



**COMMONWEALTH OF VIRGINIA**  
**Board of Education**  
**Planning Session Agenda**

Jefferson Conference Room, 22<sup>nd</sup> Floor  
James Monroe Building, 101 N. 14<sup>th</sup> Street  
Richmond, Virginia 23219

**WEDNESDAY, APRIL 29, 2009**

- |            |  |
|------------|--|
| 9 a.m.     | <b>Opening comments by Dr. Mark E. Emblidge</b>  |
|            | <b>Student Advisory Committee Presentation</b>   |
| 9:45 a.m.  | <b>The Honorable Timothy M. Kaine</b><br><b>Governor of the Commonwealth of Virginia</b>   |
| 10:30 a.m. | Break  |
| 11 a.m.    | <b>Standards of Quality Committee Meeting</b>  |
| Noon       | Lunch  |
| 1 p.m.     | <b>PLANNING SESSION</b> <ul style="list-style-type: none"><li>• Item A – Overview of the Comprehensive Plan</li><li>• Item B – Highlights of Progress and Activities Towards Meeting Board of Education Objectives</li><li>• Item C – Progress Report on the Office of Early Childhood Development</li><li>• Item D – Technology Innovations in Virginia's Assessment Program</li><li>• Item E – Using Research to Develop Virginia's On-Time Graduation Tool: The Pilot</li></ul> |
|            | <b>Discussion of Current Issues by Board Members</b>   |
| 3:30 p.m.  | Adjourn  |

# COMMONWEALTH of VIRGINIA

## Board of Education Agenda



**Date of Meeting:** April 30, 2009      **Time:** 9 a.m.  
**Location:** Jefferson Conference Room, 22<sup>nd</sup> Floor,  
James Monroe Building, 101 North 14<sup>th</sup> Street  
Richmond, Virginia 23219

### BOARD OF EDUCATION BUSINESS MEETING

**Call to Order**

**Moment of Silence**

**Pledge of Allegiance**

**Approval of Minutes of the March 26, 2009, Meeting of the Board**

**Recognition**

- Recognition of Ms. Sarah Warnick, Southern Regional Education Board Online Teacher of the Year for Virginia

**Public Comment**

#### **CONSENT AGENDA**

- F. Final Review of Financial Report on Literary Fund
- G. Final Review of Recommendations Concerning Applications for Literary Fund Loans
- H. Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Fund or Placement on a Waiting List

#### **ACTION/DISCUSSION: BOARD OF EDUCATION REGULATIONS**

- I. First Review of the Proposed Consolidated *Regulations Governing Local School Boards and School Divisions* (8 VAC 20-720-10 et seq.)
- J. Final Review of Proposed Revisions to the *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs* (8 VAC 20-280-10 et seq.)

## **ACTION/DISCUSSION ITEMS**

- K. First Review of the Proposed Plan for the 2009 Review of the Standards of Quality
- L. First Review of Approval of Local School Division Remedial Plans

## **REPORTS**

- M. Report from the Petersburg City School Board on the Virginia Board of Education's Request to Begin Planning for the Implementation of the Restructuring Contingency Plan for the 2009-2010 School year
- N. Report on the Alternative Education Programs in Petersburg City Public Schools
- O. Bridging Business and Education for the 21<sup>st</sup> Century Workforce – A Strategic Plan for Virginia's Career Pathways System

**DISCUSSION OF CURRENT ISSUES** - by Board of Education Members and Superintendent of Public Instruction

## **ADJOURNMENT OF BUSINESS SESSION**

## **EXECUTIVE SESSION**

### **PUBLIC NOTICE**

The Board of Education members will meet for dinner at 6:30 p.m. at the Hard Shell on Wednesday, April 29, 2009. Items for the Board agenda may be discussed informally at that dinner. No votes will be taken, and it is open to the public. The Board president reserves the right to change the times listed on this agenda depending upon the time constraints during the meeting.

### **GUIDELINES FOR PUBLIC COMMENT**

1. The Board of Education is pleased to receive public comment at each of its regular monthly meetings. In order to allow the Board sufficient time for its other business, the total time allotted to public comment will generally be limited to thirty (30) minutes. Individuals seeking to speak to the Board will be allotted three (3) minutes each.
2. Those wishing to speak to the Board should contact Dr. Margaret Roberts, Executive Assistant for Board Relations at (804) 225-2924. Normally, speakers will be scheduled in the order that their requests are received until the entire allotted time slot has been used. Where issues involving a variety of views are presented before the Board, the Board reserves the right to allocate the time available so as to insure that the Board hears from different points of view on any particular issue.
3. Speakers are urged to contact Dr. Roberts in advance of the meeting. Because of time limitations, those persons who have not previously registered to speak prior to the day of the Board meeting cannot be assured that they will have an opportunity to appear before the Board.
4. In order to make the limited time available most effective, speakers are urged to provide multiple written copies of their comments or other material amplifying their views.

# **Review of the Standards of Quality**

***Standing Committee  
of the Standards of Quality***

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April 29, 2009



# ***Review of the Standards of Quality***

- **2009 General Assembly's charge to the Board of Education**
- **Background information**
- **Staffing requirements prescribed in the Standards of Quality (SOQ)**
- **Proposed plan for the review**

# ***General Assembly's Charge***

## **Item 140.C.5.k.3), 2009 Appropriation Act:**

***The Board of Education shall review the current Standards of Quality to evaluate the appropriateness of the existing staffing standards for instructional positions and the appropriateness of establishing ratio standards for support positions, with the objective of maximizing resources devoted to the instructional program.***

# ***General Assembly's Charge***

## **Item 140.C.5.k.3), 2009 Appropriation Act:**

***The findings of this review, its associated costs, and its final recommendations for rebenchmarking shall be submitted to the Governor, the Chairmen of House Appropriations and Senate Finance Committees and the Joint Subcommittee on Elementary and Secondary Education Funding established pursuant to Item 1, paragraph H. of this Act no later than November 1, 2009.***

# ***General Assembly's Charge***

## **Item 140.C.5.k.2), 2009 Appropriation Act:**

***The Department of Education shall make its calculation for the total cost of rebenchmarking for the fiscal year 2010-2012 biennium to be consistent with the following methodologies:***

***(i) using the 'support position funding cap' methodology change contained in House Bill 1600/Senate Bill 850 ...***

***(ii) using the rebenchmarking methodology which was contained within Chapter 879, from the 2008 Session ...***

# ***Precipitating Factors***

- **National recession and reduction in general fund revenue collections**
- **Biennial costs of rebenchmarking**
- **Standards of Quality as a percentage of total general fund revenues**

# ***FY 2010 Budget***

- **For the purpose of achieving the necessary funding reductions in FY 2010, support positions were capped at a ratio of one support position for each 4.03 SOQ-funded instructional positions.**
- **This was not adopted as a permanent change in funding or staffing policy.**

# ***FY 2010 Budget***

- **This action resulted in a reduction in state funding of \$340.9 million for FY 2010.**
- **To mitigate this and other state funding reductions, the General Assembly appropriated \$365.2 million in federal stimulus money from the State Fiscal Stabilization Fund.**

# ***Constitutional Authority***

## **Article VIII, § 2:**

***Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly.***

# ***Constitutional Authority***

## **Article VIII, § 2:**

***The General Assembly shall determine the manner in which funds are to be provided for the cost of maintaining an educational program meeting the prescribed standards of quality, and shall provide for the apportionment of the cost of such program between the Commonwealth and the local units of government comprising such school divisions. Each unit of local government shall provide its portion of such cost by local taxes or from other available funds.***

# ***Statutory Authority***

## **§ 22.1-18.01, Code of Virginia:**

***To ensure the integrity of the standards of quality, the Board of Education shall, in even-numbered years, exercise its constitutional authority to determine and prescribe the standards, subject to revision only by the General Assembly, by reviewing the standards and either proposing amendments to the standards or making a determination that no changes are necessary.***

# ***Background***

- **The Standards of Quality were first adopted by the Board of Education in 1971.**
- **They were revised by the General Assembly in 1972 and adopted as uncodified Acts of Assembly. They were codified by the General Assembly in 1984.**
- **They prescribe the minimum requirements that all school divisions in Virginia must meet.**
- **The standards are found in § § 22.1-253.13:1 through 22.1-253.13:8 of the *Code of Virginia*.**

# ***Eight Standards of Quality***

- 1. Instructional programs supporting the Standards of Learning and other educational objectives;**
- 2. Instructional, administrative, and support personnel;**
- 3. Accreditation, other standards and evaluation;**
- 4. Student achievement and graduation requirements;**
- 5. Quality of classroom instruction and educational leadership;**
- 6. Planning and public involvement;**
- 7. School board policies; and**
- 8. Compliance.**

# ***Standard 2: Staffing***

- **Standard 2, the staffing standard, is the major budget driver for K-12 funding.**
- **Item 140 of the 2009 Appropriation Act also addresses SOQ staffing standards.**
- **Both need to be reviewed concurrently. If there is a conflict between the statute and the Appropriation Act, the Appropriation Act prevails.**

# ***Divisionwide Student-Teacher Ratios***

	<b><i>Student- teacher ratio</i></b>	<b><i>Maximum class size</i></b>
<b><i>Kindergarten</i></b>	<b>24:1</b>	<b>29*</b>
<b><i>Grades 1, 2 &amp; 3</i></b>	<b>24:1</b>	<b>30</b>
<b><i>Grades 4, 5 &amp; 6</i></b>	<b>25:1</b>	<b>35</b>
<b><i>English classes in grades 6-12</i></b>	<b>24:1</b>	<b>--</b>
<b>*A full-time aide is required if the ADM exceeds 24 students in a kindergarten classroom.</b>		

# ***Schoolwide Student-Teacher Ratio***

	<b><i>Student- teacher ratio</i></b>	<b><i>Maximum class size</i></b>
<b><i>Middle &amp; high schools</i></b>	<b>21:1</b>	<b>--</b>

**School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.**

# ***Principals***

<b>Elementary schools – <i>299 or fewer students</i></b>	<b>One half-time principal</b>
<b>Elementary schools – <i>300 or more students</i></b>	<b>One full-time principal</b>
<b>Middle and high schools</b>	<b>One full-time principal</b>

# ***Assistant Principals***

<b>Elementary schools – <i>600 to 899 students</i></b>	<b>One half-time assistant principal</b>
<b>Elementary schools – <i>900 or more students</i></b>	<b>One full-time assistant principal</b>
<b>Middle schools</b>	<b>One full-time assistant principal for each 600 students</b>
<b>High schools</b>	<b>One full-time assistant principal for each 600 students</b>

# ***Librarians***

<b>Elementary schools – <i>up to 299 students</i></b>	<b>One part-time librarian</b>
<b>Elementary schools – <i>300 or more students</i></b>	<b>One full-time librarian</b>
<b>Middle and high schools – <i>up to 299 students</i></b>	<b>One half-time librarian</b>
<b>Middle and high schools – <i>300 to 999 students</i></b>	<b>One full-time librarian</b>
<b>Middle and high schools – <i>1000 or more students</i></b>	<b>Two full-time librarians</b>

# School Counselors

<b>Elementary schools – <i>up to 499 students</i></b>	<b>One hour/day/100 students</b>
<b>Elementary schools – <i>500 or more students</i></b>	<b>One full-time counselor at 500 students, plus one hour/day/100 students</b>
<b>Middle schools – <i>up to 399 students</i></b>	<b>One period/80 students</b>
<b>Middle schools – <i>400 or more students</i></b>	<b>One full-time counselor at 400 students, plus one period/80 students</b>
<b>High schools – <i>up to 349 students</i></b>	<b>One period/70 students</b>
<b>High schools – <i>350 or more students</i></b>	<b>One full-time counselor at 350 students, plus one period/70 students</b>

# ***Clerical Positions***

<b>Elementary schools – <i>up to 299 students</i></b>	<b>One part-time clerical position</b>
<b>Elementary schools – <i>300 or more students</i></b>	<b>One full-time clerical position</b>
<b>Middle and high schools</b>	<ul style="list-style-type: none"><li>• <b>One full-time clerical position</b></li><li>• <b>One additional full-time position for each 600 students beyond 200 students</b></li><li>• <b>One full-time position for the library at 750 students</b></li></ul>

# ***Prevention, Intervention, and Remediation***

- **Funding is provided for full-time equivalent instructional positions for students needing Prevention, Intervention, and Remediation services.**
- **The funding formula in the Appropriation Act is one hour of additional instruction per day based on the percent of students eligible for the federal free lunch program.**
- **The student-teacher ratio ranges from 18:1 to 10:1, depending upon a school division's combined failure rate on the English and Mathematics Standards of Learning tests.**

# ***Limited English Proficiency***

- **Staffing standard: 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.**
- **Language in the Appropriation Act permits school divisions to use SOQ Prevention, Intervention, and Remediation funds to employ additional English Language Learner teachers to provide instruction to identified limited English proficiency students.**

# ***Art, Music, and Physical Education***

- **Staffing standard: Five full-time equivalent positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education.**

# ***Instructional Technology Resource Teachers and Technology Support***

- **Staffing standard: Two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an Instructional Technology Resource Teacher.**
- **Language in the Appropriation Act permits school divisions to use funds for Instructional Technology Resource Teachers to employ Data Coordinator positions, Instructional Technology Resource Teacher positions, or Data Coordinator/Instructional Technology Resource Teacher blended positions.**

# ***Reading Specialists***

- **The *Code* permits, but does not require, school divisions to employ reading specialists in elementary schools.**
- **Language in the Appropriation Act permits school divisions to use the state Early Intervention Reading Initiative funding to employ reading specialists to provide the required reading intervention services.**

# ***Mathematics Specialists***

- **Language in the Appropriation Act permits school divisions to use Algebra Readiness Initiative funding to employ mathematics teacher specialists to provide the required mathematics intervention services.**

# ***Support Positions***

- **Each local school board is required to provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.**
- **Pursuant to the Appropriation Act, support services are funded on the basis of prevailing statewide costs.**

# ***Support Positions***

**“Support services” include:**

- **School board members**
- **The superintendent and assistant superintendents**
- **Pupil transportation**
- **Student services**
- **Attendance and health**
- **Operations and maintenance**
- **Administrative, clerical, and technical**

# ***Staffing Provisions in the Appropriation Act***

The Appropriation Act provides for a minimum of:

- **51 professional instructional positions and aide positions for each 1,000 students;**
- **One professional instructional position for gifted education for each 1,000 students; and**
- **Six professional instructional positions and aide positions for special education and career and technical education for each 1,000 students.**

# ***Next Steps***

- **Review and approval of a work plan;**
- **Participation and involvement of education entities and the public;**
- **Collection and analysis of data provided by school divisions;**
- **Examination of all facets of the SOQ to determine the changes that may be needed;**
- **Identification of best practices; and**
- **Formulation of recommendations.**

# ***Overview of Standards of Quality Funding Process***

**Presented to  
the Standing Committee  
of the Standards of Quality**

**Kent C. Dickey  
Assistant Superintendent for Finance**



# *Briefing Outline*

- **SOQ Requirements**
- **SOQ Funding Summary**
- **Determining SOQ Costs**
- **Determining State & Local Shares of Cost**
- **Appendices**

# ***SOQ Requirements***

- **The Virginia Constitution requires the Board of Education to formulate Standards of Quality (SOQ) for public schools.**
- **The General Assembly is charged with revising the SOQ, determining SOQ costs, and apportioning the cost between the state and localities.**
- **The decision about how much to appropriate for public schools is left to the General Assembly.**

# SOQ Requirements

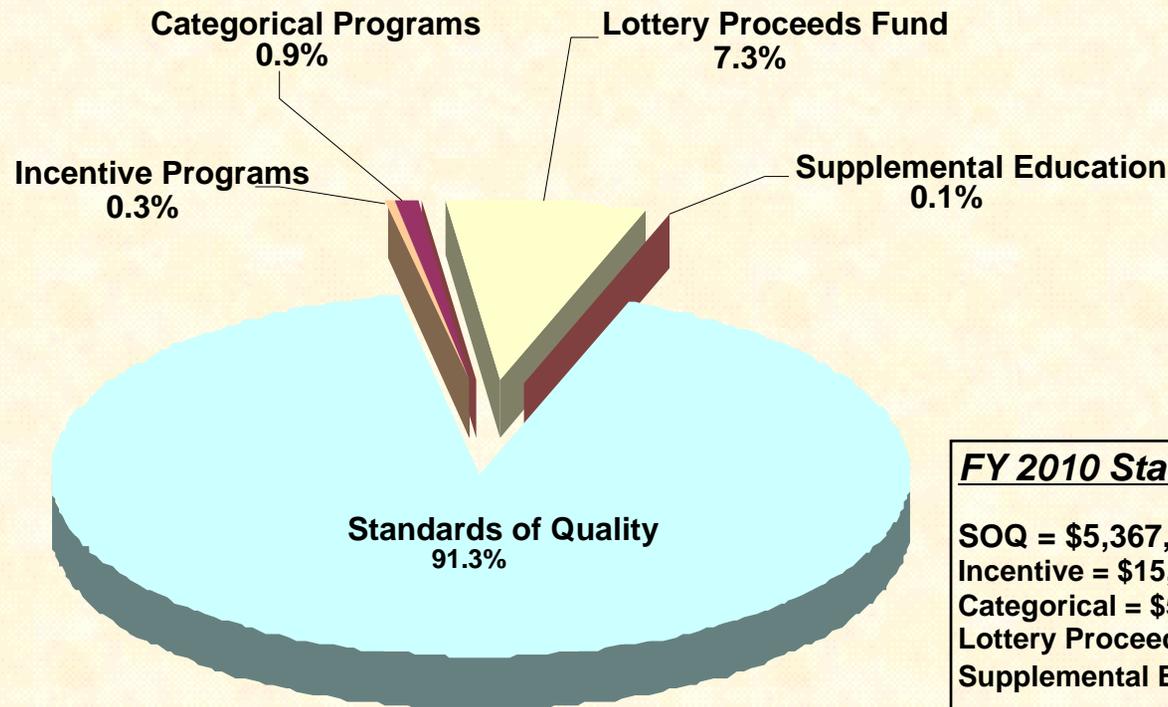
- **The SOQ is established in the Virginia Constitution as the minimum educational program school divisions must provide.**
- **The specific requirements of the SOQ are set out in the *Code of Virginia* and the appropriation act, such as requirements for programs and staffing.**
- **State funding must be matched by the locality. Localities may spend more than the required amounts and offer programs and employ staff beyond what is required.**

# ***SOQ Funding Summary***

- **The primary determinant of state funding for school divisions. (FY10 funding shown in Appendix A.)**
- **\$5.3 billion – or 91.3% of state funding for public education – in FY10. Over 80% of SOQ funding is for salaries and benefits.**
- **Required local match in FY10 is \$3.4 billion – most localities exceed their required match for the SOQ.**
- **Existing SOQ funding based largely on JLARC methodology developed in the mid/late 1980s.**

# SOQ Funding Summary

## Projected FY 2010 State Direct Aid Funding by Category



### ***FY 2010 State Funding:***

SOQ = \$5,367,252,013  
Incentive = \$15,665,828  
Categorical = \$55,559,074  
Lottery Proceeds Fund = \$430,200,000  
Supplemental Education = \$7,541,620

**Total = \$5,876,218,535**

# ***SOQ Funding Summary***

- **Funding for the Standards of Quality is provided through the following accounts, mostly on a per pupil basis (formulas shown in Appendix B):**
  - **Basic Aid**
  - **Special Education**
  - **Career and Technical Education**
  - **Prevention, Intervention, and Remediation**
  - **Gifted Education**
  - **English as a Second Language**
  - **Remedial Summer School**
  - **Fringe Benefits for funded instructional positions**
  - **Sales Tax (1.125% for public education)**
  - **Textbooks**

# *Determining SOQ Costs*

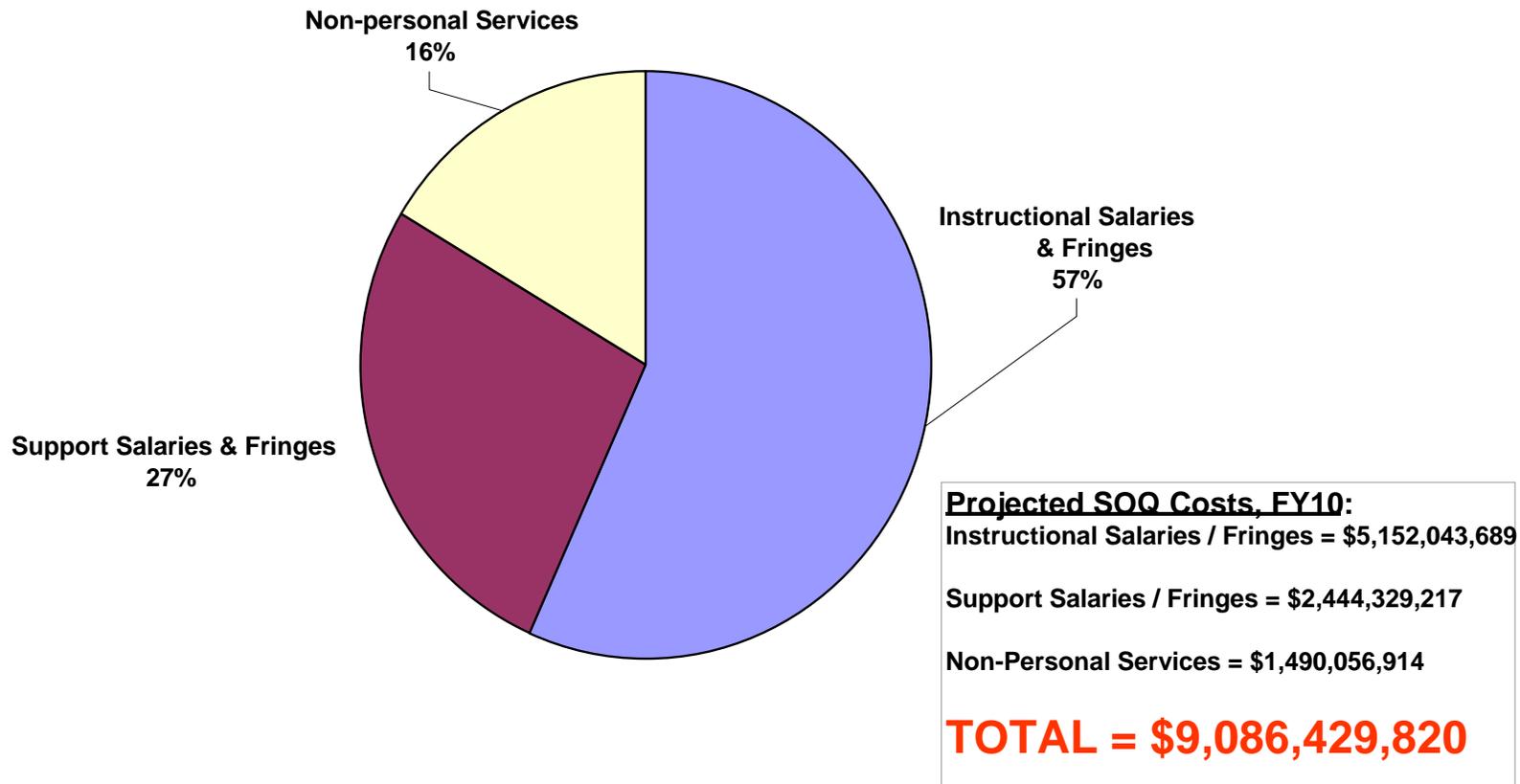
- **Three components of SOQ cost:**
  1. required number of instructional positions (salary and benefits) – driven by staffing standards in Standard 2, appropriation act, and BOE regulations;
  2. recognized support positions (salary and benefits); and,
  3. recognized “non-personal” support costs (e.g., supplies, utilities, etc.).
- **The support cost components (2 & 3) are funded through Basic Aid mostly on a prevailing cost basis.**
- **Each SOQ account is funded by a per pupil cost calculated for each division and distributed on March 31 ADM.**

# ***Determining SOQ Costs***

- **Key input data used to cost out the three components are updated every two years during rebenchmarking:**
  1. **number of students**
  2. **staffing standards for teachers and other instructional positions**
  3. **salaries of teachers and other instructional positions**
  4. **fringe benefit rates**
  5. **standard and prevailing support costs**
  6. **inflation factors**
  7. **federal revenues deducted from support costs**
  8. **amount of sales tax revenue and school division composite indices**

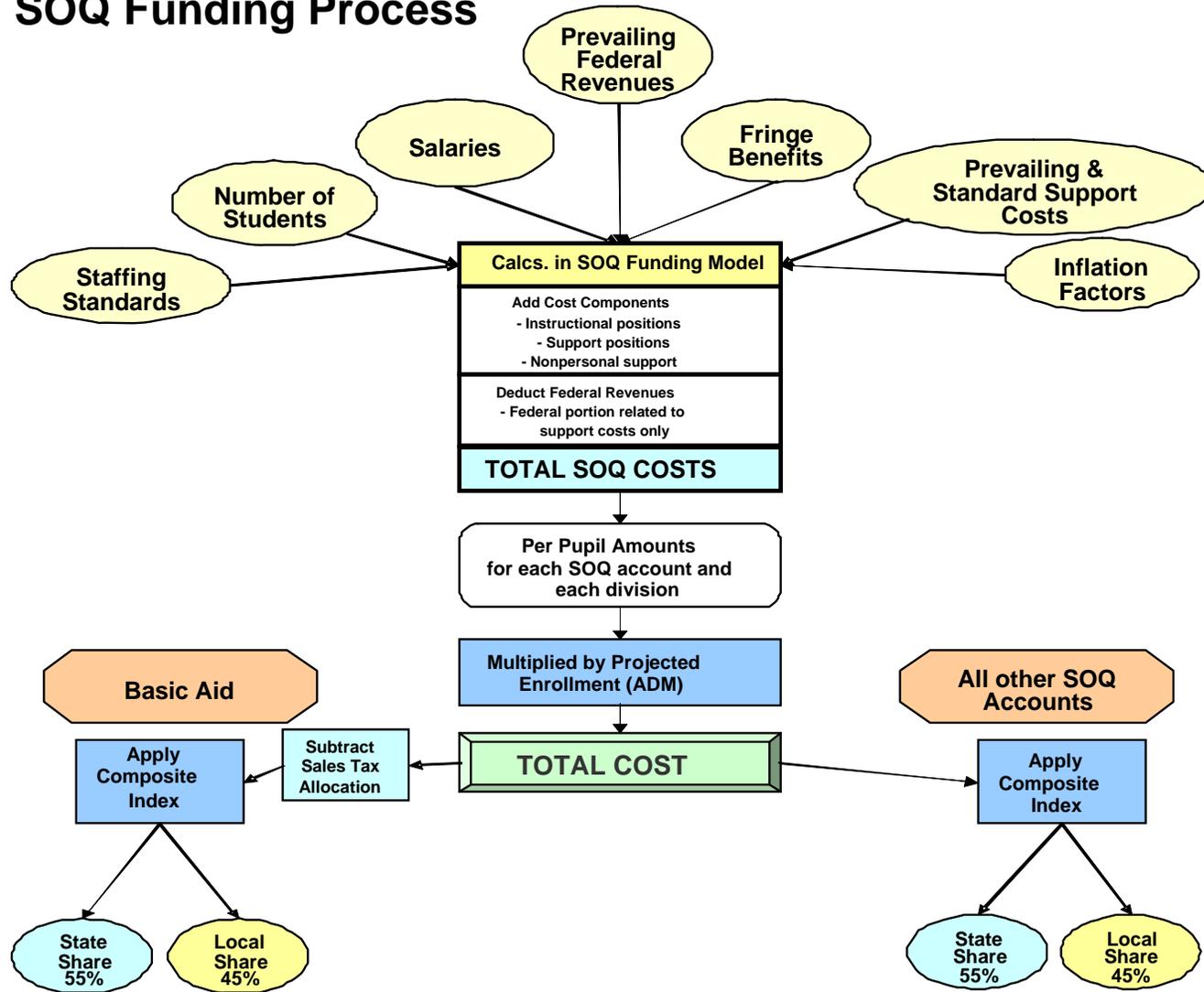
# Determining SOQ Costs

## Projected Total Standards of Quality Costs, FY 2010 Percentage of Total Instructional and Support Costs



# Determining SOQ Costs

## SOQ Funding Process



# *Determining SOQ Costs*

## **Calculate Cost of Instructional Positions**

- Apply all classroom, school, and division staffing standards in Standard 2 for Basic positions (i.e., K-12 teachers, principals, etc.) against school and division enrollment.
- Apply other staffing standards in appropriation act and BOE regs. to associated enrollments for other instructional programs: special education, CTE, remediation, gifted, and ESL.
- Apply minimum staffing standard of 51 positions per 1,000 for Basic positions and 6 positions per 1,000 for special education and CTE positions to ensure “floor” level of positions generated.

# *Determining SOQ Costs*

## **Calculate Cost of Instructional Positions**

- **The generated instructional positions for each division are multiplied by the applicable funded salary (and cost of competing factor if applicable).**
- **The instructional salary costs are assigned to the applicable SOQ accounts (i.e., Basic Aid, special education, etc.).**
- **The associated fringe benefit costs for the positions are funded in the separate fringe benefit accounts (VRS retirement, Social Security, and VRS group life). Health care is funded in Basic Aid.**

# *Determining SOQ Costs*

## Features of “Prevailing Cost”

- Recognize operating costs in the SOQ based on “reasonable” costs, not each school division’s actual spending.
- JLARC stated “reasonable cost” should reflect what most school divisions spend, not reimbursement of actual expenditures.
- Applied to cost components not quantified in the SOQ:
  - instructional and support salary amounts
  - support staffing per pupil
  - non-personal support costs per pupil

# ***Determining SOQ Costs***

## **Features of “Prevailing Cost”**

- **Includes the cost of every division but is not unduly influenced by divisions with unusually high or low costs.**
- **A weighted average (“linear weighted average”) cost whose weights are derived from the proximity of division costs to the middle or median cost in the distribution.**
- **Gives greatest weight to the median cost; least weight to the very highest and lowest costs.**
- **Most school divisions’ actual costs are a little under or a little over the calculated prevailing cost.**

# *Determining SOQ Costs*

## Calculation of “Prevailing Cost”

- Array each division’s actual base-year average salary, per pupil support cost, or per pupil support staffing from high to low.
- Assign a weight of 5 to the middle or median division cost.
- Assign corresponding declining weights to costs on either side of the median cost until the highest and lowest costs are reached, which are weighted at 1.
- Apply weights to individual data points and calculate the weighted average. Adjust values for inflation.

# ***Determining SOQ Costs***

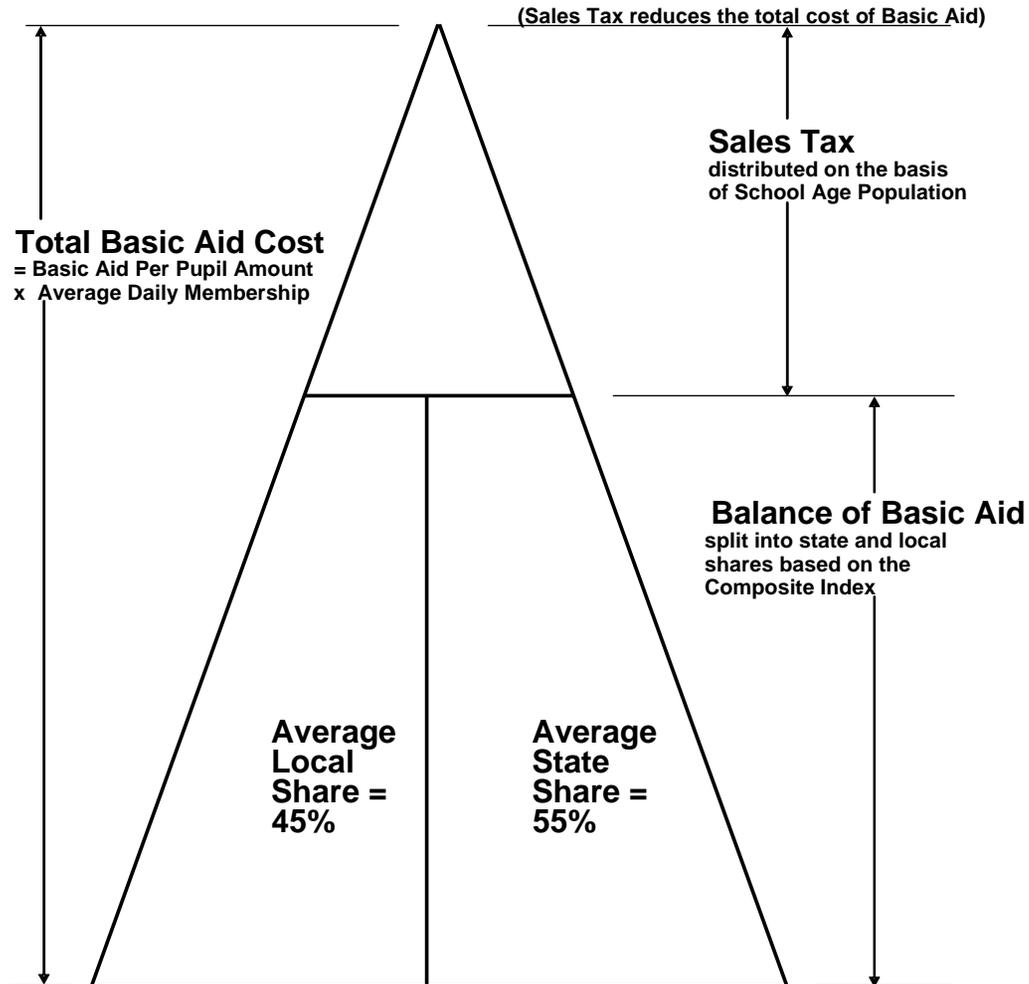
- **Funding for prevailing support costs provided in Basic Aid.**
  - positions and non-personal costs in areas such as technology, pupil transportation, operation & maintenance, professional development, attendance & health, administration, and superintendent, school board, and school nurse positions.
  - proposed cap of 1 support per 4.03 instructional positions would be applied to most prevailing positions (some positions excluded).
- **Basic Aid also includes funding for technology support and school-based clerical positions based on Standard 2. (Support positions funded in Basic Aid shown in Appendix C.)**
- **The “federal revenue deduct” reduces the final Basic Aid cost for the portion of federal expenditures (approx. 29%) picked-up in the prevailing support costs. This allows support cost funding to be driven by state and local expenditures only.**

# ***Determining SOQ Costs***

- **After a total cost is determined for each SOQ account, the cost is then converted to a per pupil amount. The per pupil amounts are then multiplied by the average daily membership (ADM) for each division; from this, the total cost of each SOQ account is determined.**
- **For Basic Aid, the total cost is first reduced by the estimated amount of 1.125% state sales tax that is distributed to divisions based on school-age population. The remaining amount for Basic Aid and the total amount for the other SOQ accounts are then split into state and local shares based on each locality's composite index.**

# Determining SOQ Costs

## State and Local Shares of Total Basic Aid Cost



Note: State and local shares will vary by locality based on each locality's composite index.

