

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

July 28, 2016

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. Wesley J. Bellamy
Mr. James H. Dillard
Mr. Daniel A. Gecker
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

Mrs. Atkinson made a motion to approve the minutes of June 23, 2016, meeting of Board. The motion was seconded by Dr. Baysal and carried unanimously. Copies of the minutes had been distributed in advance of the meeting.

SECRETARY OF EDUCATION

Dr. Cannaday introduced Secretary of Education Dr. Dietra Trent. The Governor appointed Dr. Trent upon the resignation of Anne Holton. Secretary Trent previously served as Deputy Secretary of Education and focused on higher education. The Board welcomed Secretary Trent.

RESOLUTIONS/RECOGNITIONS

A Resolution of Appreciation was presented to Marian F. Morris for outstanding service to public education upon the occasion of her retirement from the Virginia Department of Education as administrative assistant to the State Board of Education.

A Resolution of Appreciation was presented to Wendell C. Roberts, Assistant Attorney General in the Office of the Attorney General.

PUBLIC COMMENT

The following persons spoke during public comment:

- Terry Woody, spoke on professional school nurses
- Kandise Lucas, spoke on parent advocacy for special education
- Rachel Rubinstein, spoke on disparities in suspensions and expulsion rates for minorities and using discipline as an indicator of school success under ESSA
- Jack Clark, spoke on the length of SOL tests, particularly 7th grade mathematics
- Tichi Pinkney Eppes, spoke on equitable and quality education for all students, division-wide review, and parental engagement
- LaQuetta Massey, spoke on special education accommodations and needs

Dr. Cannaday thanked everyone who spoke during public comment. Dr. Cannaday said the public can address the Board at monthly Board meetings, committee meetings and public hearings. Dr. Cannaday said the public can contact the Board by e-mail at BOE@doe.virginia.gov or by mail. Dr. Cannaday said staff will follow-up with speakers either during the meeting or shortly thereafter to get more details regarding their issues and how they may assist them. Dr. Cannaday said the public can address their concerns with special education at the state level by contacting the ombudsman for Special Education, Special Education mediation, formal complaints, and due process appeal. Dr. Cannaday said concerns about violation to civil rights should be addressed directly with the Office of Civil Rights at the U. S. Department of Education.

CONSENT AGENDA

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

Final Review of Financial Report on Literary Fund

With the Board's approval of the consent agenda, the Board approved the financial report of the Literary Fund as of March 31, 2016.

Final Review of Nominations to Fill Vacancies on Board of Education Advisory Committees

With the Board's approval of the consent agenda, the Board approved the recommended nominees to fill vacancies on its advisory committees. They are as follows:

State Special Education Advisory Committee

Jack Brandt (Re-appointment)
VCU, Partnership for People with Disabilities
Representing: People with Disabilities
Region: 1

Dr. Jeffrey Cassell
Superintendent, Waynesboro City Public Schools
Representing: Local Education Associations
Region: 5
Christine Germeyer
Representing: Parents from Region 4 (Frederick County School Division)

Region: 4

Erica Midboe (Re-appointment)
Special Education Teacher, Fairfax County Public Schools
Board of Directors, ENDependence Center of Northern Virginia
Representing: Transition Services

Region: 4

Lora Smith
Virginia Department of Social Services
Representing: Child Welfare Agency Responsible for Foster Care

Region: 1

*to fill an unexpired term until June 30, 2017

Brian Summo
Principal, Rivermont School – Alleghany Highlands
Representing: Private Schools
Region: 6

Virginia Advisory Committee for Career and Technical Education

William Edwards Bowman, Jr.
President, W E. Bowman Construction, Inc.
Career Cluster: Architecture & Construction
Region: 1

Michael DuBose
Project Manager, W. M. Jordon Co.
Career Cluster: Architecture & Construction
Region: 2

Philip N. Frazier
Regional Program Manager, Virginia Paving Company
Career Cluster: Transportation, Distribution & Logistics
Region: 4

Zuzana Steen (Re-Appointment)
University and Academic Relations Manager, Micron Technologies
Career Cluster: STEM-Advanced Manufacturing
Region: 4

Virginia Advisory Committee for the Education of the Gifted

William J. Ellis
Parent
Insurance Adjuster, Federated Mutual Insurance
Floyd County
Region: 6

Dara M. Hall
Parent
Admission and Licensure Coordinator, Education Support Center, James Madison University
Harrisonburg
Region: 5

Robert L. Hundley (Re-Appointment)
School Board Member, Hanover County Public Schools
Region: 1
Rebecca Johnson
Facilitator of Gifted Services, Accomack County Public Schools

Region: 2
Lieutenant Commander Shawanna M. Poarch
Parent
US Navy
Suffolk
Region: 2

Janice C. Robertson (Re-appointment)
Retired Consultant, School Psychologist, Amelia County Public Schools
Region: 8

Advisory Board on Teacher Education and Licensure

Jennifer P. Andrews
Exceptional Education Teacher, Henrico County Public Schools
Representing: Classroom Teacher (Secondary), Special Education
Region: 1
*to fill an unexpired term until June 30, 2018

Selena Paige Dickey
History and Language Arts 6th grade Teacher, Fauquier County Public Schools
Representing: Middle Classroom Teacher
Region: 4

Brian James McGovern (Re-appointment)
Representing: Classroom Teacher (Secondary)
Region: 2

Tracey Dalton Mercier (Re-appointment)
Representing: Classroom Teacher (Elementary)
Region: 7

Dr. James A. Meyer
Member, Spotsylvania County School Board
Representing: School Board Member
Region: 3

Nancy Buckner Welch
Superintendent, Mathews County Public Schools
Representing: Division Superintendent
Region: 3

Charletta M. Williams (Re-appointment)
Representing: Classroom Teacher (Elementary)
Region: 2

Lesleye Williams
Business and Marketing Teacher, Prince William County Schools
Representing: Secondary Classroom Teacher (Career and Technical Education Teacher)
Region: 4

**An additional call for nominations will be issued to fill positions representing business community and principals.*

Adult Education and Literacy Advisory Committee

Debra Cargill

ESOL Lead and English Literacy /Civic Grant Coordinator, Prince William Public Schools

Region: 4

Sharon Mullen

Principal, Wilson Workforce and Rehabilitation Center, Department for Aging and Rehabilitative Services (DARS)

Region: 5

Nancy Perdue

Director-Instructor, ABE/GED, Middle Peninsula Regional Security Center

Region: 3

Anna Rice-Wright

State Trade Act Program Manager, Virginia Employment Commission

Region: 1

William Stanley

Practicing Attorney and Member of the Senate of Virginia

Region: 5

ACTION/DISCUSSION ITEMS

First Review of Revised Virginia Public Charter School Application and Application Process

