Education Act of 1965 (ESEA)

Ms. Veronica Tate, director, office of program administration and accountability, presented this item. Ms. Tate recognized Mrs. Shelley Loving-Ryder, assistant superintendent, and Robert Fugate, LEP Assessment Specialist, Office of Student Assessment and School Improvement, and Stacy Freeman, ESL specialist, Office of Program Administration and Accountability, for their assistance. Ms. Tate's presentation included the following:

- The *Elementary and Secondary Education Act of 1965* (ESEA), as amended by the *No Child Left Behind Act of 2001* (NCLB), requires all state educational agencies to submit for approval to the U.S. Department of Education (USED) a consolidated state application accountability plan. In September 2003, the Virginia Board of Education submitted and received USED approval for its initial Consolidated State Application Accountability Plan under ESEA. States are permitted to revise the Plan by submitting requests for review and approval from USED.
- As required under Section 3122 of the ESEA, the accountability plan must include Title III Annual Measurable Achievement Objectives (AMAOs) for limited English proficient (LEP) students. AMAO 1 Progress measures the progress of LEP students in learning English and AMAO 2 Proficiency measures LEP students' attainment of English proficiency. Title III AMAO 1 and AMAO 2 targets are based on student performance data from the annual administration of the English language proficiency (ELP) test, as required in Section 1111(b)(7) of the ESEA.
- On September 26, 2007, the Board of Education approved the Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs) as the state-

approved ELP test. On March 19, 2008, the Board of Education adopted the World-Class Instructional Design and Assessment (WIDA) ELP standards for alignment with the ACCESS for ELLs test and to support state content area standards. In 2009-2010, based on the availability of two years of ACCESS for ELLs student performance data, the Board of Education established Title III AMAO 1 Progress and AMAO 2 Proficiency targets for five years beginning in the 2009-2010 school year.

- The chart below reflects the established Title III AMAO 1 Progress and AMAO 2 Proficiency targets and the state's performance in meeting these targets.

Accountability Year (Assessment Year)	AMAO 1 Progress	Statewide AMAO 1 Results	AMAO 2 Proficiency	Statewide AMAO 2 Results
2010-2011 (2009-2010)	64%	75%	15%	19%
2011-2012 (2010-2011)	65%	90%	16%	15%
2012-2013 (2011-2012)	66%	95%	17%	17%
2013-2014 (2012-2013)	67%	81%	18%	19%
2014-2015 (2013-2014)	68%	To Be Determined	19%	To Be Determined

- To assist in establishing Title III AMAO targets for accountability year 2015-2016 and the future, the Department contracted with the WIDA Consortium at the Wisconsin Center for Educational Research at the University of Wisconsin, Madison, to conduct an analysis of Virginia's ACCESS for ELLs student performance data and provide recommendations based on the analysis. Based on a review of the WIDA Consortium's data analysis and recommendations, and considering that a new version of the ACCESS for ELLs test (ACCESS 2.0) will be administered online beginning in school year 2015-2016 for accountability year 2016-2017, the Department proposes that the Board of Education establish Title III AMAO targets for the next three years as shown in the chart below. Virginia's Title III AMAO targets will be re-evaluated and revised, if necessary, following availability of sufficient data from the administration of the new version of ACCESS for ELLs to analyze the impact of the new assessment on LEP performance trends.

The following chart reflects the proposed Title III AMAO 1 Progress and AMAO 2 Proficiency targets:

Accountability Year (Assessment Year)	AMAO 1 Progress	AMAO 2 Proficiency
2015-2016 (2014-2015)	69	15.6
2016-2017 (2015-2016)	69.1	16.7
2017-2018 (2016-2017)	69.2	17.8

AMAO 1 Progress Targets

Statutory requirements in ESEA provide that Title III AMAO targets must increase incrementally each year. The proposed AMAO 1 Progress targets provide an incremental annual increase and reasonable goals for school divisions until such time that sufficient data are available from the online administration of the new version of the ACCESS for ELLs to re-evaluate the AMAO 1 Progress targets.

AMAO 2 Proficiency Targets

In 2009-2010, Virginia established the following criteria for LEP students to reach proficiency and be designated as formerly LEP: 1) test on Tier C of the ACCESS for ELLs test; 2) achieve a Composite Score of 5.0 or above; and 3) achieve a Literacy Score of 5.0 or above. The Tier C requirement, which was initially requested by school divisions and based on the limited ACCESS for ELLs data available at the time, was implemented with the intention of ensuring that LEP students who reached proficiency would have the English language skills necessary to meet the

rigor of the Standards of Learning assessments. However, an unintended consequence of the Tier C requirement is that divisions with small incidence populations of LEP students are at a disadvantage in meeting Virginia's proficiency targets because their LEP student populations may not be large enough to have the necessary percentage testing on Tier C of the ACCESS for ELLs assessments.

The proposed AMAO 2 Proficiency targets are based on the removal of the Tier C requirement which would allow a larger number of LEP students, especially in divisions with small incidence LEP student populations, the opportunity to meet the proficiency criteria. Furthermore, the removal of the Tier C requirement was included as a recommendation in the data analysis provided to the Department by the WIDA consortium.

The Board discussion included:

- Mr. Braunlich said the Board will delay final consideration of this item until November in order to have a committee meeting for further discussion.
- Mrs. Atkinson asked for clarification regarding the ACCESS for ELLs test. Mrs. Loving-Ryder said LEP students are required to take the SOL test unless they are in their first year of enrollment in a United States school. Mrs. Loving-Ryder said they are still required to take the SOL test regardless of their English proficiency.
- Mrs. Atkinson said she was worried about adding Tier B which may identify children as being proficient and they are not as proficient as they should be.
- Ms. Tate said the committee was also concerned that the students who achieved proficiency by the criteria on Tier B would be considered equal in terms of the English language proficiency as those that achieved the proficiency criteria on Tier C. Ms. Tate said the WIDA consortium did an analysis on this topic and determined that students who achieve proficiency on the Tier B criteria are equivalent in terms of proficiency as those that achieved the criteria on Tier C. Ms. Tate said it is also important to understand that LEP students have a number of proficient levels that are attributed to them in terms of classroom instruction which includes Levels 1-5. Ms. Tate said that Level 1 is the beginning LEP student and Level 5 includes LEP students that are closer to proficient. Ms. Tate said students are tested on various tiers depending on their proficiency level and how the local LEP committee determines that the LEP student has made progress throughout the school year and can perform on a specific tier.
- Mrs. Loving-Ryder clarified that there are three tiers or three versions of the ACCESS for ELLs test--Tier A is the easiest, Tier B is a medium version, and Tier C is the most difficult. Mrs. Loving-Ryder said when the targets were initially set the recommendation was to strip the Tier C because those students are most likely to be proficient. Mrs. Loving-Ryder noted that school divisions determine which tier the student takes based on their perceived proficiency.
- Dr. Cannaday said he appreciated Mrs. Loving-Ryder's analogy between Tier B and Tier C because he was unclear as to how it relates to Virginia's assessment program. Dr. Cannaday suggested that it may be helpful to invite a school division to the Board committee meeting to talk about the decision-making process they go through to determine the level of assessment LEP students take to determine proficiency.
- Mrs. Wodiska said she agreed with Dr. Cannaday that it would be helpful to Board members for staff to provide more information on the specific skills or knowledge that is being assessed at the various tiers. Mrs. Wodiska asked staff to further explain the

impact this will have on small school divisions with the elimination of Tier C and how many small school divisions will be affected. Mrs. Wodiska also requested more clarity in the language used in the report—such as this is not a lowering of targets but will have a stabilization of targets and a slower rate of growth on those targets because they are more rigorous.