19



# ***Determining State & Local Shares***

- **Cost sharing between the Commonwealth and localities and recognizing varying ability to pay education costs are fundamental to the SOQ.**
- **Most SOQ funding is “equalized” based on local ability to pay as determined by the Composite Index of Local Ability-to-Pay. The composite index determines each division’s state and local shares of SOQ costs.**
- **The composite index uses three indicators of ability-to-pay for each locality:**
  - **true value of real property in the locality (weighted 50%)**
  - **adjusted gross income in the locality (weighted 40%)**
  - **taxable retail sales in the locality (weighted 10%)**

# ***Determining State & Local Shares***

- **Each indicator is expressed on a per capita (weighted 33%) and per pupil (weighted 67%) basis.**
- **The index for each locality is the proportion of the weighted local values relative to the weighted statewide values.**
- **Finally, each locality composite index is adjusted to establish an overall statewide local share of 45% and an overall state share of 55%.**
- **Local shares of cost range from a maximum of 80% to below 20%.**

# Determining State & Local Shares

## Composite Index of Local-Ability-to Pay Formula

ADM Component =

$$.5 \left[ \frac{\frac{\text{Local True Value of Property}}{\text{Local ADM}}}{\frac{\text{State True Value of Property}}{\text{State ADM}}} \right] + .4 \left[ \frac{\frac{\text{Local Adjusted Gross Income}}{\text{Local ADM}}}{\frac{\text{State Adjusted Gross Income}}{\text{State ADM}}} \right] + .1 \left[ \frac{\frac{\text{Local Taxable Retail Sales}}{\text{Local ADM}}}{\frac{\text{State Taxable Retail Sales}}{\text{State ADM}}} \right]$$

Population Component =

$$.5 \left[ \frac{\frac{\text{Local True Value of Property}}{\text{Local Population}}}{\frac{\text{State True Value of Property}}{\text{State Population}}} \right] + .4 \left[ \frac{\frac{\text{Local Adjusted Gross Income}}{\text{Local Population}}}{\frac{\text{State Adjusted Gross Income}}{\text{State Population}}} \right] + .1 \left[ \frac{\frac{\text{Local Taxable Retail Sales}}{\text{Local Population}}}{\frac{\text{State Taxable Retail Sales}}{\text{State Population}}} \right]$$

Local Composite Index =

$$((.6667 \times \text{ADM Component}) + (.3333 \times \text{Population Component})) \times 0.45 \text{ (average local share)}$$

## Appendix A – Projected FY10 State SOQ Funding

	<b>FY 2010</b> <i>State Share (Chp. 781)</i>
Basic Aid	3,120,359,684
Sales Tax	1,135,200,000
Textbooks	79,314,230
Vocational Education	66,449,807
Gifted Education	30,826,115
Special Education	371,802,769
Remedial Education	69,143,636
VRS Retirement	226,574,274
Social Security	175,963,239
Group Life	6,233,115
English as a 2nd Language	38,885,716
Remedial Summer School	28,347,411
<b>Total SOQ:</b>	<b>5,349,099,996</b>

## Basic Aid

$((\text{Per Pupil Amount} \times \text{Adjusted ADM}) - \text{Sales Tax}) \times (1 - \text{Composite Index}) = \text{State Share}$

## Career & Technical Education

$((\text{Per Pupil Amount} \times \text{Unadjusted ADM}) \times (1 - \text{Composite Index})) = \text{State Share}$

## English as a Second Language

$(\text{Seventeen teachers per 1,000 ESL students} \times \text{Average salary \& fringe benefits}) \times (1 - \text{Composite Index}) = \text{State Share}$

## Gifted Education

$((\text{Per Pupil Amount} \times \text{Adjusted ADM}) \times (1 - \text{Composite Index})) = \text{State Share}$

## Group Life

**((Per Pupil Amount x Adjusted ADM) x (1 – Composite Index)) = State Share**

## Prevention, Intervention, & Remediation

**((Per Pupil Amount x Unadjusted ADM) x (1 – Composite Index)) = State Share**

## Remedial Summer School

**(Per Pupil Amount x Eligible Number of Students) x (1 – Composite Index) = State Share**

## Sales Tax

**((School division’s triennial Census count /Statewide total school-age population from triennial census) x Total State 1-1/8% sales tax estimate = Local Distribution**

## Social Security

$((\text{Per Pupil Amount} \times \text{Adjusted ADM}) \times (1 - \text{Composite Index})) = \text{State Share}$

## Special Education

$((\text{Per Pupil Amount} \times \text{Unadjusted ADM}) \times (1 - \text{Composite Index})) = \text{State Share}$

## Textbooks

$(\text{Per Pupil Amount} \times \text{Adjusted ADM}) \times (1 - \text{Composite Index}) = \text{State Share}$

## VRS Retirement

$((\text{Per Pupil Amount} \times \text{Adjusted ADM}) \times (1 - \text{Composite Index})) = \text{State Share}$

## Support Position Categories Funded in Basic Aid:

- Assistant Superintendent
- Instructional Professional
  - *ex.: school social worker, instructional specialists*
- Instructional Technical/Clerical
- Attendance & Health Administrative
  - *ex.: school psychologist, attendance officers*
- Attendance & Health Technical/Clerical
- Administration Administrative
- Administration Technical/Clerical
- Technology Professional
- Technology Technical/Clerical
- Operation & Maintenance Professional
- School-based Clerical
- Operation & Maintenance Technical & Clerical
- Pupil Transportation
- Division Superintendent
- School Board Members
- School Nurses

# Board of Education's Comprehensive Plan 2007-2012

***BOE Planning Session***



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April 29, 2009

# ***Statutory Authority***

## **§ 22.1-253.13:7, Code of Virginia:**

**The Board of Education shall adopt a statewide comprehensive, unified, long-range plan based on data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review the plan biennially and adopt any necessary revisions.**

# ***Statutory Authority***

## **§ 22.1-253.13:7, Code of Virginia:**

**This plan shall include the objectives of public education in Virginia, including strategies for first improving student achievement, particularly the achievement of educationally at-risk students, then maintaining high levels of student achievement; an assessment of the extent to which these objectives are being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the Commonwealth ...**

# Objectives

- **OBJECTIVE 1:** The Board of Education will continue to enhance the quality standards for all public schools in Virginia.
- **OBJECTIVE 2:** The Board of Education will provide leadership to help schools and school divisions eliminate the achievement gap between groups of students and increase the academic success of all students.

# Objectives

- **OBJECTIVE 3:** The Board of Education will support accountability for all schools, focusing on assisting chronically low-performing schools and school divisions while recognizing all schools and school divisions as they move towards excellence.
- **OBJECTIVE 4:** The Board of Education will work cooperatively with partners to help ensure that all young people are ready to enter kindergarten with the skills they need for success.

# Objectives

- **OBJECTIVE 5:** The Board of Education will establish policies that support the attainment of literacy skills of all students, kindergarten through grade 12.
- **OBJECTIVE 6:** The Board of Education will establish policies and standards that enhance the preparation, recruitment, and retention of educational personnel, including their meaningful, ongoing professional development.

# Objectives

- **OBJECTIVE 7:** The Board of Education will provide leadership in implementing the provisions of state and federal laws and regulations.
- **OBJECTIVE 8:** The Board of Education will provide leadership to help schools and school divisions ensure a safe and secure environment conducive to facilitating the teaching and learning process.

# Highlights of Progress and Activities Towards Meeting Board of Education Objectives

Deborah Jonas

Executive Director for Research and Strategic Planning

Presentation to the Virginia Board of Education

April 29, 2009

# **Objective 1: Enhancing quality standards**

# Using college ready benchmarks to understand SOL results

## Study of the relation between SAT scores and SOL scores\*

- Student SAT scores were matched with SOL outcomes for Virginia's students
  - Matched students include 58 and 56 percent of *all* students in the 2005 and 2006 graduating classes;
  - Matching included more than 90 percent of students who participated in SAT testing.
- Analyzed how SOL proficiency levels relate to “College Ready Benchmarks” established by the College Board (Kobrin, 2007).
- College Board “College Ready” Benchmarks on SAT are based on the probability that a student will succeed in the first year of college.
  - High benchmark:  $\geq 65\%$  chance of earning 2.7 GPA or higher
  - Low benchmark:  $\geq 65\%$  chance of earning 2.0 GPA or higher

\*VDOE analyses conducted with technical assistance from Laura Holian, REL Appalachia Field Scientist. Results apply only to students who participated in SOL *and* SAT testing. SAT test-takers may not be representative of Virginia's population.

Kobrin, J. L. (2007). Determining SAT benchmarks for college readiness. (College Research Note No. RN-30). New York, NY: College Board.

# Using college ready benchmarks to understand SOL results

Percent of students scoring at or above SAT benchmarks and each SOL proficiency level

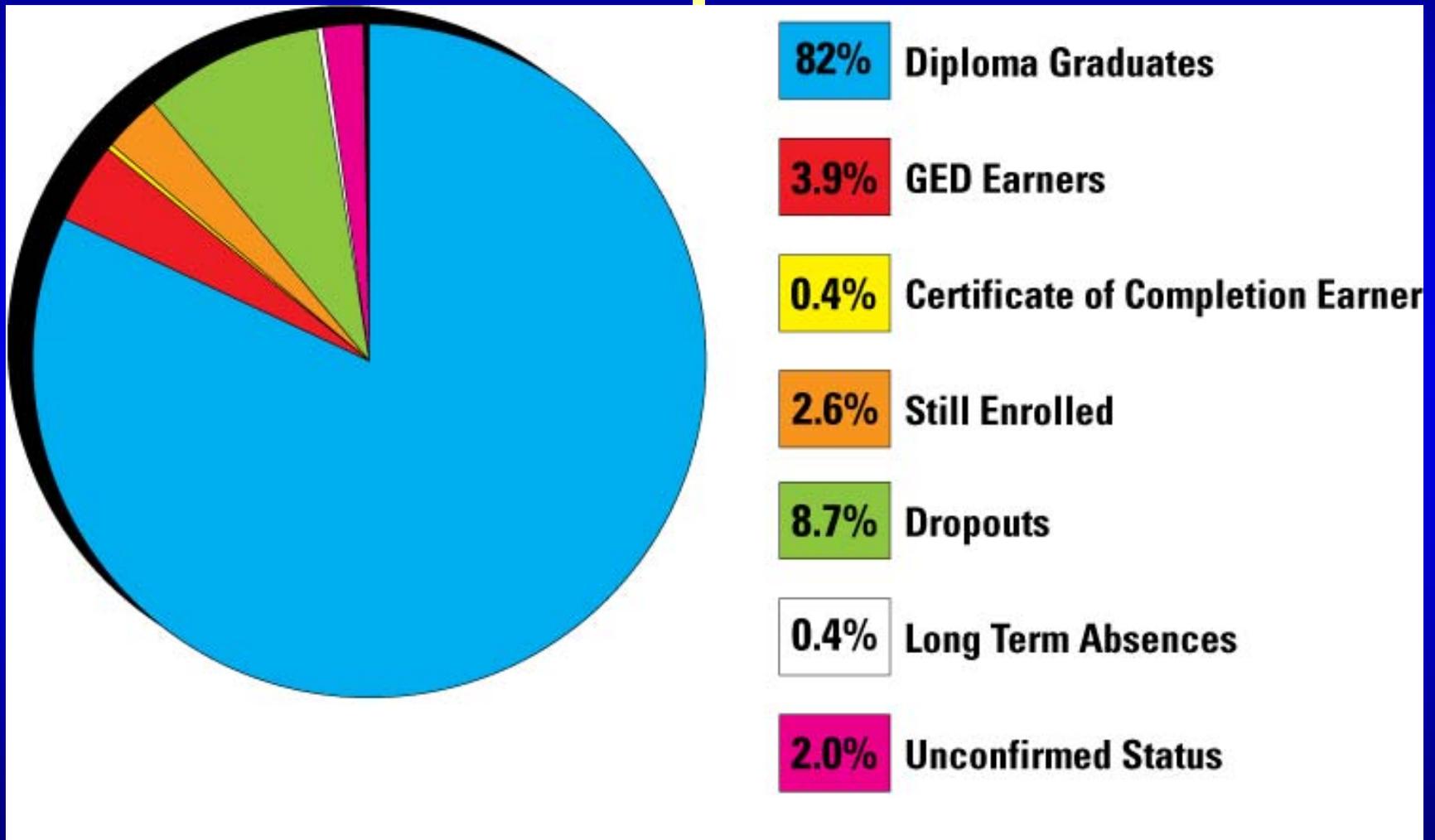
SOL	<i>At or above Low SAT Benchmark*</i>		<i>At or above High SAT Benchmark*</i>	
	Proficient (SOL)	Advanced Proficiency (SOL)	Proficient (SOL)	Advanced Proficiency (SOL)
Algebra I	90 %	100 %	10 %	49 %
Algebra II	94 %	99 %	10 %	44 %
Geometry	92 %	100 %	8 %	49 %
Reading	89 %	99 %	7 %	43 %
Writing	87 %	100 %	6 %	40 %

\*Content specific benchmarks were used (e.g., Algebra I SOL scores compared with SAT mathematics scores).

Suggests that both the proficient and advanced levels on end-of-course SOL assessments are associated with college readiness.

# **Objective 2: Increase academic success for all students**

# High school graduation and dropout



Source: VDOE Cohort Report generated March 30, 2009

# Challenges remain for many Virginia students

Subgroup	% Graduated On-Time	% Completed school on time	% Still Enrolled	% Dropout	% Long-term leave	% Unconfirmed status
All Students	82.1%	86.3%	2.6%	8.7%	0.4%	2.0%
Female	85.0%	88.4%	2.1%	7.4%	0.4%	1.7%
Male	79.2%	84.3%	3.1%	9.9%	0.4%	2.2%
Black	73.9%	78.0%	4.8%	12.6%	0.7%	3.9%
Hispanic	71.5%	75.2%	2.9%	19.9%	0.3%	1.6%
White	85.9%	90.4%	1.7%	6.3%	0.3%	1.3%
Asian	93.4%	94.5%	1.3%	3.6%	0.1%	0.5%
American Indian	75.7%	79.3%	5.0%	13.9%	0.0%	1.8%
Native Hawaiian	85.2%	89.8%	3.4%	4.6%	0.0%	2.3%
Other	90.5%	92.4%	1.8%	4.7%	0.1%	0.9%
Students with Disabilities	81.8%	86.4%	n/a	13.5%	0.0%	0.2%
Identified as Disadvantaged	70.6%	77.5%	4.7%	13.5%	0.7%	3.6%
Limited English Proficient	69.2%	72.0%	n/a	27.0%	0.0%	0.7%
Identified as Migrant	75.4%	80.7%	0.0%	15.8%	0.0%	3.5%
Homeless	60.2%	65.1%	10.6%	18.7%	2.0%	3.6%

# Postsecondary enrollment

Postsecondary enrollment	Year Graduated/Completed High School		
	2006	2007	2008
Enrolled within one year	Percent enrolled		
4-year institution	38%	38%	37%
2-year institution	22%	24%	25%
Less than 2 year institution	< 1%	< 1%	< 1%
Total	60%	63%	62%
Enrolled anytime since high school completion			
4-year institution	40%	40%	37%
2-year institution	29%	28%	25%
Less than 2 year institution	< 1%	< 1%	< 1%
Total	69%	68%	62%

Preliminary analyses of data from the National Student Clearinghouse.

# Postsecondary credentials

	2-year institution	4-year institution*	Less than 2-year institution
Class of 2006 (2.5 years since HS graduation)			
Number of postsecondary degrees earned	1901	163	41
Percent of high school graduating class	3 %	< 1%	<1%
Percent of students enrolled in postsecondary institution	11 %	< 1%	30 %
Class of 2007 (1.5 years since HS graduation)			
Number of postsecondary degrees earned	312	14	1
Percent of high school class	< 1%	< 1%	< 1%
Percent of students enrolled in postsecondary institution	2%	< 1%	< 1%

Preliminary analyses of data from the National Student Clearinghouse.

\*Includes students who earn 2-year degrees from 4-year institutions.

**Objective 3: Support  
accountability for all schools**

# School accountability

	2003-2004 <sup>*‡</sup>	2008-2009 <sup>‡</sup>
<b>Fully accredited Schools</b>	<b>78%</b>	<b>95%</b>
<b>Made AYP: Schools</b>	<b>55%</b>	<b>74%</b>
<b>Made AYP: Divisions</b>	<b>14%</b>	<b>41%</b>

\*First year AYP was calculated.

‡Results are based on test data from the prior school year.

# School accountability (cont'd)

Virginia has fewer chronically low-performing schools, defined as schools that were accredited with warning for three consecutive years

School accreditation year	Number identified	Percent identified
2008-2009	33	2%
2007-2008	42	2%
2006-2007	58	3%

# New VDOE tools to support school improvement

- 9th grade early identification tool
  - Data tool
  - Tool kit explaining and demonstrating through video clips the use of the tool
  - Can be used as part of the Academic Review process for high schools
- Watch list report (K-12 resource)
  - Will be available through Virginia's Education Information Management System (EIMS)
  - Provides school and student level "flags" for:
    - Attendance
    - SOL performance
    - Students two or more years overage for grade
    - Students who were retained.
- Postsecondary enrollment data that can help schools understand who is and who is not moving on to postsecondary education.

# VIP program

*Virginia Index of Performance is intended to measure the extent to which students are progressing towards advanced proficiency levels in reading, mathematics, science, and history and social science and on other indicators of school and student performance.*

- VIP achievement measure is calculated using weighted student scores on Standards of Learning assessments.
- Scores are weighted according to the achievement levels of basic, proficient, and advanced with the advanced level having the highest weight.
- The VIP score is determined by adding up to five additional points to the achievement measure.

# Additional measures

- ✓ Increase the percentage of third graders reading on grade level (95% state goal);
- ✓ Increase the percentage of students enrolled in Algebra I by grade 8 (45% state goal);
- ✓ Increase the percentage of high school students taking Advanced Placement, International Baccalaureate, and dual enrollment courses (25% state goal);
- ✓ Increase the number of career and technical industry certifications, state licenses, or successful national occupational assessment (15,000 state goal);
- ✓ Increase the percentage of high school graduates earning an Advanced Studies Diploma (57% state goal);
- ✓ Increase the percentage of students who receive a high school diploma recognized by the Board of Education (80% state target);

# Additional measures (cont'd)

- ✓ Increase the percentage of schools that are fully accredited and making Adequate Yearly Progress (divisions only; 100% state goal);
- ✓ Increase the percent of at-risk four-year-olds who are being served by the Virginia Preschool Initiative (divisions only; 100% state goal);
- ✓ Increase the percentage of students in each student subgroup achieving at higher levels of proficiency on state assessments;
- ✓ Increase the percentage of students maintaining literacy proficiency throughout their adolescent years (95% state goal);
- ✓ Increase the percentage of schools offering foreign language instruction in the elementary grades; and
- ✓ Increase participation in the Governor's Nutrition and Physical Activity Scorecard Awards Program.

# VIP awards

## Number of schools and school divisions earning VIP awards

	Schools	Divisions	Schools	Divisions
	2008-2009		2007-2008	
<b>Governor's Awards for Educational Excellence</b>	162	0	89	0
<b>BOE Excellence Awards</b>	544	24	475	19
<b>BOE Competence to Excellence Awards</b>	276	10	322	25
<b>BOE Rising Star Awards</b>	2	0	N/A	N/A

N/A: Not applicable. Rising star awards were not available in the first year of the program.

# Considerations for updates

- One goal of the VIP program is that:  
*“high school students earn a high school diploma, especially advanced studies diplomas, within four years.”*
- When VIP was established only estimates of on-time graduation rates were available.
- With the availability of new data (e.g., cohort graduation and dropout rates) the Board may want to consider adopting revised eligibility criteria for the VIP program.
- Incorporating the new data provides further incentives for schools and divisions to strive for increasing graduation rates and reducing dropout rates.

# Some ideas for revised eligibility criteria

- Incorporate into award eligibility:
  - On-Time Graduation Rate
  - Dropout rate
  - Provisions for improvement in terms of graduation and dropout rates
- Differentiate criteria between award levels

# VIP: Ideas for revised eligibility criteria (1)

Governor's Award for Educational Excellence

BOE Excellence Award

1. Meet all current requirements; *and*
2. Meet or exceed the state goal for on-time high school graduation rate, (currently 80 percent).

BOE Competence to Excellence Award

BOE Rising Star Award

1. Meet all current requirements; *and*
2. Meet or exceed the state goal for on-time high school graduation rate, (currently 80 percent); *or*  
Increase the on-time graduation rate by ten (10) percent or more of the percent of non-graduates.

# VIP: Ideas for revised eligibility criteria (2)

## Governor's Award for Educational Excellence BOE Excellence Award

1. Meet all current requirements; *and*
2. Meet or exceed the state goal for on-time high school graduation rate, (currently 80 percent); *and*
3. Cohort dropout rate is 10 percent or less.

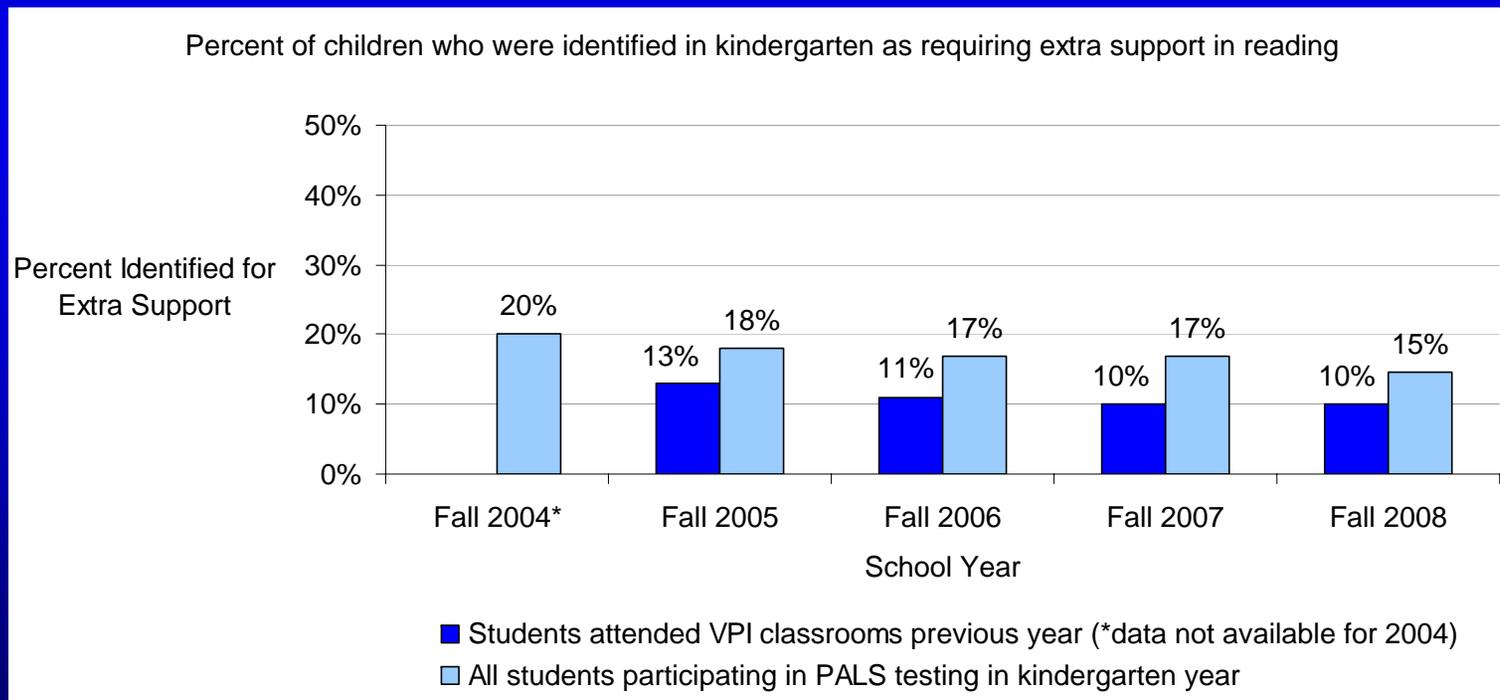
## BOE Competence to Excellence Award BOE Rising Star Award

1. Meet all current requirements; *and*
2. Meet at least one of the following:
  - a. Meet or exceed the state goal for on-time high school graduation rate, (currently 80 percent); *or*
  - b. Increase the on-time graduation rate by ten (10) percent or more of the percent of non-graduates; *or*
  - c. Cohort dropout rate is 10 percent or less.

# **Objective 4: Kindergarten readiness**

# Pre-literacy screening

- Each year, more children are arriving at kindergarten with skills needed to learn to read.
- Children who participate in VPI and other public preK programs are less likely to be identified as needing extra support to become successful readers.



# Challenges continue

More students are identified as needing additional support to become successful readers in schools that serve larger percentages of low income children.

Percent of students eligible for free or reduced price lunch in school	Percent identified as needing additional support to become successful readers
0-9.0%	5.6%
9.0-18.2%	9.3%
18.2-27.7%	12.9%
27.7-34.9%	13.9%
34.9-41.6%	16.6%
41.6-49.0	16.1%
49.0-56.23	15.9%
56.2-63.93	17.7%
63.9-74.6	19.7%
> 74.60	20.0 %
<b>Total</b>	<b>14.4%</b>

Data provided by the PALS Office, University of Virginia. PALS K, fall of 2008.

# Research and data-related initiatives to improve school readiness

- Developing a “Ready Schools” self assessment tool for schools\*;
- Participating in a VDSS-led data project focused on improving the collection, analysis, and interpretation of early care and education data;
- Collaborating with Smart Beginnings strategic initiatives to track early education outcomes; and
- Exploring the development of a brief comprehensive school readiness inventory.

\*Collaborative effort led by Dr. Julie Linker at VCU. Project is funded by the Robbins Foundation, Norfolk Foundation, and State Farm of Virginia.

# Questions?

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# **Progress Report on the Office of Early Childhood Development**

**Presented to the  
Virginia Board of Education  
April 29, 2009**

**Ms. Kathy Glazer, Director  
Office of Early Childhood Development**

# Virginia's Office of Early Childhood Development

- Launched July 1, 2008
- Will maximize opportunities for Virginia's children to reach kindergarten healthy and prepared for school success
- Spans the Departments of Education and Social Services and will link to the Department of Health
- Serves as a unique cross-agency governance model that reflects the multi-faceted continuum of children's growth and development

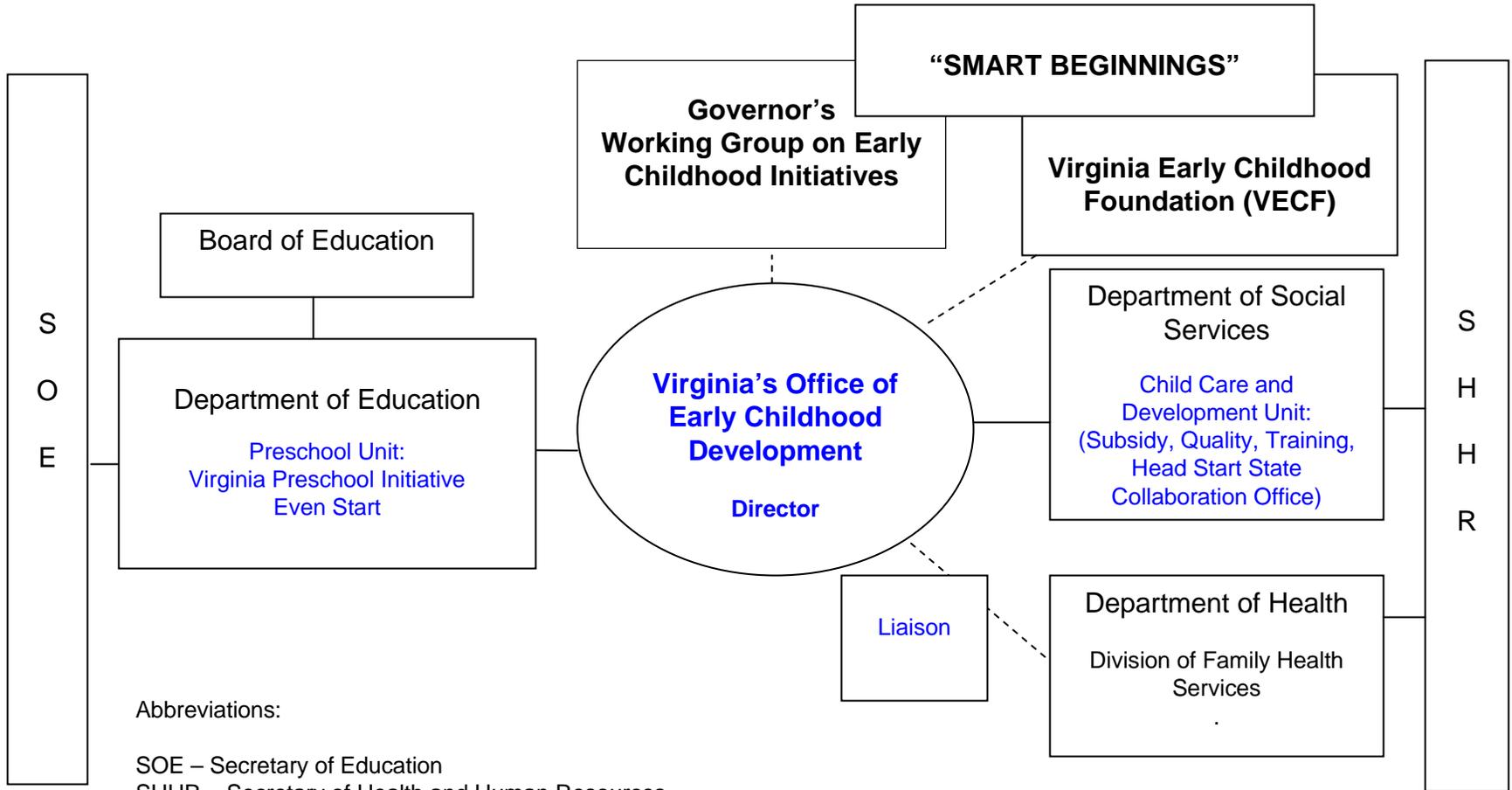
# Virginia's Office of Early Childhood Development

- Incorporates existing staff, functions, programs, and funding streams from:
  - The preschool unit at the DOE (3 staff members) and
  - The child care subsidy program, quality initiatives, and Head Start State Collaboration Office at the DSS (25 staff members).
- Focuses on access, quality, and accountability

# Objectives

- Interagency coordination and program alignment
- Development of a coordinated professional development system for the early childhood work force
- Establishment of an integrated data system to better inform policy, programming, and budget decisions

# Virginia's Early Childhood Initiatives



Abbreviations:

SOE – Secretary of Education

SHHR – Secretary of Health and Human Resources

# Virginia's Early Childhood Initiatives

**SMART BEGINNINGS** (partnership between Governor's Working Group on Early Childhood Initiatives and the Virginia Early Childhood Foundation\*)

- Virginia's Plan for Smart Beginnings
- Virginia's Star Quality Initiative (QRIS)

*\*The Virginia Early Childhood Foundation is a 501 (c) (3) created in December, 2005 which provides grants for early childhood systems-building to local communities using a blend of public and private funds.*

## **GOVERNOR'S WORKING GROUP ON EARLY CHILDHOOD INITIATIVES**

- School Readiness Task Force
- Professional Development Initiative
- Home Visiting Consortium

*The Governor's Working Group was created in August 2006 and is a multi-agency council with the purpose of coordinating early childhood programs and services across agencies and sectors at the policy level.*

# Virginia's Plan for Smart Beginnings

- Comprehensive Strategic Plan
- Purpose: All children arrive at school healthy and ready to learn
- Five Goal Areas
  - Infrastructure
  - Parent Education
  - Early Care and Education
  - Health
  - Public Engagement
- Co-led by OECD and Virginia Early Childhood Foundation
- Data Accountability

# Virginia's Star Quality Initiative

## *Quality Rating and Improvement System (QRIS)*

- Voluntary, market-driven strategy for both private centers and public preschool classrooms
- A method to assess, improve and communicate the level of quality in early care and education settings/programs: child care, Head Start, and the Virginia Preschool Initiative
- Administered as a partnership between the Virginia Early Childhood Foundation and the Office of Early Childhood Development
- Rating based on observation and documentation review displayed on a 5-star scale
- A mentor/coach helps programs develop a quality improvement plan based on the rater's observations and provides technical assistance

# School Readiness Task Force

Building from Virginia's Definition of School Readiness:  
*(Adopted by BOE April 2008)*

- Publication of *Virginia School Readiness Report*
- Development and pilot of a self-assessment tool for "ready schools"
- Exploration of a comprehensive child inventory

# Professional Development Initiative

- 18-month initiative
- Develop recommendations for coordinated system to ensure a continuum of high quality pre-service, in-service, and development opportunities for early childhood professionals
- Steering committee chaired by Bob Pianta
- Served by subcommittees for Access, Quality, Accountability, and Infrastructure

# DSS Child Care Subsidy Program Transformation

- Serves 55,000 children and 31,000 families at approximately \$124 million this year
- Provides child care assistance to low-income families so they can work or receive training on their path to self sufficiency
- Strengthens school readiness services to the most at-risk children by focusing on quality of care
- Integrates quality rating and improvement system

# For More Information

Ms. Kathy Glazer, Director  
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(804) 726-7124

# **2008 School Readiness Report**

**Prepared by the  
Virginia School Readiness Task Force**

**December 2008**

## 2008 Virginia School Readiness Report Executive Summary

A top priority for Virginia's policy makers, early childhood educators, and researchers is to ensure that young children are provided opportunities and experiences that prepare them to enter school ready to learn. Virginia's definition of school readiness focuses not only on whether a child has acquired basic skills in areas of literacy, mathematics, science, history, social science, physical and motor development, and personal and social development, but also on the capacities of families, schools and communities to best support children's acquisition of these skills. The 2008 Virginia School Readiness Report, prepared by the Virginia School Readiness Task Force, summarizes recent statewide efforts to promote school readiness in Virginia in three areas—*developing infrastructure* to support a comprehensive strategy to improve school readiness, *conducting research* about access to and quality of preschool in Virginia, and *creating resources* to guide school readiness improvement efforts. The major findings from the report are summarized below.

- **Infrastructure to support a comprehensive strategy to improve school readiness in Virginia has been recently established**, including the creation of the Governor's Working Group on Early Childhood Initiatives and Virginia's Office of Early Childhood Development. These governance components oversee and coordinate comprehensive initiatives including the work of the School Readiness Task Force, Professional Development Task Force, Home Visiting Consortium, and the Star Quality Advisory Team.
- **Studies indicate that the Virginia Preschool Initiative (VPI) has positive effects on children's school readiness**, as reported by statewide studies of VPI conducted by Virginia's Joint Legislative Audit and Review Commission (JLARC) and the PALS study team at UVA.
- **Access to preschool in Virginia is lowest for children living in poverty**, as reported in a study conducted by the UVA Weldon Cooper Center for Public Service.
- **It is feasible to expand access to VPI through community/private preschool partnerships, local school readiness collaboratives, and braided funding streams**, as found in a study of the VPI Pilot project.
- **A preschool teacher professional development program improved the quality of VPI classrooms and children's school readiness**, as reported in evaluations of the impacts of MyTeachingPartner conducted by the Center for Advanced Study of Teaching and Learning (CASTL) at UVA.
- **The Virginia Star Quality Rating System was created** to support continuous quality improvement and has been pilot tested in 186 preschool classrooms. This year, 350 classrooms in 13 communities will be assessed.
- **A comprehensive statewide definition of school readiness has been created** by the Virginia School Readiness Task Force and endorsed in 2008 by the Governor's Working Group on Early Childhood Initiatives and the Virginia Board of Education.
- **Resources have been created for Virginia's early childhood educators, program administrators, and parents to improve school readiness**, including the following documents and web-based resources: *Milestones for Child Development*, *Solving the Preschool Puzzle*, *Competencies for Early Childhood Professionals*, *Virginia's Preschool Curriculum Review Rubric and Planning Tool*, *Alignment of Teacher Competencies*, *Grant Project Templates*, and *Early Childhood Career Web site*.

**2008 Virginia School Readiness Report**  
*Prepared by the Virginia School Readiness Task Force*  
December 2008

When children enter kindergarten with basic skills in the areas of literacy, mathematics, science, history, social science, physical and motor development, and personal and social development, they have a much greater chance of achieving success later in school and into adulthood. Children's school readiness depends upon their opportunities within communities, classrooms and families that support development of these skills, and one of the Commonwealth's top priorities is to ensure that Virginia's 105,000 entering kindergartners each year start school ready to learn. The commitment to school readiness in Virginia is evident in numerous statewide efforts to promote opportunities within families, schools, and communities that support children's development of school readiness skills. The 2008 Virginia School Readiness Report is a compendium of recent work related to school readiness in Virginia that is intended to be a useful resource that informs policy makers, researchers, preschool administrators and educators about recent initiatives, research findings, and resources to promote school readiness. The report was prepared by the Virginia School Readiness Task Force, a diverse group of stakeholders including the Superintendent of Public Instruction and other representatives from the Department of Education; the Board of Education; the Department of Social Services; local city councils, school divisions, and early childhood development offices and providers; the PALS office and Virginia's universities and community colleges; the Virginia Early Childhood Foundation; and the Council on Virginia's Future.

The report is divided into three sections that describe efforts to promote school readiness in Virginia related to 1) *statewide infrastructure* to support a comprehensive strategy to improve school readiness, 2) *research* about access to and the quality of preschool in Virginia, and 3) *resources* to guide school readiness improvement efforts. Within each section, brief summaries of each effort and web-links for more information are provided.

### **Statewide Infrastructure to Improve School Readiness**

Statewide infrastructure is needed to support a comprehensive strategy to improve school readiness in Virginia. The initiatives described in this section provide a forum for collaboration for diverse partners; promote dissemination of information for researchers, educators, policymakers and practitioners; and promote awareness of the current issues in early childhood that impact school readiness. They have resulted in multiple strategies for helping programs to partner with local agencies, which in turn helps with efficient program delivery. Many of these collaborative efforts help early childhood educators in their ability to plan and deliver high quality programs and to find training that will help them enhance outcomes for children.

***Virginia's Office of Early Childhood Development.*** Virginia's Office of Early Childhood Development, which spans the Departments of Education and Social Services and links to the Department of Health, was launched for operation July 1, 2008 to maximize opportunities for Virginia's children to reach kindergarten healthy and prepared for school success. The Office's objectives include interagency coordination and program alignment, development of a coordinated professional development system for the early childhood workforce, and establishment of an integrated data system to better inform policy, programming, and budget decisions.