Mrs. Diane Jay, associate director, Office of Program Administration and Accountability, presented this item. Mrs. Jay's presentation included the following:

- Legislation approved by the 2013 General Assembly in [HB 2076](#) and [SB 1131](#) provided that charter school applications that are initiated by one or more local school boards are not subject to review by the Board of Education. SB 734 passed by the 2016 General Assembly and signed by the Governor, amended and reenacted Sections [22.1-212.6](#), [22.1-212.7](#), [22.1-212.8](#), and [22.1-212.13](#) of the *Code of Virginia*, and added Section [22.1-212.6:1](#), relating to public charter schools. The text of the legislation, showing additions and deletions, can be found in Attachment A.
- To meet the intent of the 2010 legislation, the Board has appointed a charter school committee to examine applications to ensure they are consistent with existing state law and the Board's approval criteria. The application and review process is being revised to reflect charter school legislation approved during the 2016 General Assembly session as summarized below.

- Section [22.1-212.6](#): Establishment and operation of public charter schools: requirements

The one change in this section is a strikethrough of Part A, which states that charter schools are subject to all federal and state laws regarding discrimination. Part A is now addressed in Section [22.1-212.6:1](#).

- § [22.1-212.7](#): Contracts for public charter schools

Contracts between the local school board and the charter management committee have been amended to include additional components. The required components are included in the assurances section of the revised application.

- Within 90 days of approval of a charter application, the local school board and the management committee of the approved public charter school shall execute a charter contract that clearly sets forth (i) the academic and operational performance expectations and measures, and (ii) the administrative relationship between the local school board and public charter school.
- The academic and operational performance expectations and measures in the charter contract shall be based on a performance framework to include indicators, measures, and metrics for the following:
 1. Student academic proficiency;
 2. Student academic growth;

3. Achievement gaps in both proficiency and growth between the major student subgroups based on gender, race, poverty status, special education status, English language learner status, and gifted status;
 4. Attendance;
 5. Recurrent annual enrollment;
 6. Postsecondary education readiness of high school students;
 7. Financial performance and sustainability; and
 8. The performance and stewardship of the management committee, including compliance with all applicable laws, regulations, and terms of the charter contract.
- The performance framework shall:
 - Allow the inclusion of additional rigorous, valid, and reliable indicators to augment external evaluations of its performance, provided that the local school board approves the quality and rigor of such indicators and such indicators are consistent with the purposes of this article; and
 - Require the disaggregation of all student performance data by major student subgroups based on gender, race, poverty status, special education status, English language learner status, and gifted status.
 - Annual performance targets shall be set by each public charter school and the local school board.
 - The charter contract shall be signed by the chairman of the local school board and the president or chairman of the public charter school's management committee.
 - Within ten days of executing a charter contract, the local school board shall submit to the Board written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.
 - No public charter school shall commence operations without a charter contract executed and approved in an open meeting of the local school board.

- **Section 22.1-212.8: Charter application**

The charter application section of the *Code* has been amended to require additional information. The information below is added to the revised charter school application. The application is to address the following areas:

- Location or geographic area;
- Grades to be served;
- Minimum, planned, and maximum enrollment per grade level per year;
- Evidence of need and community support;
- Information on the proposed founding management committee members and, if identified, the proposed public charter school leadership and management team;
- Calendar and a sample daily schedule;
- Description of the academic program that is aligned with the Standards of Learning;
- Description of the public charter school's instructional design, including the type of learning environment, such as classroom-based or independent study; class size and structure; curriculum overview; and teaching methods;
- Plans for identifying and successfully serving students with disabilities, students who are English language learners, students who lag behind academically, and gifted students;
- Description of co-curricular or extracurricular programs and how such programs will be funded and delivered;
- Plans and timelines for student recruitment and enrollment, including lottery procedures;
- Student discipline policies, including discipline policies for special education students;
- Organization chart that clearly presents the public charter school's organizational structure;
- Description of the roles and responsibilities for the management committee and the public charter school's leadership and management team;
- Staffing chart for the school's first year and a staffing plan for the term of the charter contract;
- Plans for recruiting and developing the school's leadership and staff;
- School's leadership and teacher employment policies;
- Proposed governing bylaws;
- Explanations of any partnerships or contractual relationships central to operations or mission;
- Plans for providing transportation, food service, and other operational and ancillary services;
- Opportunities and expectations for parent involvement;
- Start-up plan that identifies tasks, timelines, and responsible individuals;
- Description of the financial plan and policies, financial controls, and audit requirements;
- Description of the insurance coverage to be obtained;
- Start-up and five-year budgets with assumptions;

- Start-up and first-year cash-flow projections with clearly stated assumptions;
- Evidence of anticipated fundraising contributions; and
- A sound facilities plan.

- **Section 22.1-212.13: Employment of professional, licensed personnel**

The one change in this section is a strikethrough of Part E, “Nothing in this section shall be construed to restrict the authority of the local school board to assign professional, licensed personnel to a public charter school or any other public school as provided in Sections 22.1-293 and 22.1-295.”

- **Section 22.1-212.6:1. Applicability of other laws, regulations, policies, and procedures**

This section has been added to the *Code*. The requirements have been incorporated into the assurances section of the revised charter school application. Each applicant must assure the following:

- Subject to all federal laws and authorities as set forth in this article and the charter contract with the local school board;
- Subject to the same civil rights, health, and safety requirements applicable to other public schools in the Commonwealth, except as otherwise provided in this article;
- Subject to the student assessment and accountability requirements applicable to other public schools in the Commonwealth, but a public charter school can establish additional student assessment measures that go beyond state requirements if the school's authorizer approves such measures;
- Management committees are subject to and shall comply with the Virginia Freedom of Information Act;
- Cannot discriminate against any individual on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services or any other unlawful basis, and each public charter school shall be subject to any court-ordered desegregation plan in effect for the school division;
- Cannot discriminate against any student on the basis of limited proficiency in English, and each school shall provide those students with appropriate services designed to teach such students English and the general curriculum; and
- Cannot engage in any sectarian practices in its educational program, admissions or employment policies, or operations.

- In addition to the changes in the application, revisions in the review process are recommended based on the experiences of the Board's standing Charter School Committee, which has reviewed eight charter school applications since 2011. Highlights of the suggested modifications to the process are below.

