

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

November 19, 2015

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

Dr. Billy K. Cannaday, Jr., President
Mrs. Joan E. Wodiska, Vice President
Mrs. Diane T. Atkinson
Dr. Oktay Baysal

Mr. James Dillard
Mrs. Darla Edwards
Mr. Sal Romero, Jr.

Dr. Steven R. Staples, Superintendent of Public Instruction

Dr. Cannaday called the meeting to order at 9 a.m.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Dr. Cannaday asked for a moment of silence and led in the Pledge of Allegiance.

APPROVAL OF MINUTES

Dr. Baysal made a motion to approve the minutes of the October 22, 2015, meeting of Board. The motion was seconded by Mrs. Atkinson and carried unanimously. Copies of the minutes had been distributed in advance of the meeting.

SECRETARY OF EDUCATION

Secretary of Education Anne Holton greeted Board members and the audience, and introduced the new Deputy Secretary of Education, Holly Coy. Secretary Holton thanked the Board and staff for their work, and recognized school divisions receiving a resolution for participating in the Community Eligibility Provision of the National School Lunch Program.

RESOLUTIONS/RECOGNITION

Resolutions of Recognition were presented to Virginia school divisions participating in the Community Eligibility Provision (CEP) of the National School Lunch Program. Twenty-six school divisions participated in CEP. They are as follows:

Augusta County
Bristol City
Brunswick County

Lee County
Lynchburg City
Martinsville City

Chesapeake City
Colonial Beach City
Danville City
Franklin City
Franklin County
Fredericksburg City
Greensville County
Hampton City
Henry County
Hopewell City

Newport News City
Norfolk City
Petersburg City
Portsmouth City
Pulaski County
Richmond City
Roanoke City
Suffolk City
Sussex County
Virginia Beach City

PUBLIC COMMENT

The following persons spoke during public comment:

- James Batterson, spoke on Science Standards of Learning
- Murali Balaji, spoke on Curriculum Framework for 2015 *History and Social Science Standards of Learning*
- Bin Gahan, spoke on a Resolution related to the *Regulations Governing Nutritional Guidelines for Competitive Foods Available for Sale in the Public Schools*
- Randy O'Neil, spoke on physical fitness
- Lisa Gibson, spoke on Curriculum Framework for 2015 *History and Social Science Standards of Learning*

CONSENT AGENDA

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

Final of the Advisory Board on Teacher Education and Licensure's Recommendation to Grant Approval to Add New Education (Endorsement) Programs at Bluefield College, Emory and Henry College, James Madison University, Mary Baldwin College, and Virginia Wesleyan College

With the Board's approval of the consent agenda, the Board approved the Advisory Board on Teacher Education and Licensure's recommendation to grant approval to add new education (endorsement) programs at Bluefield College, Emory and Henry College, James Madison University, Mary Baldwin College, and Virginia Wesleyan College.

Final Review of Proposed Amendments to the Regulations Governing Reduction of State Aid When Length of School Term Below 180 Teaching Days or 990 Teaching Hours (8VAC 20-521) to Comport with Legislation Passed by the 2015 General Assembly Under the Fast Track Provisions of the Administrative Process Act

With the Board's approval of the consent agenda, the Board approved the proposed amendments to the *Regulations Governing Reduction of State Aid When the Length of the School Term Is Below 180 Teaching Days or 990 Teaching Hours*.

ACTION/DISCUSSION ITEMS

Final Review of the Advisory Board on Teacher Education and Licensure’s Recommendation to Approve Education Programs Offered by Virginia Institutions of Higher Education as Required by the Regulations Governing the Review and Approval of Education Programs in Virginia (8VAC20-542-10 et seq.)

Mrs. Patty Pitts, assistant superintendent, Division of Teacher Education and Licensure, presented this item. Mrs. Pitts recognized Dr. Joan Johnson, director of teacher education, for her work. Mrs. Pitts also recognized the following: Dr. Donna Hardy Watson, Dean of the School of Education, Bluefield College; Dr. Sally Selden, Vice President and Dean for Academic Affairs, and Dr. Roger Jones, Dean of the School of Education, Leadership Studies and Counseling, Lynchburg College; Dr. Kenna Colley, Dean of the School of Education and Human Development and Dr. Tammy Wallace, Assistant Dean of the School of Education and Human Development, Radford University.

Mrs. Pitts’ presentation included the following:

- Institutions of higher education are required to report passing scores for licensure assessments for each education (endorsement) program and verify that Standards 2 through 7 set forth in Section 8VAC20-542-40 of the *Regulations Governing the Review and Approval of Education Programs in Virginia* have been met and documentation of the evidence is on file and available for review at the institution. All institutions verified that Standards 2 through 7 had been met.
- The *Regulations Governing the Review and Approval of Education Programs in Virginia* state that programs with candidate passing rates, reported by percentages, falling below 80% biennially for individuals completing and exiting the program will be denied approval. Candidates completing a program shall have successfully completed all coursework, required assessments, including those prescribed by the Board of Education, and supervised student teaching or internship. Candidates exiting a program shall have successfully completed all coursework, regardless of whether the individuals attempted, passed, or failed required assessments, including those prescribed by the Board of Education, and/or who may not have completed supervised student teaching or required internship.
- Licensure assessments reported included the Virginia Communication and Literacy Assessment (VCLA), Praxis II: Specialty Area Tests, Virginia Reading Assessment (VRA)/Reading for Virginia Educators (RVE) for specified endorsement areas, and the School Leadership Licensure Assessment (SLLA) for the administration and supervision endorsement. Programs with less than ten completers and exiters for an education program in a biennial period are required to be included in the next biennial report when there are at least ten completers.
- The following education programs fell below the minimum prescribed candidate passing rate of 80 percent for the assessments required for that education program:

| Institution of Higher Education | Education Program | Assessment | Pass Rate (%) |
|--|--------------------------|-------------------|----------------------|
| Bluefield College | English | Praxis II | 70.0% |
| Lynchburg College | Mathematics | Praxis II | 58.3% |
| Radford University | Mathematics | Praxis II | 70.0% |

- All other education programs met or exceeded a candidate passing rate of 80 percent or higher for each assessment required per education program as required by Accountability Measure 1.
- The approval of the education programs at Virginia institutions of higher education include the review of partnerships and collaborations, biennial reporting of accountability measures, and program alignment with competencies.