<http://www.education.virginia.gov/Initiatives/EarlyChildhood/GovWorkingGroup.cfm>

***Governor's Working Group on Early Childhood Initiatives.*** The Working Group was created through an executive directive by Governor Kaine in August, 2006, with the purpose of coordinating executive branch efforts on early childhood programs and strengthening public and private programs. The working group, chaired by the Secretary of Education, brings together high-level staff from cabinet offices and state agencies in the areas of Education, Health and Human Resources, Economic Development, Finance and Policy. The Working Group has provided leadership for initiating the following efforts — the Star Quality Initiative, the Home Visiting Consortium, the School Readiness Task Force, and the Early Childhood

Professional Development Initiative — that are designed to improve school readiness in Virginia.  
<http://www.education.virginia.gov/Initiatives/EarlyChildhood/GovWorkingGroup.cfm>

**The Virginia Early Childhood Foundation.** The Foundation is a public-private partnership, founded in 2005. The Foundation provides grants, training and technical assistance to local and regional Smart Beginnings initiatives. The Foundation collaborates with state government, the business community, parents and early childhood leaders to implement long-term strategies for improving school-readiness for all young children, ages birth to five.  
<http://www.vecf.org>

**Smart Beginnings Strategic Plan.** The Governor's Working Group and the Virginia Early Childhood Foundation have partnered to co-lead the implementation of Virginia's Plan for Smart Beginnings, a statewide comprehensive strategic plan to strengthen, integrate, and evaluate early childhood services, infrastructure, and public engagement efforts across the Commonwealth. The plan focuses on five overarching goals in the areas of Governance and Finance, Family Support and Education, Early Care and Education, Health, and Public Engagement, and it serves as a roadmap for Virginia's school readiness vision.  
[www.education.virginia.gov/Initiatives/EarlyChildhood/Virginias\\_Plan\\_Smart\\_Beg.doc](http://www.education.virginia.gov/Initiatives/EarlyChildhood/Virginias_Plan_Smart_Beg.doc)

**School Readiness Task Force.** The school readiness task force was convened to focus on developing an effective system for assessing and evaluating the school readiness of Virginia's children. The task force has proposed recommendations to promote statewide data collection efforts to better inform educational policies and classroom practices, and developed Virginia's Definition of School Readiness.  
<http://www.education.virginia.gov/Initiatives/EarlyChildhood/GovWorkingGroup.cfm>

**Professional Development Task Force.** The professional development task force will make recommendations for a coordinated system to ensure a continuum of high quality professional development opportunities for the early childhood workforce in Virginia. The task force will focus on key components of a professional development system: access, quality, accountability, infrastructure, and funding.  
<http://www.education.virginia.gov/Initiatives/EarlyChildhood/GovWorkingGroup.cfm>

**Home Visiting Consortium.** The Consortium brings together all state-funded early childhood home visiting programs to discuss home visiting services in Virginia. The group has developed a strong collaborative model which values the unique features each program brings and reduces duplication and gaps in service coverage. The Consortium is developing and piloting common training modules for home visitors of all programs, and is planning for the collection and utilization of common data elements to better inform program and policy.  
<http://www.education.virginia.gov/Initiatives/EarlyChildhood/GovWorkingGroup.cfm>

## Research on School Readiness in Virginia

Five recent studies related to school readiness in Virginia have been conducted; the results of which identify: 1) benefits of the Virginia Preschool Initiative on children's school readiness; 2) concerns about access to preschool in Virginia for children from economically disadvantaged homes, and 3) promise in methods to improve access to and the quality of preschool programs in Virginia.

**Virginia's Joint Legislative Audit and Review Commission (JLARC) finds positive effects of VPI participation.** In 2007, the Virginia General Assembly commissioned a study of the Virginia Preschool Initiative (VPI) by JLARC. The JLARC study found positive effects of the program on children's school readiness. Specifically, VPI classrooms tend to provide positive learning environments with high levels of student engagement; children in VPI classrooms show growth in literacy skills across the preschool year (from fall to spring); children from VPI classrooms tend to score higher on kindergarten literacy assessments than other kindergartners; and kindergarten teachers and elementary principals report that VPI graduates are well-prepared socially and academically for kindergarten and later elementary schooling.

These findings identify the important effects of high quality program participation on the literacy components of school readiness. The study also identified seven actions which could be taken to more consistently achieve high quality in VPI classrooms.

<http://jlarc.state.va.us/Reports/Rpt364.pdf>

***UVA Study of VPI and Phonological Awareness Literacy Screening (PALS) for Kindergarten and preschool students finds positive effects of VPI participation.*** The PALS is used to assess the literacy skills of children who attend kindergarten and students in VPI and other publicly funded preschool programs. Results from PALS-K screenings show that the percentage of students who were identified as needing extra support for learning to read has dropped each year since 2004, with 20 percent identified in 2004 down to 17 percent identified in 2007. Also, a smaller percentage of students who attend public preschool programs are identified in kindergarten as needing extra support to become proficient readers as compared to the kindergarten population as a whole. For example, in the fall of 2007, 11 percent of students screened with PALS in Kindergarten who attended publicly funded preschool in the prior year were identified as needing extra help as compared to 17 percent of all kindergarten children who were screened. Over time, results from PALS-K assessments also show that each year since 2004, a smaller percentage of children participating in public preschool have been identified in kindergarten as needing extra help as compared to the previous year. Results from the PALS-PreK assessments in spring 2008 show that between 85.4 percent and 94.0 percent of VPI preschoolers were within the developmental ranges across all six of the assessed areas: name writing, alphabet knowledge, beginning sounds, rhyme, concepts of print, and nursery rhyme awareness. This reflects an increase from spring 2007 results, which ranged from 82.2 percent and 91.3 percent across the six tasks. Disaggregated data for each year shows that preschool students who participate in VPI and Title I preschool programs are more likely to meet or exceed the developmental ranges on the PALS-PreK assessments, as compared to students who attend other publicly funded preschool programs. The data available do not determine whether these outcomes can be attributed to differences in the programs or differences in the student populations served by various public preschool programs.

<http://pals.virginia.edu>

***Barriers are identified in access to public and private preschool for Virginia's low-income children.***

In 2006, the University of Virginia's Weldon Cooper Center used the United States Census Bureau's American Community Survey to conduct a study of the 105,000 four-year-old children living in Virginia in 2005. Results showed almost 43 percent of those four-year-olds (45,000) were not enrolled in any type of preschool program. Enrollment in preschool was highest among those children from families earning more than three times the poverty threshold (70 percent) while those below the poverty level were enrolled at the lowest rate (40 percent). Four-year-olds not enrolled in preschool were similar to those enrolled in public preschool programs. Both groups tended to come from single parent households, to live in or near poverty, and to have mothers with less education than those enrolled in private preschool programs. These results suggest that access to high quality early learning continues to be a barrier for the state's low-income children.

[http://www.coopercenter.org/demographics/sitefiles/documents/pdfs/numberscount/virginias\\_4-year-olds.pdf](http://www.coopercenter.org/demographics/sitefiles/documents/pdfs/numberscount/virginias_4-year-olds.pdf)

***VPI Access and Feasibility Study indicates that diverse funding is effective in program delivery.*** The Virginia Preschool Pilot Initiative was designed as a one-year experiment to examine the feasibility of increasing access to VPI for more children at risk of school failure by offering state-funded prekindergarten using specific strategies: a) local school readiness collaborative work groups; b) "braiding" of multiple categorical funding streams in programs; and c) partnership among public schools, Head Start programs, and private child care providers. Approximately 280 children participated in some portion of the pilot program during 2007-2008. The results of the pilot demonstrated that diverse preschool delivery is feasible and appears associated with benefits for children at-risk for school difficulties, narrowing the pre-literacy achievement gap between disadvantaged children and their more advantaged peers. State guidelines and funding for staff positions and technical support appear to be necessary to help localities blend funding, oversee programs, improve and maintain quality, and accurately collect records. These factors have been

important in successfully developing a mixed delivery model of high-quality prekindergarten for at-risk children in Virginia, and maximizing entry for preschoolers using diverse delivery methods and multiple funding streams.

<http://leg2.state.va.us/dls/h&sdocs.nsf/682def7a6a969fbf85256ec100529ebd/231cd2c4ea5e666852574cc004ad11a?OpenDocument>

***A professional development program for VPI teachers improved classroom quality and children's school readiness.*** Over 200 teachers in the Virginia Preschool Initiative participated in the MyTeachingPartner professional development program designed to improve the quality of classroom interactions and children's development of school readiness skills. Teachers received access to a Web site and participated in consultation designed to improve the quality of teachers' interactions with children in classrooms. A study of the effects of the program was conducted by the Center for Advanced Study of Teaching and Learning at the University of Virginia, and results demonstrate that the teaching consultation had a positive influence on classroom quality and children's school readiness. These findings suggest that this particular professional development program has the potential to provide teachers with skills that have a positive impact on children in their classrooms.

[www.myteachingpartner.net](http://www.myteachingpartner.net)

### Resources to Improve School Readiness in Virginia

The following resources have been developed for parents, educators, and preschool programs to improve school readiness. The resources are designed to increase knowledge about school readiness and improve the quality of children's experiences in preschool programs.

***Virginia Star Quality Rating System Initiative.*** Virginia's Star Quality Initiative (a Quality Rating and Improvement System) was created to offer a market-based solution to facilitate quality consistency among early childhood programs, support continuous quality improvement in partnership with public and private early education providers, and encourage a continuum of care and education throughout various provider settings, so that all children arrive in kindergarten ready to succeed. The Star Quality Initiative was piloted during the 2007-2008 school year, with 186 classrooms observed by 20 trained Star Quality Raters. Through a corporate grant from Capital One and generous local support, the pilot built on existing local efforts to promote quality in both public and private early childhood settings in 14 Virginia communities. The purpose of the initiative in phase one was not to assign and promote Star ratings, but to test and evaluate the standard and ratings process to ensure reliability and validity. While Star ratings were not publicized, internal data showed a nearly-perfect bell curve distribution of Star levels among programs; 44 percent of programs fell at the 3-Star level, with the majority of those remaining earning 2 or 4 Stars and very few at the 1- or 5-Star levels. Data also indicated a 90 percent rate of consistency between Star Quality Raters.

[www.education.virginia.gov/Initiatives/EarlyChildhood/gris\\_overview.doc](http://www.education.virginia.gov/Initiatives/EarlyChildhood/gris_overview.doc)

[http://www.smartbeginnings.org/index.asp?Type=B\\_BASIC&SEC={56DE82A5-9F30-4390-B6CD-4C90C8D2D282}](http://www.smartbeginnings.org/index.asp?Type=B_BASIC&SEC={56DE82A5-9F30-4390-B6CD-4C90C8D2D282})

***Virginia's Definition of School Readiness.*** In 2008, the School Readiness Task Force created a comprehensive definition of school readiness that was endorsed in 2008 by the Governor's Working Group on Early Childhood Initiatives and by the Board of Education. Virginia's definition of school readiness focuses not only on whether a child has acquired basic skills, but also on the capacities of families, schools, and communities that best support children's acquisition of these skills. This definition provides a common framework for understanding and promoting school readiness across Virginia.

<http://www.education.virginia.gov/Initiatives/EarlyChildhood/GovWorkingGroup.cfm>

***Milestones of Child Development.*** The Milestones of Child Development is a resource resulting from the work of Virginia's Alignment Project. This multi-disciplinary team of public and private partners worked together to offer guides to assist adults in their roles with young children. The *Milestones* are a set of child indicators and strategies for adults designed to support the growth and development of young children from

birth to kindergarten entry. It integrates and supports Head Start standards and the Virginia Preschool Initiative's Foundation Blocks.

[http://www.education.virginia.gov/Initiatives/EarlyChildhood/MCD\\_6\\_07.pdf](http://www.education.virginia.gov/Initiatives/EarlyChildhood/MCD_6_07.pdf)

**Solving the Preschool Puzzle.** In the spring of 2008, seven regional forums were held in communities across the Commonwealth to provide information on the Governor's pre-K proposal, legislative and budget action, and best practice strategies for community planning and service delivery. Presented by the Governor's Working Group in partnership with United Way Success By 6, the forums discussed the latest information on VPI and state-level policy and program activities and provided opportunities for regions to share information and best practices with each other. To inform the discussion, a resource guide for public and private early childhood leaders, entitled "Solving the Preschool Puzzle," was developed and distributed. The guide offers detailed information about collaborative, innovative approaches to deliver early childhood services, samples of Memoranda of Understanding to demonstrate how programs have partnered and braided funding streams, and contact information for individuals across the state that are already employing these best practices in their programs.

<http://www.education.virginia.gov/Initiatives/EarlyChildhood/StartStrong/PreschoolPuzzle.pdf>

**Virginia's Foundation Blocks for Early Learning.** From 2001 to 2006, the Department of Education developed the standards, *Virginia's Foundation Blocks for Early Learning*. The purpose of the Foundation Blocks for Early Learning is to provide early childhood educators a set of standards for all content areas, as well as indicators of success for entering kindergarten students pertaining to their competencies in literacy, mathematics, science, history, social science, and the more recently added blocks covering personal and social development and physical and motor development. A committee of Department of Education specialists, literacy and mathematics professors from Virginia universities, and public and private preschool teachers and administrators developed the standards using current scientifically based research. Standards reflect a consensus regarding children's conceptual learning, acquisition of basic knowledge, and participation in meaningful and relevant learning experiences.

[http://www-prod.pen.k12.va.us/VDOE/Instruction/Elem\\_M/FoundationBlocks.pdf](http://www-prod.pen.k12.va.us/VDOE/Instruction/Elem_M/FoundationBlocks.pdf)

**Competencies for Early Childhood Professionals.** The Competencies for Early Childhood Professionals is a resource developed as a part of Virginia's Alignment Project. The Competencies for Early Childhood Professionals includes standards for competent practice, identifying what early childhood professionals must know, be able to do, and care about to provide quality early care and education.

[http://www.education.virginia.gov/Initiatives/EarlyChildhood/Comp\\_6\\_07.pdf](http://www.education.virginia.gov/Initiatives/EarlyChildhood/Comp_6_07.pdf)

**Virginia's Preschool Curriculum Review Rubric and Planning Tool.** In 2006, the Virginia Board of Education received a three-year grant from the National Association of State Boards of Education (NASBE) for state planning in early childhood education. *Virginia's Preschool Curriculum Review Rubric and Planning Tool*, one product of this grant work, is a valuable resource for preschool teachers, curriculum specialists, preschool directors, and other staff members responsible for educating young children. The rubric can be used to assist early childhood educators in the selection and development of curricula that align with *Virginia's Foundation Blocks for Early Learning*. The rubric is carefully designed to include the five domains essential to early childhood development, which are also indicators of school readiness: cognitive and general knowledge, language development, social and emotional development, physical well being and motor development, and approaches to learning.

[http://www.doe.virginia.gov/VDOE/Instruction/Elem\\_M/preschool\\_rubric.pdf](http://www.doe.virginia.gov/VDOE/Instruction/Elem_M/preschool_rubric.pdf)

**Virginia School Readiness Evaluation and Education Grant Project Templates.** In order to improve school readiness in Virginia, the Virginia School Readiness Task Force has developed a list of pilot projects for communities, foundations and corporate donors. Each project is designed to be discrete and also to have a clear relationship to the goal of improving school readiness for Virginia children. The goal of this effort is to provide local communities with grant templates they can use for local projects and to help each

community design its project so that it can also be utilized across the Commonwealth of Virginia.

<http://www.education.virginia.gov/Initiatives/EarlyChildhood/GovWorkingGroup.cfm>

**Virginia Performs.** Virginia Performs provides policy makers, citizens, government and businesses an easy-to-use portal to information and data about Virginia and its localities. School readiness is one of 46 high-level quality of life indicators measured on Virginia Performs.

<http://www.vaperforms.virginia.gov/i-schoolReadiness.php>

**Alignment of Teacher Competencies.** Teacher competencies for the PreK-3 and PreK-6 teaching endorsements were aligned with Virginia's *Foundation Blocks for Early Learning: Comprehensive Standards for Four-Year-Olds* and the recently produced document from the state's Early Childhood Education's Alignment Project, *Milestones of Child Development* and *Competencies for Early Childhood Professionals*.

<http://www.doe.virginia.gov/VDOE/Compliance/TeacherED/nulicvr.pdf>.

**Early Childhood Career Web Site and Degree Transfer Agreements.** The NASBE committee worked with Virginia's Community College System (VCCS) to develop a web site and brochure to assist future early childhood professionals with understanding educational opportunities for a career in early childhood education. This coincides with the launching of a VCCS common degree in early childhood education. The requirements for the Associate's in Applied Sciences (A.A.S) in early childhood development include the same courses and portfolio items at all of the Virginia Community College System institutions as of fall 2008. This common degree, aligned with Virginia's *Competencies for Early Childhood Professionals*, will help to further facilitate the unique transfer programs with four-year colleges and universities providing opportunities for students seeking applied degrees that lead them straight to the workforce. Virginia Community Colleges have agreements with Norfolk State University, George Mason University, Virginia Commonwealth University and Averett University. The web site is regularly updated to reflect articulated transfer agreements, and information regarding these programs was distributed to early childhood stakeholders across the state including high school guidance counselors, career coordinators, technical education coordinators, VCCS representatives, and Virginia Preschool Initiative coordinators. A copy of the brochure and the transfer agreements are on the Web site.

<http://www.vccs.edu/Students/Transfer/tabid/106/Default.aspx>

<http://myfuture.vccs.edu/Portals/0/ContentAreas/Transfer/k12-brochure-page1n2.pdf>.

## Virginia School Readiness Task Force Committee Members

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For additional information about the 2008 Virginia School Readiness Report,  
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**VIRGINIA DEPARTMENT OF EDUCATION**

**BRIEFING**

# **VIRGINIA PRESCHOOL INITIATIVE**

**PRESENTED TO  
THE VIRGINIA BOARD OF EDUCATION**

**APRIL 29, 2009**

## BACKGROUND INFORMATION

### □ PURPOSE OF THE VIRGINIA PRESCHOOL INITIATIVE

- The purpose of the Virginia Preschool Initiative is to provide quality preschool programs for at-risk four-year-olds who are unserved by Head Start programs.

### □ LEGISLATIVE AUTHORITY

- The 1993 *Acts of Assembly*, Chapter 994, Item 126 required the Board of Education, the Department of Education, and the Virginia Council on Child Day Care and Early Childhood Programs to conduct a study of current early childhood programs provided for at-risk children in Virginia. The results of the study were presented to the Chairmen of the Senate Finance and House Appropriations Committees on November 1, 1993.
- In 1994, the Legislative Commission on Equity in Public Education recommended the establishment of state funded, quality preschool programs for unserved at-risk four-year-olds. Research culminating from this legislative study defined the criteria for quality programs.
- The 1995 General Assembly appropriated \$10.3 million for the Virginia Preschool Initiative to begin in FY 1996. The passage of the Omnibus Education Act (HB 2542) and the Appropriation Act reinforced all components of the 1994 package, and determined a need for an initiative for at-risk four-year-olds. The legislative intent of the initiative was designed to establish a quality preschool education program for at-risk four-year-olds.
- Funding for the Virginia Preschool Initiative gradually increased as the program grew to support more at-risk children.
- The 2006 General Assembly added new language to the Appropriation Act that authorized the Virginia Department of Education to use unexpended balances of Virginia Preschool Initiative state funding each year to provide grants to qualifying divisions/localities for one-time expenses, other than capital, related to the start-up or expansion of their Virginia Preschool Initiative programs.
- The 2008 General Assembly added new language to the Appropriation Act that increased the per pupil rate from \$5,700 to \$6,000 and capped the local match requirement at 0.5000 for FY 2010. By FY 2006, 100 percent of eligible at-risk four-year-olds were included in the funding formula.

## PROGRAM INFORMATION

### □ APPLICATION REQUIREMENTS

- Authorizing legislation requires the chief administrator (city manager or county administrator), in conjunction with the school division superintendent, to identify a lead agency within the division/locality as part of the VPI grant application for funds on or before May 15 each year.
- Divisions/localities must coordinate resources and funding streams to serve the greatest number of four-year-old children. Divisions/localities must demonstrate the coordination of comprehensive service providers, including schools, child-care providers, local social services agencies, Head Start, local health departments and other groups.
- Programs may be operated by public schools or community-based organizations. These entities may sub-contract for services from other providers. State funds are paid directly to school divisions or local governments.
- All applicants must:
  - Demonstrate willingness to provide a quality preschool education program that conforms to the guidelines and criteria;
  - Demonstrate collaboration and coordination with community agencies and groups identified by the lead agency as necessary for the successful delivery of comprehensive services to the children and their families;
  - Develop selection criteria based on the community's definition of at-risk; and
  - Complete an application and submit it to the Virginia Department of Education by May 15 each year and complete a verification report by October 15 each year.

### □ PROGRAM COMPONENTS

- Children are to receive a quality preschool education, which includes:
  - A curriculum aligned with the *Foundation Blocks for Early Learning* and designed to address the learning needs of young children;
  - A group size limit of 18 and a child/staff ratio of 9:1;
  - A minimum of half day for the entire school year;
  - Qualified staff; and
  - Assessment procedures.

- Parents are partners in the Virginia Preschool Initiative programs as evidenced by:
  - Their inclusion in program planning and program activities to the extent possible;
  - The planning for regular, frequent communication with individual parents and parents as a group; and
  - The availability of resource materials to them on topics such as parent-child relationships or child behavior.
- Health services for participating children required at the time of entry or during the program year include:
  - Full immunizations;
  - Vision, hearing, and dental screenings;
  - Complete physical health evaluations;
  - Periodic check-ups; and
  - Eyeglasses, hearing aids, or other assistive devices when necessary.
- Social services for the program year for families of participating children include the identification of services available from sources other than government sources that may be utilized to support families.
- Transportation services are provided for every child to and from the program and as required to receive necessary support services.

□ **RESOURCES AND TECHNICAL ASSISTANCE**

Various resources are available to assist divisions/localities with program areas where assistance is necessary.

- Technical assistance and guidance are available to divisions by Department of Education staff as needed or requested. Each VPI program receives a site visit every other year, including a review of compliance with program requirements and specific guidance as needed.
- The University of Virginia, through the office of Phonological Awareness Literacy Screening (PALS) at the Curry School of Education, continues to provide the PALS Pre-K instrument. The screening tool provides information about students' need for additional assistance with literacy skills. The PALS office maintains a Web site at <http://pals.virginia.edu> to assist all preschool teachers in Virginia with instructional activities.
- *Virginia's Foundation Blocks for Early Learning: Comprehensive Standards for Four-Year-Olds* outline standards which establish a measurable range of skills and knowledge essential for at-risk four-year-olds to be successful in kindergarten. The

- standards assist early childhood educators in providing indicators for student success. These standards are in alignment with the Virginia Kindergarten Standards of Learning and the Phonological Awareness Literacy Screening for Kindergarten (PALS-K) instrument. The *Foundation Blocks* were revised in 2007 to incorporate additional standards in the areas of physical/motor skills and personal/social skills. ([http://www.doe.virginia.gov/VDOE/Instruction/Elem\\_M/FoundationBlocks.pdf](http://www.doe.virginia.gov/VDOE/Instruction/Elem_M/FoundationBlocks.pdf))
- *Virginia's Preschool Curriculum Review Rubric and Planning Tool*, developed in 2007, serves as a valuable resource to assist curriculum specialists and practitioners in developing appropriate curricula and/or analyzing their current curricula in regard to alignment with *Virginia's Foundation Blocks for Early Learning*. The Virginia Board of Education accepted the Curriculum Review Rubric as a report at its July 27, 2005, meeting. The *Preschool Curriculum Review Rubric and Planning Tool* can be accessed on the Virginia Department of Education's Web site at: [http://www.doe.virginia.gov/VDOE/Instruction/Elem\\_M/early.html](http://www.doe.virginia.gov/VDOE/Instruction/Elem_M/early.html).
  - *Solving the Preschool Puzzle*, developed in 2008, serves as a resource guide for public and private early childhood leaders. It offers detailed information about collaborative and innovative approaches to deliver early childhood services. *Solving the Preschool Puzzle* can be accessed at: <http://www.education.virginia.gov/Initiatives/EarlyChildhood/StartStrong/PreschoolPuzzle.pdf>
  - The School Readiness Task Force focuses on developing an effective system for assessing and evaluating the school readiness of Virginia's children. Members include the Secretary of Education and representatives from the Board of Education, Departments of Education and Social Services, the Council on Virginia's Future, the Virginia Early Childhood Foundation, local city councils and school divisions, private child care, and Virginia's community colleges and universities. The Task Force has developed a definition of school readiness, which outlines the capabilities of children, their families, schools, and communities that best promote student success. The definition, which was endorsed by the Virginia Board of Education in 2008, can be viewed at: [http://www.education.virginia.gov/Initiatives/EarlyChildhood/Virginia\\_Definition\\_of\\_School\\_Readiness.doc](http://www.education.virginia.gov/Initiatives/EarlyChildhood/Virginia_Definition_of_School_Readiness.doc)
  - The School Readiness Task Force has prepared the *2008 Virginia School Readiness Report*, which summarizes recent statewide efforts to promote school readiness in Virginia in three areas: developing infrastructure to support a comprehensive strategy to improve school readiness, conducting research about access to and quality of preschool in Virginia, and creating resources to guide school readiness improvement efforts. The report can be viewed at: <http://www.education.virginia.gov/Initiatives/EarlyChildhood/GovWorkingGroup.com>

## PARTICIPATION

### □ STUDENT PARTICIPATION

- The number of at-risk four-year-olds participating in the Virginia Preschool Initiative has increased steadily since its inception.
- Table 1 outlines the budgeted and actual participation histories of the Virginia Preschool Initiative since fiscal year 2003.

**TABLE 1. Virginia Preschool Initiative Student Participation**

Year	Calculated Number of VPI Slots in Formula <sup>1</sup>	Actual Number of VPI Slots Used <sup>6</sup>	Percentage of VPI Slots Used	Total State Share of VPI Cost (in millions) <sup>2</sup>
FY 2003	7,302	5,823	80%	\$18.1
FY 2004	7,337	5,858	80%	\$18.3
FY 2005	15,185	10,318	68%	\$34.9
FY 2006	17,042	11,343	66%	\$38.5
FY 2007	18,730	12,501	67%	\$46.2 <sup>3</sup>
FY 2008	18,929	13,125	69%	\$48.3 <sup>4</sup>
FY 2009	20,705	14,569 / 15,623 <sup>5</sup>	70% / 75% <sup>5</sup>	\$58.5 <sup>5</sup>

<sup>1</sup>In FY 1996, the budgeted number of Virginia Preschool Initiative slots was prorated at 30 percent. From FY 1997 to FY 2004, the budgeted number of slots was prorated at 60 percent. For FY 2005, the budgeted number of Virginia Preschool Initiative slots was prorated at 90 percent. In FY 2006, all eligible unserved at-risk four-year-olds were included in the budget formula.

<sup>2</sup>The state share of payments to divisions/localities is based on the actual number of children being served as certified on the Virginia Preschool Initiative interim report that is due in October of each year. Total funding for each program is derived from the division/locality's composite index plus the required local matching funds.

<sup>3</sup>In FY 2007, the state share includes \$1.5 million in undistributed Virginia Preschool Initiative funding that was used for start-up grants to school divisions not operating a Virginia Preschool Initiative program in FY 2007 but wishing to operate in FY 2008, or for expansion grants to divisions wishing to expand their Virginia Preschool Initiative program in FY 2008.

<sup>4</sup>In FY 2008, the state share includes \$1.75 million in undistributed Virginia Preschool Initiative funding that was used for start-up or expansion grants. This funding does not include the \$1.7 million appropriated in FY 2008 for the Preschool Pilot grants summarized in this document.

<sup>5</sup>In FY 2009, the state share includes \$4.1 million in undistributed Virginia Preschool Initiative funding that was used for one-time expansion grants to serve additional at-risk four-year-olds in divisions that met one of three criteria: 1) needed additional slots/funds to hold them harmless for their FY 2008 share; 2) needed additional slots/funds to serve a minimum of nine students as a base classroom; and/or 3) needed additional slots/funds to serve additional at-risk students with preschool services if they were already receiving their full allocation.

<sup>6</sup>Represents actual number of students served for both full-time and part-time slots.

□ **DIVISION PARTICIPATION**

- The number of school divisions participating in the Virginia Preschool Initiative has increased steadily since its inception.
- For the current school year, 112 of 124 eligible divisions participate. Twelve of 136 divisions are not eligible for funding under the formula.
- Of the 112 divisions participating in VPI:
  - 63 divisions (56 percent of those participating) use 100 percent of their slot allocation.
  - 19 divisions (17 percent of participating divisions) use 76-99 percent of their slot allocation.
  - 16 divisions (14 percent of participating divisions) use 50-75 percent of their slot allocation.
  - 14 divisions (13 percent of participating divisions) use less than half of their slot allocation.

**TABLE 2. Virginia Preschool Initiative Division Participation<sup>1</sup>**

	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Number of divisions/localities in the Commonwealth:	136	136	136	136	136	136
Number of divisions/localities eligible for funding:	97	115	117	122	124	124
Number of participating divisions/localities:	75	90	92	101	105	112
Number of eligible, nonparticipating divisions/localities:	22	25	25	21	19	12
Number of divisions/localities not eligible:	39	21	19	14	12	12
Number of eligible children:	7,337	15,185	17,042	18,730	18,929	20,705
Number of eligible children served:	5,858	10,318	11,343	12,501	13,125	14,585

<sup>1</sup>This table does not include participation of divisions receiving one-time funds through the FY 2009 redistribution of unallocated funds.

- The majority of divisions/localities use their full allocation. Some divisions use only a partial amount. Many divisions from each of these categories report wait lists. A few divisions choose not to participate; this number has declined from 19 in FY 2008 to 12 divisions in FY 2009.

- Reasons for partial use of allocation or nonparticipation include:
  - Divisions/localities express difficulty or inability to meet the required local match;
  - Divisions/localities have insufficient space to house additional preschool classrooms in school facilities; and/or
  - In some divisions/localities there are a minimal number of students eligible for the program by state allocation formula, resulting in a program that may not be cost effective.
  
- Nine localities have 100 or more unused slots.

**TABLE 3. Divisions Leaving 100 Or More Slots Unutilized in Fiscal Year 2009**

Locality	Unused Slots/ Available Slots	Composite Index	Self-Reported Reasons for Not Using Full Allocation
Prince William County	1,053/1,089	.44	Local match
Fairfax County	1,014/1,782	.76	Local match
Henrico County	610/818	.43	Local match and space
Richmond City	570/1,451	.42	Space
Virginia Beach City	512/1,216	.37	Local match
Alexandria City	474/702	.80	Local match
Chesterfield County	417/529	.34	Local match and space
Loudoun County	163/403	.67	Space
Chesapeake City	202/506	.30	Local match and space

- Some divisions/localities are not eligible for Virginia Preschool Initiative slots under the current funding formula. Each division/locality’s free lunch participation is multiplied by the estimated number of four-year-olds in the division/locality. The number of children being served by Head Start is subtracted from this number to determine the number of Virginia Preschool Initiative student slots to be funded. In some divisions/localities the resulting number is zero; therefore the division/locality is not eligible to participate.

**TABLE 4. Fiscal Year 2009 Virginia Preschool Initiative Ineligibility**

<b>Divisions/Localities Not Eligible for FY 2009 Funding</b>	<b>Estimate of At-Risk Four-Year-Olds</b>	<b>Number of Children Served by Head Start</b>
Bath County	9	9
Buena Vista City	18	19
Colonial Beach	14	14
Craig County	15	17
Highland County	7	9
Lee County	129	141
Lexington City	9	18
Madison County	24	24
New Kent County	20	20
Norton City	13	33
Rappahannock County	11	14
Scott County	87	104
<b>Total Count: 12</b>		

- The 12 divisions/localities that are not eligible for VPI funding are serving as many or more students through Head Start than are estimated for services through the state’s VPI funding formula. Eligibility for Head Start is family income at or below 100 percent of the federal poverty level, with some allowance for serving at-risk children in families above that income range. The data suggest that the estimated number of at-risk four-year-olds may not fully reflect the need in these communities.

**TABLE 5: FY 2009 Virginia Preschool Initiative Nonparticipation**

<b>Divisions/Localities Eligible, But Not Participating</b>	<b>Self-Reported Reasons for Nonparticipation</b>	<b>Estimate of At-Risk Four-Year-Olds</b>	<b>Number of Children Served by Head Start</b>
Bland County	local match and minimal number	17	14
Fairfax City	minimal number	40	0
Frederick County	space and local match	149	62
Giles County	space	57	54
King George County	local match	46	32
Mathews County	local match	15	13
Middlesex County	local match	23	17
Poquoson City	local match	6	0
Radford City	local match	39	33
Salem City	minimal number	41	35
Sussex County	space	73	63
Westmoreland County	local match	83	6
<b>Total Count: 12</b>			

- In the localities that choose to not participate in the Virginia Preschool Initiative, Head Start programs serve only a portion of the estimated number of at-risk four-year-olds based on free-lunch eligibility. The data suggest that at-risk children in these communities may not have access to publicly funded preschool programs.

## VIRGINIA PRESCHOOL INITIATIVE PROGRAM IMPACT

### □ PARTICIPATING STUDENT PRELITERACY SKILLS

- The impact of participation in a Virginia Preschool Initiative program can be seen in results of the fall 2007 Phonological Literacy Awareness Screening (PALS) that was administered to kindergarten students. Table 6 shows that 10 percent of the students entering kindergarten who participated in a Virginia Preschool Initiative program needed intervention services in kindergarten the next school year. The statewide percentage for all kindergartners identified as needing intervention was 16.46 percent that year.

**TABLE 6. Fall 2007 Kindergarten PALS - Students Identified or Not Identified as Below Benchmark**

Preschool Program in which Student Participated	Students Identified as Not Needing Intervention Services		Students Identified as Needing Intervention Services		Total Number of Students Screened
	Number of Students	Percent of Total Number of Students	Number of Students	Percent of Total Number of Students	
VPI	8,112	90%	879	10%	8,991
VPI & Title I	1,399	91%	141	9%	1,540
Other PreK	5,014	86%	802	14%	5,816
Students' PreK Status Unknown	49,338	82%	10,759	18%	60,097

Data Source: University of Virginia, PALS Office, January 21, 2009

### □ PARTICIPATING STUDENT PERFORMANCE ON THIRD-GRADE STANDARDS OF LEARNING (SOL)

- In order to understand the correlation between participation in publicly funded preschool and performance on third-grade Standards of Learning test scores, the Virginia Department of Education identified 3,466 economically disadvantaged third graders in the FY 2007 school year who had participated in publicly funded preschool programs in the FY 2003 school year. These programs may include VPI, Head Start, Title I, and Early Childhood Special Education. The analysis conducted by the Virginia Department of Education showed that participating students had pass rates on the third grade SOL tests that were four to five points higher than those of economically disadvantaged peers whose preschool status was unknown.

The difference was across the reading, mathematics, history and social sciences, and science assessments.

□ **FINDINGS OF THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION 2007 REPORT**

- The 2007 General Assembly required the Joint Legislative Audit and Review Commission (JLARC) to review the Virginia Preschool Initiative. Regarding the impact on participating students, JLARC noted in its 2007 report to JLARC, the Governor, and the General Assembly, that:

*Analysis of preschool and kindergarten literacy test results showed a strong association between VPI participation and test scores. VPI students performed better than predicted on these tests and had higher kindergarten readiness scores than other students on average. Compared to the fall of the pre-K year, spring pre-kindergarten literacy test scores for VPI students were nearly 21 points higher than would be predicted based on just the increasing age of the students. In the fall of the kindergarten year, VPI students fared better than other students on a literacy test, with only 11 percent scoring below the benchmark for kindergarten preparedness, compared to 17 percent of all kindergarteners. The average summed score of VPI students on the fall kindergarten literacy test was three points higher than for non-VPI students. The performance by VPI students on these tests is impressive when it is considered that the VPI students are at-risk children who are in the program due to concerns about their prospects for succeeding in school.*

- The report includes responses from kindergarten teachers and school principals regarding the impact of participation in VPI from their perspectives:
  - More than 80 percent of principals surveyed said that preschool “substantially increased” at-risk students’ social and academic ability;
  - More than 91 percent of principals surveyed said that the positive effects of students’ participation in preschool continue through at least first grade; and more than 60 percent of principals surveyed said that the positive effects continue through at least the third grade.

□ **FINDINGS OF THE PRESCHOOL PILOT REPORT**

- The 2007 General Assembly allocated \$1.7 million in fiscal year 2008 for Preschool Pilots. The Preschool Pilots served as a feasibility study of model strategies for quality preschool network delivery during 2007-2008. They built on the strengths of existing programs and strived to address the barriers to serving all eligible children. The initiative focused on increasing the quality of and access to Virginia’s preschool programs. Since a key barrier to full Virginia Preschool Initiative participation identified in many communities is the lack of school placements (Start Strong

Council, 2006), a central focus of the pilot was on public-private partnerships to expand the Virginia Preschool Initiative more fully into local community preschools.

- The Preschool Pilots were a one-time, year-long project to test innovative strategies for models of high quality preschool network delivery. Eligibility for a Preschool Pilot grant was limited by the 2007 Appropriation Act language to include only those school divisions that had existing partnerships with private and/or nonprofit providers as of the FY 2007 school year.
- The Preschool Pilot projects were required to:
  - use both public and private provider settings for the preschool services;
  - form and use a local collaboration leadership team;
  - evaluate the pilot providers using the Quality Standards checklist recommended by the National Institute for Early Education Research (NIEER); and
  - participate in the Virginia Department of Education’s evaluation of the initiative.
- Examples of the innovative strategies tested include:
  - braiding funding sources;
  - blending classrooms by partnering with private and federally funded programs;
  - using a single point of entry to enroll children in preschool in a community;
  - emphasizing preschool staff professional development; and
  - using nontraditional provider settings such as home-based providers.
- A research team from Virginia Tech evaluated the innovative strategies for models of high quality preschool network delivery that were being tested by the Preschool Pilot projects.