- Ms. Tate responded that Tier C will not be eliminated but staff will add Tier B as an option for students to obtain proficiency. Ms. Tate said students tested on Tier B that meet the specific criteria outlined in the proposal would also be considered proficient in addition to students that meet the criteria and are tested on Tier C. Ms. Tate said it is expanding the pool of students that could be considered proficient based on their performance. Ms. Tate said in terms of lower incidence divisions, a benchmark has not been set but staff is looking at divisions that have less than n- size under Title I which is about thirty students. Ms. Tate said thirty students or lower signifies a division that has a low incidence population of ELL students. Ms. Tate added that for progress and proficiency there is no small n-size applied as there is under Title I according to USED requirements. Therefore, for a student body of 15 LEP students tested in a school division, the score shows for progress and proficiency, whereas under Title I it would appear as too small. Ms. Tate said it is important to note that scores in a small school division fluctuate dramatically from one year to the next. Ms. Tate said she should have used the term recalibrated targets based on what the performance data is yielding at this point. Ms. Tate said when the original targets were set there were only two or so administrations of the ACCESS for ELLs test data to be able to make judgment calls on. Ms. Tate said now staff has more robust data after so many administrations of the ACCESS for ELLs test based on that analysis and the inclusion of Tier B.
- Mrs. Wodiska responded that the information from Ms. Tate was helpful, but wants more clarity on page 3 of the report under *AMAO 2 Proficiency Targets*.
- Mrs. Atkinson said it will be helpful to have background information so when looking at targets the Board will know why they are doing it and how it is used.
- Mrs. Sears asked if staff has heard from stakeholders. Ms. Tate responded that staff heard from stakeholders during the committee of practitioners meeting on this topic. Ms. Tate said stakeholders asked questions about the inclusion of certain LEP students in the LEP subgroup calculations. Ms. Tate said according to Title III ESEA regulations, every LEP student has to be tested on ELP assessment and included in the calculations.
- Mrs. Sears asked about possible unintended consequences. Ms. Tate said the LEP instructional community is in favor of these targets based on performance trends they are seeing locally with the one exception of the question about the inclusion and exclusion. Mrs. Sears said she was thinking of the immigrant groups and others who would be associated with this sort of activity. Mrs. Sears suggested that some of these groups be contacted.
- Dr. Cannaday distinguished between proficiency of being able to understand English and the proficiency we are looking for that speaks to understanding of academic content.
- Mr. Braunlich said this issue is important to the instruction of LEP students, and noted

the impact of ELL on some school divisions. Mr. Braunlich asked about the difference between state and federal accountability. Mrs. Loving-Ryder said state accountability is eleven semesters and federal accountability is one year. Mrs. Loving-Ryder said federal accountability allows states to administer their state assessments in the students' native language for a period of three years. Mrs. Loving-Ryder said this is not applicable in Virginia because it is an English only state. Mrs. Loving-Ryder said *No Child Left Behind* only allows students one year to be considered recently arrived and after that time period their scores are counted in federal accountability.

- Mr. Braunlich said an article in *Education Week* reported that Florida is pushing back on the one year provision in their waiver request. Mr. Braunlich asked staff to investigate this possibility because it seems to be absurd, defies rationality, and undermines the accountability system. Mrs. Loving-Ryder said the Virginia Board of Education and the Department of Education pushed back on this issue very hard in the beginning of *No Child Left Behind*.
- Dr. Cannaday said he remembers the discussion with Secretary Spelling. Dr. Cannaday said USED said they had data to prove that LEP students were proficient enough after residing in the United States one year. Dr. Cannaday said USED did not have data to back this up which shows this was based on a belief.

The Board accepted for first review the proposed Title III AMAO Targets for AMAO 1 Progress and AMAO 2 Proficiency through 2017-2018 for inclusion in Virginia's Consolidated State Application Accountability Plan, with an additional committee session planned for October and final review in November.

First Review of Clarification of the Subtest Numbers for the Praxis II Elementary Education: Multiple Subjects Test

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

- The Board of Education prescribes the Praxis II (subject area content) tests as a professional teacher's assessment requirement for initial licensure in Virginia. The Praxis II assessment currently required for individuals seeking an initial license with an endorsement in Early/Primary Education PreK-3 or Elementary Education PreK-6 is the Elementary Education: Multiple Subjects Test (5031) that consists of the following four subtests and passing scores approved by the Board:

Elementary Education: Multiple Subjects Test (5031)		
Subtest Names	Subtest Numbers	Passing Scaled Scores
Reading and Language Arts	5032	165
Mathematics	5033	164
Social Studies	5034	155
Science	5035	159

- The Educational Testing Service (ETS) revised the Reading and Language Arts Subtest and the Mathematics Subtest of the Praxis Elementary Education: Multiple Subjects Test (5031), and a multistate standard-setting study was conducted. The Social Studies and Science Subtests were not revised.
- On May 22, 2014, the Board of Education approved the following passing scores for the revised Reading and Language Arts Subtest (5002) and the Mathematics Subtest (5003) of the Elementary Education: Multiple Subjects Test (5001) to become effective July 1, 2015, and approved the acceptance of candidates' passing scores for these subtests if taken prior to July 1, 2015. To make a distinction between the two tests and the subtests, ETS changed the numbers of the Elementary Education: Multiple Subjects Test and all subtests.

Mrs. Atkinson made a motion to waive first review and clarify the subtests required for the Elementary Education Multiple Subjects Test (as shown in the following chart) required for individuals seeking an initial license with an endorsement in Early/Primary Education PreK-3 or Elementary Education PreK-6, effective July 1, 2015. The motion was seconded by Mrs. Sears and carried unanimously.

Elementary Education: Multiple Subjects Test (5001)		
Subtest Names	Subtest Numbers	Passing Scaled Scores
Reading and Language Arts	5002	157
Mathematics	5003	157
Social Studies	5004	155
Science	5005	159

Note: Virginia passing scores on any of the subtests of the Elementary Education: Multiple Subjects Test (5031) taken prior to July 1, 2015, may be accepted to meet the corresponding subtest above.

First Review of Revisions to the Licensure Regulations for School Personnel (8 VAC 20-22-10 et seq.) to Conform to House Bill 373 and House Bill 758 of the 2014 General Assembly (Exempt Action)

Mrs. Pitts also presented this item. Her presentation included the following:

- The 2014 Virginia General Assembly passed House Bill [373](#) that amended Section 54.1-2603 of the *Code of Virginia* to require individuals to hold a valid license issued by the Virginia Board of Audiology and Speech-Language Pathology in order to practice speech pathology. Effective July 1, 2014, the Virginia Board of Education no longer issues or renews licenses with an endorsement in speech-language pathology. Effective July 1, 2015, in order to practice speech-language pathology in Virginia public schools, an individual must hold a valid speech-language pathologist license issued by the Virginia Board of Audiology and Speech-Language Pathology.
- Effective July 1, 2014 through June 30, 2015, in order to practice speech-language pathology in Virginia public schools, an individual must hold an active five-year, renewable license with a valid endorsement in speech-language pathology issued by the Virginia Board of Education or a current, valid license in speech-language pathology issued by the Virginia Board of Audiology and Speech-Language Pathology. Effective

July 1, 2015, in order to practice speech-language pathology in Virginia public schools, an individual must hold a current, valid school speech-language pathologist license issued by the Virginia Board of Audiology and Speech-Language Pathology.

- The following legislation provides information regarding the implementation of the statute, including setting forth the conditions required for individuals who hold active renewable licenses issued by the Virginia Board of Education with an endorsement in speech-language pathology on June 30, 2014, to be deemed qualified to obtain a license from the Board of Audiology and Speech-Language Pathology.

(House Bill [373](#))

CHAPTER 781

Be it enacted by the General Assembly of Virginia:

1. That § [54.1-2603](#) of the Code of Virginia is amended and reenacted as follows:

§ [54.1-2603](#). License required.