- Conduct two committee meetings with the applicant (scheduled with the Board's Charter School Committee based on their meeting schedule and consultation with the applicant)
 - Initial meeting
 - Applicant and charter school's management team discuss the contents of the application and criteria; and
 - Committee takes a consensus vote on each of the criterion and on the application as a whole:
 - If the criteria are met, the application will be presented to the Board; or
 - If the committee decides that not all criteria are met, the applicant will be provided time to address those criteria and will be given the opportunity to meet with the committee at a second meeting.
 - Second meeting
 - Applicant notifies the Virginia Department of Education six weeks in advance to schedule second meeting;
 - Revised application sent six weeks in advance of meeting;
 - Criteria that were deemed met at the initial meeting will remain intact with no changes required by the applicant;
 - Criteria that were not met at the initial committee meeting will be addressed by the committee with the applicant;
 - A count will be taken of the criteria met from the initial and from the second meeting; and
 - Committee will take a consensus vote on the overall application;
 - If the criteria are met, the application will be presented to the Board; or
 - If the criteria are not met, an additional opportunity for the applicant to address remaining deficiencies will be discussed with the applicant.
- Applications proceeding to the Board for review
 - At the meeting for final review, if the application does not meet the Board's approval criteria

- Board will provide the applicant with an opportunity to address any deficiencies within a mutually agreed upon time frame.
- If the applicant cannot address the deficiencies within the agreed upon date, the applicant may withdraw the application.
- Withdrawal of an application
 - An applicant may withdraw an application at any time during the review process and resubmit it at a later date.
 - With a withdrawal and resubmission, the application will be considered as a new charter school applicant.

Board discussion:

- Mr. Romero thanked staff for their work on this item and noted that the revisions will allow the charter school committee to engage more with applicants and provide more assistance throughout the review process.

The Board of Education received for first review the revised Virginia Public Charter School Application and Application Process.

First Review of Revisions to the High School Equivalency (HSE) Examination Guidelines for Virginia

Dr. B. Sue Mansfield, specialist for High School Equivalency, presented this item. Dr. Mansfield's presentation included the following:

- On June 26, 2014, the Office of Adult Education and Literacy (OAEL) informed the Board of Education (Board) of the impending change to the *Code of Virginia* effective July 1, 2014. On that date, HB 1007 (Byron) changed all references in the *Code of Virginia* from "General Educational Development (GED®)" to "high school equivalency examination approved by the Board of Education." The language was changed in recognition of other HSE examination options that are now available.
- Two other HSE examination options are currently available in addition to the GED® test: (1) the *High School Equivalency Test* (HiSET®), from the Educational Testing Service (ETS) and (2) the *Test Assessing Secondary Completion™* (TASC), from the Data Recognition Corporation/California Testing Bureau (DRC/CTB). Currently, 25 states have selected the 2014 GED® computer-based test as their only approved alternative high school examination, eight states have selected only the HiSET®, three states have selected only the TASC™, nine states have selected all three HSE tests, three states use GED® and HiSET®, and two states use GED® and TASC™. In total, 39 states offer the GED® test; 20 states offer the HiSET®; and 14 states offer the TASC™.
- On September 18, 2014, the GED® testing program was temporarily approved by the Board as the HSE examination to be used in Virginia. The approval was granted to comply with the legislated code changes. At this same meeting, the Board directed the OAEL to conduct a comparative analysis of HSE examination options, as well as survey key stakeholders to determine the credibility and acceptability of all HSE options, in order to make an informed decision about which HSE examination(s) would best meet the needs of Virginia's adult learners.
- The *Code of Virginia* allows the Board to approve an HSE test(s), as well as set the standards for determining which test(s) to approve. It was determined that the best practice to follow was in the development of HSE test guidelines; thus, any test(s) meeting the standards set forth in the *High School Equivalency Examination Guidelines for Virginia* may become an approved HSE test(s) for administration in the Commonwealth of Virginia.

Evaluation of High School Equivalency Examinations

The HSE process began in October 2014 and throughout the process many stakeholders have been involved in this

transparent, decision-making process. Stakeholders included the Virginia Community College System (VCCS), Office of Workforce Development, State Council for Higher Education for Virginia, the Virginia Association of School Superintendents, Department of Corrections (DOC), local and regional jails, Department of Juvenile Justice, Goodwill Industries, the Virginia Adult Learning Resource Center (VALRC), the Virginia Department of Education (VDOE) staff, Regional Program Managers for adult education, local adult education administrators and instructors, Individual Student Alternative Education Plan (ISAEP) coordinators, and testing administrators/examiners. The timeline included the following actions:

- Following the Request for Information (RFI) and vendor presentations of all three HSE vendors, the HSE Review Committee members completed surveys on the presentations they heard. These results were used by James Madison University (JMU) to write the *Virginia High School Equivalency Exam Review Process Evaluation Report 2015*, along with interviews conducted with representatives from selected states that have adopted one or more of the available HSE examinations, the VALRC staff, the OAEL staff, and the VDOE Chief Academic Officer/Assistant Superintendent for Instruction.
- Upon counsel from representatives with the Attorney General's office and the Office of Procurement, in lieu of a Request for Proposal (RFP), it was determined that the OAEL would develop HSE examination guidelines to be approved by the Board, followed by the issuance of a Request for Application (RFA). All HSE vendors would have an opportunity to submit an application to become an approved HSE examination in Virginia. It was further understood that a contract with HSE vendors would not be necessary because they are not being hired by VDOE to offer the examinations. Instead, the vendors are being authorized by VDOE to provide the examinations to eligible individuals.
- Using the JMU *Virginia High School Equivalency Exam Review Process Evaluation Report 2015* as a framework, guidelines were developed containing all of the relevant criteria to be considered when approving an HSE examination(s) for use in Virginia. These guidelines were reviewed, edited, and vetted by an HSE Guidelines Committee.
- The *High School Equivalency Examination Guidelines for Virginia* were presented to the Board for first review on July 23, 2015, and approved at final review on September 10, 2015.
- All vendors submitted an application in response to the RFA. In January 2016, the HSE Evaluation Committee met to discuss applications reviewed. The Evaluation Committee consisted of representatives from the VDOE offices of Adult Secondary and ISAEP, Mathematics and Governor's School, and Test Administration, Scoring, and Reporting; DOC Office of Operations; VCCS Office of Adult Coaching and Transitions with Workforce Development Services; JMU Office of Assessment and Evaluation; and the Office of Regional Adult Education. At the conclusion of this meeting, no HSE examination was approved for use in Virginia. Letters were sent to each vendor asking for a resubmission of specific information which was missing from the original submission or where clarification was needed. The *High School Equivalency Examination Guidelines for Virginia* was included in this correspondence with the guideline(s) for which additional information was needed highlighted and the specific information that was needed typed in red. The resubmissions were due back on April 1, 2016.
- In April 2016, resubmissions were received from all three vendors and reviewed by the HSE Evaluation Committee. At the conclusion of that meeting, the committee's unanimous decision was that the GED[®] test would be the only approved HSE exam for Virginia at this time. This approval is good for a five-year period through June 30, 2021, at which time GEDTS[®] will reapply for approval. The other two vendors will have an opportunity to reapply in October 2016. Letters were sent to all vendors stating the outcome of this evaluation process, indicating the specific reasons for the decision made.
- Having completed the first evaluation cycle, and assuring continual program evaluation and improvement, the HSE Evaluation Committee recommended that some of the wording in the guidelines be revised to clarify for the applicants the documentation needed in vendor applications and for consistency in the document's wording. The intent of the approved guidelines was not changed and no additional criteria were added. The HSE Guidelines and HSE Evaluation Committees met again on June 17, 2016, to review the guidelines and made recommendations to revise the guidelines.