**TABLE 6. Preschool Pilot Participation**

<b>Divisions that were Identified as Eligible to Apply for Preschool Pilot Grant Funds*</b>	<b>Participating Divisions/Localities</b>	<b>Number of Additional Eligible Students Served</b>
Albemarle County	County of Albemarle	12
Alexandria City	Alexandria Department of Human Services	35
Alleghany County	Alleghany County Public Schools	24
Bath County	Bath County Public Schools	5
Chesapeake City	Chesapeake City Public Schools	10
Fairfax County	Fairfax County Office for Children	65
Fauquier County	Did Not Apply	
Fredericksburg City	Did Not Apply	
Hampton City	Hampton City Public Schools	90
Highland County	Highland County Public Schools	3
Richmond County	Richmond County Public Schools	6
Virginia Beach City	Virginia Beach City Public Schools	20
<b>TOTAL COUNT: 12</b>	<b>TOTAL COUNT: 10</b>	<b>TOTAL: 270</b>

\*2007 Appropriation Act language stated that only those school divisions that had existing partnerships with private and/or nonprofit providers as of the 2006-2007 school year were eligible for participation in the pilot program.

- A preliminary evaluation report for the Preschool Pilot was delivered to the General Assembly on December 1, 2007. The final evaluation report for the Preschool Pilot was delivered to the General Assembly in the fall of 2008. The major findings are listed below.
  - Findings indicate that diverse preschool delivery is associated with documented benefits to children. The pilot increased access to at-risk children by 2 percent statewide. After adding students through the pilot initiative, the participating localities increased their VPI participation rates by 10.2 percent.
  - Programs met between 7 and 10 of 10 National Institute of Early Education Research (NIEER) program standards, with teacher qualification the most variable. The state’s preschool program met 7 of the total possible score of 10 according to NIEER’s 2007 state preschool report.
  - Students attending pilot classrooms significantly increased their overall preliteracy and early numeracy counting skills from fall to spring.
  - Blended classrooms performed similarly to classrooms with all pilot VPI students on preacademic and social skill measures.
  
- The final report notes that the Pilot demonstrated that diverse preschool delivery is feasible and appears associated with benefits for children at-risk for school difficulties, such as narrowing the preliteracy achievement gap with more advantaged children. State guidelines and funding for staff positions and technical support appear to be necessary to help localities blend funding, oversee programs, improve and

maintain quality, and accurately collect records. These factors will be important to successfully develop a mixed delivery model of high-quality preschool programs for at-risk children in Virginia.

# Technological Innovations in Virginia's Assessment Program

Division of Student Assessment and School Improvement  
Virginia State Board of Education Meeting  
April 2009

# Web-based Administrative System for the Virginia Assessment Program

- Pearson Access
  - Single web-based portal for all state assessment activities
- Used for
  - Identifying which students will test using paper/pencil and which will test online
  - Ordering additional paper/pencil test materials
  - Managing student demographic data
  - Scheduling and monitoring online test sessions
  - Entering scores for the Virginia Alternate Assessment Program and the Virginia Grade Level Alternative
  - Tracking shipments of materials

# PearsonAccess: A secure portal for administering Virginia's assessment program

[Your Account](#) | [Administrative Management](#) | [Support](#) | [Logout](#)

Home

Student Data

Test Setup

Test Management

Test Scores

Test Results

Current organization: **JUDSON COUNTY** [change organization](#)

## Latest News

### Assessment Dates

Important Assessment Dates:

- VAP 2008-2009  
Schedule(12/2008)
- Alternate Assessment Programs  
2008-2009 (11/2008)

### Due dates:

#### Fall 2008 Writing:

- Short Paper Image Deadline:  
April 10, 2009
- ATP Deadline: April 10, 2009

#### Fall 2008 Non-Writing:

- Pre-ID Window: Oct 20, 2008 -  
March 2, 2009
- Additional Orders: Oct 27,  
2008 - March 27, 2009
- ATP Deadline: April 10, 2009

#### Spring 2009 Writing:

- Additional Orders: Feb 2 - April  
3, 2009
- Test Security Agreement Due:  
Feb 27, 2009
- Pre-ID Window: Jan 26 - March  
9, 2009

#### Spring 2009 Non-Writing:

- Pre-ID Window: March 9 - June  
29, 2009
- Additional Orders: March 16 -  
July 24, 2009

## PearsonAccess

Welcome to the state's gateway to services designed to help you register students for testing, order testing materials, and analyze test results.



Student Data	Test Setup	Test Management	Test Scores	Test Results
<p><a href="#">Student Data File Submission</a></p> <ul style="list-style-type: none"><li>• Send student files to the system</li><li>• Check for problems with sent files</li></ul> <p><a href="#">Student Data Information</a></p> <ul style="list-style-type: none"><li>• Filter and sort students</li><li>• View total student counts</li><li>• Change student data</li></ul> <p><a href="#">Manage EIMS Data</a></p> <ul style="list-style-type: none"><li>• Manage EIMS Student Data</li><li>• Send a File to EIMS</li><li>• Manage EIMS Files</li><li>• View EIMS Transfer List</li></ul>	<p><a href="#">Enter Administration Details</a></p> <ul style="list-style-type: none"><li>• Submit supplemental test administration information</li></ul> <p><a href="#">Participation Counts</a></p> <ul style="list-style-type: none"><li>• Enter student counts to order test materials</li></ul> <p><a href="#">Order Additional Materials and Tracking</a></p> <ul style="list-style-type: none"><li>• Order additional materials</li><li>• Track orders and view shipment information</li></ul>	<p><a href="#">Student Registration</a></p> <ul style="list-style-type: none"><li>• Assign students to paper &amp; online tests</li><li>• Update student demographic data before testing</li><li>• View student counts by administration</li></ul> <p><a href="#">Manage Test Sessions</a></p> <ul style="list-style-type: none"><li>• View online test sessions</li><li>• Add registered students to a test session</li><li>• Proctor test sessions</li></ul> <p><a href="#">Resolve Student Test Alerts</a></p> <ul style="list-style-type: none"><li>• Examine and resolve issues with completed tests</li></ul>	<p><a href="#">Manage Scores</a></p> <ul style="list-style-type: none"><li>• Enter, submit, and validate VAAP and VGLA scores</li></ul> <p><a href="#">Manage Scores File Submission</a></p> <ul style="list-style-type: none"><li>• Send Manage Scores files to the system</li><li>• Check for problems with sent files</li></ul>	<p><a href="#">On Demand Reports</a></p> <ul style="list-style-type: none"><li>• Online testing test results at a group level</li></ul> <p><a href="#">Published Reports</a></p> <ul style="list-style-type: none"><li>• View, download and print access to daily published reports and extracts by organization</li></ul> <p><a href="#">Request Printed Reports</a></p> <ul style="list-style-type: none"><li>• Request paper reports based on title</li></ul> <p><a href="#">Request ATP</a></p> <ul style="list-style-type: none"><li>• Request Authorization-to-Proceed (ATP) to indicate changes to student data are finished</li></ul>

# Student Data

- All students are assigned a unique State Testing Identifier (STI) when enrolled in a Virginia school
- All student records with STI are maintained in PearsonAccess

## Student Data Overview

[↑ Return to Home](#)

### Task



### Student Data File Submission

- Send student files to the system
- Check for problems with sent files



### Student Data Information

- Filter and sort students
- View total student counts
- Change student data

# Student Data:

A required matching process with STI and other student information ensures all test records are associated with the correct student record

## Student Details

[↑ Return to Student Data Information](#)

**Student Details** | **Enrollments**

**Student Master Record**

STI:	<b>3214379307</b>
Last Name:	<b>AAATesterA</b>
First Name:	<b>TesterA</b>
MI:	<b>A</b>
Gender:	<b>M</b>
Date of Birth:	<b>01/01/1998</b>
Grade:	<b>5</b>

# Test Setup

- Fall, Spring, or Summer
- Writing, Non-Writing, or VGLA, VAAP, and VSEP

## Test Setup Overview

Spring 2009 Non-Writing [Change](#)

[↑ Return to Home](#)

### Task



#### Enter Administration Details

- Submit supplemental test administration information



#### Participation Counts

- Enter student counts to order test materials



#### Order Additional Materials and Tracking

- Order additional materials
- Track orders and view shipment information

# Test Setup

- Three years of test administration data are maintained and available at all times

Select Administration:	
Test Administration	Date Active
<input checked="" type="radio"/> Spring 2009 Non-Writing	01/02/2009 - 08/07/2009
<input type="radio"/> Spring 2009 Writing	12/01/2008 - 08/07/2009
<input type="radio"/> Summer 2009 Non-Writing	04/01/2009 - 11/20/2009
<input type="radio"/> Summer 2009 Writing	04/01/2009 - 11/20/2009
<input type="radio"/> Spring 2008 Non-Writing	01/04/2008 - 08/08/2008
<input type="radio"/> Spring 2008 Writing	01/04/2008 - 08/08/2008
<input type="radio"/> VAAP VGLA VSEP 2007-2008	09/20/2007 - 08/08/2008
<input type="radio"/> Summer 2008 Non-Writing	04/11/2008 - 11/18/2008
<input type="radio"/> Summer 2008 Writing	04/11/2008 - 11/18/2008
<input type="radio"/> Fall 2008 Non-Writing	08/22/2008 - 03/13/2009
<input type="radio"/> Fall 2008 Writing	08/22/2008 - 03/13/2009
<input type="radio"/> VAAP VGLA VSEP 2008-2009	08/01/2008 - 03/13/2009
<input type="radio"/> Fall 2007 Non-Writing	09/20/2007 - 05/28/2008
<input type="radio"/> Fall 2007 Writing	09/20/2007 - 06/05/2008
<input type="radio"/> Summer 2007 Non-Writing	04/16/2007 - 11/16/2007
<input type="radio"/> Summer 2007 Writing	04/16/2007 - 11/16/2007
<input type="radio"/> VAAP VGLA VSEP 2006-2007	03/01/2007 - 09/12/2007
<input type="radio"/> Spring 2007 Non-Writing	01/03/2007 - 08/10/2007
<input type="radio"/> Spring 2007 Writing	01/03/2007 - 08/10/2007
<input type="radio"/> Fall 2006 Writing	07/01/2006 - 04/01/2007
<input type="radio"/> Fall 2006 Non-Writing	06/01/2006 - 03/03/2007

# Participation Counts:

Divisions indicate the quantity and types of tests to be administered at each school

## Participation Counts

Spring 2009 Non-Writing [Change](#)

Participation Counts

Save

Cancel

Participation Counts for  Non-Writing Term Grad / Modified Std Diploma  Non-Writing EOC  Non-Writing 3-8 CSH  Released Tests

Organization	Level	Test	Online	Paper						
				Regular	Read Aloud	Audio	Large Print	Braille	Large Print w/ Audio	Braille w/ Audio
OCEAN LAKES HS 1280960  Status: Complete	EOC	English: Reading (2002)	589	2		0	0	0	0	0
	EOC	Algebra I	254	5		1	0	0	0	0
	EOC	Plain English Algebra I	0	0		0	0	0	0	0
	EOC	Geometry	490	1		0	0	0	0	0
	EOC	Algebra II (2001 Revised)	511	0		0	0	0	0	0
	EOC	Earth Science	461	11		4	0	0	0	0
	EOC	Biology	628	6		1	0	0	0	0
	EOC	Chemistry	436	0		0	0	0	0	0
	EOC	Virginia & U.S. History	619	2		0	0	0	0	0
	EOC	World History I	678	11		3	0	0	0	0

# Tracking Test Materials: Orders from Pearson and Shipments to Pearson

## Orders

Spring 2009 Writing [Change](#)

[↑ Return to Test Setup](#)

View By:  Orders from Pearson  Shipments to Pearson

 Approve |  Delete |  Reports ▼

 Show Search

<input type="checkbox"/>	<input type="checkbox"/> Order Test Materials	<input type="checkbox"/> Sales Order Number	<input type="checkbox"/> Status	<input type="checkbox"/> Organization	<input type="checkbox"/> Submission
	<a href="#">Test Materials (76383)</a>	1738104/7	Delivered	WINDSOR MS	02/10/2009
	<a href="#">Test Materials (76384)</a>	1738104/8	Delivered	WESTSIDE ES	02/10/2009
	<a href="#">Test Materials (76544)</a>	1738115/1	Delivered	MATHEWS COUNTY	02/10/2009
	<a href="#">Test Materials (76545)</a>	1738115/2	Delivered	THOMAS HUNTER MS	02/10/2009
	<a href="#">Test Materials (76546)</a>	1738115/3	Delivered	MATHEWS HS	02/10/2009
	<a href="#">Test Materials (77847)</a>	1747914/1	Delivered	DANVILLE CITY	02/13/2009
	<a href="#">Test Materials (79239)</a>	1752394/1	Delivered	DANVILLE CITY	02/21/2009
	<a href="#">Test Materials (79259)</a>	1752581/1	Delivered	MATHEWS COUNTY	02/21/2009

# Tracking Test Materials: Orders from Pearson and Shipments to Pearson

## Test Materials (76384)

Spring 2009 Writing [Change](#)

[Return to Orders](#)

Shipment Details

Shipment Confirmation

### Shipment #1 Details

Box Number	Status	Expected Arrival	Delivery Date	Tracking Number
15	Delivered	02/12/2009	02/12/2009	FedEx - 620242570889953
16	Delivered	02/12/2009	02/12/2009	FedEx - 620242570889984

Box Number	Item	Description	Details	Quantity Packed	Quantity Backorder
15 to 16	VA00012384	GR 5 WR, TB, FM W0119-W0719, PK 10	26 packs of 10	260	0
16	VA00012385	GR 5 WR, READ ALOUD FM W0119, PK 10	2 packs of 10	20	0
16	VA00012393	GR 5 WR, PROMPT, 5264, PK 10	28 packs of 10	280	0
16	VA00012394	GR 5 WR, PROMPT, 5255, PK 10	3 packs of 10	30	0

# Tracking Test Materials: Orders *from* Pearson and Shipments *to* Pearson

## Orders

Spring 2009 Writing [Change](#)

[Return to Test Setup](#)

View By:  Orders from Pearson  Shipments to Pearson

Show Search

Results: 1 to 12 of at least 60

<input checked="" type="checkbox"/> Tracking Number	<input checked="" type="checkbox"/> Status	<input checked="" type="checkbox"/> Organization	<input checked="" type="checkbox"/> Pickup Date ▲	<input checked="" type="checkbox"/> Estimated Arrival	<input checked="" type="checkbox"/> Delivery Date
FedEx - 798078949766	Delivered	GALAX CITY	03/03/2009	03/04/2009	03/04/2009
FedEx - 790152009737	Delivered	NORTON CITY	03/10/2009	03/11/2009	03/11/2009
FedEx - 791204607646	Delivered	NORTON CITY	03/10/2009	03/11/2009	03/11/2009
FedEx - 791204607635	Delivered	NORTON CITY	03/10/2009	03/11/2009	03/11/2009
FedEx - 629636312617194	Delivered	RUSSELL COUNTY	03/11/2009	03/13/2009	03/13/2009
FedEx - 798078948840	Delivered	RUSSELL COUNTY	03/11/2009	03/12/2009	03/12/2009
FedEx - 629636312617217	Delivered	RUSSELL COUNTY	03/11/2009	03/13/2009	03/13/2009

# Test Management:

Includes management of SOL tests (paper/pencil & online), VGLA, VAAP, and VSEP

## Test Management Overview

Spring 2009 Non-Writing [Change](#)

[↑ Return to Home](#)

### Task



#### Student Registration

- Assign students to paper & online tests
- Update student demographic data before testing
- View student counts by administration



#### Manage Test Sessions

- View online test sessions
- Add registered students to a test session
- Proctor test sessions



#### Resolve Student Test Alerts

- Examine and resolve issues with completed tests

# Test Management:

- Identify specific students to be tested
- Can be done manually or electronically by file upload

## Student Registration

Spring 2009 Non-Writing [Change](#)

[↑ Return to Test Management](#)

View By  Schools  Groups  Registered Students  Unregistered Students



Show Search

0 Students Selected

Results: 1 to 5 of 5



Remove Registration



Request Registration File

<input checked="" type="checkbox"/>	Name	<input checked="" type="checkbox"/>	STI	<input checked="" type="checkbox"/>	School	<input checked="" type="checkbox"/>	Grade
<input type="checkbox"/>	<a href="#">AAATesterA, TesterA</a>		3214379307		CARSON MS 555		7
<input type="checkbox"/>	<a href="#">AAATesterB, TesterB</a>		3214379308		CARSON MS 555		8
<input type="checkbox"/>	<a href="#">AAATesterC, TesterC</a>		3214379309		CARSON MS 555		6
<input type="checkbox"/>	<a href="#">AAATesterD, TesterD</a>		3214379330		SUSBURY HS 555		12

# Test Management:

- Indicate specific tests to be completed
- Identify the format (paper or online)
- Can be done manually or electronically

## Assigned Tests

**AAATesterG, TesterG A**

Gender: F Grade: 8 Date of Birth: **01/07/1997**

STI: 3214379334

0 Entities Selected

Results: 1 to 4 of 4

 Add Test |  Remove Test |  Move Test

<input type="checkbox"/>	<input checked="" type="checkbox"/> Name	<input checked="" type="checkbox"/> Group	<input checked="" type="checkbox"/> Organization	Format	<input checked="" type="checkbox"/> Completed	UIN	Testing Status
<input type="checkbox"/>	<a href="#">Algebra I</a>	Brian UAT	CARSON MS 555	Online	No		
<input type="checkbox"/>	<a href="#">Civics &amp; Economics</a>	Brian UAT	CARSON MS 555	Online	No		
<input type="checkbox"/>	<a href="#">Grade 8 Reading</a>	Brian UAT	CARSON MS 555	Online	No		
<input type="checkbox"/>	<a href="#">Grade 8 Science</a>	Brian UAT	CARSON MS 555	Online	No		

Results: 1 to 4 of 4

# Test Management:

- All data managed electronically in PearsonAccess

- Fields no longer visible to students

- Improved data management and accuracy

### Student Test Details

**AAATesterG, TesterG A**  
Gender: F    Grade: 8    Date of Birth: 01/07/1997  
STI: 3214379334

**Algebra I**  
Completed: **No**  
Organization: **CARSON MS 555**  
UIN:

**The top white box displays the existing demographics for the processed STI.**

Format:  

Group Name:

Student Number:

Group Code:

VGLA:  

VSEP:  

Y-Code-A:  

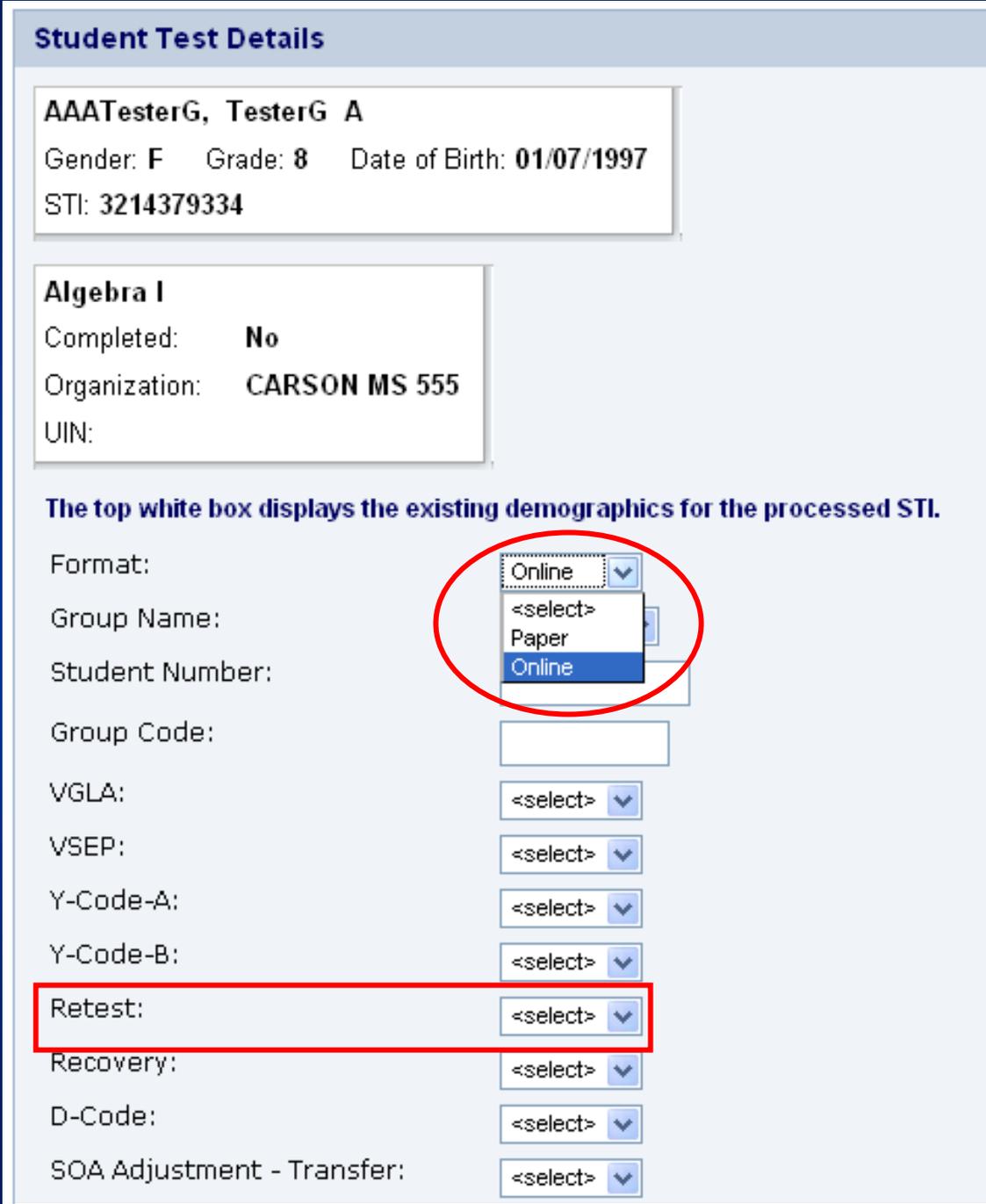
Y-Code-B:  

Retest:  

Recovery:  

D-Code:  

SOA Adjustment - Transfer:  



Test Management:  
- Previously data was coded on each answer document

- All coding had to be completed prior to shipping answer documents for scoring

## Student Registration Record

**AAATesterG, TesterG A**

Gender: F Grade: 8 Date of Birth: 01/07/1997

STI: 3214379334

### Registered for this Test Administration at:

CARSON MS 555

Grade:

8

Login ID:

8972239792

Disability Status - Section 1:

<select>

Disability Status - Section 2:

<select>

N-Code/Econ Disadv:

<select>

Student Category - Homeless:

<select>

Student Category - Migrant:

<select>

Student Category - Neglected or Delinquent:

<select>

Title I/TAS:

<select>

LEP Status Code:

<select>

LEP Proficiency:

<select>  
LEP and Receiving Services (1)  
LEP and on Monitor Status-1st year (2)  
LEP and on Monitor Status-2nd year (3)  
Identified as LEP but not receiving services (4)  
First Year Post-Monitor Status (5)  
Second Year Post-Monitor Status (6)

SOA Adjustment - LEP:

Term Grad:

## Test Scores:

- Used for entry of VGLA and VAAP scores by divisions
- Can be done manually or electronically by file upload

### **Test Scores Overview**

VAAP VGLA VSEP 2008-2009 [Change](#)

[↑ Return to Home](#)

#### Task



#### **Manage Scores**

- Enter, submit, and validate VAAP and VGLA scores



#### **Manage Scores File Submission**

- Send Manage Scores files to the system
- Check for problems with sent files

# Test Scores:

- Example of score entry for VGLA Grade 8 Mathematics

## Manage Scores

VAAP VGLA VSEP 2008-2009 [Change](#)

[↑ Return to Test Scores](#)

Clear Scores

Restore

VGLA: Gr 8 Mathematics

Save

Cancel

AAATesterB, TesterB

STI: 3214379308    Date of Birth: 01/02/1997

Student Number:    Gender: Female

Standard	Demonstrated	Inferred	No Evidence
	Note: the sum of the scores must equal 4 or less		
Gr 8 Mathematics, RC 1, 8.1	< Select >	0	<input type="checkbox"/> No Evidence
Gr 8 Mathematics, RC1, 8.2	< Select >	0	<input type="checkbox"/> No Evidence
Gr 8 Mathematics, RC 2, 8.3	0 1 2 3 4	0	<input type="checkbox"/> No Evidence
Gr 8 Mathematics, RC 2, 8.4	< Select >	0	<input type="checkbox"/> No Evidence

# Test Results

- Score reports for all assessments (SOL, VGLA, VAAP, VSEP)

## Test Results Overview

[↑ Return to Home](#)

### Task



#### On Demand Reports

- Online testing test results at a group level



#### Published Reports

- View, download and print access to daily published reports and extracts by organization



#### Request Printed Reports

- Request paper reports based on title



#### Request ATP

- Request Authorization-to-Proceed (ATP) to indicate that changes to student data are finished



# Published Reports

- Reports and data files available for all assessments
- Divisions can view, print, and/or save reports and data files

## Test Results Overview

[↑ Return to Home](#)

### Task



#### On Demand Reports

- Online testing test results at a group level



#### Published Reports

- View, download and print access to daily published reports and extracts by organization



#### Request Printed Reports

- Request paper reports based on title



#### Request ATP

- Request Authorization-to-Proceed (ATP) to indicate that changes to student data are finished

# Published Reports

## - Sample student performance report



### Student Report

Student Name:  
State Testing Identifier:

Admin: Fall 2008 Non-Writing  
Grade:  
School:  
Division:

Test Reporting Categories	Form #	# Correct	# Possible	Scaled Score	Performance Level	Performance Level Description
<b>Algebra I</b> Group: ALG I JAN 2009 Expressions and Operations Relations and Functions Equations and Inequalities Statistics	M0118	38	50	456	Pass/Proficient	The student demonstrates satisfactory attainment of the knowledge and skills necessary to model and solve problems using graphs, tables and equations; add, subtract, multiply and divide polynomials; use matrices, tables, symbols, and charts to organize and interpret data; graph and solve multi-step linear equations and inequalities; solve quadratic equations; and use statistical techniques to compare/contrast data.
<b>VA &amp; US History (2001)</b> Group: US JAN 2009 Early America Through the Founding of the New Nation Expansion, Reform, Civil War and Reconstruction: 1801-1877 Emergence of Modern America and World Conflict: 1877-1945 The United States since World War II Geography and Economics Civics	H0118	55	60	534	Pass/Advanced	N/A

# Request Printed Reports

Spring 2008 Non-Writing [Change](#)

[↑ Return to Test Results](#)

Division Name:

## Report Name

Analysis of Sub-Group Performance Report by Division

Analysis of Sub-Group Performance Report by School

Analysis of Sub-Group Performance Report by School by Division

Student Performance Report Label by School

Student Performance by Question (SPBQ) Summary Report by Division

Student Performance by Question (SPBQ) Summary Report by School

Student Performance by Question (SPBQ) Summary Report by School by Div

Student Performance by Question (SPBQ) by School

Student Report by School (Copy 1: For Parents)

Student Report by School (Copy 2: For School Use)

Summary Report by Division

Summary Report by School

Summary Report by School by Division

## Published Reports

- Divisions may request that printed copies of reports be prepared and delivered

# Additional Uses of Pearson Access

- Accessing student, school, and division score reports and data files
- Verifying accuracy of student demographic data and making record changes as needed
- Certifying that student data is correct and authorizing the preparation of official summaries
- Ordering printed score reports

# Virginia's Modified Achievement Standard Test (VMAST)

# Virginia's Alternate and Alternative Assessments

- Virginia Grade Level Alternative (VGLA)
  - Grades 3 – 8
  - On grade level test for students with disabilities who are unable to demonstrate mastery via a multiple-choice assessment
- Virginia Substitute Evaluation Program (VSEP)
  - End-of-Course
  - On grade level test for students with disabilities who are unable to demonstrate mastery via a multiple-choice assessment
- Virginia Alternate Assessment Program (VAAP)
  - Grades 3 - 8 and 11
  - For students with significant cognitive impairments who are instructed in the aligned Standards of Learning

# Virginia's Alternate and Alternative Assessments

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- Virginia Modified Achievement Standards Test (VMAST)
  - USED participation requirements:
    - Student's disability must preclude the student from achieving grade level proficiency;
    - Even with appropriate instruction, the student would not achieve grade level proficiency in the year covered by the IEP;
    - Student's IEP must include goals based on grade level academic content.
  - USED assessment requirements:
    - Must measure grade level content standards;
    - May be less rigorous;
    - Must not be a reduction in cut score on an existing test.

# VMAST Development Overview

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- April 2007 – USDOE sanctioned the development of modified achievement standards and assessments for a small group of students with disabilities.
- July 2007 – USDOE established a funding competition to support States developing alternate assessments based on modified achievement standards and/or developing guidance for IEP teams.
- September 2007 – Virginia’s grant was approved for funding.

# Goals of Virginia's Grant

- To develop participation criteria to identify students appropriate for the VMAST
- To develop Performance Level Descriptors to describe student performance
- To add supports and scaffolds to existing grade 8 math and reading online assessment items
- To administer the VMAST to eligible participants

# Progress to Date

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Requested stakeholder input by:

- Establishing a Steering Committee
- Conducting focus groups (5) of teachers and instructional leaders
- Conducting an online survey of grade 8 reading and mathematics teachers

# Progress to Date

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Utilized stakeholder input to:

- Develop draft participation criteria
- Develop draft performance level descriptors
- Identify potential supports and scaffolds for mathematics and reading assessments

Conducted a small pilot test in grade 8 reading and mathematics

# Draft VMAST Participation Criteria

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## Required Components:

1. The student has a current IEP with grade-level content goals.
2. The student is not eligible for VAAP.
3. For the content area being considered, VGLA is not an appropriate assessment.
4. Eligibility must be determined for each content area separately.

# Draft VMAST Participation Criteria

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## Required Components (continued):

5. Student's disability precludes him or her from achieving and progressing commensurate with grade-level expectations.
6. Student's achievement and progress is evaluated and documented using multiple objective sources of evidence.
7. Student's daily instructional and assessment modifications are clearly documented.

# Potential Supports and Scaffolds

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- Provide reminders, hints, mnemonic devices, graphic organizers
- Provide additional instructions, altered graphics, mathematics formulas
- Divide test items into discrete steps
- Present reading items near relevant sections of short reading passages
- Reduce answer options from 4 to 3
- Highlight or color code important information

# VMAST Demonstration

# Next Steps

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- Finalize Participation Criteria
- Finalize Performance Level Descriptors
- Convene teacher committees to review and refine supports and scaffolds
- Conduct a field test in grade 8 reading and mathematics in spring 2010

# **Using Research to Develop Virginia's On-Time Graduation Tool: The Pilot**

**Franklin City, Lee County, Richmond City,  
and Pulaski County Public Schools**

**April 29, 2009**

**Virginia Department of Education**

# Purpose of Graduation Pilot

- **Work with a small number of school divisions to assess the value of a tool that enables schools to identify and monitor students who are at-risk of dropping out.**
- **Develop protocols for academic review as they relate to schools' failure to be fully accredited based on graduation rates.**
- **Identify and document best practices to increase graduation rates.**

# Research “Why?”



Early warning systems use **routinely available data** housed at the school that are good predictors of whether a student is likely to drop out of high school.

Divisions and schools can use this information to target interventions that support off-track students while they are still in school, before they drop out.

Divisions and schools can use the information to look for patterns and identify school climate issues that may contribute to disproportionate dropout rates at a subset of high schools or within subpopulations of students.

([http://www.betterhighschools.org/docs/IssueBrief\\_EarlyWarningSystemsGuide\\_081408.pdf](http://www.betterhighschools.org/docs/IssueBrief_EarlyWarningSystemsGuide_081408.pdf))

# Concept Development



**Boston City Public Schools  
Composite Learning Index**

**[http://www.bpe.org/school\\_dev/cli](http://www.bpe.org/school_dev/cli)**



**Franklin City Public Schools**



**Richmond City Public Schools**

**The Pilot Partners**



**Lee County Public Schools**



**Pulaski County Public Schools**



# **Graduation Pilot Decision 1: What are the Indicators for Incoming 9<sup>th</sup> Graders?**

- ✓ **SOL grade 8 reading scaled score**
- ✓ **Proficiency level (state-approved alternative/alternate reading assessments only)**
- ✓ **Failed state reading assessment for the last two years of data**
- ✓ **English Language Arts - Final Grade 2007-2008**
- ✓ **F or D in reading for the last two years**
- ✓ **SOL grade 8 mathematics scaled score**

- ✓ **Proficiency level (state-approved alternative/alternate mathematics assessments only)**
- ✓ **Failed state mathematics assessment for the last two years of data**
- ✓ **Mathematics - Final Grade 2007-2008**
- ✓ **F or D in mathematics for the last two years**
- ✓ **Overage (as of 9/1/08)**
- ✓ **Ninth-grade repeater**
- ✓ **Number of days absent 2007-2008**
- ✓ **Number of in- and out-of-school suspensions 2007-2008**

# Graduation Pilot Decision 2: Weighting of Indicators and Points

Indicator	Points					
	5	4	3	2	1	0
SOL reading scaled score			< 300	300-349	350-374	> 374
Proficiency level (state-approved alternative/alternate reading assessments only)			Fail			Pass
Failed state reading assessment for the last two years of data					Yes	
ELA - Final Grade 2007-2008				F or NC	D	A, B, C
F or D in reading for the last two years					Yes	
SOL mathematics scaled score			< 300	300-349	350-374	> 374

Indicator	Points					
	5	4	3	2	1	0
Proficiency level (state-approved alternative/alternate mathematics assessments only)			Fail			Pass
Failed state mathematics assessment for the last two years of data					Yes	
Mathematics - Final Grade 2007-2008				F or NC	D	A, B, C
F or D in mathematics for the last two years					Yes	
Overage (as of 9/1/08)		$\geq 18$	17	16	15	$< 15$
Ninth-grade repeater				Yes		No
Number of days absent 2007-2008	$\geq 21$		16-20	11-15	6-10	0-5
Number of in- and out-of-school suspensions 2007-2008		$\geq 4$		2-3	1	0

# Graduation Pilot Decision 3: Off-Track Benchmarks

Students were identified as “Off-Track” for graduation based on two types of criteria:

- *Benchmarks consistent with research focusing on pre-9th-grade indicators (Neild & Balfanz, 2006).*
  - *Grade 8 attendance < 80%; OR*
  - *Failed mathematics class in 8th grade; OR*
  - *Failed English class in 8th grade; OR*
  - *Were 16 or older.*
- *Index score > 5 based on factors discussed at previous meeting.*

Students whose index score = 4 were identified as “Borderline.”

# What Did the Tool Look Like?



# How to Extract the Data? The Help Tool



# Graduation Pilot Decision 4:

The data tool identifies students that need an intervention. There must be a process in place that helps schools and divisions analyze the data to determine effective K-12 intervention strategies.

In addition, the Virginia Department of Education (VDOE) recognized that there needed to be a process in place to validate the data set collected by the pilots before a “scale-up” could take place. This would require some changes in the tool.

The Appalachia Regional Comprehensive Center at Edvantia, Inc. (ARCC) and the National High School Center (NHSC) are developing a process and guidance document for making data-driven decisions using the graduation pilot tool.

Questions regarding data were developed by the VDOE, ARCC and NHSC to guide changes to the tool, the validation process, and the development of the guidance document.

# Guiding Questions

As a part of this project, pilot divisions shared their responses to the following questions with each other and with the partners:

- ✓ *What did you find most useful about the data tool?*
- ✓ *Describe the process you used to analyze the data.*
- ✓ *What did you do first, second, third?*
- ✓ *Who did you initially bring to the table to discuss the data?*
- ✓ *Who was missing and did you invite them later or have plans to invite them later?*

- ✓ *As you discussed the data, did you find anything missing?*
- ✓ *Do you think that the tool identified the right students?*
- ✓ *Did you agree with the tool?*
- ✓ *What did you find once you began looking at the data?  
For example: What trends did you find?*
- ✓ *What conclusions did you come to? Any big “ah-hahs”?*
- ✓ *What elements of the data analysis process or the tool have helped you discuss possible strategies to improve?*
- ✓ *What are your next steps?*
- ✓ *How will the identification of these students 1)change your thinking? 2)change your practices?*
- ✓ *What challenges do you face?*
- ✓ *If you could change anything about the data collected, what would it be?*

# Next Steps

**Continue to revise the tool and validate the data. The tool will be available on the Single Sign-on for Web Systems (SSWS) to all school divisions.**

**Continue to work with our partners to develop the resource guidance document that will accompany the tool.**



**Present conference with planning time—“From Vision to Practice Fifth Annual Institute: Seven Million Minutes from Pre-Kindergarten to Graduation,” July 14-17, 2009. This conference will focus on research-based K-12 strategies to increase the graduation rate.**

**Develop a school improvement planning tool and division improvement planning tool with the Center for Innovation and Improvement that focuses on indicators for increasing the graduation rate.**

**Develop a video using the partner divisions that will describe how to use the tool, how to analyze the data, and identify interventions that increase the graduation rate.**

# Who will help us with the work?



**Dr. John Ross**  
**Director of Technology**

**Dr. Susan Therriault**  
**Research Analyst**  
**American Institutes for Research**



**Dr. Keith Smith**  
**Virginia State Liaison**

# Many Thanks for the Continued Support from the Pilot Divisions

## Franklin City Public Schools



## Richmond City Public Schools



## Lee County Public Schools



## Pulaski County Public Schools



# Board of Education Agenda Item

Item: F.

