

VACEG
Charlottesville Omni
Charlottesville, Virginia
Minutes
May 29, 2008

Members present:

Donna Poland
Sheila Roalf, vice chairperson
Lisa Swope, secretary
Diane Naff
Mary Jane Mutispaugh
Gerry Tylavsky
Pam Flaherty
Nancy Adams
Ellen Fithian
Judi Greathouse
Brian Pace
Lennie Routten
Margaret Turley
Bev Catlin

The Virginia Advisory Committee for the Education of the Gifted (VACEG) met May 29, 2008 at the Omni in Charlottesville, Virginia. The meeting was called to order at 9:30 a.m. Sheila Roalf presided as acting chairperson in the absence of Chairperson Kitty Richmond.

Recently appointed specialist for gifted education, Donna Poland, was present, and committee members introduced themselves. The committee approved the October 12 minutes. The agenda was amended to include elections, and was approved as amended.

Donna Poland updated the status of the *Regulations* revision process. Members were informed of the Attorney General's interpretations of the old regulations. These interpretations led to several of the changes currently in the proposed *Regulations*.

Dr. Poland clarified the VACEG committee's role in its charge to assess the proposed *Regulations*, as well as the weight carried by the *Regulations* in the state's provision of gifted services. Dr. Poland stated it is the charge of this committee to "offer advice on gifted regulations as they relate to the Commonwealth and its constituents." She continued that it is the committee's role as a body representative of the Commonwealth to "look at issues objectively" and above all else "to consider the interest of the Commonwealth and its citizens." Dr. Poland reminded the committee that both the Appropriation Act (which provides funding) and the Code of Virginia (legislated laws) supersede the authority of the *Regulations*.

The ultimate sovereignty of the Appropriation Act and the Code dictates that anything within the revised *Regulations* not in accordance with them must be stricken and any suggested changes to the revised *Regulations* made by our committee or any other person or body that conflict the Act or Code will also be stricken.

Also, there are Bylaws of the Virginia Board of Education that have sovereignty over VACEG's bylaws. - Our committee needs to review our bylaws in relation to that document. Anything in our bylaws that conflict with theirs will also be superseded by their bylaws. DOE suggested it would support one physical meeting a year.

While Dr. Poland recognized that pieces of work produced by the VACEG committee (such as the Virginia Plan, a document offering guidelines for gifted policy and services in the Commonwealth) are helpful, she reminded the committee that such work is not mandated by the state and, when enacted by the committee, it does not carry the authority of law.

Dr. Poland explained that under the revised *Regulations*, local plans will no longer be submitted to VDOE for approval. The local advisory committee will continue to annually review the plan and determine how well it has been carried out. Their report will continue to be submitted in writing to the Superintendent and the local board. The plan itself will be approved by the local school board. The Superintendent will continue to guarantee the locality's gifted funding is spent on gifted education through a signature of assurance as part of the SOQ. As stated in the Appropriation Act, the state will continue to provide the state share of one full-time equivalent instructional position per 1,000 students in adjusted March 31 ADM. Additionally, divisions will continue to submit annual reports to VDOE.

The process for peer review of local plans does not have funding and therefore cannot be required. The DOE has not been given the authority or the funding to support peer review of local plans.

Members of the committee voiced the following concerns:

- If there is no state oversight will gifted education be provided at an equitably consistent level within localities across the state?
- If there is no state oversight will some regions have more difficulty implementing services than others?
- Will one-year plans be more time-consuming and less effective than current five-year plans?
- Does the Board recognize that increased accountability—as exists in the current peer reviews and process of submitting local plans for state approval—has been requested by educators who find the process conducive to the quality and degree of services provided throughout the Commonwealth and would be considered by them a step backwards in gifted education?
- Even though funding is mandated in the Appropriation Act, should it not also be mentioned in the *Regulations as local coordinators are required to use this document when formulating their local plans?*

Dr. Poland reiterated that the Board has not been given authority under the Code to approve the plans, and does not have the authority to require localities to submit them to the state. The *Regulations* do, however, require localities to have a plan with specified components, and this requirement is supported by the Code. (According to Dr. Poland, the state historically shares power with the local authorities and, in the case of approving local gifted plans, has exercised its option to delegate this responsibility to local governing bodies.) Local approval satisfies the Code's requirement to submit plans for approval.

The removal of section 8VAC20-40-70 Funding in the proposed *Regulations* was made because the inclusion of funding in the Appropriation Act makes it redundant to include it in the *Regulations*.

Dr. Poland informed the committee that public comment on the revised *Regulations* will begin June 23 and continue for ninety days through September 20. Four public hearings will be held throughout the state.

The VACEG members voted to draft a letter to the Board regarding its strong conviction that language supporting state funding, though potentially redundant, be included in the revised *Regulations*. The letter also addressed the committee's firm belief that state approval of local plans ensures consistent provision of quality services throughout the Commonwealth.

The committee elected officers for the coming year (2008-09): Sheila Roalf, chairperson; Brian Pace, Vice Chair; Diane Sterbutzel, secretary.

The committee scheduled its next meeting on October 10 in Richmond. Sheila Roalf adjourned the meeting at 3:00 p.m.

submitted by Lisa Swope, secretary (June 2, 2008) Approved by VACEG members 10-10-08