Board discussion:

- Mrs. Atkinson said she appreciated the format that the information was provided to Board members because it was helpful for them to see the changes that were made. Mrs. Atkinson said the information provided will assist vendors in the future with their application.

The Board of Education received for first review the revised *High School Equivalency Examination Guidelines for Virginia*.

First Review of Revisions to the Licensure Regulations for School Personnel (8 VAC 20-22-10 et seq.) to Conform to General Assembly Legislation (Exempt Action)

Mrs. Patty Pitts, assistant superintendent for Teacher Education and Licensure, and Mr. John Eisenberg, assistant superintendent for Special Education and Student Services, presented this item. The Presentation included the following:

- The 2016 Virginia General Assembly passed House Bill 842 that amended requirements for initial licensure and renewal. Every person seeking initial licensure or renewal of a license shall complete awareness training, provided by the Department of Education, on the indicators of dyslexia, as that term is defined by the Board pursuant to regulations, and the evidence-based interventions and accommodations for dyslexia. This requirement shall become effective on July 1, 2017.

CHAPTER 649

An Act to amend and reenact § 22.1-298.1 and to amend the Code of Virginia by adding a section numbered 22.1-298.4, relating to teacher preparation and licensure; dyslexia and other learning disabilities.

[H 842]

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-298.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-298.4 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 an active career and technical education credential that is earned by successfully completing a Board of Education-approved industry certification examination, being issued a professional license in the Commonwealth, or successfully completing an occupational competency examination.

"Licensure by reciprocity" means a process used to issue a license to an individual coming into the Commonwealth 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 the Commonwealth 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 renewal of a license shall complete all renewal requirements, including professional development in a manner prescribed by the Board, except that no person seeking renewal of a license shall be required to satisfy any such requirement by completing coursework and earning credit at an institution of higher education;
 5. 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;
 6. Every person seeking licensure with an endorsement as a teacher of the blind and visually impaired shall demonstrate proficiency in reading and writing Braille; ~~and~~
 7. Every teacher seeking an initial license in the Commonwealth 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. If a teacher seeking an initial license in the Commonwealth has not attained an industry certification credential in the area in which the teacher seeks endorsement, the Board may, upon request of the employing school division or educational agency, issue the teacher a provisional license to allow time for the teacher to attain such credential; *and*
 8. *Every person seeking initial licensure or renewal of a license shall complete awareness training, provided by the Department of Education, on the indicators of dyslexia, as that term is defined by the Board pursuant to regulations, and the evidence-based interventions and accommodations for dyslexia.*

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, pursuant to subdivision D 7 or 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.

§ 22.1-298.4. *Teacher preparation programs; learning disabilities.*

The Department of Education shall collaborate with the State Council of Higher Education for Virginia to ensure that all teacher preparation programs offered at public institutions of higher education in the Commonwealth or otherwise available convey information on the identification of students at risk for learning disabilities, including dyslexia, other language-based learning disabilities, and attention deficit disorder.

2. That the provisions of this act shall become effective on July 1, 2017.

- The *Licensure Regulations for School Personnel* must be amended to conform to General Assembly legislation. Attached are the following: (1) the amended language to be incorporated into the licensure regulations and (2) the Virginia Regulatory Town Hall form, *Exempt Action Final Regulation Agency Background Document*. These amendments to the current *Licensure Regulations for School Personnel* also will be included in the proposed comprehensive licensure regulations approved by the Board of Education in May 2016 that are continuing through the procedures of the Administrative Process Act.
- Staff members in the Division of Special Education and Student Services, Virginia Department of Education, are working on the development of an online tutorial to deliver awareness training on the indicators of dyslexia and the evidenced-based interventions and accommodations for dyslexia. The tutorial will be available to licensees free of charge.
- Mr. Eisenberg gave an overview of how the Office of Special Education and Student Services intend to comply with the new legislation.

Board discussion:

- Mr. Dillard expressed concern that this is another mandate put on local school divisions by the General Assembly. Mr. Dillard said he is delighted the state will provide assistance related to dyslexia.
- Dr. Staples highlighted that staff is seeing more specific requirements attached to teacher licensure by the General Assembly or State Board. Dr. Staples said staff has an obligation to track those documents to make sure teachers have actually engaged in

the content.

- Mr. Eisenberg said this certification will not be a cost to teachers.

The Board of Education received for first review the proposed amendments to the *Licensure Regulations for School Personnel* (Exempt Action).

First Review of Proposed Teacher Licensure Requirements for Mixed-Delivery Preschool Fund and Grant Program in Response to 2016 Acts of Assembly

Dr. Mark Allan, Federal Preschool Development Grant Coordinator, Division of Instruction, presented this item. Dr. Allan's presentation included the following:

- The Mixed-Delivery Preschool Grant Program was established by the 2016 General Assembly for the purpose of awarding grants on a competitive basis to urban, suburban, and rural community applicants to field-test innovative strategies and evidence-based practices that support a system of mixed-delivery preschool services. As stated in [§22.1-99.6](#) (Attachment A), "mixed-delivery" includes public, nonsectarian private, and faith-based early education programs. The 2016 Acts of Assembly (§22.1-99.6) require the Virginia Board of Education (Board) to prescribe certain basic conditions for teacher licensure for teachers participating in the Mixed-Delivery Preschool Fund and Grant Program.

Section 22.1-99.6 of the *Code of Virginia*, states, in part, the following:

...F. In order to provide program flexibility and maximize local innovation, grant recipients are eligible to request and receive waivers of Board regulations and guidelines. Notwithstanding the provisions of § 22.1-299, and in order for grant recipients to compare classroom and child outcomes among teachers with different credentials and qualifications pursuant to clause (ii) of subsection E, the Board shall waive teacher licensure requirements upon the request of any grant recipient so long as the teachers for whom such licensure requirements have been waived meet certain basic conditions for licensure prescribed by the Board. Such basic conditions for licensure shall include education and experience qualifications that do not exceed the education and experience qualifications for program leaders of licensed child day centers as set forth in 22VAC40-185-210. Upon the request of any grant recipient, other relevant state agencies and boards may grant additional waivers from agency or board regulations and guidelines, as deemed appropriate. Nothing in this subsection shall be construed to permit individuals or entities other than grant recipients to request and receive waivers pursuant to this subsection....