Advisory Board on Teacher Education and Licensure’s Recommendation

On September 21, 2015, the Advisory Board approved a recommendation that the Board of Education grant “Approved” status to all education (endorsement) programs offered at Virginia colleges and universities listed in the attached *2013-2015 Biennial Report* except the mathematics program at Lynchburg College, the mathematics program at Radford University, and the English program at Bluefield College recommended for “Approval Denied” status because the programs fell below the 80 percent passing rate requirement.

Regulations Governing the Review and Approval of Education Programs in Virginia

The *Regulations Governing the Review and Approval of Education Programs in Virginia* state, in part, “Modifications may be made by the Superintendent of Public Instruction in the administration of these regulations. Proposed modifications shall be made in writing to the Superintendent of Public Instruction, Commonwealth of Virginia.”

Letters of Request and Support from Institutions of Higher Education

Letters from officials from Bluefield College, Lynchburg College, and Radford University requesting the continuation of the following programs were sent to the Department of Education.

| Institution of Higher Education | Education Program |
|---------------------------------|-------------------|
| Bluefield College | English |
| Lynchburg College | Mathematics |
| Radford University | Mathematics |

Representatives from Bluefield College, Lynchburg College, and Radford University addressed the Board.

Board discussion:

- Mrs. Atkinson said she is encouraged by the steps the colleges have already taken and plan to take to strengthen their programs. Mrs. Atkinson said the correspondence the Board received from the presidents and deans at the colleges indicate not only their support but also the financial support necessary to make changes. Mrs. Atkinson said this gives her confidence that approving with stipulation is the right move.
- Mrs. Wodiska said she also supports the motion because of the proactive way the colleges initiated changes.
- Dr. Cannaday thanked all of the representatives from the institutions of higher education for their presence. Dr. Cannaday said they are important partners with the Board to make certain every child has a highly qualified teacher.

Dr. Baysal made a motion to approve the Advisory Board on Teacher Education and Licensure’s recommendation to grant “Approved” status to all education (endorsement) programs offered at Virginia colleges and universities listed in the *2013-2015 Biennial Report* except the English program at Bluefield College, the mathematics program at Lynchburg College, and the mathematics program at

Radford University. The motion was seconded by Mrs. Wodiska and carried unanimously.

Mrs. Wodiska made a motion to approve with stipulations the English program at Bluefield College, the mathematics program at Lynchburg College, and the mathematics program at Radford University for the 2015-2017 biennial period. The motion was seconded by Mrs. Atkinson and carried unanimously.

Final Review of a Resolution to Implement an Amendment to § 22.1-207.4 of the Code of Virginia (HB 2114 – 2015) Pending Incorporation into the Regulations Governing Nutritional Guidelines for Competitive Foods Available for Sale in the Public Schools

Dr. Cynthia Cave, assistant superintendent, Division of Policy and Communications, presented this item. Dr. Cave's presentation included the following:

- Section 10 of the Child Nutrition Act of 1966, 42 USC 1779, as amended by the Healthy, Hunger-Free Kids Act of 2010 (HHFKA), requires that all food sold outside of the school meal programs, on the school campus, and at any time during the school day, must meet the nutrition standards set forth in the interim final rule titled, *National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010*. This interim final rule, also known as *the Smart Snacks* rule, was published on June 28, 2013 and is effective on July 1, 2014 for all schools participating in the National School Lunch and School Breakfast Programs.
- However, the HHFKA provides for special exemptions to the prohibition of selling foods that do not meet nutrition standards for school-sponsored fundraisers held during the school day on the school campus. Guidance issued by the United States Department of Agriculture specifies that exempted fundraisers cannot take place more often than the frequency specified by the state agency. The Smart Snacks standards allow states to develop a policy on the number of exemptions (or events) for fundraisers selling food that does not meet the standards. If a state agency does not specify the exemption frequency, then there can be no fundraising events during school hours and on the school campus where food that does not meet the Smart Snacks Nutrition Standards may be sold.
- The Board of Education's proposed *Regulations Governing Nutritional Guidelines for Competitive Foods Sold in Virginia Public Schools* regulations would be the vehicle for enacting the fundraising exemptions permitted by the federal legislation (HHFKA). Competitive foods include any food, excluding beverages, sold to students on school grounds during regular school hours, which is not part of the school breakfast or school lunch program. The Board of Education adopted these proposed regulations for submittal according to the Administrative Process Act (APA) on May 13, 2014. The regulations are pending Executive Branch review. There are no allowances for exemptions for fundraisers selling foods not meeting federal nutritional standards in the proposed regulations. However, state law proposed and adopted in 2015 requires the regulations to have such exemptions.
- [House Bill 2114](#) amended § [22.1-207.4](#) of the *Code of Virginia (Code)* and was approved by the 2015 General Assembly and signed by Governor McAuliffe. It provides that the regulations promulgated pursuant to the *Code* section shall permit each public school to conduct no more than 30 exempted school-sponsored fundraisers per school year on school grounds during regular school hours. The Board of Education will have to incorporate this amendment to § 22.1-207.4 of the *Code* into the *Regulations Governing Nutritional Guidelines for Competitive Foods Sold in Virginia Public Schools* at the time of final adoption in compliance with the requirements of the Administrative Process Act.

HB 2114

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-207.4 of the Code of Virginia is amended and re-enacted as follows:

§ 22.1-204.4. Nutritional guidelines for competitive foods.

A. For purposes of this section, "competitive food" means any food, excluding beverages, sold to students on school grounds during regular school hours that is not part of the school breakfast or school lunch program...