Date: April 30, 2009

**Topic:** Final Review of Financial Report on Literary Fund

**Presenter:** Mr. Kent C. Dickey, Assistant Superintendent for Finance

**Telephone Number:** (804) 225-2025

**E-Mail Address:** Kent.Dickey@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: \_\_\_\_\_ (date)

## Previous Review/Action:

No previous board review/action

Previous review/action  
date \_\_\_\_\_  
action \_\_\_\_\_

## Background Information:

In accordance with the provisions of the *Code of Virginia*, Chapter 10, Section 22.1-142, the Board of Education is responsible for the management of the Literary Fund. This report reflects the status of the Literary Fund and the status of the Reserve Fund, which is in the custody of the Virginia Public School Authority (VPSA). The report also reflects the total principal of the fund, as well as cash, investments, and all short-/long-term loans in both funds.

## Summary of Major Elements

Attachment A reflects the financial position of the Literary Fund as of December 31, 2008. The information presented in this report reflects the commitments against the Literary Fund as of December 31, 2008.

Attachment B reflects the currently active projects funded through the Literary Fund as of December 31, 2008.

Attachment C represents the projects that have closed and for which full payment from the Literary Fund has been made since the last Board meeting.

**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends approval of the financial report (including all statements) on the status of the Literary Fund as of December 31, 2008.

**Impact on Resources:**

As funds become available in the Literary Fund, recommendations will be made to the Board for funding priority projects and those projects at the top of the First Priority Waiting List, with the cash balance reduced as loan requests are processed.

**Timetable for Further Review/Action:**

The Department staff will prepare a quarterly financial report on this fund for Board approval. Information also will be presented each quarter, as part of another agenda item, regarding those projects on the two waiting lists.

**STATEMENT OF THE FINANCIAL POSITION OF THE LITERARY FUND**  
(as of December 31, 2008)

Line Reference	<b>PRINCIPAL BALANCE</b>	<u>December 31, 2008</u>	<u>September 30, 2008</u>	<u>Increase/(Decrease)</u>
1.	Cash and investments maintained by State Treasurer	182,923,905	162,381,902	20,542,003
2.	Temporary loans received from local school boards (secured by promissory notes)	0	20,000,000	(20,000,000)
3.	Cash and investments in custody of Virginia Public School Authority (VPSA)	0	0	0
4.	Long-term loans in custody of Virginia Public School Authority (VPSA)	309,143,318	295,861,366	13,281,952
5.	Total Principal of Literary Fund	<b>492,067,223</b>	<b>478,243,268</b>	13,823,955
<b>CURRENT COMMITMENTS AGAINST LITERARY FUND REVENUE</b>				
6.	Balance due on active projects (Attachment B)	41,610,498	39,820,034	1,790,464
7.	Debt service on VPSA equipment notes <sup>1</sup>	60,536,725	64,582,338	(4,045,613)
8.	Interest rate subsidy <sup>2</sup>	0	30,000,000	(30,000,000)
9.	Trigon Reserve	5,657,429	5,657,429	0
10.	Transfer for Teacher Retirement <sup>3</sup>	228,691,828	186,128,935	42,562,893
11.	Other Encumbrances held by Treasurer of Virginia	10,234	10,234	0
12.	Required Carry Forward Balance	64,469,470	64,469,470	0
13.	Total of Literary Fund Commitments	<b>400,976,184</b>	<b>390,668,440</b>	10,307,744
<b>FUNDS AVAILABLE FOR CURRENT COMMITMENTS AND NEW LOANS</b>				
14.	Cash and investments maintained by State Treasurer (Line 1)	182,923,905		
15.	Less commitments against Literary Fund Revenues (Line 13)	(400,976,184)		
16.	<b>Balance Available to Fund New Projects Currently on Waiting List - (Additional Funds Needed to Meet Commitments)</b>	<b>(218,052,279)</b>		

**NOTES:**

<sup>1</sup>Final 2009 Budget, adopted by General Assembly on February 28, 2009, requires \$64,469,470 to be set aside for debt service on VPSA equipment notes. (Fiscal year-to-date payment of \$3,932,745 in October reflected in line 7.)

<sup>2</sup>Final 2009 Budget, adopted by General Assembly on February 28, 2009, requires \$8,631,107 to be set aside for an interest rate subsidy program. (Fall Subsidy Sale completed for \$8,631,106.33 and is reflected in line 6.)

<sup>3</sup>Final 2009 Budget, adopted by General Assembly on February 28, 2009, requires \$228,691,828 to be transferred from the Literary Fund to pay teacher retirement in fiscal year 2009.

## ACTIVE LITERARY FUND PROJECTS (as of December 31, 2008)

Application Number	School Division	School	Release Date	Funds Approved for Release	Actual Funds Disbursed	Balance Due	Percent Drawn
<b>Literary Loans</b>							
11221	Culpeper County	Culpeper County High	January, 2008	7,500,000	-	7,500,000	0.00%
11254	Southampton County	Riverdale Elementary	January, 2008	7,500,000	-	7,500,000	0.00%
11259	Greensville County	E. W. Wyatt Middle	January, 2008	7,500,000	-	7,500,000	0.00%
11261	Culpeper County	New Elementary	January, 2008	7,500,000	-	7,500,000	0.00%
				<b>\$ 30,000,000</b>	<b>\$ -</b>	<b>\$ 30,000,000</b>	
<b>Subsidy Grants</b>							
11062	Chesapeake City	Butts Road Intermediate	2001 Subsidy	85,594	(77,881)	7,713	90.99%
11096	Washington County	Abingdon High	2003 Subsidy	34,943	-	34,943	0.00%
11098	Washington County	Holston High	2003 Subsidy	20,949	-	20,949	0.00%
11097	Washington County	John S. Battle High	2003 Subsidy	30,210	-	30,210	0.00%
11099	Washington County	Patrick Henry High	2003 Subsidy	30,181	-	30,181	0.00%
11100	Washington County	Valley Institute	2003 Subsidy	5,861	-	5,861	0.00%
11151	Nottoway County	Blackstone Primary	2004 Subsidy	54,632	(40,393)	14,239	73.94%
11150	Nottoway County	Crewe Primary	2004 Subsidy	191,790	(161,572)	30,218	84.24%
11181	Grayson County	Grayson Middle	2005 Subsidy	138,831	-	138,831	0.00%
11143	Franklin County	Windy Gap Elementary	2006 Subsidy	745,557	(600,911)	144,646	80.60%
11201	Portsmouth City	Park View Elementary	2006 Subsidy	1,331,227	(6,500)	1,324,727	0.49%
11210	Halifax County	Halifax Middle	2006 Subsidy	1,331,227	(1,097,125)	234,102	82.41%
11121	Henry County	G. W. Carver Elementary	2006 Subsidy	624,720	(617,153)	7,567	98.79%
11220	Halifax County	South Boston Elementary	2006 Subsidy	641,739	(227,676)	414,063	35.48%
11222	Henry County	Campbell Court Elementary	2006 Subsidy	706,533	(679,795)	26,738	96.22%
11212	Washington County	Abingdon Elementary	2007 Subsidy	201,358	(6,500)	194,858	3.23%
11213	Washington County	High Point Elementary	2007 Subsidy	154,739	-	154,739	0.00%
11214	Washington County	Valley Institute Elementary	2007 Subsidy	123,197	-	123,197	0.00%
11215	Washington County	E. B. Stanley Middle	2007 Subsidy	149,896	-	149,896	0.00%
11256	Henry County	Drewry Mason Elementary	2007 Subsidy	648,523	(231,843)	416,680	35.75%
11209	New Kent County	New Kent High School	2007 Subsidy	214,640	(6,500)	208,140	3.03%
11228	Roanoke County	Northside High School	2007 Subsidy	798,438	-	798,438	0.00%
11258	Gloucester County	Abingdon Elementary School	2007 Subsidy	798,438	-	798,438	0.00%
11262	Wise County	Coeburn Middle School	2008 Subsidy	631,973	-	631,973	0.00%
11263	Wise County	Powell Valley Primary School	2008 Subsidy	726,322	-	726,322	0.00%
11260	Powhatan County	New Elementary School	2008 Subsidy	1,006,140	(999,640)	6,500	99.35%
11255	Roanoke City	William Fleming High School	2008 Subsidy	1,006,140	-	1,006,140	0.00%
11272	Town of West Point	West Point High School	2008 Subsidy	64,219	(6,500)	57,719	10.12%
11273	Town of West Point	West Point Middle School	2008 Subsidy	41,984	-	41,984	0.00%

## ACTIVE LITERARY FUND PROJECTS (as of December 31, 2008)

<b>Application Number</b>	<b>School Division</b>	<b>School</b>	<b>Release Date</b>	<b>Funds Approved for Release</b>	<b>Actual Funds Disbursed</b>	<b>Balance Due</b>	<b>Percent Drawn</b>
11270	Rockingham County	New Elementary School in Elkton	2008 Subsidy	1,006,140	-	1,006,140	0.00%
11271	Rockingham County	New High School in Elkton	2008 Subsidy	999,640	-	999,640	0.00%
11293	Tazewell County	Richlands Elementary School	2008 Subsidy	446,045	-	446,045	0.00%
11294	Tazewell County	Tazewell Elementary School	2008 Subsidy	483,392	-	483,392	0.00%
11295	Tazewell County	Springville Elementary School	2008 Subsidy	243,178	-	243,178	0.00%
11296	Tazewell County	North Tazewell Elementary School	2008 Subsidy	324,368	-	324,368	0.00%
11297	Tazewell County	Cedar Bluff Elementary School	2008 Subsidy	327,724	-	327,724	0.00%
				<b>\$ 46,370,486</b>	<b>\$ (4,759,988)</b>	<b>\$ 41,610,498</b>	

April, 2009

## LITERARY FUND PROJECT REIMBURSEMENTS COMPLETED AS OF December 31, 2008

Application Number	School Division	School	Release Date	Funds Approved for Release	Actual Funds Disbursed	Funds Returned	Balance Due	Percent Drawn
11203	Staunton City	A. R. Ware Elementary	July, 2007	7,500,000	(7,500,000)	0.00	0.00	100.00%
11202	Staunton City	T. C. McSwain Elementary	January, 2008	7,500,000	(7,500,000)	0.00	0.00	100.00%
11231	Patrick County	Blue Ridge Elementary	January, 2008	151,618	(151,618)	0.00	0.00	100.00%
11232	Patrick County	Hardin Reynolds Memorial School	January, 2008	105,406	(105,406)	0.00	0.00	100.00%
11233	Patrick County	Meadows of Dan Elementary	January, 2008	105,217	(105,217)	0.00	0.00	100.00%
11234	Patrick County	Patrick County High	January, 2008	275,324	(275,324)	0.00	0.00	100.00%
11235	Patrick County	Patrick Springs Primary	January, 2008	195,976	(195,976)	0.00	0.00	100.00%
11236	Patrick County	Stuart Elementary	January, 2008	304,878	(304,878)	0.00	0.00	100.00%
11237	Patrick County	Woolwine Elementary	January, 2008	361,581	(361,581)	0.00	0.00	100.00%
11244	Galax City	Galax High School	January, 2008	5,000,000	(5,000,000)	0.00	0.00	100.00%
				\$ 21,500,000	\$ (21,500,000)	\$ -	\$ -	
11225	Hanover County	Hanover Elementary	2007 Subsidy	214,640	(214,640)	0.00	0.00	100.00%
11223	Essex County	Essex Intermediate School	2007 Subsidy	214,640	(214,640)	0.00	0.00	100.00%
11226	Hanover County	Trades Based Center	2007 Subsidy	208,140	(208,140)	0.00	0.00	100.00%
11230	Augusta County	Wilson Memorial High School	2007 Subsidy	791,938	(791,938)	0.00	0.00	100.00%
11257	Rockingham County	Montevideo Elementary School	2007 Subsidy	798,438	(798,438)	0.00	0.00	100.00%
11269	Radford City	Belle Heth Elementary School	2008 Subsidy	1,579,985	(1,579,985)	0.00	0.00	100.00%
11277	Virginia Beach City	Virginia Beach Middle School	2008 Subsidy	1,006,140	(1,006,140)	0.00	0.00	100.00%
				\$ 26,313,921	\$ (26,313,921)	\$ -	\$ -	

April, 2009



**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends approval of the four (4) applications totaling \$9,500,000 (Attachment A).

**Impact on Resources:**

There will be no impact on the resources of the Literary Fund until a locality receives approval from the Board of Education for the release of funds, construction begins on the approved project, and a request for reimbursement is submitted and approved.

**Timetable for Further Review/Action:**

Recommendations similar to Attachment A will be presented to the Board on a quarterly basis as needed, if found in proper order after review by the Department.

**BOARD OF EDUCATION**  
LITERARY FUND LOAN APPLICATIONS PRESENTED FOR APPROVAL

It is recommended that the following applications be approved:

Literary Fund #	School Division	School	Date Received	Amount	Comment
11300	Nottoway County	Blackstone Primary School	August 8, 2008	666,667	Additions (Plans Received)
11301	Nottoway County	Crewe Primary School	August 8, 2008	666,667	Additions (Plans Received)
11302	Nottoway County	Burkeville Elementary School	August 8, 2008	666,666	Additions (Plans Received)
11311	Virginia Beach City	Great Neck Middle School	March 30, 2009	7,500,000	New Construction (Plans Not Received)
				<b>Total: \$</b>	<b>9,500,000</b>

**April, 2009**



Attachment D identifies the Literary Fund applications that are available for release.

Attachment E is the Board of Education's current Approved Application List. This attachment identifies the Literary Fund applications that are approved as to form but are not included on either waiting list and are not recommended for funding.

### **Summary of Major Elements:**

To the extent funds are available, a recommendation for initial release of funds is presented for projects currently on the First Priority Waiting List or otherwise eligible for priority funding. To the extent funds are not available, new requests for the initial release of Literary Funds cannot be approved. As a result, such requests must be deferred and placed on either the First or Second Priority Waiting List in accordance with the Literary Fund regulations.

This item consists of the two elements that require action by the Board of Education. These elements are:

1. Six new projects, totaling \$24,500,000, listed on Attachment A are eligible for placement on the First Priority Waiting List.
2. One new project, totaling \$7,500,000, listed on Attachment E, has a Literary Fund application, which is approved as to form, but the plans have not yet been finalized. When the Department receives the plans, this project will be eligible for placement on a waiting list. Until such time, this project should remain on the Approved Application List.

### **Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education approve the action described in the two elements listed under "Summary of Major Elements."

### **Impact on Resources:**

Current Board policy provides that, upon initial release of funds, Literary Fund cash is reduced in the total amount of the approved loan to assure that cash is available as required for project completion. The disbursement of funds is based on actual invoices or other evidence of bills due and payable from the Literary Fund.

### **Timetable for Further Review/Action:**

The staff will prepare items for the Board on these actions as needed. Based on the availability of funds, initial release of funds will be made or projects will be deferred and placed on the Waiting Lists.

**VIRGINIA BOARD OF EDUCATION - LITERARY FUND FIRST PRIORITY WAITING LIST**

*The following projects have been placed or are recommended for placement on the First Priority Waiting List with the actions as indicated in the last column. Projects recommended for action at this meeting are presented in italics.*

Priority	Date Placed on		School	Interest		Cumulative		Action/Status
	Waiting List	School Division		Rate	Amount	Total		
1	July, 2007	Pulaski County	Riverlawn Elementary School	2%	7,500,000	7,500,000	Funding Deferred	
2	October, 2007	Manassas Park City	Cougar Upper Elementary School	3%	7,500,000	15,000,000	Funding Deferred	
3	October, 2007	Covington City	Jeter Watson Intermediate School	2%	7,500,000	22,500,000	Funding Deferred	
4	October, 2007	Covington City	Edgemont Primary School	2%	7,500,000	30,000,000	Funding Deferred	
5	October, 2007	Prince George County	North Elementary School	2%	7,500,000	37,500,000	Funding Deferred	
6	July, 2008	Petersburg City	Robert E. Lee Elementary School	2%	6,493,700	43,993,700	Funding Deferred	
7	July, 2008	Petersburg City	Walnut Hill Elementary School	2%	5,818,691	49,812,391	Funding Deferred	
8	July, 2008	Norton City	Norton Elementary School	3%	7,500,000	57,312,391	Funding Deferred	
9	July, 2008	Portsmouth City	Simonsdale Elementary School	2%	7,500,000	64,812,391	Funding Deferred	
10	July, 2008	Lynchburg City	Sandusky Middle School	3%	7,500,000	72,312,391	Funding Deferred	
11	July, 2008	Northampton County	Northampton High School	3%	7,500,000	79,812,391	Funding Deferred	
12	July, 2008	Lee County	Dryden Elementary School	2%	2,300,000	82,112,391	Funding Deferred	
13	July, 2008	Grayson County	West Grayson Elementary School	2%	7,500,000	89,612,391	Funding Deferred	
14	October, 2008	Pittsylvania County	Tunstall High School	2%	7,500,000	97,112,391	Funding Deferred	
15	October, 2008	Pittsylvania County	Chatham High School	2%	7,500,000	104,612,391	Funding Deferred	
16	October, 2008	Wythe County	Rural Retreat High School	2%	7,500,000	112,112,391	Funding Deferred	
17	October, 2008	Wythe County	Rural Retreat Middle School	2%	2,600,000	114,712,391	Funding Deferred	
18	October, 2008	Montgomery County	New Elliston-Lafayette & Shawsville Elementary School	3%	7,500,000	122,212,391	Funding Deferred	
19	January, 2009	Lexington City	Lylburn Downing Middle School	3%	7,500,000	129,712,391	Funding Deferred	
20	January, 2009	Warren County	Luray Avenue Middle School	3%	7,500,000	137,212,391	Funding Deferred	
21	January, 2009	Orange County	Middle School	4%	7,500,000	144,712,391	Funding Deferred	
22	January, 2009	Grayson County	Fries Elementary School	2%	7,500,000	152,212,391	Funding Deferred	
23	January, 2009	Henry County	Fieldale Collinsville Middle School	2%	2,500,000	154,712,391	Funding Deferred	
24	January, 2009	Henry County	Magna Vista High School	2%	7,200,000	161,912,391	Funding Deferred	
25	January, 2009	Richmond County	Richmond County Elementary School	3%	4,250,000	166,162,391	Funding Deferred	
26	January, 2009	Richmond County	Rappahannock High School	3%	250,000	166,412,391	Funding Deferred	
<b><i>New projects to be added with funding deferred until funds are approved for release by separate action of the Board of Education</i></b>								
27	<i>April, 2009</i>	<i>Giles County</i>	<i>Giles County Technology Center</i>	2%	7,500,000	173,912,391	<i>Funding Deferred</i>	
28	<i>April, 2009</i>	<i>Giles County</i>	<i>Eastern Elementary/Middle School</i>	2%	7,500,000	181,412,391	<i>Funding Deferred</i>	
29	<i>April, 2009</i>	<i>Nottoway County</i>	<i>Blackstone Primary School</i>	2%	666,667	182,079,058	<i>Funding Deferred</i>	
30	<i>April, 2009</i>	<i>Nottoway County</i>	<i>Crewe Primary School</i>	2%	666,667	182,745,725	<i>Funding Deferred</i>	
31	<i>April, 2009</i>	<i>Nottoway County</i>	<i>Burkeville Elementary School</i>	2%	666,666	183,412,391	<i>Funding Deferred</i>	
32	<i>April, 2009</i>	<i>Fluvanna County</i>	<i>Fluvanna County High School</i>	3%	7,500,000	190,912,391	<i>Funding Deferred</i>	

**April, 2009**

**VIRGINIA BOARD OF EDUCATION - LITERARY FUND SECOND PRIORITY WAITING LIST**

*The following projects have been placed or are recommended for placement on the Second Priority Waiting List with the actions as indicated in the last column. Projects recommended for action at this meeting are presented in italics.*

<i>Priority</i>	<i>Date Placed on</i>	<i>School Division</i>	<i>School</i>	<i>Interest</i>	<i>Amount</i>	<i>Cumulative</i>	<i>Action/Status</i>	<i>Comments</i>
				<i>Rate</i>		<i>Total</i>		
1	October, 2008	Pittsylvania County	Dan River High School	2%	7,500,000	7,500,000	Funding Deferred	
2	October, 2008	Pittsylvania County	Gretna High School	2%	7,500,000	15,000,000	Funding Deferred	

**VIRGINIA BOARD OF EDUCATION - REMOVAL FROM FIRST PRIORITY WAITING LIST**

*The following projects have been removed from the First Priority Waiting List with the actions as indicated in the last column.*

Date Placed on Waiting List	School Division	School	Interest Rate	Amount	Cumulative Total	Action/Status
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**NO PROJECTS**

April, 2009

**VIRGINIA BOARD OF EDUCATION - RELEASE OF LITERARY FUNDS**

*It is recommended that Literary Funds be released for the following projects on the first priority waiting list.*

Date Placed on Waiting List	School Division	School	Interest Rate	Amount	Cumulative Total
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**NO PROJECTS**

**April, 2009**

**LITERARY FUND OF VIRGINIA**  
**APPROVED APPLICATION LIST <sup>1</sup>**

Priority	Date Placed on Application List	School Division	School	Interest Rate	Application Amount	Cumulative Total	Action/Status
1	March, 2006	Roanoke County	William Byrd High School	3%	7,500,000	7,500,000	Pending receipt of plans
2	January, 2007	Washington County	John Battle High School	3%	489,126	7,989,126	Pending receipt of plans
3	January, 2007	Washington County	Abingdon High School	3%	489,126	8,478,252	Pending receipt of plans
4	January, 2007	Washington County	Patrick Henry High School	3%	1,177,236	9,655,488	Pending receipt of plans
5	January, 2007	Washington County	Holston High School	3%	602,186	10,257,674	Pending receipt of plans
6	January, 2007	Washington County	Meadowview Elementary School	3%	1,491,288	11,748,962	Pending receipt of plans
7	January, 2007	Washington County	Wallace Middle School	3%	1,165,073	12,914,035	Pending receipt of plans
8	January, 2007	Washington County	Glade Spring Middle School	3%	1,596,000	14,510,035	Pending receipt of plans
9	April, 2008	Alleghany County	Alleghany High School	2%	7,500,000	22,010,035	Pending receipt of plans
10	January, 2009	Hopewell City	Hopewell High School	2%	7,500,000	29,510,035	Pending receipt of plans
<b><i>New projects to be added to the approved application list</i></b>							
11	April, 2009	Virginia Beach City	Great Neck Middle School	3%	7,500,000	37,010,035	<i>Pending receipt of plans</i>

<sup>1</sup> Reflects only those applications not on waiting lists

Note: Per 8VAC20-100-90, applications which remain on the approved application list for three years shall be removed from the list.

April, 2009

# Board of Education Agenda Item

Item: I.

Date: April 30, 2009

**Topic:** First Review of the Proposed Consolidated *Regulations Governing Local School Boards and School Divisions*, 8VAC20-720

**Presenter:** Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

**Telephone Number:** (804) 225-2403 **E-Mail Address:** [Anne.Wescott@doe.virginia.gov](mailto: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: \_\_\_\_\_

## Previous Review/Action:

No previous board review/action  
 Previous review/action  
date April 24, 2008  
action Approval of NOIRA

**Background Information:** The *Regulations Governing School Boards Local*, 8 VAC 20-490-10 et seq., were adopted on or before September 1, 1980. These regulations have not been amended since that time and are out-of-date. Additionally, several other regulations have been promulgated that address regulatory requirements for local school boards and school divisions. Some of these regulations were adopted on or about September 1, 1980 as well. They all lend themselves to consolidation with the *Regulations Governing School Boards Local*.

This proposed regulation incorporates the current *Regulations Governing School Boards Local* with the applicable regulatory requirements from these other regulations so that local school boards and school divisions will have one regulation containing applicable regulatory requirements.

**Summary of Major Elements:** The attached Proposed Regulation Agency Background Document summarizes the major elements of this project. As noted above, this proposal is to amend and reenact the *Regulations Governing School Boards Local* (8 VAC 20-490-10 et seq.) into the *Regulations Governing Local School Boards and School Divisions* (8 VAC 20-720-10 et seq.) by consolidating several applicable regulations into one concise regulation and in doing so,

updating them. The regulations to be consolidated into this one regulation are attached to this agenda item and are as follows:

8 VAC 20-150-10 et seq.	Regulations Governing Management of the Student's Scholastic Record in the Public Schools of Virginia
8 VAC 20-180-10	Regulations Governing School Community Programs
8 VAC 20-210-10	Classification of Expenditures
8 VAC 20-240-10 et seq.	Regulations Governing School Activity Funds
8 VAC 20-250-10	Regulations Governing Testing Sight and Hearing of Pupils
8 VAC 20-310-10	Rules Governing Instruction Concerning Drugs and Substance Abuse
8 VAC 20-320-10	Regulations Governing Physical and Health Education
8 VAC 20-390-10 et seq.	Rules Governing Division Superintendent of Schools
8 VAC 20-410-10	Rules Governing Allowable Credit for Teaching Experience
8 VAC 20-420-10	Regulations Governing Personnel in Public School Libraries Operated Under Joint Contract Under Control of Local School Board or Boards
8 VAC 20-460-10 et seq.	Regulations Governing Sick Leave Plan for Teachers
8 VAC 20-490-10 et seq.	Regulations Governing School Boards Local
8 VAC 20-565-10 et seq.	Regulations for the Protection of Students as Participants in Human Research

When these regulations have been consolidated into the *Regulation Governing Local School Boards and School Divisions*, the current individual regulations will be repealed simultaneously with the promulgation of the new regulation.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education waive first review and authorize the Department of Education staff to proceed with the requirements of the Administrative Process Act.

**Impact on Resources:** The administrative impact for the review and revision of these regulations is not expected to be unduly burdensome on the Department of Education and is expected to have a minimal to no fiscal or administrative impact on the local school divisions.

**Timetable for Further Review/Action:** The timetable for further action will be governed by the requirements of the Administrative Process Act.

**REGULATIONS TO BE REPEALED AND THEN ADDRESSED IN  
REGULATIONS GOVERNING LOCAL SCHOOL BOARDS AND SCHOOL  
DIVISIONS**

**8 VAC 20-720-10 et seq.**

# ~~Regulations Governing Management of the Student's Scholastic Record in the Public Schools of Virginia~~

## ~~8 VAC 20-150-10 et seq.~~

### ~~8VAC20-150-10. Definitions.~~

~~The terms used in this chapter, except as otherwise defined herein, shall be in accord with the definitions contained in the Family Educational Rights and Privacy Act, 20 USC §1232g, 34 CFR 99; the Individuals with Disabilities Education Act, 20 USC §§1400-1485, 34 CFR 300; and §22.1-289 of the Code of Virginia.~~

### ~~8VAC20-150-20. Management of scholastic record.~~

~~A. Local education agencies shall manage the scholastic records of all students in compliance with applicable law, including the Family Educational Rights and Privacy Act of 1974, 20 USC §1232g, 34 CFR 99; the Individuals with Disabilities Education Act, 20 USC §§1400-1485, 34 CFR 300; and §§2.1-377 through 2.1-386, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-3.1, 22.1-270, 22.1-271.2, 22.1-287, 22.1-287.1, 22.1-288, 22.1-288.2, 22.1-289, 32.1-36.1 and 42.1-76 through 42.1-91.~~

~~B. Every notice of adjudication or conviction received by a local superintendent, and information contained in the notice, which is not a disciplinary record, shall be maintained by him and by any others to whom he disseminates it, separately from all other records concerning the student. However, if the school administrators or the school board takes disciplinary action against the student based upon an incident which formed the basis for the adjudication or conviction, the notice shall become a part of the student's disciplinary record. As used herein, "disciplinary record" means a record which is directly related to a student and any disciplinary action taken against that student for violation of school rules or policies occurring on school property or at school sponsored events.~~

### ~~8VAC20-150-30. Access.~~

~~A parent, guardian or other person having control or charge of a student shall be notified of his right to review, and to request an amendment of, the student's scholastic record in accordance with the procedures set forth in 34 CFR 99.~~

## **Regulations Governing School Community Programs**

### **8 VAC 20-180-10**

#### **~~8VAC20-180-10. School improvement plan.~~**

~~Each school division shall involve the staff and community in revising and extending biennially a six-year school improvement plan. This plan shall be reviewed and approved by the local school board and submitted by January 15 of each odd-numbered year to the Superintendent of Public Instruction for approval in accordance with criteria of the Board of Education. The plan shall include:~~

- ~~1. The objectives of the school division which can be measured by outcomes related to pupil performance, whenever possible;~~
- ~~2. An assessment of the extent to which the objectives are being achieved, including evidence from follow-up studies of former students;~~
- ~~3. Strategies for achieving the objectives of the school division; and~~
- ~~4. Evidence of community participation in the development of the six-year plan.~~

~~A report shall be made by November 1 of each year to the local school board and to the public on the extent to which the measurable objectives of the preceding two school years were achieved. Deviations from the plan shall be explained.~~

# **CLASSIFICATION OF EXPENDITURES**

## **8 VAC 20-210-10**

### **~~8VAC20-210-10. Classification of expenditures.~~**

~~The following major classification of expenditures is prescribed for use by local school boards when the division superintendent, with the approval of the school board, prepares the estimate of moneys needed for public schools.~~

- ~~1. Instruction;~~
- ~~2. Administration, attendance and health;~~
- ~~3. Pupil transportation;~~
- ~~4. Operation and maintenance;~~
- ~~5. School food services and other noninstructional operations;~~
- ~~6. Facilities;~~
- ~~7. Debt and fund transfers; and~~
- ~~8. Contingency reserves.~~

## **Regulations Governing School Activity Funds**

### **~~8 VAC 20-240-10 et seq.~~**

#### **~~8VAC20-240-10. Classification; responsibility for administration of regulations, exclusion of specific funds.~~**

~~All funds derived from extracurricular school activities, such as entertainment, athletic contest, cafeteria, club dues, etc., and from any and all activities of the school involving personnel, students, or property are by this chapter classified as school activity funds (internal accounts). The local school boards shall be responsible for the administration of this chapter in the schools under their control and may determine which funds in any school may be excluded from those subject to this chapter. (Funds defined by law as public funds are not subject to this chapter and are to be handled as provided by law.)~~

#### **~~8VAC20-240-20. Records, school finance officer, bonds.~~**

~~Each school shall keep an accurate record of all receipts and disbursements so that a clear and concise statement of the condition of each fund may be determined at all times. It shall be the duty of each principal to see that such records are maintained in accordance with this chapter and rules promulgated by the local school board. The principal or person designated by him shall perform the duties of school finance officer or central treasurer. The school finance officer shall be bonded, and the local school board shall prescribe rules governing such bonds for employees who are responsible for these funds.~~

#### **~~8VAC20-240-30. Forms.~~**

~~The use of forms prescribed by the Board of Education is not mandatory but the basic information required by the uniform system must be incorporated in any system substituted for that designed by the Board of Education.~~

#### **~~8VAC20-240-40. Audits; monthly and annual reports.~~**

~~School activity funds (internal accounts) shall be audited at least once a year by a duly qualified accountant or accounting firm approved by the local school board and a copy of the audit report shall be filed in the office of the division superintendent. Monthly reports of such funds shall be prepared and filed in the principal's office, and annual reports shall be filed in the office of the principal or division superintendent. The cost of such an audit is a proper charge against the school operating fund or school activity funds.~~

#### **~~8VAC20-240-50. Interpretation of regulations and forms.~~**

~~Nothing in this chapter or suggested forms shall be construed as superseding or modifying the federal state plan for operation of cafeterias under the National School Lunch Act, 42 USC § 1751 et seq.~~

## **Regulations Governing Testing Sight and Hearing of Pupils**

### **8 VAC 20-250-10**

#### **~~8VAC20-250-10. Testing of sight and hearing; monitoring.~~**

~~That sight and hearing of pupils in grades K, 3, 7, and 10 be screened within 60 administrative working days of the opening of school. Whenever a pupil is found to have any defect of vision or hearing or a disease of the eyes or ears, the principal shall notify the parent or guardian in writing, of such defect or disease. This screening of pupils will be monitored through the administrative review process.~~

# ~~Rules Governing Instruction Concerning Drugs and Substance Abuse~~

## ~~8 VAC 20-310-10~~

### ~~8VAC20-310-10. Health education program.~~

~~The Board of Education recognizes that the illegal and inappropriate use of certain substances constitutes a hazard to the development of students. Elementary and secondary schools shall include in the health education program instruction in drugs and drug abuse.~~

~~Therefore, the public schools of the Commonwealth shall:~~

- ~~1. Be concerned with education and prevention in all areas of substance use and abuse.~~
- ~~2. Establish and maintain a realistic, meaningful substance abuse prevention and education program that shall be developed and incorporated in the total education program.~~
- ~~3. Establish and maintain an ongoing in-service substance abuse prevention program for all school personnel.~~
- ~~4. Cooperate with government and approved private agencies involved with health of students relating to the abuse of substances.~~
- ~~5. Encourage and support pupil-run organizations and activities that will develop a positive peer influence in the area of substance abuse.~~
- ~~6. Create a climate whereby students may seek and receive counseling about substance abuse and related problems without fear of reprisal.~~

## **~~Regulations Governing Physical and Health Education~~**

### **~~8 VAC 20-320-10~~**

#### **~~8VAC20-320-10. Health education program.~~**

~~Elementary and secondary schools shall present a comprehensive health education program which focuses on instruction related to alcohol and drug abuse, smoking and health, personal growth and personal health, nutrition, prevention and control of disease, physical fitness, accident prevention, personal and family survival, environmental health, mental health, and consumer education. These shall be developed in accordance with procedures outlined in the Curriculum Guide for Health Education.~~

## **Rules Governing Division Superintendent of Schools**

### **~~8 VAC 20-390-10 et seq.~~**

#### **~~8VAC20-390-10. Qualifications.~~**

~~Division superintendents of county, town, and city school systems are required by law to be appointed from a list of eligible persons approved by the State Board of Education. To be placed on the list of eligibles, applicants must meet the following qualifications:~~

~~1. Personal qualities. Eligibility shall be limited to individuals whose records attest to good character and demonstrated ability as an educational administrator.~~

~~2. Education. The applicant shall have earned 60 semester hours of graduate work from an institution of higher learning accredited by the state accrediting agency and shall hold the Master's degree or be pursuing a doctoral program approved by any such accredited institution.~~

~~The applicant shall have completed graduate work in the following areas: history or philosophy of education, courses designed to develop competence in supervision and curriculum development, administration, finance, law, plant, personnel management or school-community relations, research, or statistical methods.~~

~~3. Experience. The applicant shall have had at least five years of satisfactory and full-time experience in administration or supervision, or both, in public schools.\* This experience shall have been acquired in the principalships or positions, or both, within the central administrative offices of the school division. A maximum of two years of this requirement may be met through full-time experience in the assistant principalship. Certification as to whether the applicant has served satisfactorily in full-time positions of administration or supervision, or both, must be mailed directly to the Department of Education by the division superintendent.~~

~~4. Recency of professional education or experience, or both, and status report. A portion of either professional education or experience, or both, shall have been within a period of four years immediately prior to the application. An individual not serving as a division superintendent is required to complete a status report every four years. The report should include current information about the individual, such as current position, professional growth activities, and other pertinent data. The Department of Education will request the status report early in the school year prior to commencement of the new term for the division superintendents.~~

~~5. Conditions. Superintendents in office in Virginia as of November 1, 1967, shall not be required to meet these qualifications as long as they serve continuously in such positions in the state.~~

~~Persons on the eligible list as of November 1, 1967, who did not meet the education requirement effective that day shall submit to the department official transcripts of graduate work in support of at least six semester hours beyond the master's degree each two years thereafter until such~~

time as they meet the new academic requirement. Any person who does not comply with this requirement will be removed from the eligible list.