Participation in high-quality preschool programs can effectively support the school readiness of at-risk children entering kindergarten. Virginia's state-funded Virginia Preschool Initiative (VPI) has not enrolled all four-year-olds who are eligible based on family income or other risk factors. Barriers to success of full, effective deployment of VPI are structural and include school division financial challenges due to a required local match and lack of available classroom space within the public school setting. The Mixed-Delivery Preschool Grant Program will pilot possible solutions to barriers through a system of mixed-delivery preschool programs for at-risk students. As required by §22.1-99.6, the Virginia Early Childhood Foundation (VECF) has administered a request for proposals process and invited community applicants to respond with localized innovations and approaches to a system of mixed-delivery preschool services. The VECF will award grants, in consultation with the Virginia Department of Education (VDOE).

In order to provide program flexibility and maximize local innovation, grant recipients are eligible to request and receive waivers of Board regulations and guidelines, including waivers of teacher licensure as mandated by §22.1-99.6.

Section 22.1-299 of the *Code of Virginia*, states, in part, the following:

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

§22.1-99.6 states that the Board shall waive teacher licensure requirements upon the request of any grant recipient. This section also requires the Board to prescribe certain basic conditions for licensure. These conditions shall include education and experience qualifications that do not exceed the education and experience qualifications for program leaders of licensed child day centers as set forth in 22VAC40-185-210 (Attachment B). As stated in this *Code* section, nothing shall be construed to permit individuals or entities other than grant recipients to request and receive waivers pursuant to this subsection and the provisions of the Mixed-Delivery Preschool Program expire on July 1, 2019. The proposed basic conditions for teacher licensure for the Mixed-Delivery Preschool Grant Program may be found in Attachment B (22VAC40-185-210).

Board discussion:

- Mrs. Wodiska said although this is a desire of the General Assembly she has some concerns. Mrs. Wodiska said high quality preschool programs require teachers to be well educated and prepared. Mrs. Wodiska said that data from other states prove that to have effective preschool programs local school divisions have to invest in staff.
- Mrs. Atkinson acknowledged the responsibility of the Board to adhere to what the General Assembly has directed the Board to do and expressed her deep concern for what they are accomplishing. Mrs. Atkinson said she appreciate the General Assembly's desire to expand opportunities for preschool for students beyond what they are currently able to do through the Preschool Initiative. Mrs. Atkinson said she is concerned that staffing for the grants will be individuals that do not have the experiences and training necessary to ensure that the children that will be served by those programs will receive a quality education.
- Dr. Cannaday asked Dr. Allan to pass along to Mrs. Glazer and the Early Childhood Foundation that it will be important to get data back so the Board can determine how to better serve young people in the future. Dr. Allan said evaluation is a component of the pilot program.
- Mr. Dillard asked about the members of the Early Childhood Foundation and how they are appointed. Dr. Staples said the Virginia Early Childhood Foundation (VECF) is a nonprofit organization with their own governing board and are not appointed by the Governor. Dr. Staples said staff will provide Mr. Dillard the appointment process for VECF.
- Mr. Romero said he has seen the importance of students coming into kindergarten ready for the school experience because they have had preschool. Mr. Romero said a lot of children are not able to participate in preschool because of the limited amount of space available. Mr. Romero said many of the students that go to preschool have to go through an application process and the criteria is very specific and the children come with a variety of needs. Mr. Romero said having a classroom or lead teacher with the proper academic, social, emotional and cultural competence is a concern. Mr. Romero said they should be the best prepared educators to be able to educate the students for their first experience. Mr. Romero said first instruction is critical.
- Mrs. Atkinson acknowledged that the Governor has a commission that is looking at early childhood education and she hopes the Board will receive helpful insights from that commission.

Dr. Baysal made a motion to waive first review and prescribe the basic conditions for teacher licensure for the Mixed-Delivery Preschool Grant Program. The motion was seconded by Mrs. Atkinson and carried unanimously. The basic conditions are articulated in 22VAC40-185-210.

**First Review of Revisions to the Guidance for the Determination of the Accreditation Rating:
“Partially Accredited”**

Mrs. Shelley Loving-Ryder, assistant superintendent for Student Assessment and School Improvement, presented this item. Mrs. Ryder’s presentation included the following:

- At its October 22, 2015, meeting the Board approved the Guidance Related to the *Partially Accredited* Rating Included in the Revisions to the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia* (8VAC 20-131). At the time that these guidelines were approved, student growth data for reading and mathematics were not available for the calculation of the 2015-2016 accreditation ratings. However, the guidance document stated that information regarding the use of student growth data in the calculation of the partially accredited rating would be provided as it became available. Because student growth data are now available for use in the calculation of the accreditation ratings for 2016-2017, the guidance has been revised to reflect the availability of these data.

Guidance for the Determination of the Accreditation Rating:
“Partially Accredited”
Revised July 28, 2016

The 2015 Acts of Assembly directed the Board of Education to “promulgate regulations establishing additional accreditation ratings that recognize the progress of schools that do not meet accreditation benchmarks but have significantly improved their pass rates, are within specified ranges of benchmarks, or have demonstrated significant growth for the majority of their students. The Board shall implement such regulations no later than the [2016-2017](#) school year.”

The Board approved revisions to the *Standards for Accrediting Public Schools in Virginia* that incorporated these new ratings in July 2015 under the Fast Track Provisions of the Administrative Process Act. The changes to the regulations were effective on October 8, 2015.

Guidance:

The following guidance provides additional information regarding the criteria that will be used to assign schools the new accreditation rating—“Partially Accredited” as described in 8VAC20-131-300.

Specifically, guidance for the following categories under the “Partially Accredited” ratings is provided:

- Partially Accredited: Approaching Benchmark-Graduation and Completion Index
- Partially Accredited: Approaching Benchmark-Pass Rate
- Partially Accredited: Improving School- Graduation and Completion Index
- Partially Accredited: Improving School-Pass Rate

3. Partially Accredited. A school which meets criteria as prescribed by the Board of Education will be designated as Partially Accredited according to the specific categories shown below.

a. Approaching Benchmark (within specified margins):

(1) Graduation and Completion Index. Based on components of the graduation and completion index as described in 8VAC20-131-280 B 2, a school will be rated as Partially Accredited: Approaching Benchmark-Graduation and Completion Index when its eligible students meet pass rates required for full accreditation and its graduation and completion index is within a narrow margin of the minimum threshold as prescribed by the board. A school may remain in the Partially Accredited: Approaching Benchmark-Graduation and Completion Index status for no more than three consecutive years, unless an extension is granted based on criteria established by the board.