E. The regulations promulgated pursuant to this section shall permit each public school to conduct on school grounds during regular school hours no more than 30 school-sponsored fundraisers per school year, during which food that does not meet the nutrition guidelines for competitive foods may be sold to students.

- In the interim, in order to be compliant with the law, the Board of Education may adopt a resolution. The proposed resolution provides that local school divisions shall permit, effective with the date of adoption of this resolution, each public school to conduct no more than 30 exempted school-sponsored fundraisers per school year on school grounds during the regular school hours, during which food and beverages that do not meet the nutrition guidelines for competitive foods may be sold to students. At the October 22, 2015 meeting, the Board of Education discussed the adoption of House Bill 2114 as law, and its potential negative impact on the goal of providing nutritional food choices for students during the school day. Although required by the legislation to permit each public school to exempt up to 30 school-sponsored fundraisers from food nutritional standards per school year, Board members emphasized communicating to school divisions their concerns for sound child nutrition and encouraging the sale of healthy choices for fundraisers. In addition, members emphasized that guidance and advice on the sale of competitive foods and the development of local policies should be provided.
- The USDA has issued guidance to state agencies in USDA Memo # SP 36-2014 SUBJECT: *Smart Snacks Nutrition Standards and Exempt Fundraisers* which provided detailed information regarding fundraiser exemptions. Section 210.11(b)(4) of the interim final rule specifies that such specially exempted fundraisers must not take place more often than the frequency specified by the state agency. As outlined in the interim final rule, if a state agency does not specify the exemption frequency, the state agency is electing to establish a policy that no fundraiser exemptions may be granted. As noted in the preamble to both the proposed and interim final rules, it is expected that state agencies will ensure that the frequency of such exempt fundraisers on school grounds during the school day does not reach a level which would impair the effectiveness of the Smart Snacks requirements.
- The Smart Snacks rule only applies to foods and beverages sold to students on the school campus during the school day. The nutrition standards do not apply to foods and beverages sold at events held after school, off campus, or on weekends, such as school plays or sporting events.
- The 2015 General Assembly enacted and the Governor signed HB 2114 to require that the Board's regulations allow a public school to conduct up to 30 fundraisers a school year on school grounds during school hours in which foods not meeting federal nutritional standards could be sold. The Board of Education must incorporate this amendment to § 22.1-207.4 of the Code into the proposed regulations, *Regulations Governing Nutritional Guidelines for Competitive Foods Sold in Virginia Public Schools*, at final adoption in compliance with the APA. However, it is not necessary for the Board to wait until that time before taking action which would permit school divisions to implement the requirement now.

Board discussion:

- Mrs. Atkinson amended the last paragraph of the resolution with the following addition: The Board will be providing guidance to assist school divisions for incorporating these local standards into required Local Wellness Policies. That guidance will be developed following an analysis of what other states have done and the best practices.

Mrs. Atkinson made a motion to adopt the Resolution, as amended, to implement an amendment to § 22.1-207.4 of the *Code of Virginia* (HB 2114 – 2015) pending incorporation into the *Regulations Governing the Nutritional Guidelines for Competitive Foods Available for Sale in the Public Schools*. The motion was seconded Mr. Dillard and carried unanimously.

The Resolution is available online at:

http://www.doe.virginia.gov/administrators/superintendents_memos/2015/291-15a.pdf.

Final Review of the Summary of the Redesign of the School Performance Report Card Required by HB 1672 and SB 727 (2015)

Dr. Cynthia Cave also presented this item. Dr. Cave's presentation included the following:

- House Bill 1672 (Greason) and identical Senate Bill 727 (Black) were approved by the 2015 General Assembly and signed by the Governor. The legislation requires the Board of Education, in consultation with the Standards of Learning Innovation Committee, to redesign the School Performance Report Card so that it is more effective in communicating to parents and the public the status and achievements of the public schools and local school divisions in the Commonwealth.
- The legislation sets a deadline of no later than July 1, 2016 for accomplishing the redesign and provides that, in the process, the Board may consider: (i) the standards of accreditation; (ii) state and federal accountability requirements; (iii) state-mandated assessments; (iv) any alternative assessments developed or approved for use by the relevant local school board; (v) student growth indicators; (vi) student mobility; (vii) the experience and qualifications of school staff; (viii) total cost and funding per pupil; (ix) school safety; and (x) any other factors that the Board deems necessary to produce a full and accurate statement of performance for each public elementary and secondary school and local school division in the Commonwealth.
- The legislation further requires the Board to provide notice and solicit public comment on the redesigned School Performance Report Card no later than October 1, 2015, and to make a summary of the redesigned School Performance Report Card available to the public and submit such summary to the Chairman of the House Committee on Education and the Chairman of the Senate Committee on Education and Health no later than December 1, 2015. In addition, the legislation requires the Board to make available to the public a School Performance Report Card for each public elementary and secondary school and local school division in the Commonwealth no later than October 1, 2016, and each October 1 thereafter.
- At the October 22, 2015 meeting, the Board of Education reviewed the draft summary report and requested that information be added, including its objective to convey a more complete picture of a school with information of interest to parents and the public in a way that is more comprehensive, contextual, easy to understand, and visually engaging.
- The Board of Education is on schedule to accomplish the requirements of HB 1672 and SB 727 (2015) and to redesign the School Performance Report Card so that it is more effective in communicating the status and achievements of the public schools and local school divisions in the Commonwealth to parents and the public. The deadlines in the legislation are reflected in the Report Card Redesign Project Timeline, and, to date, more than 20,000 Virginia parents, educators, and other interested stakeholders have provided their comments about the Report Card. The Board's Accountability Committee held five public meetings in which the report card redesign was a key feature and convened a roundtable of education and community stakeholders to receive comments related to the redesign of the report card. Members of the Board have participated in various meetings of the Standards of Learning (SOL) Innovation Committee in which the report card was discussed and recommendations made. The contractor engaged to deliver the redesigned Report Card has completed the basic design of a Web site and its component pages to reflect the Board of Education's consensus on report card-data elements. The redesign process

will soon move into production, testing and public launch.