A. In order to practice audiology or speech pathology, it shall be necessary to hold a valid license.

B. Notwithstanding the provisions of subdivision 2 of § [54.1-2601](#) ~~or any Board regulation~~, the Board of Audiology and Speech-Language Pathology ~~shall~~ *may* license, as school speech-language pathologists, ~~persons licensed by the Board of Education with an endorsement in speech-language pathology and any person who holds a master's degree in speech-language pathology.~~ The Board of Audiology and Speech-Language Pathology shall issue licenses to such persons without examination, upon review of credentials and payment of an application fee in accordance with regulations of the Board for school speech-language pathologists.

Persons holding such licenses as school speech-language pathologists, without examination, shall practice solely in public school divisions; holding a license as a school speech-language pathologist pursuant to this section shall not authorize such persons to practice outside the school setting or in any setting other than the public schools of the Commonwealth, unless such individuals are licensed by the Board of Audiology and Speech-Language Pathology to offer to the public the services defined in § [54.1-2600](#).

The Board shall issue ~~persons, holding dual licenses from the Board of Education with an endorsement in speech-language pathology and from the Board of Audiology and Speech-Language Pathology~~ *any person licensed as a school speech-language pathologist, pathologist* a license ~~which~~ *that* notes the limitations on practice set forth in this subsection.

Persons who hold licenses issued by the Board of Audiology and Speech-Language Pathology without these limitations shall be exempt from the requirements of this subsection.

2. That, effective July 1, 2014, the Virginia Board of Education shall no longer issue or renew licenses with an endorsement in speech-language pathology.
3. That, effective July 1, 2015, in order to practice speech-language pathology in Virginia public elementary and secondary schools, an individual shall hold a valid school speech-language pathologist license issued by the Virginia Board of Audiology and Speech-Language Pathology.
4. That any individual who holds an active, renewable license issued by the Virginia Board of Education with a

valid endorsement in speech-language pathology on June 30, 2014, shall be deemed qualified to obtain a school speech-language pathologist license from the Virginia Board of Audiology and Speech-Language Pathology until July 1, 2016, or the date of expiration of such person's license issued by the Virginia Board of Education, whichever is later. Any person deemed qualified to obtain a school speech-language pathologist license under this enactment clause shall submit an application form to the Board of Audiology and Speech-Language Pathology to obtain such license. The Virginia Board of Audiology and Speech-Language Pathology shall issue such licenses beginning July 1, 2014, upon receipt of a completed application and provided that no grounds exist for denial.

House Bill [758](#)

The 2014 Virginia General Assembly passed House Bill [758](#) that amended Section 22.1-298.1 of the *Code of Virginia* to require every teacher seeking initial licensure with an endorsement in the area of career and technical education to have an industry certification credential in the area in which the teacher seeks endorsement.

The following legislation passed by the 2014 General Assembly, became effective July 1, 2014:

(House Bill [758](#))

CHAPTER 79

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-298.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-298.1. Regulations governing licensure.

A. As used in this section:

"Alternate route to licensure" means a nontraditional route to teacher licensure available to individuals who meet the criteria specified in the regulations issued by the Board of Education.

"Industry certification credential" means a career and technical education credential that is earned by successfully completing a Board of Education-approved industry certification examination, being issued a state professional license, or successfully completing an occupational competency examination.

"Licensure by reciprocity" means a process used to issue a license to an individual coming into Virginia from another state when that individual meets certain conditions specified in the Board of Education's regulations.

"Professional teacher's assessment" means those tests mandated for licensure as prescribed by the Board of Education.

"Provisional license" means a nonrenewable license issued by the Board of Education for a specified period of time, not to exceed three years, to an individual who may be employed by a school division in Virginia and who generally meets the requirements specified in the Board of Education's regulations for licensure, but who may need to take additional coursework or pass additional assessments to be fully licensed with a renewable license.

"Renewable license" means a license issued by the Board of Education for five years to an individual who meets the requirements specified in the Board of Education's regulations.

B. The Board of Education shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license. Such regulations shall include requirements for the denial,

suspension, cancellation, revocation, and reinstatement of licensure. The Board of Education shall revoke the license of any person for whom it has received a notice of dismissal or resignation pursuant to subsection F of § [22.1-313](#) and, in the case of a person who is the subject of a founded complaint of child abuse or neglect, after all rights to any appeal provided by § [63.2-1526](#) have been exhausted. Regardless of the authority of any other agency of the Commonwealth to approve educational programs, only the Board of Education shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

The Board of Education shall prescribe by regulation the licensure requirements for teachers who teach only online courses, as defined in § [22.1-212.23](#). Such license shall be valid only for teaching online courses. Teachers who hold a five-year renewable license issued by the Board of Education may teach online courses for which they are properly endorsed.

C. The Board of Education's regulations shall include requirements that a person seeking initial licensure:

1. Complete professional assessments as prescribed by the Board of Education;
2. Complete study in attention deficit disorder;
3. Complete study in gifted education, including the use of multiple criteria to identify gifted students; and
4. Complete study in methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and at school.

D. In addition, such regulations shall include requirements that:

1. Every person seeking initial licensure or renewal of a license demonstrate proficiency in the use of educational technology for instruction;
2. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have not completed such study shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board of Education in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes;
3. Every person seeking initial licensure or renewal of a license shall receive professional development in instructional methods tailored to promote student academic progress and effective preparation for the Standards of Learning end-of-course and end-of-grade assessments;
4. Every person seeking initial licensure or renewal of a license shall provide evidence of completion of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators. The certification or training program shall be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. The Board shall provide a waiver for this requirement for any person with a disability whose disability prohibits such person from completing the certification or training; and
5. Every person seeking licensure with an endorsement as a teacher of the blind and visually impaired shall demonstrate proficiency in reading and writing Braille.
6. *Every teacher seeking initial licensure with an endorsement in the area of career and technical education shall have an industry certification credential in the area in which the teacher seeks endorsement.*

E. The Board's regulations shall require that initial licensure for principals and assistant principals be contingent upon passage of an assessment as prescribed by the Board.

F. The Board shall establish criteria in its regulations to effectuate the substitution of experiential learning for coursework for those persons seeking initial licensure through an alternate route as defined in Board regulations.

G. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet the requirements of this section or any other requirement for licensure imposed by law.

H. The Board's licensure regulations shall also provide for licensure by reciprocity:

1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards or a nationally recognized certification program approved by the Board of Education. The application for such individuals shall require evidence of such valid licensure and national certification and shall not require official student transcripts;

2. For individuals who have obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department of Education. The individual must establish a file in the Department of Education by submitting a complete application packet, which shall include official student transcripts. An assessment of basic skills as provided in § 22.1-298.2 and service requirements shall not be imposed for these licensed individuals; however, other licensing assessments, as prescribed by the Board of Education, shall be required; and

3. The Board may include other provisions for reciprocity in its regulations.

The Administrative Process Act provides an exemption from executive branch review for regulations necessary to conform to changes in statutory law where no discretion is involved. The provision permits the regulations to become effective at the conclusion of the 30-day public comment period following publication in the Virginia Register unless a legislative or gubernatorial objection is filed or the Board suspends the regulatory process.

The *Licensure Regulations for School Personnel* must be amended to conform to House Bill [373](#) and House Bill [758](#) passed by the 2014 General Assembly.

Mrs. Atkinson made a motion to waive first review and approve the proposed amendments to the *Licensure Regulations for School Personnel* (Exempt Action). The motion was seconded by Mrs. Wodiska and carried unanimously.