Guidance:

To achieve a rating of *Partially Accredited: Approaching Benchmark-Graduation and Completion Index*, the eligible students in the school must have met the pass rates required for full accreditation in all four content areas (English, mathematics, science and history/social science) and the school must achieve 84 percentage points on the Board of Education's graduation and completion index.

(2) Pass Rate. Based on tests administered in the previous academic year, a school will be rated as Partially Accredited: Approaching Benchmark-Pass Rate if the school does not meet the requirements for full accreditation in all of the four core academic subject areas but the pass rate in each subject area either (i) meets the pass rate required for full accreditation or (ii) is within a narrow margin of the pass rate required for full accreditation, as defined by the board. A school may remain in the Partially Accredited: Approaching Benchmark-Pass Rate status for no more than three consecutive years, unless an extension is granted based on criteria established by the board.

Guidance:

A school will be rated as *Partially Accredited: Approaching Benchmark-Pass Rate* if the school does not meet the requirements for full accreditation but the school’s pass rate in each of the four content areas (English, mathematics, science, and history/social science) either: (1) meets the benchmark required for full accreditation or (2) meets the narrow margin criteria. Specific requirements for the *Partially Accredited: Approaching Benchmark-Pass Rate* are provided in Table A.

Table A—Pass Rate Requirements for Full Accreditation or Narrow Margin			
	Pass Rate Required for Full Accreditation	or	Pass Rate Required to Meet Narrow Margin Criteria
English	75%	or	73%
Mathematics	70%	or	68%
Science	70%	or	68%
History/Social Science	70%	or	68%

b. Improving School (meets criteria for improvement or student growth, or both, over previous year):
 (1) Graduation and Completion Index. Based on components of the graduation and completion index as described in 8VAC20-131-280 B 2, a school will be rated as Partially Accredited: Improving School-Graduation and Completion Index when its eligible students meet pass rates required for full accreditation, but its graduation and completion index is not within the established narrow margin of the minimum threshold prescribed by the board; however it has achieved sufficient improvement in its graduation and completion index from the previous year, as prescribed by the board. A school may remain in the Partially Accredited: Improving School-Graduation and Completion Index status for no more than three consecutive years, unless an extension is granted based on criteria established by the board.

Guidance:

A school will be rated as *Improving School-Graduation and Completion Index*, if it fails to meet the requirements for the *Approaching Benchmark-Graduation and Completion Index* rating but 1) the eligible students in the school have met the pass rates required for full accreditation in all four content areas (English, mathematics, science and history/social science) and 2) the school’s Graduation and Completion Index has improved by at least one point from the previous year.

(2) Pass Rate. Based on tests administered in the previous academic year, a school will be rated as Partially Accredited: Improving School-Pass Rate if the school does not meet the requirements for full accreditation or for Partially Accredited: Approaching Benchmark-Pass Rate, but in each of the four core academic subject areas, one of the following criteria is met: (i) the pass rate meets the benchmark required for full accreditation; (ii) the pass rate is within a narrow margin of the benchmark required for full accreditation, as defined by the board; (iii) the school has demonstrated sufficient improvement in its pass rate from the previous year as defined by the board; or (iv) the school has demonstrated sufficient student growth, as defined by the board. A school may remain in the Partially Accredited: Improving School-Pass Rate status for no more than three consecutive years, unless an extension is granted based on criteria established by the board.

Guidance:

A school will be rated as *Partially Accredited: Improving School-Pass Rate* if the school does not meet the requirements for full accreditation or for Partially Accredited: Approaching Benchmark-Pass Rate but the school's pass rate in each of the four content areas (English, mathematics, science, and history/social science) either: 1) meets the benchmark required for full accreditation, or 2) meets the narrow margin criteria, or 3) has shown sufficient improvement as compared to the pass rate for the previous year. Specific requirements for the *Partially Accredited: Improving School* ratings are provided in Tables B and C below.

Table B—Requirements for Full Accreditation, Narrow Margin, and Improving Pass Rate					
	Pass Rate Required for Full Accreditation	or	Pass Rate Required to Meet Narrow Margin Criteria	or	Criteria to meet <i>Improving School-Pass Rate</i>
English	75%	or	73%	or	See Table C
Mathematics	70%	or	68%	or	See Table C
Science	70%	or	68%	or	See Table C
History/Social Science	70%	or	68%	or	See Table C

Table C—Requirements for Sufficient Pass Rate Improvement			
Mathematics, Science, and Social Studies		English	
If the school's pass rate for last year was:	The school's pass rate for this year must have increased by at least:	If the school's pass rate for last year was:	The school's pass rate for this year must have increased by at least:
66 – 67*	*	71 – 72*	*
65	2 points	70	2 points
60 – 64	3 points	65 – 69	4 points
50 – 59	9 points	60 – 64	7 points
40 – 49	10 points	45 – 59	11 points
Below 40	15 points	Below 45	15 points

* A school with a previous year's pass rate of 66 or 67 in Mathematics, Science, or History/Social Science or a previous year's pass rate of 71 or 72 in English cannot meet the criteria for Partially Accredited: Improving School. If the school does not meet the criteria for Partially Accredited: Approaching Benchmark in the subject, the school would be Partially Accredited: Warned.

The pass rate increases necessary for a school to be rated as *Partially Accredited: Improving School—Pass Rate* are differentiated based on the previous year's pass rate. Schools with lower pass rates in the previous year must make greater gains to be eligible for this rating. In most cases the required increases would allow schools to reach full accreditation in three years. While this is not the case for the schools with the lowest pass rates, the required pass rate increases, if met, could provide justification to request an extension from the Board before the school is denied accreditation.

A school may also be rated as *Partially Accredited: Improving School-Pass Rate* if the school does not meet the requirements for full accreditation, Partially Accredited: Approaching Benchmark-Pass Rate or Partially Accredited: Improving School-Pass Rate but the school has demonstrated sufficient student growth for its students who failed the reading and mathematics tests in the previous year, as measured by the Progress Tables.