~~\*Comparable experience in accredited private schools or other educational systems may be accepted upon the recommendation of the Superintendent of Public Instruction and the approval of the Board of Education.~~

**~~8VAC20-390-20. Part-time service as school principal.~~**

~~The division superintendent of schools, on a part-time basis, may with the consent of the Board of Education serve as school principal.~~

**~~8VAC20-390-30. Acting superintendents.~~**

~~In case of a vacancy occurring during the regular four-year term of office of the division superintendent, an acting superintendent shall be designated by the school board or boards to serve until the newly appointed superintendent assumes office. The local school board or boards may compensate such acting superintendent from local funds and such board or boards may provide necessary traveling expenses.~~

**~~8VAC20-390-40. Observing regulations; making annual and special reports.~~**

~~It shall be the duty of each division superintendent to observe such directions and regulations as the Superintendent of Public Instruction or Board of Education may prescribe and to make special reports to the Superintendent whenever required.~~

**~~8VAC20-390-50. School accounts.~~**

~~It shall be the duty of the division superintendent to inspect the accounts of the clerk of the school board from time to time during the year and see that such accounts are kept correctly and that all school funds are properly applied.~~

**~~8VAC20-390-60. Distribution of state reports, forms, laws, and regulations.~~**

~~Superintendents shall distribute promptly all reports, forms, laws, and regulations which may be received from the Superintendent of Public Instruction, in accordance with his directions.~~

**~~8VAC20-390-70. Explanation of school system; enforcement of school laws, regulations, etc.~~**

~~Superintendents shall explain the school system and give information about it on all suitable occasions, and shall make certain that all school laws and regulations are strictly enforced and that the decisions of the Superintendent of Public Instruction and of the Board of Education are complied with. When such decisions are not complied with, the division superintendent shall inform the Superintendent of Public Instruction.~~

**~~8VAC20-390-80. Inspection and supervision of schools.~~**

~~It shall be the duty of the division superintendent to visit and inspect each school in his division. He shall inquire into all matters relating to the management of the school, the course of study, method of instruction, and use of textbooks, and shall give particular attention to the conditions of the school buildings.~~

**~~8VAC20-390-90. Supervision of teachers.~~**

~~The division superintendent shall see to it that teachers discharge faithfully the duties assigned to them, and any neglect or violation by teachers of any of the laws or regulations shall be promptly reported to the school board with recommendations for appropriate action.~~

**~~8VAC20-390-100. Condemnation of school buildings.~~**

~~The superintendent shall have authority to condemn school buildings, as provided by law, when such school buildings are not safe and may endanger the health of pupils.~~

**~~8VAC20-390-110. Promotion of improvement and efficiency of school personnel; promotion of appreciation, etc. of education.~~**

~~It shall be the duty of superintendents to promote the improvement and efficiency of teachers and other school personnel by all appropriate methods. They shall also endeavor by all appropriate means to promote an appreciation and desire for education among the people.~~

## **~~Rules Governing Allowable Credit for Teaching Experience~~**

### **~~8 VAC 20-410-10~~**

#### **~~8VAC20-410-10. Teaching experience credit.~~**

~~Credit for teaching experience may be allowed:~~

- ~~1. For teaching in public schools in the state and out of the state.~~
- ~~2. For teaching in accredited institutions of higher learning in and out of the state.~~
- ~~3. For teaching in schools operated in military installations, supported by federal tax funds, and for which academic credit is accepted for admission to the public schools of Virginia.~~
- ~~4. For teaching in public resident schools, such as the Virginia School for the Deaf and Blind.~~
- ~~5. For teaching in accredited private schools and in private schools for which teachers receive credit under the provisions of the Virginia Retirement System.~~

~~Teachers in the field of vocational education, where the requirement calls for occupational work experience beyond the apprenticeship level, may be allowed credit for one year of teaching experience for each two years of work experience.~~

**~~Regulations Governing Personnel in Public School Libraries Operated Under  
Joint Contract Under Control of Local School Board or Boards~~**

**~~8 VAC 20-420-10~~**

**~~8VAC20-420-10. Library personnel.~~**

~~All such persons employed in any public school library or any library operated under joint contract between a school board or boards and the trustees of a county or regional library system shall be under the direction, supervision, and control of the local school board or boards.~~

## **Regulations Governing Sick Leave Plan for Teachers**

### **~~8 VAC 20-460-10 et seq.~~**

#### **~~8VAC20-460-10. Allowances.~~**

~~Allowances shall be as follows:~~

- ~~1. Each full-time teacher in the public free schools shall earn a minimum of 10 days each year.~~
- ~~2. Earnings for less than a full year of full-time employment shall be at the rate of one day per month, or major fraction thereof. This provision applies to teachers who do not begin teaching at the start of the school term and to those who do not complete the full year.~~
- ~~3. A teacher cannot claim any portion of earned leave unless he or she has actually reported for duty for the regular school term in accordance with the terms of the teacher's contract. If a teacher is unable, because of illness, to begin teaching when school opens in the fall, such teacher may be allowed to use accumulated leave not to exceed the balance credited to him or her as of June 30 of the immediate preceding school year.~~
- ~~4. School boards may, by resolution, permit teachers to anticipate sick leave earnings for the current school year, provided adequate provision is made for a refund in the event the teacher terminates employment before such credit is earned.~~

#### **~~8VAC20-460-20. Accumulating sick leave.~~**

~~Sick leave, if not used, may accumulate to a minimum of 90 days.~~

#### **~~8VAC20-460-30. When substitute employed.~~**

~~When a substitute has to be employed, such leave shall be allowed for personal illness, including quarantine, or illness or death in the immediate family requiring the attendance of the employee for not more than three days in any one case, unless the local school board by resolution wishes to allow an extension.~~

#### **~~8VAC20-460-40. "Immediate family" defined.~~**

~~The "immediate family" of an employee shall be interpreted to include natural parents, adoptive parents, foster parents, stepmother, stepfather, wife, husband, children, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any other relative living in the household of the teacher ("any other relative living in a household of a teacher" is limited only in that the relative, however distant, must live in the household of a teacher).~~

#### **~~8VAC20-460-50. Termination of accumulative sick leave; transfer of sick leave; when teacher presumed to have left teaching profession.~~**

~~All accumulated sick leave shall terminate, except as defined below, upon the expiration of employment as a teacher. A teacher may transfer from one school system to another in Virginia and also may transfer any accumulated leave if the school board of the system to which the transfer is being made signifies its willingness to accept such transfer.~~

~~A teacher will be presumed to have left the teaching profession if he or she accepts employment other than in the public school system of Virginia, or is unable to teach in the public schools of Virginia for a period of three consecutive years because of illness or physical disability or family responsibilities. Teachers who leave the teaching profession to enter the armed services do not forfeit accumulated earnings unless they fail to return to the teaching profession immediately upon discharge from an original tour of duty in the armed services.~~

~~**8VAC20-460-60. Local supplementary regulations.**~~

~~Local school boards may adopt supplementary rules and regulations, not in conflict with this chapter, and, in the discretion of the local board, such local regulations may provide for the submission of a doctor's certificate in case of absence due to illness.~~

## **Regulations Governing School Boards Local**

### **~~8 VAC 20-490-10 et seq.~~**

#### **~~8VAC20-490-10. Familiarity with and implementation of school laws and regulations.~~**

~~It is the duty of all school officials to acquaint themselves with the school laws and regulations and to see that they are implemented.~~

#### **~~8VAC20-490-20. Teacher contracts.~~**

~~The school board shall enter into written agreements with teachers before they begin their duties, but no teacher may be employed or paid from public funds who is not certified to teach in the public schools of Virginia. Contracts with teachers shall be executed on behalf of the board by the chairman and the clerk.~~

#### **~~8VAC20-490-30. Length of the school day.~~**

~~The time for opening and closing schools shall be prescribed by the local school board upon recommendation of the division superintendent, provided that the daily program for students in grades 1 through 12 shall average at least 5 ½ hours, not including meal intermissions. If the required program length is maintained, the local school board may approve occasional shortened days for staff development, conferences, planning, and other activities designed to improve the instructional program, provided that no more than one day in each five-day week may be shortened to no less than four hours. The daily program for kindergarten shall be at least three hours, not including meal intermissions. The student day here described shall be considered a minimum day rather than an optimum day; a longer student day is encouraged to accommodate the instructional program and student needs.~~

~~When exceptions in the length of the daily program are necessary for special education, alternative education, double shifts, and scheduling or other unusual situations, the local board shall request approval by the Superintendent of Public Instruction of the exceptions by August 1 preceding the school year for which they are applicable. The affected programs must be in compliance with such other regulations as may apply to them.~~

~~The length of the work day for employees shall be determined by the local school board. It shall be of sufficient length to allow for the daily program for students and additional time as may be necessary for such activities as planning, preparation, meetings, workshops, conferences, meal intermissions, or other contractual obligations.~~

#### **~~8VAC20-490-40. Textbooks.~~**

~~School officers and teachers shall require all children who apply for admission into the public free schools to be provided with such books as have been duly approved under the regulations of the Board of Education. In the case of children whose parents or guardians are financially unable~~

~~to furnish them, school boards shall provide, free of charge, such textbooks and workbooks required for courses of instruction.~~

~~There shall be kept in every school a copy of the list of textbooks prescribed for use in that division.~~

**~~8VAC20-490-50. Policy manual.~~**

~~Each local school board shall maintain an up-to-date policy manual which shall include:~~

- ~~1. The grievance procedure prescribed by the Board of Education;~~
- ~~2. A system of communication between the local school board and its employees in order that views of all school employees may be received in an orderly and constructive manner in matters of concern to them; and~~
- ~~3. A cooperatively developed procedure for personnel evaluation.~~

~~An up-to-date copy of the local school board policy manual shall be kept in the library of each school in that division, and shall be available to employees and to the public.~~

**~~8VAC20-490-60. Annual report.~~**

~~With the assistance of the division superintendent, each school board shall make a report on or before the first day of August of each year, covering the work of the schools for the year ending the 30th day of the preceding June. The report shall be made to the Board of Education on forms supplied by the Superintendent of Public Instruction. The Superintendent of Public Instruction may grant, for good cause, an extension of time not to exceed 15 days for making such report.~~

# ~~Regulations for the Protection of Students as Participants in Human Research~~

## ~~8 VAC 20-565-10 et seq.~~

### ~~8VAC20-565-10. Definitions.~~

The terms in this chapter, except as otherwise defined herein, shall be in accord with the definitions contained in Chapter 5.1 (§~~32.1-162.16~~ et seq.) of Title 32.1 of the Code of Virginia entitled "Human Research."

### ~~8VAC20-565-20. Scope.~~

No human research involving students shall be conducted or authorized by the Virginia Department of Education or any public school of the Commonwealth, including the Virginia Schools for the Deaf and Blind, or any proprietary schools certified by the Board of Education, unless in compliance with this chapter and other applicable law, including 45 CFR 46.

### ~~8VAC20-565-30. Informed consent.~~

No such research shall be conducted or authorized unless the student and the student's parents or legally authorized representative give their informed consent. Such informed consent shall be evidenced by a signed and witnessed informed consent form. Such form shall comply with §~~32.1-162.18~~ A of the Code of Virginia.

### ~~8VAC20-565-40. Research committee.~~

Any such research shall be approved and conducted under the review of a human research committee, which shall be established by the agency or school conducting or authorizing the research. Any such committee shall comply with the provisions of §~~32.1-162.19~~ of the Code of Virginia. Each committee shall submit to the Governor, the General Assembly, and the Superintendent of Public Instruction or his designee at least annually a report on the student projects reviewed and approved by the committee, which shall state significant deviations from the proposals as approved.

### ~~8VAC20-565-50. Exemptions.~~

There shall be excluded from the operation of this chapter those categories of research as set forth in §~~32.1-162.17~~ of the Code of Virginia which exempts "Research or student learning outcomes assessments conducted in educational settings involving regular or special education instructional strategies, the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods, or the use of educational tests, whether cognitive, diagnostic, aptitude, or achievement, if the data from such tests are recorded in a manner so that subjects cannot be identified, directly or through identifiers linked to the subjects. . . ."

**PROPOSED REGULATIONS GOVERNING LOCAL BOARDS AND SCHOOL  
DIVISIONS**

**8 VAC 20-720-10 et seq.**

CHAPTER 720

REGULATIONS GOVERNING LOCAL BOARDS AND SCHOOL DIVISIONS

**8VAC20-720-10. Definitions.**

The following words and terms when used in this chapter shall have the meanings indicated, unless the context clearly implies otherwise:

"Administrative working day" means any day that the relevant school board office is open.

"Board" means the Virginia Board of Education.

"Days" mean calendar days unless a different meaning is clearly expressed. Whenever any period of time fixed by this chapter shall expire on a Saturday, Sunday, or legal holiday, the period of time for taking action under this chapter shall be extended to the next day that is not a Saturday, Sunday, or legal holiday.

"Department" means the Virginia Department of Education.

"Facilities fees" means any fees charged by a school board or an individual school for the use of its school buildings or grounds.

"Instructional materials" means all materials, other than textbooks, used to support instruction in the classroom, including, but not limited to, books, workbooks, electronic media, maps, charts and games.

"Instructional personnel" means all school personnel regularly employed by the local school board or paid from public funds who are required to hold a license issued by the Virginia Board of Education.

"School activity funds (internal accounts)" means all funds derived from extracurricular school activities, including, but not limited to, entertainment, athletic contests, facilities fees, club dues, vending machine proceeds that are not deposited in the school nutrition program account and from any and all activities of the school involving personnel, students, or property.

"Standards of Learning (SOL)" means the educational objectives established by the Virginia Board of Education which form the core of Virginia's educational program.

"Teacher" means a person (i) who is regularly employed full time as a teacher, visiting teacher/school social worker, guidance counselor, or librarian, and (ii) who holds a valid teaching license.

"Teaching day" means a standard school day, as required by the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, 8VAC20-131-50, when the school is in regular session for the instruction of pupils.

## **Part I**

### **Administration**

#### **8VAC20-720-20. Policy manual.**

Each local school board shall maintain and follow up-to-date policies in accordance with the Standards of Quality, § 22.1-253.13:7 of the Code of Virginia.

#### **8VAC20-720-30. Reports.**

A. Each local school board, division superintendent or both, shall submit all reports and certifications required by the Virginia Department of Education, by the dates requested.

B. Failure to submit the required reports in a timely manner may result in reporting such failure to the Board of Education for the public record.

C. The reports shall be submitted not later than the due date; however, the Superintendent of Public Instruction may grant, for good cause, an extension of time not to exceed 15 calendar days for making such reports.

**8VAC20-720-40. Divisionwide plan.**

A. Each local school board shall develop a divisionwide, comprehensive, unified, long-range plan in accordance with the Standards of Quality, § 22.1-253.13:6 of the Code of Virginia.

B. The local board shall review such plan biennially and adopt any necessary revisions.

C. Prior to the adoption of the plan, or any revisions to the plan, each local school board shall notify the public of the adoption or revision, post the plan or revisions on its Web site if practicable, and make a hard copy available for public inspection and copying and conduct at least one public hearing to solicit comments.

**8VAC20-720-50. School laws and regulations.**

A. All school board employees shall be familiar with the school laws and regulations related to their duties and responsibilities and ensure that they are implemented.

B. In addition to this chapter, local school divisions and school boards shall adhere to Title 22.1 of the Code of Virginia and the applicable Board of Education regulations in Volume 8, Section 20 of the Virginia Administrative Code.

**Part II**

**Finance**

**8VAC20-720-60. Classification of expenditures.**

A. Pursuant to § 22.1-115 of the Code of Virginia, local school boards shall use the following major classifications of expenditures when the division superintendent, with

the approval of the local school board, prepares the estimate of funds needed for public schools:

1. Instruction;
2. Administration, attendance and health;
3. Pupil transportation;
4. Operation and maintenance;
5. School food services and other noninstructional operations;
6. Facilities;
7. Debt and fund transfers;
8. Technology;
9. Contingency reserves.

B. Nothing in this regulation shall prohibit the preparation and use of line item budgeting within these categories.

**8VAC20-720-70. School activity funds.**

A. Local school boards shall be responsible for the administration of this subsection in the schools under their control.

B. Records and bonds

1. Each school shall keep an accurate record of all receipts and disbursements so that a clear and concise statement of the condition of each fund may be determined at all times.
2. It shall be the duty of the school division official designated by the local school board to perform such duties to ensure that such records are maintained in accordance with this subsection and rules promulgated by the local school board.
3. The designated school division official shall perform the duties prescribed by this subsection of this regulation.

4. The designated school division official shall be bonded, and the local school board shall prescribe rules governing such funds for employees who are responsible for these funds.

5. All records shall be subject to public disclosure in accordance with the Virginia Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia.

C. The basic information required by the accounting principles for governmental accounting and reporting established by the Governmental Accounting Standards Board must be incorporated into any system used by the local school division.

D. Audit, examination or review; monthly and annual reports

1. At least once a year, a duly qualified accountant, accounting firm, or internal auditor shall perform an audit, examination, or review of school activity funds to ensure funds are being managed in accordance with these regulations and all funds are properly accounted for. The type of engagement (audit, examination, or review) and the accountant, accounting firm, or internal auditor, shall be approved by the local school board.

2. A copy of the report resulting from the audit, examination or review (and the completed corrective action plan, if suggestions for improvement are made) shall be reviewed by the division superintendent and the local school board, and filed in the office of the clerk of the school board, the division superintendent, and the principal.

3. The cost of such an audit, examination or review may be paid from the school operating fund or school activity funds.

4. Monthly reports of such funds shall be prepared by the designated school division official and filed in the principal's office.

E. Nothing in this chapter shall be construed as superseding or modifying the federal-state plan for operation of cafeterias under the Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq., as amended effective October 1, 2008, and the Child Nutrition Act of 1966, 42 USC § 1771 et seq., as amended effective October 1, 2008.

**8VAC20-720-80. Reserved.**

**Part III**

**Instruction**

**8VAC20-720-90. Health education program.**

A. Elementary, middle, and secondary schools shall provide a comprehensive health education program focusing on instruction related to alcohol and drug abuse, smoking and health, personal growth and personal health, nutrition, prevention and control of disease, physical fitness, accident prevention, personal and family survival, environmental health, mental health, and consumer education.

B. The health education program shall include instruction in drugs and substance abuse prevention. As part of the program, school divisions shall:

1. Encourage and support organizations and activities that will develop a positive peer influence concerning substance abuse.
2. Create a climate whereby students may seek and receive counseling about substance abuse and related problems without fear or reprisal.

C. The health education program shall be developed in accordance with the Board of Education's Health Education Standards of Learning for Virginia Public Schools.

## Part IV

### Personnel

#### 8VAC20-720-100. Division superintendent of schools.

A. In order to be appointed a division superintendent, applicants must hold an active Virginia division superintendent's license prescribed by the Board of Education's Licensure Regulations for School Personnel, 8VAC20-22-10 et seq.

B. In case of a division superintendent vacancy, the local school board shall appoint a new superintendent in accordance with § 22.1-60 of the Code of Virginia.

C. If a new superintendent is not appointed within the time prescribed by § 22.1-60, the Virginia Board of Education shall appoint the superintendent in accordance with the Board's Procedure for Appointment of a School Division Superintendent by the Virginia Board of Education.

D. The division superintendent shall perform such duties as may be prescribed by law, by the local school board, and by the Board of Education. In addition, the division superintendent shall:

1. Observe such directions and regulations as the Superintendent of Public Instruction or Board of Education may prescribe and make special reports whenever required.
2. Ensure strict enforcement of all school laws and regulations and compliance with the decisions of the Superintendent of Public Instruction and Board of Education.
3. Visit and cause to be inspected each school on a regular basis and inquire into all matters relating to the management of the school, the course of study, method of instruction, use of textbooks, and condition of the school buildings.

4. Ensure that teachers faithfully discharge the duties assigned to them, and report promptly to the local school board any neglect or violation of any of the laws or regulations by teachers along with recommendations for appropriate action.

5. Close public school buildings that appear to be unfit for occupancy in accordance with § 22.1-136 of the Code of Virginia.

6. Ensuring timely submission of all reports and certifications required by the Virginia Department of Education by the dates requested.

**8VAC20-720-110. Teacher contracts and licenses.**

A. All teachers shall be licensed and endorsed in accordance with the Board of Education's Virginia Licensure Regulations for School Personnel, 8VAC20-21-10 et seq.

B. No teacher shall be regularly employed by a local school board or paid from public funds unless such teacher holds a license issued by the Board of Education or a three-year local eligibility license issued by a local school board pursuant to § 22.1-299.3 of the Code of Virginia.

C. The local school board shall enter into written contracts with teachers prior to the commencement of their duties. Such contracts shall be executed on behalf of the local school board by the chairman and the clerk.

D. Such contracts shall be in accordance with the Code of Virginia and the Board of Education's *Regulations Governing the Employment of Professional Personnel*, 8VAC20-440-10 et seq.

**8VAC20-720-120. Sick leave plan for teachers.**

A. Allowances

1. Each full-time teacher in the public schools shall earn a minimum of 10 days of sick leave each year.

2. Earnings for sick leave for less than a full year of full-time employment shall be at the rate of one day per month, or major fraction thereof. This provision applies to teachers who do not begin employment at the start of the school term and to those who do not complete the full year.

3. A teacher cannot claim any portion of earned sick leave unless he has actually reported for duty for the regular school term in accordance with the terms of the teacher's contract. If a teacher is unable, because of illness, to begin employment when school opens in the fall, such teacher may be allowed to use accumulated leave not to exceed the balance credited to him as of June 30 of the immediate preceding school year.

4. School boards may, by resolution, permit teachers to anticipate sick leave earnings for the current school year, provided adequate provision is made for a refund in the event the teacher terminates employment before such credit is earned.

5. Teachers who leave the profession to enter military service, or who are activated or deployed for military service, do not forfeit accumulated leave earnings unless they fail to return to the teaching profession immediately upon discharge from military service or return from deployment or activation.

#### B. Local policies

1. Each local school board shall adopt policies providing for the accumulation, termination and transfer of sick leave.

2. Each local school board shall adopt policies providing for leave without pay for school board employees with debilitating or life-threatening illness or injury, without regard to the employee's length of service with the school board.

## **Part V**

### **Student Records**

#### **8VAC20-720-130. Management of student records.**

Local education agencies shall manage the scholastic records of all students in compliance with applicable law and regulations, including the Family Educational Rights and Privacy Act and regulations, 20 USC § 1232g and 34 CFR 99; the Protection of Pupil Rights Amendment and regulations, 20 USC §1232h and 34 CFR 98; the Individuals with Disabilities Education Improvement Act and regulations, 30 USC §§1400-1485 and 34 CFR 300; the No Child Left Behind Act of 2001 and regulations, P.L. 107-110 and 34 CFR Part 200; and the Code of Virginia.

## **Part VI**

### **Students**

#### **8VAC20-720-140. Students as participants in human research.**

A. No human research involving students shall be conducted or authorized by the Virginia Department of Education or any public school of the Commonwealth, unless in compliance with this chapter and other applicable law.

B. No such research shall be conducted or authorized unless the student and the student's parents or legally authorized representative give their informed consent. Such informed consent shall be evidenced by a signed and witnessed informed consent form that complies with § 32.1-162.18 of the Code of Virginia.

C. Any such research shall be approved and conducted under the review of a human research committee, which shall be established by the agency or school conducting or authorizing the research. Any such committee shall comply with the provisions of § 32.1-162.19 of the Code of Virginia. The committee shall submit to the Governor, the General Assembly, and the Superintendent of Public Instruction or his

designee at least annually a report on the student projects reviewed and approved by the committee, which shall state the significant deviations from the proposals as approved.

D. There shall be excluded from the operations of this chapter those categories of research as set forth in § 32.1-162.17 of the Code of Virginia.

E. Research shall be conducted in accordance with the provisions of the Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h, and its implementing regulations, 34 CFR Part 98.

**8VAC20-720-150. Testing sight and hearing of students.**

A. The sight and hearing of students in grades K, 3, 7, and 10 shall be screened within 60 administrative working days of the opening of school in accordance with the requirements of § 22.1-273 of the Code of Virginia.

B. Whenever a student is found to have any impairment of vision or hearing or a disease of the eyes or ears, the principal shall notify the parent or guardian in writing, of such impairment or disease.

C. This screening of all students shall be monitored through the Department of Education's review of special education and related services in local school divisions.

**Part VII**

**Instructional Materials and Textbooks.**

**8VAC20-720-160. Reserved.**

**8VAC20-720-170. Reserved.**



## Proposed Regulation Agency Background Document

<b>Agency name</b>	Department of Education
<b>Virginia Administrative Code (VAC) citation</b>	8 VAC 20-720-10 seq.
<b>Regulation title</b>	Regulations Governing Local School Boards and School Divisions
<b>Action title</b>	Promulgation of new regulation through consolidation of several select regulations
<b>Date this document prepared</b>	April 1, 2009

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*In a short paragraph, please summarize all substantive provisions of new regulations or changes to existing regulations that are being proposed in this regulatory action.*

The new regulation amends and reenacts the *Regulations Governing School Boards Local* (8 VAC 20-490-10 et seq.) into the *Regulations Governing Local School Boards and School Divisions* (8 VAC-20-720-10 et seq.) by consolidating it with several applicable regulations into one concise regulation. The regulations to be consolidated into this one regulation are as follows:

8 VAC 20-150-10 et seq.	<i>Regulations Governing Management of the Student's Scholastic Record in the Public Schools of Virginia</i>
8 VAC 20-180-10	<i>Regulations Governing School Community Programs</i>
8 VAC 20-210-10	<i>Classification of Expenditures</i>
8 VAC 20-240-10 et seq.	<i>Regulations Governing School Activity Funds</i>
8 VAC 20-250-10	<i>Regulations Governing Testing Sight and Hearing of Pupils</i>
8 VAC 20-310-10	<i>Rules Governing Instruction Concerning Drugs and Substance Abuse</i>
8 VAC 20-320-10	<i>Regulations Governing Physical and Health Education</i>
8 VAC 20-390-10 et seq.	<i>Rules Governing Division Superintendent of Schools</i>
8 VAC 20-410-10	<i>Rules Governing Allowable Credit for Teaching Experience</i>

8 VAC 20-420-10	<i>Regulations Governing Personnel in Public School Libraries Operated Under Joint Contract Under Control of Local School Board or Boards</i>
8 VAC 20-460-10 et seq.	<i>Regulations Governing Sick Leave Plan for Teachers</i>
8 VAC 20-490-10 et seq.	<i>Regulations Governing School Boards Local</i>
8 VAC 20-565-10 et seq.	<i>Regulations for the Protection of Students as Participants in Human Research</i>

Those regulations that are incorporated into the *Regulation Governing Local School Boards and School Divisions* will be repealed simultaneously with the promulgation of the new regulation.

## Acronyms and Definitions

*Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the “Definition” section of the regulations.*

There are no acronyms or technical terms that are not also defined in the definitions section of the regulation.

## Legal basis

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

Code of Virginia § 22.1-16 of the Code of Virginia authorizes the Board of Education to “...adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title.” These regulations are already in effect, but they are out-of-date. Therefore, in order for the Board to properly carry out its duties, the regulations must be updated. They are also being consolidated to make compliance by local school boards and school divisions easier.

## Purpose

*Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.*

This regulation is needed because the *Regulations Governing School Boards Local*, 8 VAC 20-490-10 et seq., were adopted on or before September 1, 1980. These regulations have not been amended since that time and are out of date. Additionally, several other regulations have been promulgated that address regulatory requirements for local school boards and school divisions. Some of these regulations were adopted on or about September 1, 1980 as well. They all lend themselves to consolidation with the *Regulations Governing School Boards Local*. This proposal is to promulgate new regulations governing local school boards that will include many of the provisions of the current regulation, along with incorporating the applicable regulatory requirements from these other regulations.

The regulations are already in effect. The purpose of this proposal is to consolidate them in such a way that school divisions will be able to access and implement them more effectively and efficiently for the management of the public schools in Virginia, thus better serving the students and their families.

## Substance

*Please briefly identify and explain new substantive provisions (for new regulations), substantive changes to existing sections or both where appropriate. (More detail about all provisions or changes is requested in the “Detail of changes” section.)*

There are no real substantive changes from the regulations that are currently in effect to the consolidated regulation. Some of the provisions of the current regulations are not included in the consolidated regulation because they are out of date or otherwise no longer applicable. Additionally, some of the very detailed requirements in the current regulations have been changed in the new regulation in order to give local school divisions more flexibility in the development of their own plans and procedures.

## Issues

*Please identify the issues associated with the proposed regulatory action, including:*

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.*

*If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.*

The consolidation of the regulations is beneficial to the public as well as local school divisions in that the provisions will be up to date and will, in some cases, provide local school divisions with more flexibility without having a negative impact on the provision of educational services. The new regulation will also provide local school boards and superintendents with one regulation with current regulatory requirements that are in 14 different regulations, thus making it easier for them to determine the necessary requirements. Additionally, since the regulations have been updated in the new regulation, they provide requirements for today's educational programs rather than those programs that existed in 1980.

## Requirements more restrictive than federal

*Please identify and describe any requirement of the proposal, which are more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.*

There are no requirements more restrictive than applicable federal requirements. The majority of the requirements do not have comparable federal counterparts. When they do, the proposed regulation requires local school boards and school divisions to operate in accordance with them.

## Localities particularly affected

*Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.*

The regulation will affect all local school boards and school divisions but none will be materially impacted disproportionately. There should be minimal impact on all of the school divisions since the majority of the requirements are already in the regulations that are being consolidated.

## Public participation

*Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.*

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. The proposed regulation will affect local school boards and school divisions. It will not affect small businesses.

Anyone wishing to submit written comments may do so by mail, e-mail or fax to the Division for Policy and Communications, Virginia Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, (804) 225-2043; (804) 786-5389, [Policy@doe.virginia.gov](mailto:Policy@doe.virginia.gov).

Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

A public hearing will be held and notice of the public hearing may appear on the Virginia Regulatory Town Hall Web site ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)) and the Commonwealth Calendar. Both oral and written comments may be submitted at that time.

## Economic impact

*Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirement creates the anticipated economic impact.*

<b>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source, and (b) a delineation of one-time versus on-going expenditures.</b>	There is a minimal cost to the state to implement and enforce the proposed regulations. However, existing budgets should be sufficient since most of these requirements have already been in effect.
<b>Projected cost of the new regulations or changes to existing regulations on localities.</b>	It is not possible to estimate whether there will be an increased cost due to the varying nature of the 132 school divisions. However, it is doubtful that there will be increased cost since most of these requirements have already been in effect.
<b>Description of the individuals, businesses or other entities likely to be affected by the new</b>	Local school boards and school divisions.

<b>regulations or changes to existing regulations.</b>	
<b>Agency's best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected.</b> Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.	There are 132 local school divisions in the state. Each school division has a school board with varying numbers of members and a superintendent.
<b>All projected costs of the new regulations or changes to existing regulations for affected individuals, businesses, or other entities. Please be specific and do include all costs. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses. Specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the proposed regulatory changes or new regulations.</b>	It is not possible to estimate the cost of the regulations due to the varying nature of the 132 school divisions. However, any cost should be minimal since the proposed regulation does not impose additional requirements to individuals, businesses or other entities in the localities.
<b>Beneficial impact the regulation is designed to produce.</b>	The regulation will consolidate many of the current regulations that school boards and school divisions must follow. It will also identify the other regulations that they must follow. This should make the management of school divisions more efficient as regulatory requirements will be available in one document.

## Alternatives

*Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.*

Other alternatives to the proposed regulation have not been considered by the Board of Education as many of the regulations are out of date and need to be revised. Additionally, the consolidation of the regulations will assist school divisions. The only acceptable alternative would be to amend the existing regulations and promulgate new ones without consolidating them.

## Regulatory flexibility analysis

*Please describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5)*

the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

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This regulation does not impact small businesses.

### Public comment

*Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.*

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No public comments were received following the publication of the NOIRA.

Commenter	Comment	Agency response

### Family impact

*Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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Schools are important institutions in communities. The impact of the proposed regulatory action on the institution of the family will be continued improvement in the public school system. Students must be adequately prepared for the future in order to lead productive lives. Being productive and successful will increase the potential for strong stable families.

### Detail of changes

*Please detail all changes that are being proposed and the consequences of the proposed changes. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact if implemented in each section. Please detail the difference between the requirements of the new provisions and the current practice or if applicable, the requirements of other existing regulations in place.*

*If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all provisions of the new regulation or changes to existing regulations between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.*

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For changes to existing regulations, use this chart:

Current	Proposed	Current requirement	Proposed change, rationale, and
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<b>section number</b>	<b>new section number, if applicable</b>		<b>consequences</b>

For new chapters, use this chart:

<b>Section number</b>	<b>Proposed requirements</b>	<b>Other regulations and law that apply</b>	<b>Intent and likely impact of proposed requirements</b>
20-720-10	Provides definitions of terms		To assist readers in understanding the regulations.
20	Provides requirements for local policies		To require up-to-date policies per the Code of Virginia; no impact, not a new requirement.
30	Establishes requirements for reports		To ensure the receipt of required reports in a timely manner; minimal impact as reports are already required.
40	Establishes requirements for school divisionwide plans		To require a divisionwide plan pursuant to the Code of Virginia; minimal impact since already required
50	Provides requirements regarding school laws and regulations		To require familiarity and adherence to school laws and regulations; no impact
60	Establishes categories for the classification of expenditures		To provide school divisions with new classification of expenditures requirements, including those passed by the General Assembly
70	Establishes requirements for school activity funds		To update and clarify requirements regarding school activity funds; minimal impact because most of the requirements are already in effect
80	Reserved for a section on fees and charges		
90	Establishes requirements for a health education program		To provide the requirements and eliminate out-of-date provisions from regulation to be repealed; minimal impact
100	Establishes requirements for the division superintendent of schools		To consolidate the requirements for division superintendents from the Code and several other regulations; no impact
110	Sets requirements for teacher contracts and licenses		To emphasize certain requirements; minimal impact
120	Sets requirements for sick leave plans for teachers		To provide requirements while also giving local school divisions more discretion; minimal impact
130	Establishes requirements for the management of		To provide the laws that must be adhered to in the management of

	student records		student records; no impact
140	Sets requirements for students as participants in human research		To provide the requirements for research on students; no impact
150	Establishes requirements for testing sight and hearing of students		To provide the requirements for the testing of sight and hearing; no impact
160	Reserved for a section on instructional materials		
170	Reserved for a section on textbooks		

# Board of Education Agenda Item

Item: J.

Date: April 30, 2009

**Topic:** Final Review of the Proposed Revisions to the *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs* (8 VAC 20-280-10 et seq.)

**Presenter:** Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

**Telephone Number:** (804) 225-2403 **E-Mail Address:** [Anne.Wescott@doe.virginia.gov](mailto: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: \_\_\_\_\_

## Previous Review/Action:

No previous board review/action

Previous review/action

Dates: April 27, 2007 and November 29, 2007

Action: April 27, 2007; Approval of the Notice of Intended Regulatory Action (NOIRA)

Action: November 29, 2007; First Review of the Proposed Revisions to the *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs*

## Background Information:

The *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs*, 8 VAC 20-280-10 et seq., were adopted on or before September 1, 1980. These regulations have not been amended since that time and do not address changes that have been made in the operation of joint schools since the regulations were initially written.

Joint schools include schools and programs established by two or more local school boards, including regional public charter schools, as defined in §22.1-212.5 of the *Code of Virginia*; comprehensive schools offering all day academic programs and career and technical education; regional residential charter schools for at-risk pupils; joint or regional schools, including regional public charter schools, that serve as high schools offering (i) a comprehensive high school

curriculum and specialized training to students desiring to pursue careers in law enforcement, fire fighting, emergency and rescue services, and other occupations addressing public safety and welfare; or (ii) a specialized curriculum leading to a high school diploma and a postsecondary credential, such as an industry certification, career certificate, or degree; or (iii) both; or Governor's Schools that meet the provisions of §22.1-26.

Requirements from legislation passed in 2003, 2004, 2007, and 2008 have been incorporated in the proposed regulations.

- SB 1099 was patroned by Senator Edwards and approved during the 2003 General Assembly Session. It allows two or more school boards, with the consent of the Board of Education, to establish joint or regional schools, including regional public charter schools, to serve as high schools offering a comprehensive high school curriculum and specialized training to students desiring to pursue careers in law enforcement, fire fighting, emergency and rescue services, and other occupations addressing public safety and welfare.
- SB 553 was patroned by Senator Lucas during the 2004 General Assembly Session. It allows two or more school boards, with the consent of the State Board, to establish joint or regional schools, including regional public charter schools, to serve as high schools offering a specialized curriculum leading to a high school diploma and a postsecondary credential, such as industry certification, career certificate, or degree; or (iii) both.
- During the 2007 General Assembly Session, HB 2371, sponsored by Delegate Tata, was passed. This bill permits all joint school boards, by agreement and with the approval of their governing bodies, to designate a fiscal agent for a joint school from among the treasurers of the participating localities. In addition, this bill allows title to property acquired for a joint school to be vested in the school's governing body, with the approval of the participating school boards and the governing bodies. HB 2371 resulted from a legislative proposal proposed by the Department of Education to streamline the operation of joint schools.
- HB 771 was approved during the 2008 General Assembly Session and it permits any joint school already in operation to request a waiver from any new regulation requirements promulgated, effective July 1, 2008.

As a result of this legislation and because of the need for periodic review of these regulations, revisions are being proposed. Because the changes will be extensive, the current regulations, 8 VAC 20-280-10 et seq., will be repealed and the new regulations will be promulgated bearing the number 8 VAC 20-281-10 et seq.

In accordance with the Virginia Administrative Process Act, a NOIRA was published in the *Virginia Register of Regulations* on July 9, 2007, to advise the public of the Board of Education's intent to conduct a comprehensive review of the *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs* (8 VAC 20-280-10 et seq.). The department did not receive any public comments during the subsequent thirty-day public

comment period. The proposed regulations were presented to the board on November 29, 2007, and published in the Virginia Register on June 23, 2008. A sixty-day public comment period began on June 23, 2008, and ended on August 25, 2008. The department received comments from one individual. A summary of the public comment is attached.

**Summary of Major Elements:** The first review of the proposed regulations included three major changes:

- Addition of a definitions section to the regulations for clarity. (8 VAC 20-281-10)
- New language that is needed to address the changes in the operation of joint schools and programs since the initial regulations were written.
- New language for requirements in legislation approved during the 2003, 2004, and 2007 General Assembly Sessions.