First Review of Proposed Board of Education Meeting Dates for the 2015 Calendar Year

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

- In recent years, the Board of Education has met monthly except for the months of August and December. Meetings are typically held on the fourth Thursday of the month, although this is not a requirement. Exceptions are the September meeting, which is scheduled to avoid meeting during Yom Kippur, and the November meeting, which is scheduled to avoid meeting during Thanksgiving. The April meeting is typically a two-day planning session.

- In addition to the monthly business meetings, the President may call special meetings of the full Board of Education and its committees, as deemed necessary. Unless otherwise announced by the President, all Board of Education meetings will be held in the Jefferson Conference Room on the 22nd floor of the James Monroe Building, 101 North 14th Street, Richmond, Virginia 23219.
- The proposed business meeting dates for 2015 are as follows:
 - Thursday, January 22
 - Thursday, February 26
 - Thursday, March 26
 - Wednesday-Thursday, April 22-23
 - Thursday, May 28
 - Thursday, June 25
 - Thursday, July 23
 - Thursday, September 17
 - Thursday, October 22
 - Thursday, November 19

The Board of Education received the proposed schedule for first review.

Annual Report from the State Special Education Advisory Committee (SSEAC)

Mr. John Eisenberg, assistant superintendent for special education and student services; Ms. Lori Black, SSEAC chair; and Mr. Darren Minarik, SSEAC vice chair, presented this item. Their presentation included the following:

- The SSEAC is mandated by federal and state regulations, thus representing a number of constituency groups that advocate for children and youth with disabilities. The SSEAC provides opportunities for public comment at each of its meetings, as well as inviting presentations about initiatives and programs pertaining to students with disabilities. The SSEAC approved its annual report at its July 2014 meeting for submission to the Board of Education.
- Subcommittees addressed student achievement, student outcomes, and policy and regulations. Based on the work of these subcommittees, constituency reports, presentations, and public comments, the SSEAC report includes recommendations dealing with diplomas and assessments, communication, inclusive education, and transition. The report also notes commendations in the areas of leadership and advocacy and educational resources.

Committee Organization

The activities of the Virginia State Special Education Advisory Committee (SSEAC) are governed by the Virginia Board of Education bylaws for advisory committees. The SSEAC year commences on July 1 and ends on June 30 of the following calendar year. An executive subcommittee works with the Virginia Department of Education (VDOE) staff in establishing priorities and agenda items for future SSEAC meetings. The SSEAC delegates various subcommittees to monitor programmatic issues and future items of concern. For the 2013-2014 year, the subcommittees were structured as follows:

Standing Subcommittees

Five standing subcommittees are used to conduct much of the work of the SSEAC. These include Executive, Nominating, Achievement, Outcome, and Policy and Regulations. The five subcommittees are consistent with the Assistant Superintendent's priorities, and the SSEAC supports the VDOE's focus on these priorities.

SSEAC members are each assigned to subcommittees based upon each member's expertise, interests, and concerns. Each subcommittee is chaired by a member of the executive committee. Subcommittees make recommendations to the full committee. Such recommendations may result in further study with additional information from the VDOE, presentations to the SSEAC, or inclusion in the Annual Report to the Board of Education. VDOE personnel serve as consultants to each of the subcommittees, providing technical assistance, clarification of Department of Education procedures, and additional information.

Executive - The Executive Subcommittee includes the Chair, the Vice-chair, the Secretary, and three At-large members. The subcommittee establishes priorities for meeting agendas and provides overall direction to the SSEAC.

Nominating - The Nominating Subcommittee is charged with nominating a slate of officers for Executive Subcommittee vacancies.

Policy and Regulations - This subcommittee focuses on initiatives at the state that either result in policy and regulations or have an impact on policy and regulations as they pertain to students with disabilities. Changes to teacher licensure regulations, diploma options and requirements, and strategies for resolving disputes are examples of topics which are discussed.

Student Outcomes - This subcommittee focuses on data relative to the State Performance Plan (SPP) and Annual Performance Report (APR). The committee conducted specific analyses around identified areas of concern including dropout rates, graduation rates, transition, discipline of students with disabilities, and assessment.

Student Achievement - This subcommittee focuses on achievement data and the goals under the state plan for students with disabilities. This subcommittee focuses not only on the federal expectations, but also on the growth in achievement for students with disabilities and strategies that are being promoted at the state level to meet expectations.

Commendations

The SSEAC wishes to take this opportunity to recognize a number of programs and resources supported by the Board of Education to improve services to students with disabilities. In particular, we would like to commend the Board of Education on the following:

Leadership

The SSEAC would like to applaud several areas of leadership that the committee feels have made or will make a difference to students with disabilities in Virginia. These include:

- The recognition by the US Department of Education that Virginia met the highest ranking on our state performance plan, which is now based on student outcomes.
- The development and progress toward the availability of concurrent licensure endorsement in special education for content teachers. Such licensure will improve the ability of general education teachers to meet the needs of diverse learners through better skills related to data collection, behavior management, and differentiated instruction.
- An increased focus on disability awareness and the use of person-first language, especially with and the work being done by groups such as I'm Determined.
- The exploration and planning for an online statewide system for developing IEPs.
- The involvement of the SSEAC and parents in the planning and development process to increase the rigor of the Special Diploma to support positive postsecondary outcomes.

Recommendations

Based on public comments, reports from members representing their constituency groups, and other information presented to the committee, the SSEAC makes the following recommendations to the Board of Education.

Diplomas and Assessments

Issue: As shared in last year's report, parents continue to be confused by assessments that their children are required to take and how these assessments impact IEP decisions, diploma options, and graduation.

Recommendation: We appreciate work that has been done on credit accommodation guidance, but continue to recommend that VDOE develop a guide to explain testing and the impact on diploma options. We further recommend that this guide be required to be distributed no later than the second grade and annually thereafter. Training linked to this booklet should be made available through webinars, PEATC, Parent Resource Centers, and other resources.

Communication

Issue: Through the SSEAC constituency reports and public comment, it is evident that there are many resources provided by the Department of Education. Parents and administrators, however, are not always aware of and do not always use these resources.

Recommendation: We recommend that the VDOE develop a workgroup consisting of parents, students, school personnel, and additional stakeholders to investigate the communication gaps and resolve the issues related to awareness and use of available resources. Although the VDOE Web site is a wealth of information, we recommend revising the site so that it is easier for parents to navigate using either a personal computer or a mobile device.

Inclusive Education

Issue: The SSEAC continues to hear about issues related to the delivery and implementation of inclusive and collaborative practices through public comment, constituency reports and SPP data.

Recommendations:

- The SSEAC recognizes that the VDOE convened a workgroup to study and provide guidance on inclusive practices. The committee continues to recommend, however, that the VDOE create a checklist or similar document that identifies exemplary inclusive practices and allows schools to assess themselves in this area.
- The SSEAC recommends that training in collaboration be provided for general education teachers to include the use of co-teaching and the implementation of accommodations included in IEPs.

Transition

Issue: Based on the State Performance Plan data, Indicator 14 - postsecondary outcomes for students with disabilities – continues to remain level, resulting in concerns regarding successful postsecondary education and employment of students with disabilities.

- Recommendation: The SSEAC recommends that the Center for Transition Innovations at VCU collect and disseminate data through an annual report related to their services to demonstrate and guide their efforts to reach communities throughout the state. The SSEAC also encourages the development and promotion of Transition related initiatives that link academic and career planning with postsecondary goals for students with disabilities and increased partnerships with available community resources. The committee also encourages the development of models and resources for staff and families in school divisions to support transition planning.

The Board discussion included:

- Mrs. Atkinson asked if the rise in autism spectrum disorder was caused by more individuals with the disorder or if Virginia is better prepared in identifying children

with the disorder. Mr. Eisenberg responded that the reason for the increase is not known. Mr. Eisenberg said Virginia is doing a better job of identifying autism spectrum disorders because we now know what it looks like. Mr. Eisenberg said the rise in the level of autism spectrum disorder still does not account for all children with the disorder.

