

Board of Education Agenda Item

Item: L.

Date: April 22, 2010

Topic: First Review of a Request for Approval of an Innovative Program Opening Prior to Labor Day (Year Round School) from Richmond City Public Schools

Presenter: Ms. Anne Wescott, Assistant Superintendent for Policy and Communication
Ms. Victoria S. Oakley, Chief Academic Officer, Richmond City Public Schools

Telephone Number: (804) 225-2403

E-Mail Address: Anne.Wescott@doe.virginia.gov

Origin:

Topic presented for information only (no board action required)

Board review required by

State or federal law or regulation

Board of Education regulation

Other: _____

Action requested at this meeting

Action requested at future meeting: May 27, 2010

Previous Review/Action:

No previous board review/action

Previous review/action

date _____

action _____

Background Information: The *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, at 8 VAC 20-131-290.D, permit local school boards to seek approval to implement experimental or innovative programs that are not consistent with accreditation standards or other regulations promulgated by the Board. The request must contain information that includes, but is not limited to, a description of the program, the purpose and objectives of the program, the number of students affected, and anticipated outcomes and evaluation procedures for measuring student achievement.

Section 22.1-79.1 of the *Code of Virginia* prohibits local school boards from adopting school calendars that require schools to open prior to Labor Day unless a waiver is granted by the Board for "good cause." The conditions under which the Board may grant such waivers are outlined in the *Code*. Part 3 of § 22.1-79.1.B permits the Board to approve a waiver for approval of an experimental or innovative program.

§ [22.1-79.1](#). Opening of the school year; approvals for certain alternative schedules.

A. Each local school board shall set the school calendar so that the first day students are required to attend school shall be after Labor Day. The Board of Education may waive this requirement on a showing of good cause.

B. For purposes of this section, "good cause" means:

1. A school division has been closed an average of eight days per year during any five of the last 10 years because of severe weather conditions, energy shortages, power failures, or other emergency situations;
2. A school division is providing, in the school year for which the waiver is sought, an instructional program or programs in one or more of its elementary or middle or high schools, excluding the electronic classroom, which are dependent on and provided in one or more elementary or middle or high schools of another school division that qualifies for such waiver. However, any waiver granted by the Board of Education pursuant to this subdivision shall only apply to the opening date for those schools where such dependent programs are provided; or
3. A school division is providing its students, in the school year for which the waiver is sought, with an experimental or innovative program which requires an earlier opening date than that established in subsection A of this section and which has been approved by the Department of Education pursuant to the regulations of the Board of Education establishing standards for accrediting public schools. However, any waiver or extension of the school year granted by the Board of Education pursuant to this subdivision or its standards for accrediting public schools for such an experimental or innovative program shall only apply to the opening date for those schools where such experimental or innovative programs are offered generally to the student body of the school. For the purposes of this subdivision, experimental or innovative programs shall include instructional programs that are offered on a year-round basis by the school division in one or more of its elementary or middle or high schools....

For the 2009-2010 school year, 58 school divisions have been approved for emergency or weather-related reasons, 13 have one or more schools approved because of a dependent program, and five have one or more schools approved because of an innovative or experimental program. Of the five, four have year-round schools (Alexandria, Arlington, Danville, and Fairfax), and one, Covington City Public Schools, was approved by the Board in May 2008. Danville City Public Schools and Covington City Public Schools have some schools approved as dependent programs, and some as innovative or experimental programs.

On January 14, 2010, the Board approved a request for an innovative program from the Charlotte County School Board. The program, CASHE (Connecting All Students to Higher Education), was developed and implemented with the goal of having 100 percent of its graduates attending postsecondary education.

Summary of Major Elements: The Richmond City School Board is requesting approval of an innovative program for Patrick Henry School of Science and Arts, a charter school serving grades K-5.

Patrick Henry School of Science and Arts is a public charter school operating under a contractual arrangement with Richmond City Public Schools. It plans to open for the 2010-2011 school year on August 9, 2010, but in subsequent years, it plans to begin the school year in July. For the 2010-2011 school year, the calendar includes 183½ teaching days, 10½ planning and development days, and 10 in-service days.

The school plans to operate on a “progressive quarter calendar” consisting of four quarters of approximately nine weeks of instruction, followed by a break of at least two weeks. During the breaks, there will be intersessions to provide remediation and enrichment programs for the students attending the school. There will be a five week summer break between school years. The school’s calendar is very similar to the calendars of other year-round schools the Board of Education has approved in past years.

A copy of the complete package submitted by the Richmond City School Board is attached.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education accept the request from Richmond City Public Schools for an innovative program for first review, pursuant to the provisions of §.22.1-79.1 of the *Code of Virginia*.

Impact on Resources: The impact on resources is not expected to be significant.

Timetable for Further Review/Action: The request will be presented to the Board of Education for final review and approval at the May 27, 2010 meeting. Upon approval by the Board of Education, Department of Education staff will notify the Superintendent of Richmond City Public Schools that Patrick Henry School of Science and Arts is authorized to open prior to Labor Day for the 2010-2011 school year.