In addition to the above changes, the final review of the proposed regulations includes four additional changes:

- New language for requirements in legislation approved during the 2008 General Assembly Session related to waivers.
- Deletion of the term “finance officer” and use of the term “fiscal agent” for clarity. The term “fiscal agent” is used in § 22.1-117 of the *Code of Virginia*, which defines fiscal agent and addresses the selection of the fiscal agent when a school division is comprised of more than one city or county.
- Deletion of the terms “alternative education program” and “classification of expenditures” from the definition section because these terms are not referenced anywhere else in the regulations.
- Deletion of the requirement that a finance officer be elected for a joint board because the term finance officer has been deleted from the regulations and because a joint board’s fiscal operations can be addressed in bylaws.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education waive first review and authorize the Department of Education staff to proceed with the remaining requirements of the Administrative Process Act.

**Impact on Resources:** The impact on resources for the proposed revision of these regulations is not expected to be significant.

**Timetable for Further Review/Action:** The Department of Education will notify local school divisions of the changes when the regulations become effective, as established by the Administrative Process Act.

## *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs*

~~8VAC20-280-10. Arrangements for jointly owned and operated schools and jointly operated programs.~~

~~There are numerous arrangements between and among school divisions in Virginia by which programs and services are offered under various cooperative efforts. These range from a simple arrangement for educating each other's pupils to a sophisticated, multi-divisional organization involving personnel working on a regional basis and possibly buildings owned under sole or multi-ownership arrangements.~~

~~Virginia accounting practices require that public school moneys be in the custody of a duly elected and bonded city or county treasure, that it be disbursed only with the approval of lay board members, that it be audited annually by the state auditor or an approved certified public accounting firm, and that the operating expenses be accounted for on a pro-rata basis by the school divisions who are supporting and utilizing the services.~~

~~The following organizational plan meets these requirements and is recommended when several school divisions are engaging in a fairly extensive regional effort. The decision on the specific organizational structure, however, is made by local school boards. We recommend, but do not require, that school systems use the following plan for regional operations, especially when joint ownership of buildings is involved. In the event that local school boards wish to have some other joint ownership or operational arrangement, the written agreement must provide for the meeting of the requirements in the preceding paragraph as a minimum and it shall be submitted to the Department of Education for its concurrence.~~

~~The Board of Education for the Commonwealth encourages these cooperative efforts for the reasons that they should provide a better quality program offering for Virginia's young people; it~~

~~should also do this at a lesser cost than when a local board is offering the course for only its own students.~~

~~8VAC20-280-20. Organization and operating procedures.~~

~~Two or more schools boards, by individual resolution, may establish a joint board to manage and control schools or programs jointly owned and operated in accordance with the following requirements:~~

~~1. Membership.— The membership of the joint board shall be composed of lay members of participating school boards. When not more than two school boards agree to establish a joint board, its membership shall consist of three members of each of the participating school boards. When three school boards agree to establish a joint board, its membership shall consist of two members from each participating school board. When more than three school boards agree to establish a joint board, its membership shall consist of one member from each of the participating school boards.~~

~~Each school board shall fill vacancies in its membership on the joint board by election for the unexpired term. If a member of the joint board ceases to be a member of the school board which elected him, that person shall cease to be a member of the joint board.~~

~~If at any time the number of members of the joint board shall fall below a quorum and the appointing school board or boards shall fail within 30 days to elect enough members to constitute a quorum, the members already serving, even though they fail to constitute a quorum, may make any decision which the entire joint board may make.~~

~~Members of the joint board may receive compensation fixed by each of the participating school boards. This compensation shall be paid by the local boards and shall not exceed the amount paid for service on the local school boards.~~

~~The joint board shall adopt bylaws or rules of operation and shall establish the length and beginning dates or terms of its members and establish committees that might be needed to carry out its responsibilities.~~

~~2. Organization. The joint board shall elect from its membership a chairman who shall preside at its meetings and a vice chairman who shall preside in the absence of the chairman. The joint board shall also elect a clerk and, if desired, a deputy clerk, who shall not be a member of the joint board and who shall keep a record of its proceedings. The compensation of the clerk shall be fixed by the joint board. The clerk shall execute bond of at least \$10,000, as provided by §22.1-76 of the Code of Virginia.~~

~~The joint board also shall elect a finance officer, who shall have custody of its funds, fix the compensation and provide for bond. The finance officer shall be the treasurer of the county or city where the school is located (§22.1-118 of the Code of Virginia). Through its finance officer, the joint board shall arrange for the safe depository of the funds and, where necessary, see that sufficient collateral is posted to secure such funds.~~

~~3. Authority. The joint board shall be authorized to employ the staff required to operate the joint school and programs; purchase supplies; purchase, sell, or dispose of equipment or appliances; determine policies concerning instruction; approve the curriculum in keeping with the general laws, and with regulations, and requirements~~

~~of the Virginia Board of Education; maintain jointly owned school buildings; and in general to manage, operate, and conduct joint schools and programs.~~

~~The school boards owning joint school buildings or facilities shall have no authority over the maintenance and repair of buildings and the management, operation, and conduct of the joint school, but shall retain and have sole authority in all matters affecting the real estate, the construction and alteration of the school building, and the improvement of the school grounds. No action shall be taken in matters over which the school boards jointly owning such school buildings or facilities retain authority without the concurrence of all school boards involved.~~

~~Personnel, including teachers required to operate programs, shall be employed by the joint board upon the recommendation of the division superintendents appointed for the counties or cities of the respective school boards which establish the joint board.~~

~~Except as otherwise provided, all meetings and procedures of the committees for control shall be in accordance with provisions of §§22.1-72 through 22.1-75 of the Code of Virginia.~~

~~Any action by the joint committee shall be action by the school boards jointly owning such school, within the provisions of §22.1-87 of the Code of Virginia.~~

~~4. Authority of the division superintendent.— The division superintendents representing the counties or cities of the school boards which form the joint board shall constitute a Committee of Superintendents and shall jointly exercise the same authority that they have in the counties or cities for which they are appointed. With the approval of their respective school boards, such division superintendents may~~

~~elect one of their members as executive officer in whom may be vested such authority as the superintendents may from time to time find advisable.~~

~~In case of disagreement, the matter shall be referred to the joint board which shall have final disposition of the matter, subject to appeal as provided in §22.1-87 of the Code of Virginia.~~

~~5. Annual budget and financing plan. The Committee of Superintendents shall prepare, with the advice and approval of the joint board, an annual program plan, budget, and plan for financing the operation of the joint school. The financing plan shall include an estimate of the amount of money which will be needed from each participating school system during the next scholastic year to maintain and repair the joint school building, and for administration, instruction, and operation of schools and other programs, following as far as appropriate the forms furnished by the Virginia Board of Education as provided in §22.1-91 of the Code of Virginia. The estimate so made shall clearly show all necessary details and be provided in a timely manner so that the participating school boards may be well informed about every item included in the estimate.~~

~~6. Annual appropriations. Each school board participating in the joint board shall review the annual budget presented by the joint board and, if in agreement, provide funds to cover its share of the cost of maintaining and repairing the joint school building, as well as the cost of administration, instruction, and operation of the school and its programs.~~

~~7. Expenditures. The amount provided by each such school board shall be made available for expenditures by the joint board as follows:~~

~~a. Funds to be provided by participating school boards shall be made available to the joint board upon its request.~~

~~b. Funds to be provided on a fee for service basis shall be paid to the joint board upon receipt of an appropriate invoice.~~

~~Such money shall be paid to the finance officer, as authorized by this chapter.~~

~~The joint board, or its delegate, shall receive all claims arising from commitments made by it pursuant to authority conferred by this chapter and, when such claims are approved, authorized the payment of them. A record of such approval and order or authorization shall be made in the minutes of the joint board. Payment of each claim shall be authorized by a warrant drawn on the treasurer or other officer charged by law with the responsibility for the receipt, custody and disbursement of the joint board's funds. The warrant shall be signed by the chairman or vice chairman of the joint board or its delegate, countersigned by the clerk or deputy clerk, made payable to the person or persons, or the firm or corporation entitled to receive such payment and recorded as prescribed by the Board of Education. A statement shall be recorded on the face of the warrant indicating the reason for the payment and the date of the order entered or authority granted by the joint board.~~

~~The joint board, by resolution, may provide for special warrants for compensation, for all employees under written contract, upon receipt of certified time sheets or other evidence of services performed, and for all other employees whose rates of pay have been established by the joint board. All special warrants shall be signed by the clerk of the joint board and countersigned by the chairman or vice chairman of the joint~~

~~board. Payrolls shall be reviewed and approved by the joint board at its next regular meeting.~~

~~On or before the 10<sup>th</sup> day of each month, the clerk of the joint board shall transmit to the superintendents of the participating school boards an itemized statement of receipts and disbursements during the preceding month, with a cumulative statement of all receipts and disbursements since the beginning of the current fiscal year.~~

8VAC20-281-10. Definitions.

The following words and terms apply only to these regulations and do not supersede those definitions used for federal reporting purposes or for the calculation of costs related to the Standards of Quality (§22.1-253.13:1 et seq. of the Code of Virginia). When used in these regulations, these words shall have the following meanings, unless the context clearly indicates otherwise:

["Alternative Education Program" means any program designed to offer instruction to students for whom the regular program of instruction may be inappropriate, as defined in §22.1-276.01 of the Code of Virginia, and as prescribed in the Rules Governing Alternative Education (8VAC20-330).]

["Classification of expenditures" means a system of accounting for all school funds, as prescribed in §22.1-115 of the Code of Virginia.]

["Finance officer" means fiscal agent for the joint school.]

"Fiscal agent" means the treasurer of a county or city in which a joint school is physically located or the treasurer from one of the participating localities as selected by agreement of the participating local school boards with approval of the participating local governing bodies. (See also ["finance officer" or] "treasurer.")

"Joint board" means the governing board of the joint school. The joint board is composed of at least one member from each participating local school board.

["Joint school" means a program or school established by two or more local school boards, including a regional public charter school, as defined in §22.1-212.5 of the Code of Virginia, or a comprehensive school offering part or full day programs joint or regional school or program established by two or more local school boards, pursuant to § 22.1-26 of the Code of Virginia,

which may include but not be limited to a regional public charter school, a regional residential charter school, a regional academic year Governor’s school, a regional career and technical center, a regional special education program, or a regional alternative education program as defined in § 22.1-209.1:2 of the Code of Virginia.]

“Operation and maintenance” means budget preparation, contracts for services, personnel matters, use of or construction of a school building and grounds and the operation and maintenance thereof, and the provision of any services, activity, or undertaking that the joint school is required to perform in order to carry out its educational program.

“Regional public charter school” means a public charter school operated by two or more school boards and chartered directly by the participating school boards, as defined in §22.1-212.5 of the Code of Virginia.

“Treasurer” means the fiscal agent of the joint school, in accordance with §58.1-3123 of the Code of Virginia.

8VAC20-281-20. Organization and operating procedures.

Two or more school boards, by individual resolution, may establish a joint board to manage and control schools or programs jointly owned and operated in accordance with the following requirements:

1. Membership. The membership of the joint board shall be composed of at least one member of each of the local school boards participating in the joint program. Each school board shall fill any vacancies in its membership on the joint board. If a member of the joint board ceases to be a member of the school board that elected him, the local school board shall appoint his successor to the joint board. If at any time the number of

members of the joint board shall fall below a quorum, the local board shall appoint a member to fill the vacancy or vacancies within 30 calendar days.

Members of the joint board may receive compensation fixed by each of the participating school boards. This compensation shall be paid by the local boards and shall not exceed the amount paid for service on the local school boards.

The joint board shall adopt bylaws or rules of operation and shall establish the length and beginning dates or terms of its members and establish committees that might be needed to carry out its responsibilities. Such bylaws shall address the receipt, custody, and disbursement of funds and the payment of all claims related to the operation and maintenance of the joint facility, consistent with the state statutes and regulations of the Board of Education.

2. Organization. The joint board shall elect from its membership a chairman who shall preside at its meetings and a vice-chairman who shall preside in the absence of the chairman.

The joint board shall elect a clerk and, if desired, a deputy clerk. Neither the clerk nor the deputy clerk shall be a member of the joint board but shall keep record of the proceedings. The compensation of the clerk and the deputy clerk shall be fixed by the joint board. The clerk and the deputy clerk shall execute bond of at least \$10,000, as provided by §22.1-76 of the Code of Virginia.

~~The joint board also shall elect a finance officer, who shall have custody of its funds, fix the compensation, and provide for bond. All disbursements shall be by warrant signed by the clerk of the joint board and countersigned by the finance officer. Through its finance~~

officer, the joint board shall arrange for the safe depository of the funds and, where necessary, see that sufficient collateral is posted to secure such funds.]

3. Authority. The joint board shall be authorized to employ the staff required to operate the joint school and programs; purchase supplies; purchase, sell, or dispose of equipment or appliances; determine policies concerning instruction; approve the curriculum in keeping with the general laws, and with the regulations and requirements of the Virginia Board of Education; maintain jointly owned school buildings; and in general manage, operate, and conduct joint schools and programs.

The title to all property acquired for joint schools shall vest jointly in the participating school boards in such respective proportions as the participating school boards may determine, and the schools or programs shall be managed and controlled by the participating school boards jointly. With the approval of the participating school boards and the respective local governing bodies, title to property acquired for a joint school shall be vested in the governing body of such school.

Except as otherwise provided, all meetings and procedures of the joint board shall be in accordance with provisions of §§22.1-72 through 22.1-75 of the Code of Virginia. Any action by the joint board shall be deemed an action by the school boards jointly owning such school.

4. Authority of the division superintendent. The division superintendents representing the counties or cities of the school boards that form the joint board shall constitute a Committee of Superintendents and shall jointly exercise the same authority that they have in the counties or cities for which they are appointed. With the approval of their respective school boards, the division superintendents may elect one of their members as

executive officer in whom may be vested such authority as the superintendents may from time to time find advisable.

The Committee of Superintendents shall prepare, with the advice and approval of the joint board, an annual program plan, budget, and plan for financing the operation of the joint school that would include appropriate state and local funding from each participating school division. The financing plan shall include an estimate of the amount of money that will be needed from each participating school system during the next scholastic year for operation and maintenance of the joint school facility. The estimate shall clearly show all necessary details and be provided in a timely manner so that the participating school boards may be well-informed about every item included in the estimate.

In case of disagreement, all matters shall be referred to the joint board for resolution.

5. Budget and Expenditures. Each participating school board shall review and approve the annual budget presented by the joint board and provide funds to cover its share of the cost of operating and maintaining the joint school facility. The amount provided by each participating school board shall be made available for expenditures by the joint board as follows:

- a. Funds to be provided by participating school boards shall be made available to the joint board upon its requests.
- b. Funds to be provided on a fee for service basis shall be paid to the joint board upon receipt of an appropriate invoice.

On a regular monthly basis, the clerk of the joint board shall transmit to the Committee of Superintendents of the participating school boards an itemized statement of receipts and

disbursements during the preceding months, with a cumulative statement of all receipts and disbursements since the beginning of the current fiscal year.

[8 VAC20-281-30. Waiver of Regulations' Requirements.

Effective July 1, 2008, a joint school or program in operation prior to the promulgation of revisions to these regulations may request a waiver of the new requirements of the regulations.

This waiver request shall be submitted to the Board of Education in a manner prescribed by the Board. If the Board of Education grants the waiver request, the approved school shall continue to operate under the previous version of the regulations.]



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## Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Education
<b>Virginia Administrative Code (VAC) citation</b>	8 VAC 20-281-10 through 8 VAC 20-281-30
<b>Regulation title</b>	Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs
<b>Action title</b>	Repeal of regulations governing joint schools and jointly operated programs and promulgation of new regulations
<b>Date this document prepared</b>	April 6, 2009

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*Please provide a brief summary (no more than 2 short paragraphs) of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation. Also, please include a brief description of changes to the regulation from publication of the proposed regulation to the final regulation.*

The *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs* was adopted on or before September 1, 1980. These regulations have not been amended since then and do not address changes made in these schools and programs since that time. As defined in the proposed regulation, *joint school* means a joint or regional school or program established by two or more local school boards, pursuant to § 22.1-26 of the Code of Virginia, which may include but not be limited to a regional public charter school, a regional residential charter school, a regional academic year Governor’s school, a regional career and technical center, a regional special education program, or a regional alternative education program as defined in § 22.1-209.1:2 of the Code of Virginia.

In a concurrent action, the Board of Education proposes to repeal the text of the current regulations (8 VAC 20-280-10 et seq.) and promulgate new regulations (8 VAC 20-281-10 et seq.). The present action proposes significant changes in the regulations. In the proposal a definitions section has been added for clarity; and new language was added in response to legislation passed during the 2003, 2004, 2007, and 2008 General Assembly Sessions. In addition, changes were made in response to agency review.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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During its meeting on April 30, 2009, the Board of Education adopted the proposed revisions to the *Regulations Governing Jointly Owned and Operated Schools* (8 VAC 20-281-10 et seq.) and directed the Department of Education to proceed with the requirements of the Administrative Process Act.

**Legal basis**

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter numbers, if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

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Section 22.1-16 of the Code of Virginia vests the Board of Education with the authority to promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of Title 22.1. In addition, §22.1-26 of the Code of Virginia provides the Board of Education with the legal authority to promulgate regulations that govern joint schools.

**Purpose**

*Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Detail the specific reasons it is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.*

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These regulations provide joint schools and programs and joint school boards with guidance and operating procedures that support regional efforts to establish schools and programs that meet the needs of their communities and ensure that these schools and programs are managed appropriately and in a fiscally sound manner.

**Substance**

*Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. A more detailed discussion is required under the “All changes made in this regulatory action” section.*

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The current regulations (8 VAC 20-280-10 et seq.) are being repealed. The proposed regulations (8 VAC 20-281-10 et seq.) include the following:

- Addition of a definitions section for clarity.

- Revision of the second section of the repealed regulations which includes all of the organizing and operating procedures, including membership, organization, joint board authority, authority of the division superintendent, annual budget and financing plan, and expenditures. Most of the headings/catchlines from the current regulations remain, but the language has been streamlined and is more user-friendly.
- Addition of new language related to SB 1099 (2003 General Assembly Session) regarding a new category of high school operated as a joint or regional school and offering a comprehensive high school curriculum and specialized training to students desiring to pursue careers in law enforcement, fire fighting, emergency and rescue services, and other occupations addressing public safety and welfare.
- Addition of new language related to SB 553 (2004 General assembly Session) that allows two or more school boards, with the consent of the State Board, to establish joint or regional schools, including regional public charter schools, to serve as high schools offering a specialized curriculum leading to a high school diploma and a postsecondary credential, such as industry certification, career certificate, or degree; or (iii) both.
- Addition of new language related to HB 2371 (2007 General Assembly Session) regarding the appointment of a fiscal agent and the holding of title to property.
- Addition of new language related to HB 771 (2008 General Assembly Session) which permits any joint school already in operation to request a waiver from any new regulation requirements promulgated, effective July 1, 2008.

## Issues

*Please identify the issues associated with the proposed regulatory action, including:*

*1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*

*2) the primary advantages and disadvantages to the agency or the Commonwealth; and*

*3) other pertinent matters of interest to the regulated community, government officials, and the public.*

*If there are no disadvantages to the public or the Commonwealth, please indicate.*

The proposed revisions to these regulations are advantageous to the public, the agency, and the Commonwealth for the following reasons:

1. The proposed regulations establish clear and minimum expectations for all schools and programs subject to its requirements.
2. The proposed regulations replace current regulations that are ambiguous in some areas.
3. The proposed regulations replace one section of the current regulations where much of the language is aspirational.
4. The proposed regulations clarify which schools and programs are subject to these regulations.

There are no perceived disadvantages to the public, to the agency, or to the Commonwealth.

**Changes made since the proposed stage**

Please describe all changes made to the text of the proposed regulation since the publication of the proposed stage. For the Registrar's office, please put an asterisk next to any substantive changes.

Section number	Requirement at Proposed stage	What has changed	Rationale for change
8 VAC 20-281-10	The proposed regulation includes a definition for the term <i>alternative education program</i> .	This term has been deleted.	It was not necessary.
8 VAC 20-281-10	The proposed regulation includes a definition for the term <i>finance officer</i> .	This term has been deleted.	It was not necessary.
8 VAC 20-281-10	The proposed regulation includes a definition for the term <i>joint school</i> .	This term has been revised.	It was revised to comport with §22.1-26.
8 VAC 20-281-20	The proposed regulation requires the election of a finance officer and describes that individual's duties.	This reference has been deleted.	It was not necessary.
8 VAC 20-281-30	The 2008 General Assembly passed HB 771 which permits any joint school already in operation to request a waiver from any new regulation requirements promulgated, effective July 1, 2008.	8 VAC 20-281-30 was added to the regulation to reflect this change in the law.	The language in HB 771 has been added to the regulation.

**Public comment**

Please summarize all comments received during the public comment period following the publication of the proposed stage, and provide the agency response. If no comment was received, please so indicate.

The official public comment period extended from June 23, 2008 through August 25, 2008. One individual submitted comments by e-mail. A public hearing was held immediately following the adjournment of the business session of the Board of Education on July 17, 2008, but no one appeared for the hearing.

Commenter	Comment	Agency response
Program director	The current regulation includes lay members as well as school board members as members of the joint board. The proposed regulations	School board members in Virginia are either elected or appointed. It is not clear what the term <i>lay member</i> means as it is not defined in the current regulations or referenced in the

	<p>only require school board members as joint board participants. The proposed regulations do not include safeguards for input from those involved in day-to-day operations or input from persons knowledgeable in this specialized field of education. In addition, the joint school structure as proposed is top-heavy.</p>	<p>Code of Virginia; therefore, that term is not included in the proposed regulations. Instead, the regulations were changed to include only participating school board members as members of the joint board. This individual also had concerns about the impact on the organizational structure of these schools and decision-making authority. However, all public schools in Virginia are supervised by local school boards (Article VIII, § 7 of the Constitution of Virginia and § 22.1-28 of the Code of Virginia) and each school board appoints a school superintendent (§ 22.1-58 et seq.). In addition, the proposed regulations describe the joint board’s authority and the school superintendents’ authority and require the joint board to adopt bylaws or rules of operation.</p> <p>HB 771 was approved during the 2008 General Assembly Session and it permits any joint school already in operation to request a waiver from any new regulation requirements promulgated, effective July 1, 2008.</p>
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**All changes made in this regulatory action**

*Please detail all changes that are being proposed and the consequences of the proposed changes. Detail new provisions and/or all changes to existing sections.*

The current regulations are proposed for repeal (8 VAC 20-280-10 et seq.) and new regulations are being promulgated (8 VAC 20-281-10 et seq.)

<b>Current section number</b>	<b>Proposed new section number, if applicable</b>	<b>Current requirement</b>	<b>Proposed change and rationale</b>
8 VAC 10-280-20	8 VAC 10-281-20	This section of the current regulations describes arrangements for jointly owned and operated schools and jointly operated programs.	8 VAC 20-281-10 has been added to the new regulations to include definitions for clarity.
8 VAC 20-280-20	8 VAC 20-281-10	The language in the original regulations has been repealed because much of the language is aspirational.	The term joint school is defined in the new section.
8 VAC 20-280-20	8 VAC 20-281-20	This section of the current regulations describes organization and operating procedures, including	8 VAC 281-20 (in the new regulations) also describes organization and operating procedures. However, the language has been revised for clarity and is more user-

		membership, organization, joint board authority, division superintendent's authority, annual budget and financing plan, annual appropriations, and expenditures.	friendly. In addition, language from HB 2371 (2007 General Assembly Session), which addresses the appointment of a fiscal agent and the holding of title to property, is included in this section.
NA	8 VAC 20-281-30	This section is not included in the current regulations. The 2008 General Assembly passed HB 771 which permits any joint school already in operation to request a waiver from any new regulation requirements promulgated, effective July 1, 2008.	8 VAC 20-281-30 was added to the regulations to reflect this change in the law.

**Regulatory flexibility analysis**

*Please describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.*

During the development of the proposed regulations, this department has made efforts to minimize the number of regulations that will impact these schools. Small businesses will not be impacted by these regulations.

**Family impact**

*Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

It is not anticipated that the proposed regulations will have any impact on the institution of the family or family stability.



“To ensure the integrity of the standards of quality, the Board of Education shall, in even-numbered years, exercise its constitutional authority to determine and prescribe the standards, subject to revision only by the General Assembly, by reviewing the standards and either (i) proposing amendments to the standards or (ii) making a determination that no changes are necessary....”

The *Code* also requires that the Board’s annual report to the Governor and General Assembly include any recommendations for revisions to the Standards of Quality. Section 22.1-18 of the *Code* says, in part:

“...the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the Commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.”

The General Assembly added language in Item 140 of the 2009 Appropriation Act that says:

“The Board of Education shall review the current Standards of Quality to evaluate the appropriateness of the existing staffing standards for instructional positions and the appropriateness of establishing ratio standards for support positions, with the objective of maximizing resources devoted to the instructional program. The findings of this review, its associated costs, and its final recommendations for rebenchmarking shall be submitted to the Governor, the Chairmen of House Appropriations and Senate Finance Committees and the Joint Subcommittee on Elementary and Secondary Education Funding established pursuant to Item 1, paragraph H. of this Act no later than November 1, 2009.”

On August 7, 1971, the Board of Education adopted the first Standards of Quality (SOQ). They were revised by the General Assembly in 1972 and adopted as uncodified Acts of Assembly. In 1974, they were revised into eight standards. In 1984, they were codified by the General Assembly, and in 1988 they were arranged into their current format.

The Board of Education revised its bylaws in October 2001 to require the Board to “determine the need for a review of the SOQ from time to time but no less than once every two years. The Standing Committee on the Standards of Quality was created by resolution of the Board of Education in November 2001 and held its first meeting in January 2002. It completed its work on its first set of recommendations in June 2003, for consideration by the 2004 General Assembly.

The Board’s policy changes adopted by the 2004 General Assembly:

- Established the academic review process, and sets the requirements for corrective action plans for any schools that have been rated Accredited with Warning;
- Strengthened provisions related to test security and unauthorized alteration of test materials and results;
- Clarified the expectation for performance standards and high quality professional development for teachers;
- Required professional development in interpreting test data for instructional purposes; and
- Required school boards to provide information about policies addressing parental concerns.

The Board's staffing changes adopted by the 2004 General Assembly:

- Required elementary resource teachers in art, music, and physical education;
- Established one planning period per day or the equivalent for all middle and high school teachers;
- Required positions for technology support and to integrate technology into classroom instruction; and
- Revised the funding formula for SOQ prevention, intervention, and remediation.

The Board's staffing changes that were not adopted by the 2004 General Assembly would have required:

- A full-time principal for each elementary school;
- A full-time assistant principal for every 400 students in the school;
- A reduction in the caseload of speech-language pathologists; and
- One reading specialist for every 1,000 students in the school division.

The Board's policy changes adopted by the 2005 General Assembly:

- Required the curriculum adopted by the local school board to be aligned to the Standards of Learning;
- Required full accreditation of all schools within a school division;
- Required local school boards to collect and analyze data, and use the results to evaluate and make decisions about the instructional program;
- Specified the requirements for teacher evaluations, including regular observation of the teacher in the classroom, determination that the instruction is aligned with the curriculum, and identification of appropriate professional development;
- Required all instructional personnel to participate each year in high quality professional development programs;
- Required each local school board to review its professional development program annually for quality, effectiveness, participation by instructional personnel, and relevancy;
- Required each local school board's comprehensive, long-range plan shall be based on data collection, analysis, and evaluation;
- Provided that the plan include, or be consistent with, all other division plans required by state and federal laws and regulations;
- Required the plan to include strategies for improving student achievement; and
- Required provisions for parent and family involvement to build successful school and parent partnerships.

The Board's policy changes adopted by the 2007 General Assembly:

- Required the program of instruction offered by local school divisions to include the knowledge and skills needed for gainful employment;
- Specified that programs of prevention, intervention, and remediation include components that are research-based;
- Required the early identification, diagnosis, and assistance for students with problems with mathematics, and the provision of instructional strategies and practices to benefit the development of mathematics skills for all students;
- Required the School Performance Report Card to include Standards of Learning test results disaggregated by student subgroups;
- Specified that provisions be made to facilitate the transfer and appropriate grade placement of students from other public schools, nonpublic schools, and home instruction;
- Required that parents of secondary students be notified of the number of standard and verified credits needed for graduation, as well as the subject area requirements;
- Required local school boards to provide teachers and principals with professional development in effective classroom management;
- Clarified that the strategies for improving student achievement focus attention on the achievement of educationally at-risk students;
- Specified that the Student Conduct Policy be made available to the public; and
- Required that school divisions' policies be posted on their Web sites.

The Board's staffing changes that were not adopted by the 2007 General Assembly would have required:

- One mathematics specialist for every 1,000 students in K-8;
- A data manager-test coordinator for every 1,000 students in K-12; and
- Instructional positions for students who are blind or vision impaired.

The Board's recommendations for intermediate implementation options were adopted by the 2009 General Assembly:

- For the recommendation to require one data coordinator for each 1,000 students in grades kindergarten through 12 to support data management and the utilization and administration of state assessments, provide flexibility to school divisions to use the instructional technology resource teacher funding currently in the Standards of Quality to hire a data coordinator position, an instructional technology resource teacher position or a data coordinator/instructional resource teacher blended position.
- For the recommendation to require one reading specialist for each 1,000 students in grades kindergarten through 12, provide flexibility to school divisions to use Early Intervention Reading Initiative (EIRI) funding to hire reading specialists to provide the required intervention.
- For the recommendation to require one mathematics teacher specialist for each 1,000 students in grades kindergarten through eight, provide flexibility to school divisions to use Algebra Readiness Intervention (ARI) initiative funding to hire mathematics teacher specialists to provide the required intervention.
- To supplement the instructional services provided by the current Standards of Quality staffing standard of 17 teachers per 1,000 students who are English Language Learners (ELL), allow school divisions the flexibility to use funds from the Standards of Quality Prevention, Intervention, and Remediation account to hire additional teachers to provide instruction to identified ELL students.

The Board has made recommendations to the Governor and the General Assembly, or has reaffirmed previous unfunded recommendations to the Governor and the General Assembly, on June 25, 2003, November 17, 2004, October 26, 2005, November 29, 2006, November 29, 2007, and November 20, 2008.

**Summary of Major Elements:** The proposed plan to review the Standards of Quality would include the following actions:

### **April 29 and 30, 2009**

Standards of Quality Committee meeting and Board of Education meeting:

- Review background information and the charge from the General Assembly.
- Approve the work plan.
- Set two public comment periods.

The first public comment period could be set for May 1 through July 31, 2009, during which time there would be three public hearings at the three SOQ committee meetings. The second public comment period could be set for September 14, 2009 through October 2, 2009, during which time there could be four public hearings.

The Department of Education staff will create a Web page to provide information to the public about the SOQ review process and an e-mail mailbox for public comment ([SOQComments@doe.virginia.gov](mailto:SOQComments@doe.virginia.gov)).

Department of Education staff will contract for a consultant to conduct research and collect data from all Virginia school divisions during the summer.

### **May 27, 2009**

Standards of Quality Committee meeting:

- Invite specified stakeholders to give their recommendations.
- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

### **June 24, 2009**

Standards of Quality Committee meeting:

- Invite specified stakeholders to give their recommendations.
- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

### **July 22, 2009**

Standards of Quality Committee meeting:

- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

## **September 17, 2009**

Board of Education meeting:

- Review proposed recommendations, including statutory language and the fiscal impact.
- Set the public hearing dates and locations.

The second public comment period could be set for September 14, 2009 through October 2, 2009, during which time there could be four public hearings.

## **October 22, 2009**

Board of Education meeting:

- Approve the recommendations.
- Submit the proposal to the Governor and the General Assembly.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board waive first review and approve the plan to review the Standards of Quality.

**Impact on Resources:** The impact on state funds for the review of the Standards of Quality is not expected to be significant and can be absorbed within current resources.

**Timetable for Further Review/Action:** The Standing Committee on the Standards of Quality will meet in May, June, and July. The first review of the proposed revisions to the Standards of Quality is planned for the September 17, 2009 meeting, and the final review and approval is planned for the October 22, 2009 meeting.

## **ESTABLISHING A PLAN TO CONDUCT THE 2009 REVIEW OF THE STANDARDS OF QUALITY**

WHEREAS, Article VIII, Section 2, *Constitution of Virginia*, states in part, "*Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly.*"

WHEREAS, the General Assembly has directed the Board of Education to "...review the current Standards of Quality to evaluate the appropriateness of the existing staffing standards for instructional positions and the appropriateness of establishing ratio standards for support positions, with the objective of maximizing resources devoted to the instructional program...."

WHEREAS, the Standards of Quality prescribe broad policies to ensure that each public school in the Commonwealth is a school of quality and that each child in the Commonwealth has access to a school that will offer a quality education;

WHEREAS, the Board of Education believes that public education is of the highest priority in the state budget, and that the SOQ is the foundation program for public education in the Commonwealth; and

WHEREAS, the Standards of Quality define the minimum foundation the Commonwealth must provide to meet its constitutional obligation to maintain "an educational program of high quality" for the children of Virginia;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education plans to conduct the 2009 review of the Standards of Quality as follows:

### **April 29 and 30, 2009**

Standards of Quality Committee meeting and Board of Education meeting:

- Review background information and the charge from the General Assembly.
- Approve the work plan.
- First public comment period May 1 through July 31.

### **May 27, 2009**

Standards of Quality Committee meeting:

- Invite specified stakeholders to give their recommendations.
- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

## **June 24, 2009**

Standards of Quality Committee meeting:

- Invite specified stakeholders to give their recommendations.
- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

## **July 22, 2009**

Standards of Quality Committee meeting:

- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

## **September 17, 2009**

Board of Education meeting:

- Review proposed recommendations, including statutory language and the fiscal impact.
- Second public comment period September 14 through October 2.

## **October 22, 2009**

Board of Education meeting:

- Approve the recommendations.
- Submit the proposal to the Governor and the General Assembly.

# Board of Education Agenda Item

Item: \_\_\_\_\_ L. \_\_\_\_\_

Date: April 30, 2009

**Topic:** First Review of Approval of Local School Division Remedial Plans

**Presenter:** Kathleen M. Smith, Director of the Office of School Improvement

**Telephone Number:** (804) 786-5819 **E-Mail Address:** [Kathleen.Smith@doe.virginia.gov](mailto:Kathleen.Smith@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: \_\_\_\_\_

## Previous Review/Action:

No previous board review/action

Previous review/action

date \_\_\_\_\_

action \_\_\_\_\_

## Background Information:

As required by 8 VAC 20-630-20, school divisions are required to develop a remediation plan designed to strengthen and improve the academic achievement of eligible students. Local school divisions have submitted remedial plans for summer 2009 to the department for approval by the Board of Education.

## Summary of Major Elements

Department staff members have reviewed remediation plans from 129 school divisions and determined that all of the plans meet the requirements of 8 VAC 20-630-20. Three divisions (King and Queen County, Frederick County, and Loudoun County) have indicated that they will not offer a remedial summer program. A summary of the quality indicators proposed in the remedial plans from the 129 school divisions is attached.

8 VAC 20-630-50 requires school divisions to report to the department the pass rate on the Standards of Learning assessments for students who attend the 2009 summer remedial programs or, in the case of year-round schools, 2009-2010 intersession programs. Divisions will submit SOL data pertaining to the 2009 summer remedial program, or in the case of year-round schools, 2009-2010 intersession programs in September 2010.

The department has provided divisions with a template for planning for remediation programs that indicate research-based strategies. These strategies include clear standards for quality that put priority on student mastery of reading and mathematics skills, program length, and scheduling of classes; pre- and post-tests used to determine student gains; and low adult/child ratio.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the report on local school division remedial plans.

**Impact on Resources:** There is no impact on the resources of the Department of Education.

**Timetable for Further Review/Action:** N/A

**Data Submitted on the 2009-2010 School Division Remediation Plans**

**A. Program Offering**

<b>Type of Program to be Offered in Summer 2009</b>	<b>Percentage of 129 Localities* K-8</b>	<b>Percentage of 129 Localities* Secondary</b>
Remedial elementary summer school*	96%	78%
Interession program for year-round school	4%	1%
<b>*Frederick County, King and Queen County, and Loudoun County will not offer a remedial summer program in 2009.</b>		

**B. Quality Indicators**

<b>Quality Indicator (Proposed)</b>	<b>Percentage of 129 of the Localities</b>	<b>Proposed Qualifier Indicated by School Division on the Remedial Plan</b>
In-service and training will be provided for staff not trained in remediation techniques that are assigned to the program. (In some localities, all staff are already trained.)	71%	1-4 hours of training will be provided.
	19%	5-9 hours of training will be provided.
	8%	10 or more hours of training will be provided.
Data regarding student content weaknesses will be used to design the remediation program (e.g., SOL assessments, diagnostic tests, classroom assessments).	84%	Content is developed for a program that will meet the needs of the greatest number of students who may require remediation.
	66%	Content will be developed for the individual needs of each student.