- Mrs. Wodiska thanked Mr. Eisenberg and his staff for the report.
- Mrs. Edwards thanked staff for the report and said she wanted to focus on the communication gap because parents need a place to refer to find out information. Mrs. Edwards said many parents do not realize that their local school divisions have parent resource centers. Mrs. Edwards noted that there are forty-nine parent resource centers in Virginia and it would be wonderful to see that number go up. Mr. Eisenberg said unfortunately the number of parent resource centers has dropped due to local budget cuts. Mr. Eisenberg said money has been diverted from other projects to help fund local parent resource centers that were struggling or potentially were going to be closed and have been kept open this way for the last couple of years.
- Mr. Dillard suggested a list to identify disability types with the child count by disability percent. Mr. Dillard also noted the report referred to acronyms without identifying what they are and said it would be helpful in the next report for them to be identified. Mr. Dillard said he was also interested to see that the report recognized major problems for classroom teachers who have more special education students in their classrooms. Mr. Dillard said he would like staff to look at this problem. Mr. Eisenberg said this has been a major issue and the department is trying to identify school divisions that are doing inclusion and co-teaching well by funding best practices centers to be models for school divisions that are having problems.
- Mrs. Atkinson asked if there has been any thought about when the transition issue has to be addressed. Mr. Eisenberg said Virginia has decided to look at this issue at the age of fourteen.
- Mrs. Wodiska asked Mr. Eisenberg to provide information to the Board on the retention rate of special education teachers. Mr. Eisenberg said the average stay of special education teachers is five years and they are not staying in the field. Mr. Eisenberg said this is a national issue. Mr. Eisenberg said when talking with teachers it is the pressure of the regulations, twice as much paperwork, and hard-to-serve students with behavioral issues.
- Mr. Braunlich was concerned with the inconsistency of the delivery of services and the funding issue for special education students. Mr. Braunlich referenced a study of special education funding in Virginia that was done nine years ago. Mr. Braunlich said the study showed that funding special education in Virginia is done the same way as funding for general education using small ratios but the denominator, instead of being the student special education population, is the overall population, with the consequence that additional state funding for special education students is a couple of hundred dollars more even if the actual cost for that student is five or ten thousand dollars more. Mr. Braunlich said the result of this is an inconsistency of services because localities that have the resources provide them, and those that do not, cannot and causes migration of parents seeking the best services for their children. Mr. Braunlich said he believes this is unusual among states and that other states do it a

little more equitably. Mr. Braunlich said funding is beyond the scope of the Board and Department of Education but the department is the repository of the data that provide a certain level of clarity to people who make those decisions. Mr. Braunlich said the general public does not understand how that process works. Mr. Braunlich said he would like to meet with staff to discuss providing clarity for the public on how funding works, how challenging it is, and how it compares with funding in other states.

- Mr. Eisenberg said he will be happy to work with Mr. Braunlich. Mr. Eisenberg noted that Virginia needs to move away from always giving the same amount for every disability population. Mr. Eisenberg said the General Assembly currently has the Commission on Youth studying this issue. Mr. Eisenberg also noted that the federal government has not fully funded IDEA which was the original intent.

The Board received the report.

Statewide Annual Performance Report for Career and Technical Education and the Virginia Community College System, as a Sub-recipient of Perkins Funds from the Department of Education

Ms. Lolita Hall, director of career and technical education, recognized Mr. Aris Bearse, director of Institutional Research, and Mr. James Antonick, administrator, Postsecondary Perkins Grants, Virginia Community College System.

Ms. Hall's presentation included the following:

- The federal Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) amends the Carl D. Perkins Vocational and Technical Act of 1998. Perkins IV focuses on increased accountability for further developing the academic, career and technical skills of students through high standards; linking secondary and postsecondary CTE programs; collecting and disseminating research and information on best practices; providing professional development and technical assistance to career and technical educators; developing partnerships among diverse stakeholders; and providing individuals with the knowledge and skills necessary for competitive global work force.
- Perkins IV requires that the results on the U.S. Department of Education negotiated state-adjusted levels of performance (targets) for secondary and postsecondary CTE be communicated to the Board of Education and other audiences. Each school division and community college receives an annual report of performance. The state- and division-levels [reports](#) are available on the Virginia Department of Education's Web site.

Secondary CTE Programs

The Virginia system addresses performance for CTE program completers on: academic attainment; technical skills attainment; secondary program completion rate; graduation rate; successful transition from secondary school to postsecondary education, employment, or military; and nontraditional career preparation. A new baseline for the technical skills attainment was established for the 2009-2010 school year based on five separate performance indicators instead of one indicator. The technical skills attainment measure includes an indicator for college and career readiness, completers who passed a credentialing test plus completers who earned an Advanced Studies Diploma and did not pass a credentialing test. This indicator was calculated based on the 2010-2011 revised formula.

For 2011-2012, a new baseline was established for academic attainment in English, reading and mathematics. Based on Virginia's Federal Annual Measurable Objectives (FAMOs) for all students under the *No Child Left Behind Act* flexibility waivers were granted by the U. S. Department of Education in August 2012. Additionally, the technical skills attainment measure was modified to include the 2S1C, 2S1D, and 2S1E and new baselines were established.

In March 2013, the U.S. Department of Education approved Virginia's amended changes for the methodology of setting Annual Measurable Objectives (AMOs) to meet requirements of the Elementary and Secondary Education Act (ESEA) flexibility waivers. Based on the approved amendment changes, the targets were revised for academic attainment in English, reading and mathematics.

Postsecondary CTE Programs

The Virginia Community College System (VCCS) addresses Perkins performance targets for: technical skills attainment; completion; retention and transfer; employment; nontraditional gender representation; and nontraditional gender completion. Institutions are considered to have met the target if they are within 90 percent of the target.

- The Virginia System of Performance Standards and Measures addresses performance based on annual continuous improvement. For 2012-2013, Virginia met or exceeded all performance targets for secondary CTE programs. The VCCS met or exceeded three of the six Perkins performance targets. VCCS exceeded the 90 percent threshold for one measure but did not meet the 90 percent threshold for two. Compared to the previous year, the VCCS improved its performance on two of the measures but experienced slight decreases in the other four measures.
- Performance targets that are not met by the 141 school divisions and regional technical centers, and 23 community colleges must be addressed with specific strategies for improvement in their local plan. Perkins funds may be redirected if a target is consistently not met for three consecutive years. The following charts indicate the number of school divisions/regional CTE centers and community colleges that did not meet the performance measures for the past two and three consecutive years.