Board discussion:

- Mrs. Atkinson encouraged the General Assembly to provide the necessary funding for enhancements to the School Performance Report Card.
- Mrs. Wodiska and Dr. Cannaday thanked staff for their time and work.

Mrs. Atkinson made a motion to approve the *Summary of the Redesign of the School Performance Report Card* required by HB 1672 and SB 727 (2015), authorizing the Department to make any technical corrections which may be needed before submittal to the chairmen of the House and Senate education committees. The motion was seconded by Mr. Dillard and carried unanimously.

The report is available online at:

http://www.doe.virginia.gov/boe/reports/report_card_summary.pdf.

Final Review of Revisions to the Regulations Governing Pupil Transportation (8VAC20-70) to Conform to General Assembly Legislation (Exempt Action)

Mr. Kent Dickey, Deputy Superintendent for Finance and Operations, presented this item. Mr. Dickey recognized June Eanes, Director of Support Services, for her work.

Mr. Dickey's presentation included the following:

- HB 1952 allows local school boards to sell or transfer any of its school buses to another school division or purchase a used school bus from another school division or from a school bus dealer as long as the school bus conforms to the Board of Education's specifications on construction and design in effect on the date of manufacture, has a valid Virginia State Police inspection, and has not reached the end of its useful life according to the school bus replacement schedule utilized by the Department of Education for state funding purposes as required by the appropriation act (i.e., 15-year replacement cycle).
- The current *Regulations Governing Pupil Transportation* require school buses and school activity buses to conform to the Board's specifications on construction and design in effect on the date of purchase, whether at the time of initial purchase as a new bus or at the time of purchase as a used bus. With the passage of HB 1952, the Board's regulations must be revised to permit local school boards to sell, transfer, or purchase used buses as long as the buses conform to the Board's specifications effective on the date of original manufacture, along with the other conditions stated in the legislation.
- The proposed changes to the Board's pupil transportation regulations are being filed as an "exempt" regulatory action under the Administrative Process Act (APA), in order to conform to changes in the *Code of Virginia* resulting from HB 1952 where no Board or agency discretion is involved. An exempt action under the APA means that no executive branch review is required and the regulations can become effective 30 days after their publication in *The Virginia Register*.
- The *Regulations Governing Pupil Transportation* must be revised to conform to General Assembly legislation, HB 1952, enacted at the 2015 General Assembly Session. There are no changes proposed to the revisions presented for first review at the October meeting.
- Below is a summary of policies from several southern region states regarding the effective date of specification requirements at the time of purchase or sale of used school buses. These policies are consistent with HB 1952 in that they require used buses to meet specifications effective on the date of manufacture or close to the date of

manufacture.

- ✓ Alabama – used school buses purchased for use by a school system must meet all of the legal federal and Alabama requirements for school buses that were in effect on the date the vehicle was manufactured.
 - ✓ Florida – used school buses purchased or operated by a public school board or charter school must meet or exceed all federal and state requirements for public school buses that were in effect on the date the vehicle was manufactured.
 - ✓ Georgia – used school buses or school buses from another state purchased to operate in Georgia must meet or exceed all federal and Georgia requirements that were in effect on the date of manufacture of the vehicles.
 - ✓ Louisiana – the seller of any new or used school bus must verify that the purchased vehicle meets all state and federal school bus specifications applicable at the time of manufacture.
 - ✓ Tennessee – a used school bus purchased or leased for use in Tennessee by or for a public school district must meet all of the Tennessee specifications requirements that were in effect on the date that the vehicle was manufactured.
 - ✓ Texas – used school buses purchased or operated by a public school board in Texas must meet or exceed all federal and Texas requirements for public school buses that were in effect on the date the vehicle was ordered by the vendor from the manufacturer.
- Compared to 15 years ago, major changes to the Board of Education’s bus specifications include:
 - ✓ A non-sequential traffic warning light system (system of manually-activated amber signal lights indicating a bus is stopping and red signal lights that activate automatically whenever the entrance doors open)
 - ✓ Increase in seat back height
 - ✓ Reflective marking along the body of the bus
 - ✓ Optional equipment such as cameras

Dr. Baysal made a motion to approve the proposed amendments to the *Regulations Governing Pupil Transportation* (exempt action). The motion was seconded by Mrs. Wodiska and carried unanimously.

First Review of Requests for Partially Accredited: Reconstituted School from Twenty-Two School Divisions

Mrs. Beverly Rabil, director, Office of School Improvement, presented this item. Mrs. Rabil’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 *Partially Accredited: Reconstituted School*. 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 *Partially Accredited: Reconstituted School* as provided for in 8 VAC 20-131-300.C.5. The *Partially Accredited: Reconstituted School* 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, thirty-nine (39) schools have been *Accredited with Warning* for three consecutive years and are not *Fully Accredited* in 2015-2016:

| Name of Division | Name of School Requesting Rating of <i>Partially Accredited: Reconstituted School</i> |
|--------------------------------------|---|
| Bedford County Public Schools | Staunton River Middle School |
| Buchanan County Public Schools | Riverview Elementary/Middle School |
| Buena Vista County Public Schools | Enderly Heights Elementary School (PK-2) |
| Buena Vista County Public Schools | F. W. Kling Elementary School (3-5) |
| Buena Vista County Public Schools | Parry McCluer Middle School |
| Campbell County Public Schools | Rustburg Middle School |
| Danville City Public Schools | Woodberry Hills Elementary School |
| Essex County Public Schools | Essex High School |
| Franklin City Public Schools | S. P. Morton Elementary School |
| Franklin City Public Schools | J. P. King, Jr. Middle School |
| Frederick County Public Schools | Frederick County Middle School |
| Hampton City Public Schools | John B. Cary Elementary School |
| Hampton City Public Schools | Luther W. Machen Elementary School |
| Hampton City Public Schools | Andrew William Ernest Bassette Elementary School |
| Hampton City Public Schools | Hunter B. Andrews School |
| Henrico County Public Schools | Fairfield Middle School |
| Lynchburg City Public Schools | Heritage Elementary School |
| Lynchburg City Public Schools | Paul Laurence Dunbar Middle School for Innovation |
| Mecklenburg County Public Schools | Bluestone Middle School |
| Newport News City Public Schools | Carver Elementary School |
| Newport News City Public Schools | Horace H. Epes Elementary School |
| Norfolk City Public Schools | James Monroe Elementary School |
| Norfolk City Public Schools | Jacox Elementary School |
| Norfolk City Public Schools | Richard Bowling Elementary School |
| Norfolk City Public Schools | Norview Middle School |
| Norfolk City Public Schools | Azalea Gardens Middle School |
| Petersburg City Public Schools | Walnut Hill Elementary School |
| Portsmouth City Public Schools | Churchland Middle School |
| Portsmouth City Public Schools | Cradock Middle School |
| Prince William County Public Schools | Fred M. Lynn Middle School |
| Richmond City Public Schools | Binford Middle School |
| Richmond City Public Schools | Henderson Middle School |
| Richmond City Public Schools | Martin Luther King, Jr. Middle School |
| Richmond City Public Schools | Lucille Brown Middle School |
| Richmond City Public Schools | Patrick Henry School of Science and Arts |
| Southampton County Public Schools | Riverdale Elementary School |
| Staunton City Public Schools | Bessie Weller Elementary School |
| Suffolk City Public Schools | King's Fork High School |
| Virginia Beach City Public Schools | Bettie F. Williams Elementary School |

- Each school must meet the definition of reconstitution. As defined by the Fast Track *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 School Requesting Rating of Partially Accredited: Reconstituted School | Reconstitution Type |
|--------------------------------------|---|--|
| Bedford County Public Schools | Staunton River Middle School | Instructional Program, Staff |
| Buchanan County Public Schools | Riverview Elementary/Middle School | Instructional Program |
| Buena Vista County Public Schools | Enderly Heights Elementary School (PK-2) | Governance, Instructional Program, Staff, Student Population |
| Buena Vista County Public Schools | F. W. Kling Elementary School (3-5) | Governance, Instructional Program, Staff, Student Population |
| Buena Vista County Public Schools | Parry McCluer Middle School | Governance, Instructional Program, Staff, Student Population |
| Campbell County Public Schools | Rustburg Middle School | Instructional Program, Staff |
| Danville City Public Schools | Woodberry Hills Elementary School | Instructional Program, Staff |
| Essex County Public Schools | Essex High School | Instructional Program, Staff |
| Franklin City Public Schools | S. P. Morton Elementary School | Governance, Instructional Program, Student Population |
| Franklin City Public Schools | J. P. King, Jr. Middle School | Governance, Instructional Program, Student Population |
| Frederick County Public Schools | Frederick County Middle School | Governance, Instructional Program, Staff |
| Hampton City Public Schools | John B. Cary Elementary School | Instructional Program, Staff |
| Hampton City Public Schools | Luther W. Machen Elementary School | Governance, Instructional Program, Staff |
| Hampton City Public Schools | Andrew William Ernest Bassette Elementary School | Instructional Program, Staff |
| Hampton City Public Schools | Hunter B. Andrews School | Instructional Program, Staff |
| Henrico County Public Schools | Fairfield Middle School | Governance, Instructional Program, Staff |
| Lynchburg City Public Schools | Heritage Elementary School | Governance, Instructional Program |
| Lynchburg City Public Schools | Paul Laurence Dunbar Middle School for Innovation | Governance, Instructional Program |
| Mecklenburg County Public Schools | Bluestone Middle School | Instructional Program |
| Newport News City Public Schools | Carver Elementary School | Instructional Program |
| Newport News City Public Schools | Horace H. Epes Elementary School | Instructional Program, Staff |
| Norfolk City Public Schools | James Monroe Elementary School | Governance, Instructional Program, Staff |
| Norfolk City Public Schools | Jacox Elementary School | Governance, Instructional Program, Staff |
| Norfolk City Public Schools | Richard Bowling Elementary School | Governance, Instructional Program, Staff |
| Norfolk City Public Schools | Norview Middle School | Governance, Instructional Program, Staff |
| Norfolk City Public Schools | Azalea Gardens Middle School | Governance, Instructional Program, Staff |
| Petersburg City Public Schools | Walnut Hill Elementary School | Governance |
| Portsmouth City Public Schools | Churchland Middle School | Governance, Instructional Program, Staff |
| Portsmouth City Public Schools | Cradock Middle School | Governance, Instructional Program, Staff |
| Prince William County Public Schools | Fred M. Lynn Middle School | Instructional Program |
| Richmond City Public Schools | Binford Middle School | Governance, Instructional Program, Student Population |
| Richmond City Public Schools | Henderson Middle School | Governance, Instructional Program |

| | | |
|------------------------------------|--|--|
| Richmond City Public Schools | Martin Luther King, Jr. Middle School | Governance, Instructional Program, Staff |
| Richmond City Public Schools | Lucille Brown Middle School | Instructional Program |
| Richmond City Public Schools | Patrick Henry School of Science and Arts | Governance, Instructional Program |
| Southampton County Public Schools | Riverdale Elementary School | Governance, Instructional Program, Staff |
| Staunton City Public Schools | Bessie Weller Elementary School | Governance, Instructional Program, Staff |
| Suffolk City Public Schools | King's Fork High School | Instructional Program |
| Virginia Beach City Public Schools | Bettie F. Williams Elementary School | Governance, Instructional Program, Staff |

- Applications for reconstitution were reviewed focusing on student performance data, areas of reconstitution, and the rationale for the trajectory of progress expected. The following criteria were used to make recommendations for each application.
 - ✓ Demonstration of improvement in Standards of Learning achievement data in both warned and non-warned academic subjects (Did the data show improvement, decline, or have no change?)
 - ✓ Evidence of how the proposed reconstitution practices differ from the existing practices
 - ✓ Relevance of the anticipated impact of the proposed actions to the reconstitution plan
 - ✓ Expectations for measurable impact on student achievement
 - ✓ Clearly defined practices that ultimately improve student achievement
 - ✓ Presence of a reasonable and rigorous trajectory of expected measureable progress

Technical Assistance

All schools granted ratings of *Partially Accredited: Reconstituted School* will participate in the Aligning Academic Review and Performance Evaluation (AARPE) technical assistance from the VDOE. Technical assistance will focus on developing sample evidence for the sample performance indicators in Teacher Performance Standard 4: Assessment of and for Learning. The sample evidence for each performance indicator will become a tool that can enhance the division's observation tools. Principals/division staff will use their own work as a starting point and will bring "real work" artifacts to each session throughout the year.