In the Progress Tables student growth is determined by comparing the student's test score in the current year to his/her prior test score. To facilitate the measurement of student growth, each of the performance levels used for the Standards of Learning tests in reading and mathematics, *Below Basic*, *Basic*, *Proficient*, and *Advanced*, is divided in half to create two sublevels. The resulting sublevels are: *Low Below Basic*, *High Below Basic*, *Low Basic*, *High Basic*, *Low Proficient*, *High Proficient*, *Low Advanced*, and *High Advanced*. Student progress is measured by the number of sublevels a student who failed the reading and/or mathematics the previous year has moved based on the current year's data. For example, a student whose score on the grade 4 reading test in 2015-2106 was "low basic" has moved one sublevel if his score on the

grade 3 reading test in 2014-2015 was “high below basic.”

			Current Year								
			Below Basic		Basic		Proficient		Advanced		
			Low	High	Low	High	Low	High	Low	High	
Previous Year	Below Basic	Low									
		High									
	Basic	Low									
		High									
	Proficient	Low									
		High									
	Advanced	Low									
		High									

For the purposes of the accreditation rating, *Partially Accredited: Improving School-Pass Rate* a school has demonstrated sufficient student growth if, on average, the students who failed the test the previous year have grown by at least one sublevel in reading or mathematics.

In some limited situations there may be circumstances affecting student performance that would warrant special consideration by the Board in assigning an accreditation rating to a school. Should such a situation occur, the local school board must submit a request to the Board of Education signed by the chairman of the school board and the school division superintendent explaining why the school board is appealing the accreditation rating. The appeal must include documentation supporting the request to change the accreditation rating and may include other measures of student progress. The Department of Education will provide school divisions with additional guidance regarding the process for making such an appeal to the Board and the required documentation.

During the discussion, Mrs. Loving-Ryder clarified how the “sufficient student growth” is calculated. She noted that students who failed the reading and mathematics tests in the previous year are eligible.

The discussion included:

- Mr. Gecker asked what the goal is in terms of changing behavior. Dr. Staples noted the intent is to find a means to differentiate among schools that are not hitting the mark. He noted that growth gives us a better indicator of schools who are below the mark, but are making improvement. Mrs. Atkinson noted the need for targeted assistance for some students. Mr. Gecker noted the need to provide incentive for changes in all schools.
- Mrs. Wodiska noted the need for cohesion in the accountability system, and the need to recognize growth in all schools including those denied accreditation. She also noted the need for data to determine if this incentive works.
- Dr. Cannaday noted that the Board is trying to understanding how accreditation can change behavior of teachers and students, so that it can better refine the system.

Mrs. Atkinson made a motion to waive first review and approve the revisions to the *Guidance for the Determination of the Accreditation Rating: "Partially Accredited."* The motion was seconded by Mr. Romero and carried unanimously.

Schedule for the Adoption of History and Social Science, Mathematics, English, and Science Textbooks and Instructional Materials

Ms. Christonya Brown, History and Social Science Coordinator, Division of Instruction, presented this item. Ms. Brown's presentation included the following:

The Board of Education's authority for approving textbooks and other instructional materials is prescribed in the Virginia Constitution and in the *Code of Virginia*. The Board of Education's *Regulations Governing Textbook Adoption* specifies the types of materials that may be adopted.

Virginia Constitution, Article VIII, § 5 (d)

It [the Board of Education] shall have authority to approve textbooks and instructional aids and materials for use in courses in the public schools of the Commonwealth.

Code of Virginia, § 22.1-238

A. The Board of Education shall have the authority to approve textbooks suitable for use in the public schools and shall have authority to approve instructional aids and materials for use in the public schools. The Board shall publish a list of all approved textbooks on its website and shall list the publisher and the current lowest wholesale price of such textbooks.

B. Any school board may use textbooks not approved by the Board provided the school board selects such books in accordance with regulations promulgated by the Board.

C. For the purposes of this chapter, the term "textbooks" means print or electronic media for student use that serve as the primary curriculum basis for a grade-level subject or course.

Regulations Governing Textbook Adoption (8 VAC 20-220-30)

Only those materials which are designed to provide basic support for the instructional program of a particular content area at an appropriate level will be adopted.

Regulations Governing Local School Boards and School Divisions (8VAC20-720-170)

A. Textbook approval.

1. The Board of Education shall have the authority to approve textbooks for use in the public schools of Virginia.

The Board of Education approves the textbook review process and determines the schedule for approval of specific content area textbooks. The Virginia Department of Education administers the review process on behalf of the Board of Education. During each of the previous textbook and instructional materials reviews, the Department of Education worked with a state committee to review and evaluate publishers' submissions with respect to correlation to the content of the *Standards of Learning* (SOL) and certain quality- and curriculum-related factors. Following each review, the Department of Education provided school divisions with a list of the adopted materials, which included detailed profiles of each adopted submission. On March 24, 2011, the *Virginia's Textbook Review Process* was revised and approved by the Virginia Board of Education.

Local school boards may approve textbooks that are not on the Board-approved list. In accordance with the *Code of Virginia, §22.1-238*, any school board may use textbooks not approved by the Board provided the school board selects such books in accordance with regulations promulgated by the Board. Local school boards that choose to approve textbooks that are not on the Board-approved list are required to engage in a process similar to the Board's new process, where they request certifications of accuracy from publishers.

Generally, state textbook adoption in a core subject area should be conducted shortly after the standards are revised if current materials have been on the state contract for at least six years.

The Board approved the 2015 *History and Social Science Standards of Learning* on March 26, 2015 and the Curriculum Framework on January 28, 2016. It is anticipated that the Board of Education will approve the revised Standards of Learning and Curriculum Frameworks for the following by:

- *Mathematics Standards of Learning* by September 2016;
- *English (K-5 Reading and 6-12 English and Literature)* by July 2017; and
- *Science Standards of Learning* by January 2018.

Using an established review process and criteria, the Department of Education will administer the state adoption process for the Board of Education. The Department will submit a list of recommended materials to the Board for approval.

Board discussion:

- Mr. Dillard inquired about the impact on fiscal and human resources. Dr. Staples said the cost is based on twenty reviewers for textbook and instructional materials review and includes an incentive for each participant, lodging, meals and travel expenses.

The Board of Education received the report.

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

Ms. Lolita Hall, director of Career and Technical Education, Division of Instruction, Department of Education and Mr. Aris Bearse, director of Institutional Research, Virginia Community College System, presented this item. The 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 knowledge and skills necessary for the 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-level [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 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 that were granted by the U. S. Department of Education in August 2012. Additionally, the technical skills attainment measure was modified by the Board to include the 2S1C (test takers passing credentialing

tests), 2S1D (completers passing credentialing tests), and 2S1E (completers who passed a credentialing test plus completers who earned an Advanced Studies Diploma and did not pass a credentialing test), 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.

In July 2014, the U.S. Department of Education approved the extension of Virginia’s ESEA flexibility waiver based on revised methodology.