Summary of CTE Performance for Two and Three Consecutive Years

Code	State Secondary Performance Measure	School Divisions/Centers Did not meet for past two consecutive years (2011-2013)	School Divisions/Centers Did not meet for past three consecutive years (2010-2013)
1S1	Academic Attainment – End of Course (EOC) English: Reading	None	None
1S2	Academic Attainment – End of Course (EOC) Mathematics	None	None
2S1-A	Technical Skills Attainment – Student Competency Rate	None	None
2S1-B	Technical Skills Attainment - Completers Participating in Credentialing Tests	17	16
2S1-C	Technical Skills Attainment – Test Takers (Completers) Passing Credentialing Tests	21	16
2S1-D	Technical Skills Attainment – Completers Passing Credentialing Tests	11	10
2S1-E	Technical Skills Attainment – Completers who passed a credentialing test plus Completers who earned an Advanced Studies Diploma and did not pass a credentialing test. (College and Career Readiness)	1	1
3S1	Secondary Program Completion Rate	None	None
4S1	Graduation Rate	None	None
5S1	Transition from Secondary School to Postsecondary Education, Employment or Military	1	0
6S1	Nontraditional Career Preparation Enrollment	8*	7*
6S2	Nontraditional Career Preparation Completion	8	4

*CTE Regional Technical Centers

Code	State Postsecondary Performance Measure	Community Colleges Did not meet for past two consecutive years (2011-2013)	Community Colleges Did not meet for past three consecutive years (2010-2013)
1P1	Technical Skills Attainment	None	None
2P1	Completion	1	1
3P1	Retention and Transfer	1	None
4P1	Employment	8	6
5P1	Nontraditional Gender Representation	15	12
5P2	Nontraditional Gender Completion	12	11

Mr. Bearse’s presentation of the Virginia Community College System performance on Perkins core performance standards and measures included the following:

Overview

Perkins is a federally funded program targeting career and technical skill programs at the secondary and postsecondary levels. The program was initially established in 1963 with the passage of the Vocational Education Act, which was renamed in later authorizations by the program’s largest proponent, Carl D. Perkins. In 2007, Perkins III was revamped via legislation to Perkins IV. Perkins IV stresses increased accountability and greater linkages among secondary and postsecondary education and employment.

Goals of the Perkins program include:

- Further developing the academic, career and technical skills of students through high standards;
- Linking secondary and postsecondary career and technical programs;
- Disseminating national research about career and technical education; and
- Providing professional development and technical assistance to career and technical educators.

The Virginia Department of Education is the grant recipient of the Perkins funds for the Commonwealth. The VCCS receives 15 percent of the grant to administer the postsecondary component of the program.

The VCCS is expected to meet established targets each year and to report on the results of the performance measures. Continued Perkins funding is contingent upon achieving targets for each of these measures in future years. Institutions are considered to have met the target if they are within 90% of the target.

Results for 2012-13

In 2012-2013, the VCCS exceeded the target for measures 1P1 (technical skills attainment), 2P1 (program completion), and 3P1 (retention and transfer). The VCCS exceeded the 90% threshold for measure 4P1 (employment), but did not meet the 90% threshold for measure 5P1 (non-traditional gender representation) nor measure 5P2 (non-traditional gender completion). Table 1 below shows the performance of the VCCS on each of the six measures and compares the actual results to the Perkins targets and thresholds, and also compares the results to the previous year. Compared to the previous year, the VCCS improved its performance on two of the measures but experienced slight decreases in the other four measures.

Table 1: VCCS Performance on Perkins Measures

Perkins Performance Measure	Actual	Actual	Target	Diff. Actual vs. Target	Increase from 11-12 to 12-13	90 % of Target	Result
	2011-12	2012-13	2012-13				
1P1: Technical Skills Attainment	75.8	75.7	76.0	1.7	-0.1	68.4	Exceeds 90% Threshold
2P1: Completion	41.1	42.7	41.0	2.2	1.6	36.9	Exceeds Target

3P1: Retention and Transfer	67.7	64.1	66.0	1.1	-3.6	59.4	Exceeds 90% Threshold
4P1: Employment	68.5	68.5	76.1	-7.6	0.0*	68.5	Meets 90% Threshold
5P1: Non-traditional Gender Representation	17.9	15.4	20.0	-4.6	-2.5	18.0	Below 90% Threshold
5P2: Non-traditional Gender Completion	15.6	14.4	18.1	-3.7	-1.2	16.3	Below 90% Threshold

* Calculation methodology for measure 4P1 changed since 2011-12 to account for CTE graduates who return to VCCS college.

The remaining document provides definitions for how the measures are calculated for postsecondary education and how colleges performed in 2012-2013. Definitions and methods for calculating the performance measures are provided in the Appendix.

Individual College Success by Perkins Measure

Individual college performance on the Perkins measures varied in 2012-2013. Table 2 provides data on performance for the 23 community colleges. If the data point is labeled in blue font, then the college did not meet the target for the particular measure. If the data point is labeled in blue font and the cell is shaded, then the college did not meet the target nor did it meet the 90% threshold. College performance on each of the six measures is summarized below.

- 1P1 Technical Skills: 15 of 23 colleges exceeded the target, and all but two colleges exceeded the 90% threshold.
- 2P1 Completion: All but six colleges exceeded the target. Only three colleges did not meet the 90% threshold.
- 3P1 Retention and Transfer: Four colleges exceeded the target. Only four colleges did not meet the 90% threshold.
- 4P1 Employment: Four colleges exceeded the target while ten colleges did not meet the 90% threshold.
- 5P1 Nontraditional Gender Representation: Two colleges met the target while the other 21 colleges did not meet the 90% threshold.
- 5P2 Nontraditional Gender Completion: Five colleges met the target while 17 colleges did not meet the 90% threshold.

Each year, colleges that do not meet the state's target at the 90% threshold for any measure are required to develop a plan for improvement of that measure. In FY 2006, VCCS began to require colleges to allocate a portion of their Perkins funds towards the measure(s).

Summary of 2012-13 VCCS Performance on Perkins Measures

- Virginia Western Community College was the only college to meet at least the 90% threshold for all performance measures.
- Two colleges met at least the 90% threshold in five of the six measures, while 13 colleges met the 90% threshold in more than half of the measures.
- The VCCS achieved the 90% threshold for measure 4P1 (Employment) in 2012-13 after failing to meet the threshold in 2011-12.
- The VCCS needs to improve performance in the measures for non-traditional gender participation and completion. Only two colleges met the 90% threshold for measure 5P1 (non-traditional gender participation), and only six colleges met the 90% threshold for measure 5P2 (non-traditional gender completion).
- For the second consecutive year, the VCCS met the performance threshold in four of the six Perkins measures. However, performance declined in four of the six measures compared to 2011-12.

TABLE 2: INDIVIDUAL PERFORMANCE FOR VCCS COMMUNITY COLLEGES 2012-2013

	1P1	2P1	3P1	4P1*	5P1	5P2	# Did not meet Target	# Did not meet 90%
	Technical Skills	Completion	Retention and Transfer	Employment	Non-traditional Gender Rep.	Non-traditional Gender Completion		
Target	76.0	41.0	66.0	76.1	20.0	18.1	XX.X	XX.X
90% of Target	68.4	36.9	59.4	68.5	18.0	16.3		
Blue Ridge	77.6%	53.8%	65.1%	76.8%	13.0%	7.0%	3	2
Central Virginia	77.5%	50.6%	60.0%	76.9%	13.8%	15.9%	3	2
Dabney S. Lancaster	68.0%	50.9%	61.8%	65.8%	20.0%	17.6%	4	2
Danville	71.5%	48.4%	60.0%	66.9%	12.1%	9.0%	5	3
Eastern Shore	71.5%	53.8%	64.4%	81.4%	2.8%	2.7%	4	2
Germanna	77.3%	36.4%	65.4%	67.3%	13.4%	8.9%	5	4
J. Sargeant Reynolds	79.0%	37.9%	64.5%	79.4%	15.4%	12.6%	4	2
John Tyler	76.0%	35.9%	65.2%	75.8%	14.1%	16.0%	5	3
Lord Fairfax	79.7%	51.6%	66.6%	73.7%	8.5%	5.6%	3	2
Mountain Empire	81.3%	47.2%	57.7%	59.2%	11.7%	8.6%	4	4
New River	71.9%	45.2%	61.2%	71.1%	12.8%	11.3%	5	2
Northern Virginia	74.5%	46.2%	67.4%	64.5%	17.3%	18.2%	3	2
Patrick Henry	78.4%	44.1%	60.5%	69.2%	15.2%	18.8%	3	1
Paul D. Camp	78.1%	38.6%	52.0%	70.5%	12.9%	8.4%	5	3
Piedmont	77.4%	42.6%	68.3%	73.0%	17.0%	18.6%	2	1
Rappahannock	77.9%	52.6%	63.4%	68.6%	7.4%	7.2%	4	2
Southside Virginia	77.4%	47.8%	56.7%	63.5%	11.3%	12.9%	4	4
Southwest Virginia	81.9%	43.7%	53.5%	59.9%	14.3%	12.4%	4	4
Thomas Nelson	67.9%	38.7%	62.7%	64.2%	12.5%	14.4%	6	4
Tidewater	75.4%	31.2%	64.3%	66.0%	17.2%	18.8%	5	3
Virginia Highlands	81.0%	45.2%	62.1%	64.6%	14.6%	5.0%	4	3
Virginia Western	73.8%	46.0%	66.7%	75.1%	20.3%	20.3%	2	0
Wytheville	79.1%	63.0%	62.4%	73.1%	13.5%	10.8%	4	2
VCCS	75.7%	42.7%	64.1%	68.5%	15.4%	14.4%	5	2