Board discussion:

- Mrs. Atkinson acknowledged that the Board reviewed these requests in detail at the Accountability Committee meeting November 18, 2015, and thanked staff for working with local school divisions to provide a summary of the requests for the Board.
- Mrs. Atkinson said for future requests the Board will require school divisions to provide a narrative to include steps already taken and the changes that will be made. Mrs. Atkinson said this information will help the Board to better understand the context of the school divisions making the request. Mrs. Atkinson said the Board will also request school divisions to provide information on the years of staff teaching experience.
- Mrs. Wodiska said the narrative from school divisions should also address leadership capacity and parental engagement.
- Dr. Cannaday asked Board members to communicate with Mrs. Atkinson if they wish for any local school division representatives to appear before the Board in January.
- Dr. Staples said because of the Board's desire, initiative and direction, Virginia is ready to assume responsibility for oversight of school improvement efforts if the ESEA reauthorization transfers responsibilities to the state.

The Board received for first review the requests from twenty-two (22) divisions for ratings of *Partially Accredited: Reconstituted School* for thirty-nine (39) schools.

First Review of Memoranda of Understanding as Required of Schools in Accreditation Denied Status for Newport News City Public Schools and Richmond City Public Schools

Mrs. Beverly Rabil also presented this item. Mrs. Rabil’s presentation included the following:

- *Section [8 VAC 20-131-315](#) of the Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA) requires certain actions for schools that are denied accreditation:*

- A. Any school rated *Accreditation Denied* in accordance with 8 VAC 20-131-300 shall be subject to actions prescribed by the Board of Education and shall provide parents of enrolled students and other interested parties with the following:
1. Written notice of the school’s accreditation rating within 30 calendar days of the notification of the rating from the Department of Education;
 2. A copy of the school division’s proposed corrective action plan, including a timeline for implementation, to improve the school’s accreditation rating; and
 3. An opportunity to comment on the division’s proposed corrective action plan. Such public comment shall be received and considered by the school division prior to finalizing the school’s corrective action plan and a Board of Education memorandum of understanding with the local school board.

- B. Any school rated *Accreditation Denied* in accordance with [8 VAC 20-131-300](#) shall be subject to actions prescribed by the Board of Education and affirmed through a memorandum of understanding between the Board of Education and the local school board. The local school board shall submit a corrective action plan to the Board of Education for its consideration in prescribing actions in the memorandum of understanding within 45 days of the notification of the rating. The memorandum of understanding shall be entered into no later than November 1 of the academic year in which the rating is awarded.

The local board shall submit status reports detailing implementation of actions prescribed by the memorandum of understanding to the Board of Education. The status reports shall be signed by the school principal, division superintendent, and the chair of the local school board. The school principal, division superintendent, and the chair of the local school board may be required to appear before the Board of Education to present status reports.

The memorandum of understanding may also include but not be limited to:

1. Undergoing an educational service delivery and management review. The Board of Education shall prescribe the content of such review and approve the reviewing authority retained by the school division.
2. Employing a turnaround specialist credentialed by the state to address those conditions at the school that may impede educational progress and effectiveness and academic success.

- The following schools are in *Accreditation Denied* status for the first time in 2015-2016 and are subject to actions prescribed by the Virginia Board of Education (VBOE) and affirmed through a memorandum of understanding between the VBOE and the local school boards.

| Name of Division | Name of Schools in <i>Accreditation Denied</i> Status |
|----------------------------------|---|
| Newport News City Public Schools | Mary Passage Middle School |
| Richmond City Public Schools | Amelia Street Special Education School |
| Richmond City Public Schools | Richmond Alternative School |

- A corrective action plan for each of these schools must be submitted to the Board of Education by February 19, 2016. Listed below is a general description of technical assistance to be included in the corrective action plan.

Technical Assistance

All schools rated *Accreditation Denied* will participate in the Aligning Academic Review and Performance Evaluation (AARPE) technical assistance from the VDOE. Technical assistance will focus on developing sample evidence for the

sample performance indicators in Teacher Performance Standard 4: Assessment of and for Learning. The sample evidence for each performance indicator will become a tool that can enhance the division's observation tools. Principals/division staff will use their own work as a starting point and will bring "real work" artifacts to each session throughout the year. Principals, appropriate division staff, and state contractors will conduct inter-rater reliability monthly walkthroughs and/or formal observations two times between October and December. (Inter-rater reliability deals with consistency between the evidence-collection of two or more observers.) Division staff will support and monitor principals' delivery of professional development on the sets of sample evidence developed to appropriate school staff. Outcomes/next steps will be identified at each session. Contractors will be assigned to each school as a part of the AARPE technical assistance.

Using research-based indicators that lead to increased student achievement is imperative for school improvement. Schools rated *Accreditation Denied* will provide quarterly data reports to the Office of School Improvement (OSI) on mutually determined school-level data points. Divisions will meet triannually with the Office of School Improvement to review quarterly report data and collaboratively determine next steps.

Asset mapping and selected Essential Actions resulting from Academic Reviews will be a part of each school's corrective action plan. OSI staff will assist in reviewing Essential Actions to determine those needed in the corrective action plan. OSI staff will provide technical assistance in using the asset mapping tool and in determining next steps.