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 2014-15, Virginia met or exceeded all performance targets for secondary CTE programs. The VCCS met or exceeded four of the six performance targets but did not meet the 90 percent threshold for two measures (5P1- nontraditional gender representation and 5P2- nontraditional gender completion). Compared to the previous year, the largest improvements were within measures 5P1 and 5P2.

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 Measures Not Met for Two and Three Consecutive Years

Code	State Secondary Performance Measure	School Divisions/Centers Did not meet for past two consecutive years (2013-2015)	School Divisions/Centers Did not meet for past three consecutive years (2012-2015)
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	4	None
2S1-B	Technical Skills Attainment – Completers Participating in Credentialing Tests	4	3
2S1-C	Technical Skills Attainment – Test Takers (Completers) Passing Credentialing Tests	8	4
2S1-D	Technical Skills Attainment – Completers Passing Credentialing Tests	4	3
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	None
3S1	Secondary Program Completion Rate	None	None
4S1	Graduation Rate	None	None
5S1	Transition from Secondary School to Postsecondary Education, Employment or Military	12	2

6S1	Nontraditional Career Preparation Enrollment	18	11
6S2	Nontraditional Career Preparation Completion	22	11

Code	State Postsecondary Performance Measure	Community Colleges Did not meet for past two consecutive years (2013-2015)	Community Colleges Did not meet for past three consecutive years (2012-2015)
1P1	Technical Skills Attainment	None	None
2P1	Completion	2	1
3P1	Retention and Transfer	4	4
4P1	Employment	None	None
5P1	Nontraditional Gender Representation	17	17
5P2	Nontraditional Gender Completion	15	15

Mr. Aris Barse, director of Institutional Research, Virginia Community College System, gave an overview of Perkins core performance measures results and targets for Virginia's Community Colleges. Mr. Barse was assisted by Mr. James Antonick, administrator, Post-Secondary Perkins Grants, Virginia Community College System.

Board discussion:

- Dr. Cannaday said the data proves we are moving in the right direction in terms of expectations of students for their readiness to move into the workplace.
- Mr. Dillard asked why there is a discrepancy in the total number of students receiving certification and the number of students that are workforce ready. Staff clarified that a separate assessment is used to determine workforce readiness.
- Mrs. Wodiska thanked staff and the Virginia Community College System for the report. Mrs. Wodiska said she is satisfied with the data presented on nontraditional gender completion by VCCS.
- Dr. Cannaday said the mission of the Virginia Community College System is to give everyone the opportunity to learn and develop the right skills so lives and communities are strengthened.

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

DISCUSSION OF CURRENT ISSUES

Discussion of Possible Topics for Inclusion in the Board of Education's Annual Report on the Conditions and Needs of Public Schools in Virginia

The Board created a work group to define what may be included in the Board of Education's Annual Report on the Conditions and Needs of Public Schools in Virginia. The work group included Mrs. Wodiska, Mr. Dillard, Mr. Gecker, and Mrs. Lodal.

The Board discussed the following topics identified by the work group as potential items to be included in the report:

- High school redesign
- Teacher and school leader support
- Support of low performing schools
- Equity in school divisions

Mrs. Wodiska also noted the desire of the Board to be a more proactive partner.

Mr. Dillard requested the Board to consider policies for local school boards regarding controversial issues and political discussions in classrooms. Dr. Cannaday noted his preference for local school boards making these decisions themselves, and his concern regarding distributing a policy that has not been vetted by the Board's usual process. Mr. Dillard noted that these are sample policies, not required. Mrs. Wodiska noted the need for more information on this topic. Mrs. Atkinson shared her concerns related to local school board issues. Mr. Gecker noted that he did not see opposition to sending out policies as a model. Dr. Staples noted the need to consider other commissions and organizations who may ask the Board to distribute policies. The Board noted the Commission on Civics Education may send out the policies.

DINNER MEETING

The Board met for a public dinner on Wednesday, July 27, 2016, at 6:45 p.m., at the Berkley Hotel with the following members present: Mrs. Atkinson, Dr. Baysal, Mr. Bellamy, Dr. Cannaday, Mr. Dillard, Mr. Gecker, 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. Members discussed pending Board agenda items. No votes were taken, and the dinner meeting ended at 9:00 p.m.

EXECUTIVE SESSION

Mr. Bellamy made a motion to go into executive session under *Virginia Code* §2.2-3711(A)(41), for the purpose of discussion and consideration of records relating to denial, suspension, or revocation of teacher licenses, and, under *Virginia Code* § 2.2-3711(A)(7), to consult with counsel and receive legal advice regarding the same, and that Wendell Roberts and Mona Siddiqui, legal counsel to the Virginia Board of Education; Kathryn Desai, intern with the Office of the Attorney General; as well as staff members, Dr. Steven Staples, Patty Pitts, Nancy Walsh, and Chris Fillmore. The motion was seconded by Mr. Gecker and carried unanimously. The Board went into Executive Session at 1:30 p.m.

Mrs. Wodiska made a motion that the Board reconvene in open session. The motion was seconded by Mrs. Dillard and carried unanimously. The Board reconvened at 3:15 p.m.

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

Board Roll call:

Mr. Bellamy – Yes
Mr. Dillard – Yes
Mrs. Wodiska – Yes
Mrs. Atkinson – Yes
Dr. Baysal – Yes
Mr. Gecker – Yes
Mr. Romero - Yes

Dr. Cannaday did not participate in the executive session.

The Board made the following motions:

- Mrs. Atkinson made a motion to issue a license renewal in Case #1. The motion was seconded by Mr. Bellamy and carried unanimously.
- Mrs. Atkinson made a motion not to suspend the license in Case #2. The motion was seconded by Mr. Romero and carried unanimously.
- Mrs. Atkinson made a motion to issue a one year teaching license in Case #3 with instructions from the Superintendent of Public Instruction. The motion was seconded by Mr. Gecker and carried unanimously.
- Mrs. Atkinson made a motion to issue a license of renewal in Case #4. The motion was seconded by Mr. Gecker and carried unanimously.
- Mrs. Atkinson made a motion to revoke the license of Jeremy Dale Francis. The motion was seconded by Mr. Gecker and carried unanimously.
- Mrs. Atkinson made a motion to revoke the license of Alaina Cathleen Kiskadden. The motion was seconded by Mr. Gecker and carried unanimously.
- Mrs. Atkinson made a motion to revoke the license of Robert Neal Mullins. The motion was seconded by Mr. Gecker and carried unanimously.

ADJOURNMENT OF THE BUSINESS SESSION

There being no further business of the Board of Education, Mrs. Wodiska adjourned the meeting at 3:20 p.m.



President