* 4P1 Employment is based on student matches with Virginia Employment Commission records and does not include self-employment, employment with the federal government/military, or employment in another state. Therefore, verifiable rates tend to be lower in areas with military bases, large federal employers or with colleges bordering other states.

Appendix

Method of Calculating Postsecondary Perkins Performance Measures

Performance measures are calculated based on three different classifications of students: participants, concentrators and completers. The following is a definition for each classification:

- **Participant:** A student who has declared a career and technical education (CTE) major and is enrolled in courses during the reporting year
- **Concentrator:** A participant who has earned 12 or more degree-bearing credits
- **Completer/graduates:** A concentrator who earned a credential or a degree (graduated) during the reporting year.

Method of Calculating Postsecondary Perkins Performance Measures	
Measure	Method
1P1: Technical Skills Attainment	<i>Technical skills attainment measures the percentage of CTE students who earn a GPA of 2.5 or greater.</i> Numerator: Number of CTE concentrators who accumulate a GPA of 2.5 or greater during the reporting year. Denominator: Number of CTE concentrators during the reporting year.
2P1: Completion	<i>Completion measures the percentage of career and technical completers/graduates of those students leaving postsecondary education.</i> Numerator: Number of completers, who in the reporting year earned a degree, a certificate, or an industry-recognized credential. Denominator: Number of CTE concentrators in the reporting year who left postsecondary education (graduated or did not return to postsecondary education).
3P1: Retention/Transfer	<i>Retention and transfer is a measure of students who are retained in community college or transfer to college/university one year later.</i> Numerator: Number of CTE concentrators who, after one-year, re-enrolled at a VCCS college or transferred to another college or university. Denominator: Number of CTE concentrators enrolled during the reporting year less graduates.
4P1: Employment	<i>Employment is a measure of the percentage of graduates who are employed 6 months after graduation.</i> Numerator: Number of CTE completers who were employed during the September-December time period following graduation. Denominator: Number of CTE completers in the reporting year who left postsecondary education.
5P1: Nontraditional Participation	<i>Non-traditional participation is measure of the percentage of gender minority enrollments in CTE programs that are related to occupations identified as gender under-represented (less than 25% minority employment, U.S. Census Household Survey).</i> Numerator: Number of minority gender students who enrolled in a gender under-represented CTE program. Denominator: Total number of students enrolled in a gender under-represented CTE program.
5P2: Nontraditional Completion	<i>Non-traditional completion is measure of the percentage of gender minority graduates from CTE programs that are related to occupations identified as gender under-represented (less than 25% minority employment, U.S. Census Household Survey).</i> Numerator: Number of minority gender students who graduated from gender under-represented CTE programs. Denominator: Total number of students graduating from gender under-represented CTE programs.

The Board discussion included:

- Mrs. Atkinson asked if there is a minority component to the data for nontraditional participation and completion shown in the chart on page five of the Community Colleges report. Mr. Bearse responded that minority gender refers to the gender that is underrepresented.
- Mrs. Atkinson asked if the data has been broken down and finding one gender less represented than the other. Mr. Bearse responded that there are about 50,000 students in programs that are considered traditionally underrepresented by one or the other and is more on the male dominated field where there is underrepresentation. Mr. Bearse said for example that there are fewer males in nursing than there are females in Information Technology.
- Mrs. Sears noted that the gender gap is huge and asked how to get the numbers to increase. Mr. Bearse said community colleges are on the right track now because it has to start by middle/high school to peak student interest in possible career opportunities.
- Mr. Antonick added that he works with different colleges on this issue and that these are not rapid things to change. Mr. Antonick said we need to recruit more underrepresented genders in the various programs in order to have more

underrepresented genders completing the program. Mr. Antonick said one of the strategies that are being looked at is having career coaches housed in high schools. Mr. Antonick said VCCS career coaches are employees of the Community College System but they are not in high schools to work with students on career development. Mr. Antonick said they can also make sure students of both genders are aware of opportunities in career fields that have been historically underrepresented by their gender. Mr. Antonick said he thinks the key is for coaches to have access to students to make them aware of opportunities nationally and in the region of that particular community college and school division. Mr. Antonick said there has been continuous improvement in these measures.

- Mrs. Wodiska said she appreciated the report provided to Board members. Mrs. Wodiska suggested looking at corporate models in researching how to break the gender gap. Mr. Antonick said Tidewater Community College just completed a mentoring program for female engineers. Mr. Antonick said the mentoring programs gave students the opportunity to hear successful people in the field and visit different locations.

The Board received the report as presented, and it will be maintained as a part of the Board of Education's meeting records, and communicated to audiences as required by the Perkins legislation.

Report on Options for Increasing Student-to-Teacher Ratios or other Cost Savings in Local or Regional Detention Center Education Programs

Mr. John Eisenberg, assistant superintendent for special education and student services, presented this item. Mr. Eisenberg recognized and thanked Mr. Kent Dickey, chief financial officer, and Merilee Fox, specialist, state operated programs, for their work on the report. Mr. Eisenberg's presentation included the following:

- The General Assembly included language in the 2014 Appropriation Act directing the Department of Education to present, by October 15, 2014, options to the Board of Education for increasing student-to-teacher ratios or other savings in the state operated education programs in local and regional juvenile detention centers. The Department was also directed to present the report to the Chairmen of the Senate Finance and House Appropriations Committees by October 31, 2014. The General Assembly specifically directed the Department in Item 136 C.19.d. of the 2014 Appropriation Act to:

By October 15, 2014, the Department of Education shall present to the Virginia Board of Education, options for increasing student to teacher ratios or other savings, including requesting the State Board of Education or federal government to consider waiving certain teacher staffing requirements given the uniqueness of the setting, prorating funding if localities choose to operate based on unnecessary gender separation, whether there may be options for achieving efficiencies in the 23 centers based on regional groupings based on proximity, working with the Department of Juvenile Justice and Department of Correctional Education if appropriate, and a review of how other states handle education in juvenile detention centers. The Department shall also submit the report to the Chairmen of the Senate Finance and House Appropriations Committees by October 31, 2014.

- Section 22.1-209.2 of the *Code of Virginia* requires the Board of Education to ensure that an education program in local and regional detention centers is implemented from state funds as provided in the appropriation act and that such programs are supervised. The Department of Education contracts with

school divisions where the detention centers are located to provide the education services. The school divisions hire the teachers assigned to these education programs and compensate them according to the division's teacher salary schedule and fringe benefits. Department staff are assigned to provide state-level supervision and compliance monitoring.

- Two sections in the *Code of Virginia* relate to the Board of Education's responsibility for the education programs provided in the local and regional detention centers:

§ 22.1-7. Responsibility of each state board, agency and institution having children in residence or in custody.