As noted in the individual memoranda of understanding, additional specific technical assistance will be provided by Virginia Department of Education staff to each school rated *Accreditation Denied*.

Board discussion:

- Mrs. Atkinson acknowledged the purpose of the memorandum of understanding is to outline the roles and responsibilities of the Department, the State Board, local school board, and local school division.

The Board received for first review the Memoranda of Understanding for Newport News City Public Schools Board and Richmond City Public Schools Board for schools in *Accreditation Denied* status.

First Review of Proposed Revised Curriculum Framework for 2015 History and Social Science Standards of Learning

Ms. Christonya Brown, coordinator for History and Social Science, presented this item. Ms. Brown recognized staff from the department for their support which included the following: Dr. Steve Staples, Dr. Billy Haun, Betsy Barton, Valencia Goodall, Dr. Christine Harris, Shelley Loving-Ryder, Ann Abbett, Marianne Moore, and Dr. Linda Wallinger. Ms. Brown also thanked the Steering Committee and teacher content specialists.

Ms. Brown's presentation included the following:

- New academic content *Standards of Learning* for history and social science were first developed in 1995 and revised in 2001, 2008 and 2015. The *Standards of Quality* require the Board of Education to review the *Standards of Learning* on a regular schedule. The *History and Social Science Standards of Learning* were scheduled for review in 2015. As a result, on January 16, 2014, the Board approved a plan to review these standards and the companion Curriculum Framework during the 2014-2015 academic year, and on March 26, 2015, the Board approved the 2015 *History and Social Science Standards of Learning*.
- In accordance with the plan, the Department of Education took the following steps to produce a draft of the proposed revised Curriculum Framework for the 2015 *History and Social Science Standards of Learning* for the Board's first review:

- ✓ Received and reviewed public comments regarding the 2008 *History and Social Science Standards of Learning* Curriculum Framework from stakeholders, including teachers, parents, and administrators;
 - ✓ Met with a steering committee made up of division content specialists to develop skills section for each course;
 - ✓ Met with a teacher review committee on June 22-25, 2015, to review the public comments, consider other related resources, and develop a proposed draft of the Curriculum Framework for the 2015 *History and Social Science Standards of Learning*;
 - ✓ Met with a committee of external stakeholders representing institutions of higher education, museums, professional organizations, and other organizations and institutions with an interest in history and social science on July 27-28, 2015, to review and comment on the work of the teacher review committee;
 - ✓ Met with steering committee on September 9-10, 2015, for a final review of content and skills; and
 - ✓ Developed a draft of the proposed revised Curriculum Framework for 2015 *History and Social Science Standards of Learning*.
- The major elements of the proposed revised Curriculum Framework for the 2015 *History and Social Science Standards of Learning* include:
 - ✓ Edits to enhance clarity, specificity, rigor, alignment of skills and content, and a reflection of the current academic research and practice;
 - ✓ Revisions made to align with approved changes of the 2015 History and Social Science Standards of Learning;
 - ✓ Emphasis on the vertical alignment of the Essential Skills beginning in Kindergarten and continuing to United States and Virginia Government;
 - ✓ Addition of events relating to history, geography, economics, and civics since the 2008 revision;
 - ✓ An increase in international and global focus of content; and
 - ✓ Received and made revisions based upon comments received from the Divisions of Student Assessment, and School Improvement and Special Education and Student Services.

Board discussion:

- Dr. Staples acknowledged Christonya Brown and other staff that worked on the draft of the Curriculum Framework for the 2015 *History and Social Science Standards of Learning* which will serve as a resource for teachers to teach Social Studies in a way that prepares students to be functional and contributing citizens.
- Mr. Dillard also thanked staff for their work on the Curriculum Framework.
- Mrs. Atkinson said she is pleased with the changes made to the Curriculum Framework which will provide teachers with the materials to develop performance based activities.
- Mrs. Wodiska thanked the entire team for their work on the Curriculum Framework. Mrs. Wodiska also expressed her appreciation for the opportunity to attend the public hearing held at Mt. Vernon on the 2015 *History and Social Science Standards of Learning*.
- Dr. Cannaday thanked Ms. Brown for her presentation.

The Board accepted the proposed revised Curriculum Framework for the 2015 *History and Social Science Standards of Learning* for first review.

REPORTS

Report on Formative Assessment Training Pilot

Mrs. Shelley Loving-Ryder, assistant superintendent for Student Assessment and School Improvement, presented this item. Mrs. Loving-Ryder was assisted by Holli Cook and Ann Abbett, assessment specialists, Division of Student Assessment and School Improvement.

Presenters from local school divisions included the following:

Fredericksburg City Public Schools

Julie Schwarz, teacher, Hugh Mercer Elementary School

Melanie Nuckols, teacher, Hugh Mercer Elementary School

Hadley Christi, teacher, Hugh Mercer Elementary School

Roanoke City Public Schools

Theresa Pritchard, principal, Grandin Court Elementary School

Amanda Mattox, teacher, Grandin Court Elementary School

The presentation included the following:

- The Virginia Department of Education (VDOE), in collaboration with the [Appalachia Regional Comprehensive Center](#), conducted a pilot of formative assessment professional development materials beginning in the 2014-2015 school year. In 2014-2015 selected elementary school teams participated in structured activities correlated to online modules developed by the [Center of Standards and Assessment Implementation](#) and used formative assessment strategies embedded in classroom instruction to enhance student learning. The modules were developed from the work of Dr. Margaret Heritage, noted expert on formative assessment. These modules represented evidence-based practices for promoting formative assessment strategies in the classroom drawn from years of work with teachers; they have been used by educators across the country to support teachers in this process. In 2015-2016 the pilot has been expanded to include middle schools and high schools. The results of this pilot will be used to inform the further expansion of formative assessment professional development opportunities available from the VDOE for school divisions in the Commonwealth.
- Department staff used a panel discussion format to provide background information about the pilot and educators from two school divisions shared their experiences as participants. Their [presentation](#) is available online.