Each state board, state agency and state institution having children in residence or in custody shall have responsibility for providing for the education and training to such children which is at least comparable to that which would be provided to such children in the public school system...

§ 22.1-209.2. Programs and teachers in regional detention homes, certain local detention homes and state agencies and institutions.

The Board of Education shall prepare and supervise the implementation in the regional detention homes and those local detention homes having teachers whose salaries were being funded by the Commonwealth on January 1, 1984, a program designed to educate and train the children detained in the homes. In addition, the Board shall supervise those programs of evaluation, education and training provided to school-age children by the Department of Health, the Department of Behavioral Health and Developmental Services, the children's teaching hospital associated with the Eastern Virginia Medical School, the Virginia Commonwealth University Health System Authority, the children's teaching hospital associated with the Virginia Commonwealth University Health System Authority, and the University of Virginia Hospitals pursuant to the Board's standards and regulations as required by § [22.1-7](#).

The Board shall promulgate such rules and regulations as may be necessary to conform these programs with the applicable federal and state laws and regulations including, but not limited to, teacher/student ratios and special education requirements for children with disabilities. The education programs in the relevant detention homes and state agencies and institutions shall be approved by the Board and the Board shall prepare a budget for these educational programs which shall be solely supported by such general funds as are appropriated by the General Assembly for this purpose. Teacher staffing ratios for regional or local detention homes shall be based on a ratio of one teacher for every twelve beds based on the capacity of the facility; however, if the previous year's average daily attendance exceeds this bed capacity, the ratio shall be based on the average daily attendance at the facility as calculated by the Department of Education from the previous school year.

The Board of Education shall enter into contracts with the relevant state agency or institution or detention facility or the local school divisions in which the state agencies or institutions or the regional detention homes and the relevant local detention homes are located for the hiring and supervision of teachers.

In any case in which the Board enters into a contract with the relevant state agency or institution, the Department of Human Resource Management shall establish salary schedules for the teachers which are competitive with those in effect for the school divisions in which the agency or institution is located.

In addition to the study requirement, the General Assembly reduced state funding for the juvenile detention center education programs in the 2014 Appropriation Act by \$250,000 each year of the 2014-2016 biennium.

The cost of providing an education to children who are detained "*which is at least comparable to that which would be provided to such children in the public school system*" (§ 22.1-7 of the *Code of Virginia*) has increased in recent years, particularly due to the increased cost of teacher contributions to the Virginia Retirement System and health care premium costs. Virginia's *Standards of Learning* (SOL) and *Code of Virginia* requirements for school boards to "*employ licensed instructional personnel qualified in the relevant subject areas*" (§ 22.1-253.13:2) and to "*fill*

positions with licensed instructional personnel qualified in the relevant subject areas" (§ 22.1-95) impacts the number of teachers needed to fulfill these requirements. In addition, graduation requirements have become more stringent as well as the curriculum based on the more rigorous SOL standards.

The majority of students served in the detention center education programs return to their home school upon release, and a goal of the programs is to provide as much continuity as possible in the instruction the student was receiving in their home division. Because licensed teachers provide instruction in accordance with the *Standards of Learning*, credit for classes attended can be awarded by the home school division. Students in these programs also take the SOL assessments as needed in order to earn verified credits required for graduation. The programs serve significant numbers of students with disabilities, who require special education services, as well as minority students and English language learners. The reading and mathematics achievement of many of these students is below grade level.

In addition, teacher staffing levels are affected by the specific security requirements of the individual juvenile detention centers, and the education programs must adhere to the security protocols directed by the detention center staff.

The report further details the study requirement and discusses areas for consideration and possible options to increase student-teacher ratios or other cost savings. Areas considered include waivers of teacher staffing requirements, prorating funding due to unnecessary gender separation, use of online instruction, staffing with dually certified teachers, sharing of positions across facilities, and savings from managing vacant positions.

The majority of students attending the detention center education programs is behind in achievement and diploma requirements and require significant teacher support for success. A reduction in the teaching force in local and regional detention centers would impact a student's education because required classes for graduation may not be staffed with a teacher endorsed in the subject they are teaching. Achievement and graduation rates may further decrease for this at-risk population.

The Board discussion included:

- Mrs. Wodiska thanked Mr. Eisenberg for his report. Mrs. Wodiska said she was disappointed in the request to lower the cost in detention centers rather than request how to improve outcomes and academic attainment for students. Mrs. Wodiska said she would have asked what more can we do for those students so we can abate the possibility that they would end up in the criminal justice system. Mrs. Wodiska said according to 2012 statistics the average cost to incarcerate an individual in the Commonwealth is \$26,000 per year and the cost to educate a student is much less.
- Mrs. Sears asked if Virginia housed federal juveniles. Ms. Fox responded that in 2013-2014 over 6,000 students went through detention centers and a majority of them returned to their home school divisions for continued education. Ms. Fox said there are two facilities that serve federal children but that part of the budget is sustained by money that comes with the students.
- Mrs. Sears asked if the state receives a portion of the money from local police departments after drug cases have been resolved for the work the state does with their residents. Ms. Fox said that money will be for the adult correction system. Mr. Dickey said he is not aware that funds are funneled down to education centers for juvenile detention centers and staff will confirm this.
- Mr. Dillard asked for clarification of crimes that children commit that label them as federal juveniles. Ms. Fox said these are mostly illegal juvenile immigrants that have been picked up on various crimes and the system is trying to deport them. Ms. Fox emphasized that the state does not fund federal juveniles.

- Mrs. Atkinson said the request highlights the lack of understanding of the population being served in detention centers. Mrs. Atkinson asked that more information is added to this report that would give context to the legislature as to who it is that is being served. Mrs. Atkinson said these children will need additional resources in order to make them successful. Mr. Eisenberg asked if the Board wanted to see the report again before it is forwarded to the legislators.
- Mr. Braunlich asked that Board members receive a copy of the report that is sent to legislators.
- Mrs. Sears asked the amount per child funded by the federal government. Ms. Fox said one fee is done for everything which includes education, housing, and medical at \$650 per day. Mrs. Sears asked if federal children are counted by the state or federal government. Ms. Fox said they are not included in the state count because teachers in Virginia are not serving these individuals.
- Mrs. Wodiska said she is supportive of the comments made by Mrs. Atkinson to add context to the report and asked staff to consider including teacher conditions, qualifications, and salary in the report.

The Board received this report.

DISCUSSION OF CURRENT ISSUES

The Board met for a public dinner on Wednesday, September 17, 2014, at the Commonwealth Park Suites Hotel with the following members present: Mrs. Atkinson, Mr. Braunlich, Dr. Cannaday, Mr. Dillard, Mrs. Edwards, Mrs. Sears, and Mrs. Wodiska. Dr. Steven Staples, Superintendent of Public Instruction, also attended the meeting. Members discussed pending Board agenda items. No votes were taken, and the dinner meeting ended at 9 p.m.

Mr. Braunlich said the Board has received a grant from NASBE and Mrs. Edwards agreed to take on the responsibility as chair of the advisory council committee. Mrs. Edwards said the grant is valuable for Virginia because it will enable the committee to look at student attendance, the culture and climate of school which impact student achievement, and disciplinary practices in schools. Mrs. Edwards recognized Dr. Cynthia Cave for her assistance in preparing for the advisory committee meeting which will be held in October at the James Monroe State Office Building. Mrs. Edwards said stakeholders from all over the state have been invited to attend the meeting. Mrs. Edwards also announced that the advisory council committee will attend a national discipline summit that will be held in Washington, D.C. in October.

ADJOURNMENT OF THE BUSINESS SESSION

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Braunlich adjourned the meeting at 2:00 p. m.

A handwritten signature in black ink, appearing to be 'J. Braunlich', written over a horizontal line.

President