Board discussion:

- Mr. Romero asked who developed the modules. Ms. Pritchard responded that the modules were developed by Dr. Margaret Heritage an expert on formative assessment. The modules represent evidence-based practices for promoting formative assessment strategies in the classroom, drawn from years of work with teachers and used by educators across the country to support teachers in this process. The 2015-2016 pilots were expanded to include middle school and high schools and the results will be used to inform the further expansion of formative assessment professional development opportunities available from the VDOE for school divisions in the Commonwealth.
- Mr. Romero asked what will be done to get feedback from year two and onward. Ms. Pritchard responded that the timing of the survey will be changed to receive better responses.
- Mrs. Wodiska thanked local school divisions and the department staff for working on this project.

- Mr. Dillard said he is concerned with the limited time teachers have for individual instruction.
- Dr. Cannaday thanked the team and indicated the importance of assessment for learning.

The Board received the report on the Formative Assessment Training Pilot.

Annual Report from the Virginia Council for Private Education

Dr. Kathleen Smith, state director of AdvancED and member of the Virginia Council for Private Education Board of Directors and Josie Webster, executive director, Virginia Council for Private Education, presented this item. The presentation included the following:

- At its meeting in November 1993, the Board of Education adopted a resolution that recognized the accrediting process for nonpublic elementary and secondary schools as administered through the Commission on Accreditation of the Virginia Council for Private Education (VCPE). The resolution was primarily for the purpose of public school acceptance of credits earned by students who attended such schools when they transfer to public schools and for any other such purpose(s) which may, from time to time, be specified by the *Code of Virginia* or as may be mutually agreed upon by the Board and VCPE. The resolution specifies, among other things, that the Board of Education will receive an annual report from VCPE.
- VCPE facilitates a statewide framework for communication and cooperation among private schools, their public school counterparts, state and local governments, and other agencies and organizations.
- VCPE oversees accreditation of nonpublic preschool, elementary and secondary schools in the Commonwealth as authorized by the Virginia Board of Education in §22.1-19 of the *Code of Virginia*. State recognized accreditation comes through accreditation granted by any VCPE approved accrediting organization.
- All approved accrediting organizations must meet the VCPE core set of standards. The VCPE peer review process and an annual reporting requirement have been developed to monitor the standards. Each association has standards that meet and exceed those that are monitored by VCPE and must be considered individually by an interested school.
- There are currently 14 VCPE approved accrediting associations.

Board Discussion:

- Dr. Cannaday thanked Ms. Webster for her work with private schools.

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

DISCUSSION OF CURRENT ISSUES

Planning the Work Ahead

Dr. Cave provided a brief overview of the Board's work ahead to revise the Standards of Accreditation. A [draft work plan](#) was provided.

Professional Development

Mrs. Wodiska and Mr. Romero reported on the Board's draft Professional Development Plan, to provide orientation to new Board members.

Charter Schools

Mr. Dillard spoke about a possible constitutional amendment related to charter schools.

Licensure Regulations

Mrs. Melissa Luchau, director for Board Relations, discussed a regulatory issue with the Board. In June 2013, the Board approved proposed amendments to the *Licensure Regulations for School Personnel* to implement two pieces of legislation, including:

- House Bill 578 (2012) – establishing licensure requirements for teachers who teach online only
- House Bill 2151 and Senate Bill 1223 (2013) – eliminated the Local Eligibility License

The regulatory action was recently approved by the Governor to be published for public comment, but the content of the regulatory action is duplicative of the Board's comprehensive review of the *Licensure Regulations for School Personnel*. Mrs. Luchau recommended the Board withdraw the amendments to the *Licensure Regulations for School Personnel* to comply with legislative changes made by the 2012 General Assembly (House Bill 578) and the 2013 General Assembly (House Bill 2151 and Senate Bill 1223) - [Action 3809 / Stage 6615 on the Virginia Town Hall website](#). The Local Eligibility License has already been eliminated through a separate regulatory action, and the requirements for teachers who teach online only are included in the Board's comprehensive revision of the Licensure Regulations for School Personnel. This regulatory action is unnecessary. The Board agreed to withdraw the regulatory action.

Mrs. Atkinson asked for the Department to notify the patrons of the legislation to let them know how the required action is being implemented.

WORK SESSION

The Board met for a public work session on Wednesday, November 18, 2015, at noon, at the James Monroe State Office Building, Washington Conference Room, 25th Floor, with the following members present: Mrs. Atkinson, Dr. Cannaday, Mr. Dillard, Mrs. Edwards, Mr. Romero and Mrs. Wodiska. The following department staff also participated: Dr. Steven Staples, superintendent of public instruction; Patty Pitts, assistant superintendent for teacher education and licensure; and Melissa Luchau, director for board relations. The purpose of the meeting was to discuss the teacher licensure process. No votes were taken, and the work session concluded at 12:45 p.m.

DINNER MEETING

The Board met for a public dinner on Wednesday, November 18, 2015, at the Crowne Plaza Richmond Downtown Hotel, with the following members present: Mrs. Atkinson, Dr. Baysal, Dr. Cannaday, Mrs. Edwards, Mr. Dillard, Mr. Romero, and Mrs. Wodiska. The following department staff also attended: Dr. Steven Staples, superintendent of public instruction, and Melissa Luchau, director of board relations. Secretary of Education Anne Holton also attended a portion of the meeting. Members discussed pending Board agenda items. No votes were taken, and the dinner meeting ended at 8:15 p.m.

PUBLIC HEARING ON THE REGULATIONS GOVERNING THE COLLECTION AND REPORTING OF TRUANCY-RELATED DATA AND STUDENT ATTENDANCE POLICIES (RE-PROPOSED STAGE)

There were no speakers for public comment.

ADJOURNMENT OF THE BUSINESS SESSION

Dr. Cannaday announced that the planned executive session was no longer needed. There being no further business of the Board of Education and Board of Career and Technical Education, Dr. Cannaday adjourned the meeting at 12:40 p.m.

President