Quality Indicator (Proposed)	Percentage of 129 of the Localities	Proposed Qualifier Indicated by School Division on the Remedial Plan
Communication between the remedial teacher and the classroom teacher regarding the students' needs and progress will be maintained.	53%	Regular classroom teachers will meet with remedial teachers to discuss individual student's needs.
	81%	A written record will be completed by the regular classroom teacher regarding each student and reviewed by the remediation teacher prior to the beginning of the remediation program.
	33%	The regular classroom teacher will determine the expected remediation goal(s) for students.
	46%	The remediation teacher will determine the expected remediation goal(s) for students.
	54%	The remediation teacher and the regular classroom teacher collaboratively will determine the expected remediation goal(s) for students.

Quality Indicator (Proposed)	Percentage of 129 of the Localities	Proposed Qualifier Indicated by School Division on the Remedial Plan
Communication between the remedial teacher and the classroom teacher regarding the students' needs and progress will be maintained. (Cont.)	27%	Regular classroom teachers will meet with remedial teachers to discuss the individual student's progress in meeting expected remediation goal(s) for students.
	76%	A written record regarding the individual student's progress in meeting remediation goals will be completed by the remediation teacher and reviewed by the regular classroom teacher.
When students have exceptionally low performance, they will be screened for reading deficits before being remediated in a content area.	60%	Remediation will continue in the content area(s) with adjustments made by the remediation teacher for the reading level.
	74%	Remediation will continue in the content area(s) with adjustments made by the remediation teacher and the student will be given additional specific support for reading instruction.

Quality Indicator (Proposed)	Percentage of 129 of the Localities	Proposed Qualifier Indicated by School Division on the Remedial Plan
When students have exceptionally low performance, they will be screened for reading deficits before being remediated in a content area. (Cont.)	19%	Remediation will not continue in the content area(s). As an alternative, the student will be given specific intensive support for reading instruction.
For remedial summer school, more than the 40 minimum hours of instruction will be provided in a K-5 integrated program of two or more subjects.	47%	40-59 hours of instruction will be provided.
	29%	60-79 hours of instruction will be provided.
	9%	80-99 hours of instruction will be provided.
	1%	100+ hours of instruction will be provided.
For remedial summer school, K-12, more than the 20 minimum hours of instruction will be provided for each core subject.	40%	20-39 hours of instruction will be provided.
	32%	40-59 hours of instruction will be provided.
	32%	60-79 hours of instruction will be provided.
	5%	80-99 hours of instruction will be provided.
	2%	100+ hours of instruction will be provided.
For remedial summer school, in K-5 programs, the required pupil-to-teacher ratio will be less than 18:1.	2%	1 remediation teacher to no more than 5 students.

Quality Indicator (Proposed)	Percentage of 129 of the Localities	Proposed Qualifier Indicated by School Division on the Remedial Plan
	13%	1 remediation teacher to no more than 10 students.
	40%	1 remediation teacher to no more than 12 students.
	41%	1 remediation teacher to no more than 18 students
For remedial summer school, in 6-12 programs, the required pupil-to-teacher ratio will be less than 18:1.	2%	1 remediation teacher to no more than 5 students.
	12%	1 remediation teacher to no more than 10 students.
	30%	1 remediation teacher to no more than 12 students.
	53%	1 remediation teacher to no more than 18 students
<b>K-8</b>  The regulation required the remediation goal for the student to include an expected target score on a locally-designed or selected test that measures the SOL content being remediated. Divisions reported the type of assessment used for this purpose as follows:  <b>S</b> = SOL test <b>LS</b> = Locally-selected (i.e., Algebra Readiness Diagnostic Test, PALS, or commercial test) <b>LD</b> = Locally-developed test (e.g., common tests developed by division staff) to measure student performance on SOL <b>A</b> = Alternate assessment as indicated on the IEP	68%	English/Writing S
	69%	LS
	62%	LD
	36%	A
	67%	Mathematics S
	66%	LS
	65%	LD
	37%	A
	47%	Social Studies S
27%	LS	

Quality Indicator (Proposed)	Percentage of 129 of the Localities	Proposed Qualifier Indicated by School Division on the Remedial Plan
	37%	LD
	27%	A
	47%	Science S
	26%	LS
	37%	LD
	25%	A
<p><b>Secondary</b></p> <p>The regulation required the expected remediation goal for the student to include an expected target score on a locally-designed or selected test that measures the SOL content being remediated. Divisions reported the type of assessment used for this purpose as follows:</p> <p><b>S</b> = SOL test  <b>LS</b> = Locally-selected (i.e., Algebra Readiness Diagnostic Test, PALS commercial test)  <b>LD</b> = Locally-developed test (e.g., common tests developed by division staff) to measure student performance on SOL  <b>A</b> = Alternate assessment as indicated on the IEP</p>	81%	English/Writing S
	24%	LS
	36%	LD
	27%	A
	81%	Mathematics S
	28%	LS
	37%	LD
	28%	A
	75%	Social Studies S
	14%	LS
	31%	LD
	25%	A
	75%	Science S
15%	LS	

Quality Indicator (Proposed)	Percentage of 129 of the Localities	Proposed Qualifier Indicated by School Division on the Remedial Plan
	30%	LD
	26%	A
Eligibility for the remedial summer program is based on specific indicators.	81%	Indicator #1: The student failed all SOL tests in grades 3 through 8.
	74%	Indicator #2: Failed a high school end-of-course test.
	63%	Indicator #3: Local criteria have been established to determine eligibility.
Parental involvement indicators are provided.	96%	Indicator #1: Parents will be provided with information regarding the criteria used to determine eligibility.
	80%	Indicator #2: Parents will be provided with information regarding the content of the remediation program prior to beginning the program.
	53%	Indicator #3: Parents will be provided with a copy of the individual student record, or information contained in the student record, prior to the beginning of the program.

Quality Indicator (Proposed)	Percentage of 129 of the Localities	Proposed Qualifier Indicated by School Division on the Remedial Plan
	81%	Indicator #4: Parents will be notified of progress made in the remediation program at specific intervals throughout the year.

**C. Projected Budget Reported for 2009 Remedial Summer School**

Total projected expenditures for the remedial summer program reported by school divisions in categories:	
Employee Salaries and Benefits	\$45,879,765
Transportation	\$7,989,474
Instructional Materials and Supplies	\$2,591,753
All Other Categories	\$1,321,514
Total Expenditures	\$57,782,507
Total projected revenues for the remedial summer program reported by school divisions:	
Non-state Revenue	\$31,141,195
State Revenue	\$26,641,312
Total Revenue	\$57,782,507

# Board of Education Agenda Item

Item: \_\_\_\_\_ M. \_\_\_\_\_

Date: April 30, 2009

**Topic:** Report from the Petersburg City School Board on the Virginia Board of Education's Request to Begin Planning for the Implementation of the Restructuring Contingency Plan for the 2009-2010 School Year

**Presenter:** Dr. Kathleen M. Smith, Director, Office of School Improvement, Division of Student Assessment and School Improvement  
Mr. Kenneth L. Pritchett, President, Petersburg City School Board  
Dr. James M. Victory, Superintendent, Petersburg City Public Schools

**Telephone Number:** (804) 225-2865

**E-Mail Address:** [Kathleen.Smith@doe.virginia.gov](mailto:Kathleen.Smith@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: \_\_\_\_\_

## Previous Review/Action:

\_\_\_\_ No previous board review/action

X Previous review/action

date November 20, 2008

action Virginia Board of Education accepted Petersburg's report and requested that the Petersburg City School Board plan for the implementation of the contingency restructuring plan in the 2009-2010 school year.

## Background Information:

The Standards of Quality require local school boards to maintain fully accredited schools and to take corrective actions for schools that are not fully accredited.

§ [22.1-253.13:3](#). Standard 3. Accreditation, other standards and evaluation.

*...Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools*

*within its school division that have been designated as not meeting the standards as approved by the Board.*

In October 2004, the Virginia Board of Education (VBOE) established criteria for identifying low-performing school divisions to undergo a division-level academic review. Petersburg City Public Schools met the criteria for division-level academic review as indicated in Section 22.1-253.13:3. Standard 3. Accreditation, other standards and evaluation:

*...When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to Section [22.1-253.13:6](#).*

In 2004, recognizing the need for technical assistance, the Petersburg City School Board requested a division-level review and assistance from the Virginia Department of Education (VDOE). Petersburg City Public Schools and the VBOE signed an initial memorandum of understanding (MOU) detailing the review process on April 21, 2004. Petersburg City Public Schools has been in division-level review status since 2004 and has reported to the VBOE regularly on the status of implementing the corrective action plan and the terms of the initial MOU. The VDOE has provided ongoing technical assistance and monitored the implementation of the division's corrective action plan.

Based on 2005-2006 assessment results and the resulting accreditation and federal adequate yearly progress (AYP) ratings of the division and its schools, Petersburg City Public Schools entered into a second MOU on November 20, 2006. This MOU with the VBOE required Petersburg Public Schools to continue in division-level academic review status and participate in an academic review process prescribed by the VBOE.

Additionally, Section 8 VAC 20-131-300 of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA), adopted by the Board in September 2006, requires school divisions with Accreditation Denied schools to enter into a MOU with the VBOE and implement a corrective action plan to improve student achievement in the identified schools. Since Petersburg City Public Schools have schools in accreditation denied status for the 2007-2008 academic year based on 2006-2007 results, the VBOE determined that the MOU for division-level academic review would also serve as the MOU to satisfy Section 8 VAC 20-131-310. As a part of this MOU, a corrective action plan was developed.

The MOU specifies that a contingency plan be developed if the schools do not meet school accreditation targets. The MOU states:

*The Petersburg School Board, Virginia Board of Education, and the Department of Education will develop a contingency plan for major restructuring to be in place for the 2007-2008 school year if significant improvements in student achievement and school accreditation do not occur for the 2006-2007 school year. The decision to begin the*

*planning for restructuring will be based on reports provided by Petersburg Public Schools to both the Virginia Board of Education and department staff as well as recommendations made by the chief academic officer (CAO) throughout the year.*

Although the development of the contingency restructuring plan was implemented one year later than planned in the MOU, a committee of outside experts from universities, community-based organizations working in Petersburg, the CAO, and department staff met during the 2007-2008 year after assessments given in 2006-2007 resulted in the division not meeting accountability goals of the MOU for two consecutive years. This committee developed an instructional intervention to be led by an outside entity for middle school students to begin in 2009-2010. On June 18, 2008, the plan was presented to the Accountability Committee for Schools and Divisions. A copy of the plan for the proposed middle grades restructuring model is included as Attachment A. This plan meets the following conditions agreed upon by the VBOE and Petersburg City Public Schools:

1. Alternative governance.
2. Choice option for middle school students and parents.
3. Research-based focus on core content.
4. Recruitment, selection, and supervision of highly qualified personnel by an independent entity.
5. Proven track record of educational success.

Federal school improvement funds that are allocated only to local education agencies (LEA) with schools in improvement are available to cover the start-up costs for program development and implementation planning.

On November 20, 2008, the VBOE requested that the Petersburg City School Board plan for the implementation of the contingency restructuring proposal in the 2009-2010 school year and authorized the VDOE to assist Petersburg City Public Schools in such planning by providing available federal resources.

**Summary of Major Elements:**

Petersburg City Public Schools will report on the status of the VBOE's request that the Petersburg City School Board plan for the implementation of the contingency restructuring plan in the 2009-2010 school year.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education accept Petersburg's report on progress planning for the implementation of the contingency restructuring plan in the 2009-2010 school year. A vendor will be selected no later than August 15, 2009, and implementation for students will occur no later than January 2010.

**Impact on Resources:** If the Petersburg City School Board proceeds with planning to implement the contingency restructuring plan, the department will provide available federal school improvement funds to Petersburg to plan and implement the contingency restructuring plan by selecting a vendor no later than August 15, 2009.

**Timetable for Further Review/Action:** September 17, 2009

# **Petersburg Contingency and Restructuring Work Group**

**June 18, 2008**

# **Committee's Charge Was Limited in Scope to the Middle Grades 6-8**

- **Alternative governance**
- **Choice option for middle school students and parents**
- **Research-based focus on core content**
- **Recruitment, selection, and supervision of highly qualified personnel by an independent entity**
- **Proven track record of educational success**

# Meeting *The Turnaround Challenge*



## Analysis and Recommendations from the report produced by Mass Insight Education & Research Institute, Inc.

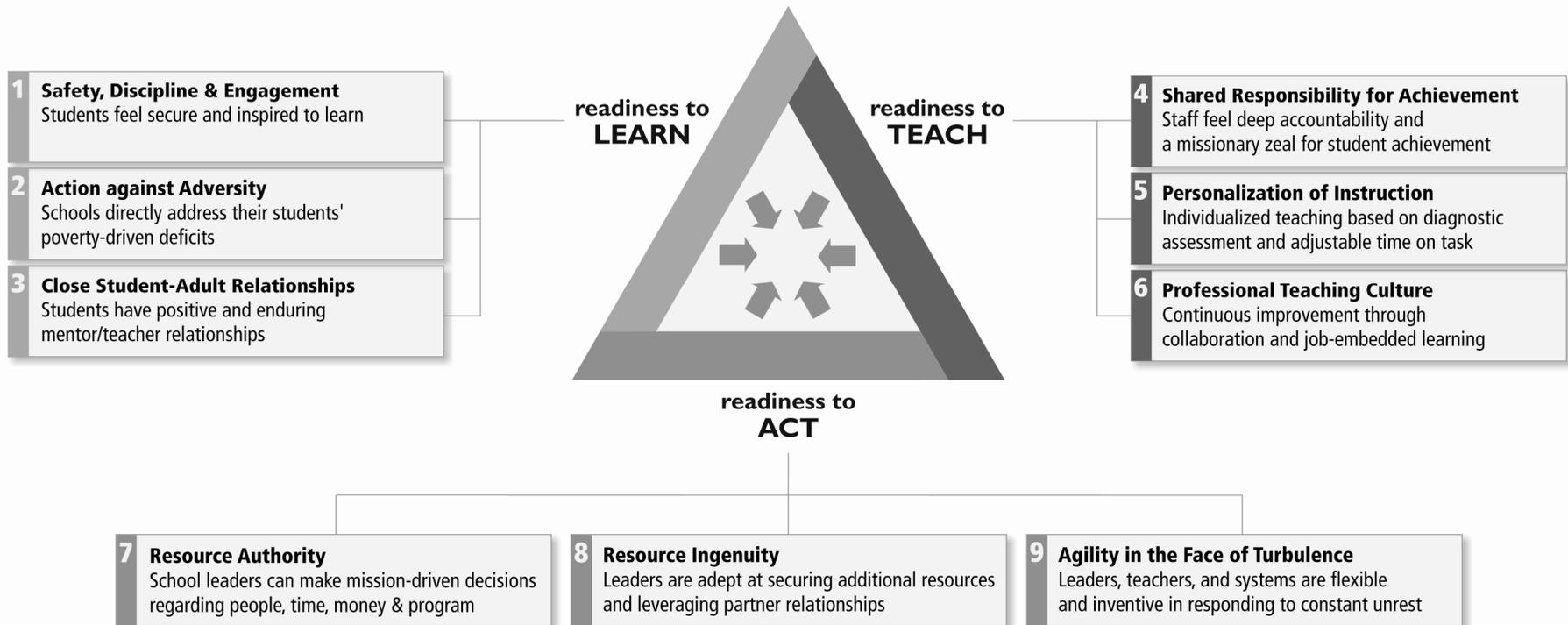
— Developed under a grant from the Bill & Melinda Gates Foundation —



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# How do high-performing, high-poverty schools do it? They foster students' *readiness to learn*; focus staff's *readiness to teach*; and expand their *readiness to act*.

## HPHP READINESS MODEL





## **Why has so little fundamental change occurred in failing schools to date?**

**Lack of leverage: No real help from NCLB; incremental reforms remain the common choice**

**Lack of capacity: In state agencies, districts, schools, partners**

**Lack of exemplars: No successful models at scale, no real consensus even on definitions**

**Lack of public will: Failing schools have no constituency; hence, insufficient funding to date**



# These gaps have led to state strategies that are insufficient to meet the challenge:

## Insufficient incentives for educators to choose major change

- **Too few *positive incentives***: reasons to opt into real transformation
- **No *negative incentives***: unattractive consequences for inaction
- **Lack of aggressive, clear performance targets**

## Insufficient comprehensiveness, intensity, and sustainability

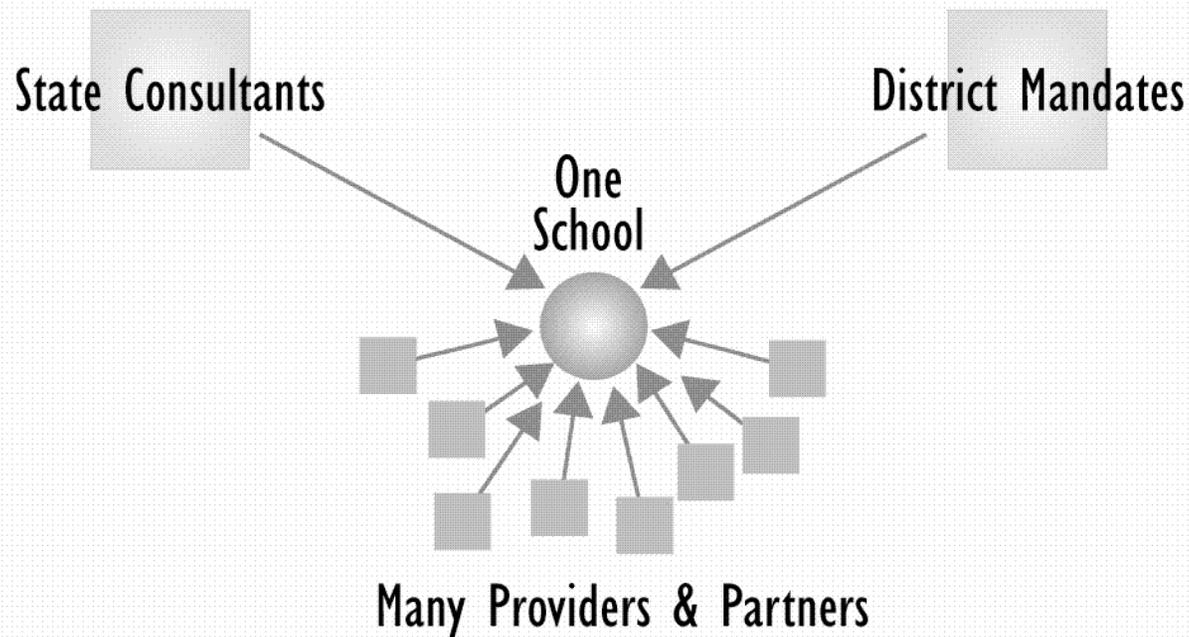
- **No state engagement in changing *conditions*** – rules for adults
- **No overall “people strategy”** – developing *capacity* for turnaround
- **No school *clustering***: limits effectiveness and scale
- **All “loose,” no “tight”**: e.g., more systematic on curriculum, PD
- **Limited partner support**: “light touch,” small scale, fragmented
- **Limited district connection to school improvement effort**

## Insufficient commitment from the state

- **Lack of high-visibility public and private sector commitment**
- **SEA lacks sufficient flexibility, authority, resources**

# Capacity-Building: Addressing the “projectitis” afflicting school reform

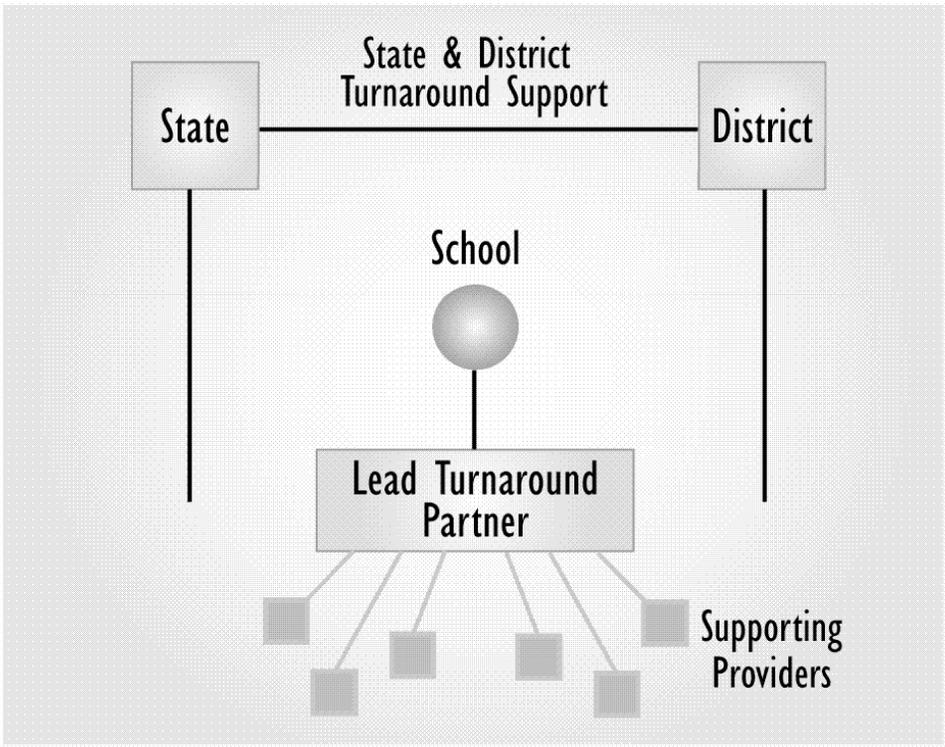
“Old World” Intervention Capacity & Roles:  
Fragmented, Competing Improvement Projects



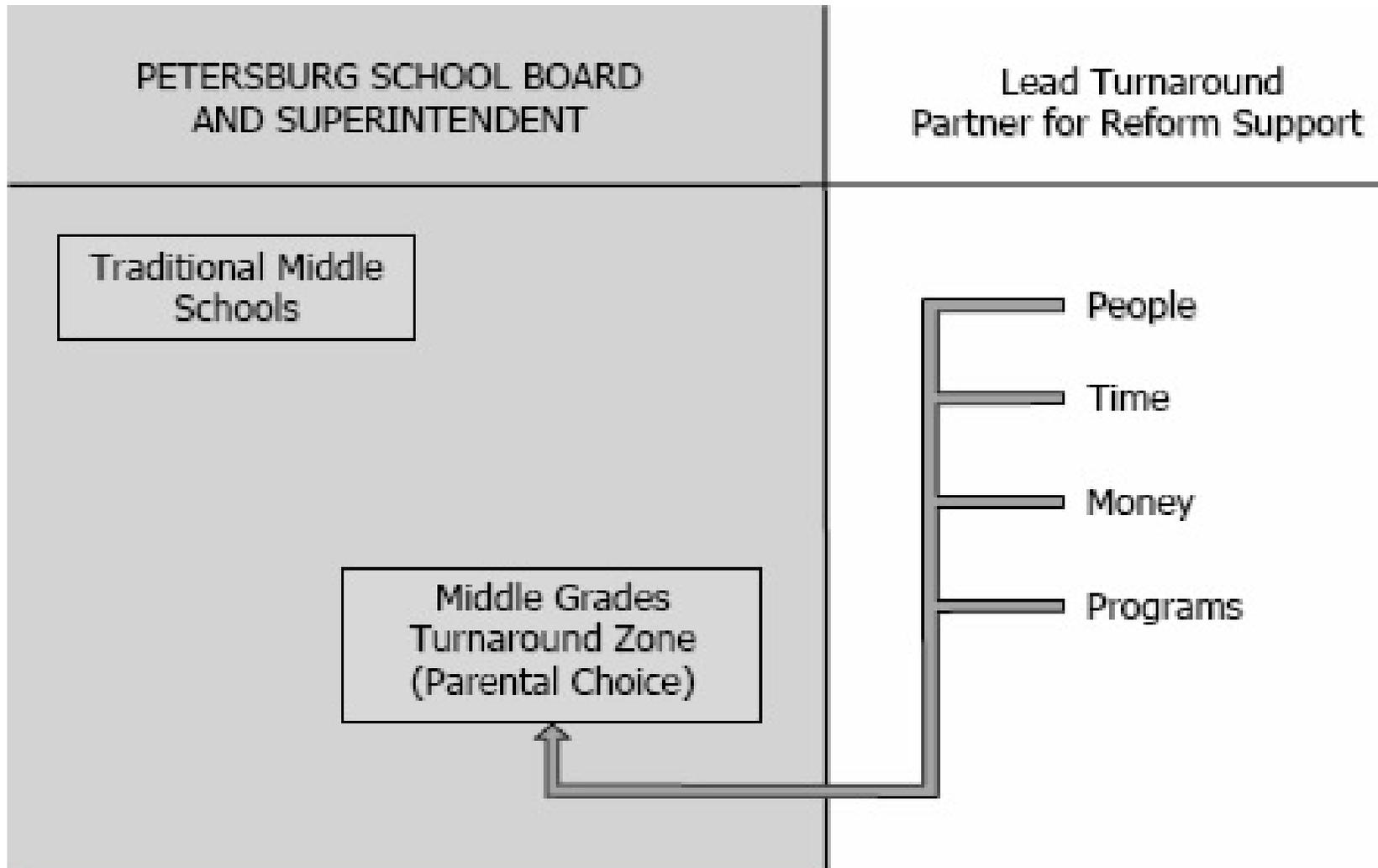


# A new model: deeply embedded lead turnaround partners, integrating the work of other providers

"New World" Capacity & Roles within a Comprehensive Turnaround Framework



# “An outside-the-system approach inside-the-system ”



# Petersburg's Middle Grades Turnaround Zone

- **Driven by parental choice to provide all students with an opportunity to attend the “turnaround zone”**
- **Shared accountability between the Petersburg School Board and the Lead Turnaround Partner**
- **Led by a Lead Turnaround Partner with a proven record of success**
- **Led by a Lead Turnaround Partner that provides deep, systemic instructional reform**
- **Centered on the Lead Turnaround Partner providing an outside-the-system approach inside-the-system**

# Petersburg's Middle Grades Turnaround Zone, Continued

- **Facilitated through a partnership with the Parents, Lead Turnaround Partner, Petersburg School Board, Virginia Department of Education, and Virginia Board of Education through a Memorandum of Understanding**
- **Funding for the “turnaround zone” is provided by the Petersburg School Board on a prorated per pupil cost which is aligned to the cost per pupil of non-turnaround zone middle school students – but finances remain with Petersburg School Board**
- **Employ research-based strategies that provide an immediate and dramatic turnaround in student achievement**

# **Lead Turnaround Partner Changing Conditions – People**

- **Recruit and select teachers and a program leader who have a proven record of success of increasing student achievement**
- **Structure teacher and principal contracts**
- **Develop and engage teachers and principal in professional development aligned to programmatic goals**
- **Promote student motivation for learning**

# **Lead Turnaround Partner Changing Conditions – People, Continued**

- **Secure parental commitment and involvement through school choice**
- **Promote parental capacity to support student engagement, motivation, and learning within school, at home and in the community**
- **Secure community support to garner human resources needed for reform**
- **Evaluate teacher and principal performance and outcomes and make staffing recommendations accordingly**

# **Lead Turnaround Partner Changing Conditions – People, Continued**

- **Develop constructive relationships with existing school personnel**
- **Expand on existing community commitment and support to garner resources needed for the reform**

# **Lead Turnaround Partner Changing Conditions – Time**

- **Change the school calendar according to student and program needs, for example, year-round schools or extending the length of the school day**
  - **Require commitment from parents to allow for additional time for instruction (such as after-school support)**
  - **Require commitment from teachers to allow for additional time for instruction and professional development**

# **Lead Turnaround Partner Changing Conditions – Program**

- **Maintain authority and autonomy over programs**
- **Provide comprehensive, coherent, manageable, and integrated instructional and support programs**
- **Maintain authority to determine which programs are used and which programs are to be eliminated**
- **Align curriculum, instruction, classroom formative assessment and sustained professional development to build rigor, student-teacher relationships, and provide relevant instruction that engages and motivates students**

# **Lead Turnaround Partner Changing Conditions – Program, Continued**

- **Organize programming to engage students' sense of adventure, camaraderie, and competition**
- **Develop and implement evidence-based discipline programs that minimize time out of school and/or class**
- **Secure supporting partners to address social, emotional and behavioral issues (e.g., over-age students)**
- **Collaborate, identify and secure adequate materials from LEA resources (such as Algebra Readiness Diagnostic Assessment)**
- **Identify and secure outside resources needed in the reform effort**

# **Lead Turnaround Partner – Money**

- **Develop a budget based on available prorated per pupil amounts of local, basic SOQ, school improvement, appropriate Title monies, and special education funding in addition to other sources identified and aligned specifically for the turnaround zone**
- **Basic SOQ funding provided by the Petersburg School Board – but the responsibility for finances remains with the Petersburg School Board**
- **Seek outside funding from the greater community (business, private foundations, federal, state sources) to support the reform effort**

**Virginia State  
Board of  
Education**

**Parental Choice**

**Petersburg  
School  
Board**

**Virginia  
Department of  
Education--  
Chief Academic  
Officer**

**Superintendent  
and Division  
Staff**

*Readiness to LEARN*  
**Middle Grades  
Turnaround  
Zone**  
*Readiness to TEACH*  
**Readiness to ACT**

**Lead Turnaround Partner  
for Reform Support**

**People: Authority  
over selection,  
compensation  
and work rules**

**Time: Authority  
over scheduling,  
longer day,  
longer year**

**Program: Flexibility  
to shape program to  
students' needs and  
turnaround priorities**

**Money: More  
budget flexibility,  
more resources**

# Did We Meet the Charge?

- ✓ **Alternative governance**
- ✓ **Choice option for middle grade students and parents**
- ✓ **Research-based focus on core content**
- ✓ **Recruitment, selection, and supervision of highly qualified personnel by an independent entity**
- ✓ **Organization with track record of educational success**

# Board of Education Agenda Item

Item: \_\_\_\_\_ N. \_\_\_\_\_

Date: April 30, 2009

**Topic:** Report on the Alternative Education Programs in Petersburg City Public Schools

**Presenter:** Dr. Kathleen M. Smith, Director, Office of School Improvement, Division of Student Assessment and School Improvement

**Telephone Number:** (804) 225-2865

**E-Mail Address:** [Kathleen.Smith@doe.virginia.gov](mailto:Kathleen.Smith@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: \_\_\_\_\_

## Previous Review/Action:

No previous board review/action

Previous review/action

date January 15, 2009

action Board requested a follow-up review for Blandford Academy by April 2009

## Background Information:

The Standards of Quality require local school boards to maintain fully accredited schools and to take corrective actions for schools that are not fully accredited.

§ [22.1-253.13:3](#). Standard 3. Accreditation, other standards and evaluation.

*...Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the standards as approved by the Board.*

In October 2004, the Virginia Board of Education (VBOE) established criteria for identifying low-performing school divisions to undergo a division level academic review. Petersburg City Public Schools met the criteria for division level academic review as indicated in Section 22.1-253.13:3. Standard 3. Accreditation, other standards and evaluation:

*... When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to Section [22.1-253.13:6](#).*

In 2004, recognizing the need for technical assistance, the Petersburg School Board requested a division-level review and assistance from the Virginia Department of Education (VDOE). Petersburg City Public Schools and the VBOE signed an initial memorandum of understanding (MOU) detailing the review process on April 21, 2004. Petersburg City Public Schools has been in division level review status since 2004 and has reported to the VBOE regularly on the status of implementing the corrective action plan and the terms of the initial MOU. The VDOE has provided ongoing technical assistance and monitored the implementation of the division's corrective action plan.

Additionally, Section 8 VAC 20-131-300 of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA), adopted by the Board in September 2006, requires school divisions with Accreditation Denied schools to enter into a MOU with the VBOE and implement a corrective action plan to improve student achievement in the identified schools. Since Petersburg City Public Schools had schools in accreditation denied status for the 2007-2008 academic year based on 2006-2007 results, the VBOE determined that the MOU for division level academic review would also serve as the MOU to satisfy Section 8 VAC 20-131-310. As a part of this MOU, a corrective action plan was developed.

The MOU requires the Petersburg School Board to provide a summative report on progress made in meeting or exceeding the MOU agreements and expectations to the VBOE and the VDOE, as requested. At the April 23, 2008, meeting of the School and Division Accountability Committee, members of the committee requested information on the following:

1. the number of students enrolled in alternative education programs and their status in these programs;
2. the number of students enrolled in the Individual Alternative Education Program (ISAEP); and,
3. the number of unlicensed teachers (substitute teachers) by core content area in which they are teaching.

At the May 21, 2008, VBOE meeting, a report containing the requested information was presented by department staff. At this time, the VBOE requested that a follow-up review be completed in the fall of 2008 to determine if the alternative education programs in Petersburg City Public Schools including the ISAEP program were in compliance with the Standards of Quality and the Standards of Accreditation.

The department conducted an academic review of the alternative programs in Petersburg City Public Schools on December 11-12, 2008. The review team consisted of Department of Education staff and peer reviewers from other school divisions. A description of the programs reviewed follows:

1. **Horizons Program** – Provides high school students age 16 or older with an opportunity to complete an alternative education program enabling them to successfully meet the criteria for a traditional or nontraditional diploma.
2. **Individual Student Alternative Education Plan (ISAEP) Program** – Provides high school students age 16 or older with an opportunity to work toward a general educational development (GED) certificate.
3. **Career Preparedness Program (CPP)** – Provides high school students, age 16 or older and at least two grade-levels behind, with an opportunity to work toward successfully meeting the criteria for a diploma. *Note: Students participating in the program do not meet the requirements for the Horizons or ISAEP programs.*
4. **Choices Program** – Provides educational and behavioral support to students in grades six through twelve who have violated the Code of Conduct.

The following essential actions were presented to Petersburg City Schools as part of the December 11-12, 2008 review:

- Align Horizons Program curriculum with skills necessary for transition to programs leading to a standard or advanced studies diploma or to a GED (ISAEP) program.
- Adhere to procedures for student placement that allow for parent input and are conducted in a timely manner.
- Secure the needed resources and materials for students and teachers (i.e., textbooks).
- Provide access to the Career and Technical Education (CTE) programs to the students enrolled in the CPP program.
- Provide early intervention in elementary and middle school programs to reduce the need for alternative programs.

At the January 15, 2009, Virginia Board of Education meeting, the Board accepted the findings of the review of alternative education programs in Petersburg City Public Schools and requested the department to complete a follow-up visit in the spring of 2009 to ensure that essential actions were being implemented.

### **Summary of Major Elements.**

The department conducted a third review of the alternative programs in Petersburg City Public Schools on March 30, 2009. The report and findings are included as Attachment A.

#### Align Horizon's curriculum with the skills necessary for transition to a regular diploma seeking program and GED program (ISAEP).

Teachers are utilizing the Contemporary GED Exercise Book during instruction. School staff members have developed a GED study plan and timeline to be used as tools for monitoring preparation for testing. There is ample evidence that students are successfully transitioning from the Horizons program to the ISAEP program. During the initial visit in December, there was one student enrolled; however, during this follow-up visit, 17 active students have enrolled in the program.

Adhere to procedures for student placement in a timely manner which allows for parent input.  
School staff members have developed a checklist for student entrance into Blandford Academy. The ISAEP folders contained the appropriate parent/guardian notification of enrollment and subsequent documentation.

There was ample evidence of compliance with ISAEP enrollment requirements. Furthermore, the Blandford staff members have collaborated with the staff members of students' home-schools to streamline entrance procedures for prospective students.

Secure the needed resources and materials for students and teachers (i.e., textbooks).  
Classroom observations and interviews revealed that Horizons, CPP, and Choices teachers have been provided with adequate materials such as textbooks and computer-based programs such as Voyager and Odyssey. In addition, school administrators have ensured that teachers receive appropriate access to diagnostic tools.

Provide access to the Career and Technical Education (CTE) programs to the students enrolled in the CPP program.

Interviews with students and teachers revealed that ISAEP, Horizons, and CPP students participate in the CTE programs at the high school twice a week after school. These programs are not certified CTE programs. The reviewed ISAEP plans contained evidence of participation in the career and technical education program at the high school. This practice was implemented during the start of the second semester. Two orientation programs for parents of Blandford Academy students were conducted to introduce the seven course offerings for the CTE program at Petersburg High School.

Current enrollment of Blandford Academy students who are participating in the CTE program after school:

- three students are enrolled in the carpentry program (one student is scheduled to begin on March 30, 2009);
- three students are enrolled in the childcare program (three students are scheduled to begin on March 30, 2009);
- two students will enroll in the personal care aide beginning on March 30, 2009;
- one student will enroll in the automotive program beginning on March 30, 2009; and
- one student is enrolled in the culinary arts program.

Provide early intervention in elementary and middle school programs to reduce the need for alternative programs.

Document reviews revealed evidence of ongoing efforts to address instructional and behavioral issues contributing to the need for an alternative program. Early intervention continues to be a key concern of addressing student behavior.

Recommendations based on the follow-up review.

The committee recommended the following essential actions:

- Expand the GED study plan to include goals, objectives, and evaluation methods. Students should be actively involved in the development of the GED study plan.
- Provide certified CTE programs to students during the regular school day.

The ISAEP program at Blandford Academy has met the minimum requirements for a functioning program. Document reviews, interviews, and classroom observations revealed that substantive efforts have been implemented to address the essential actions.

### **Superintendent's Recommendation**

The Superintendent of Public Instruction recommends that the Board of Education accept the findings of the review of alternative education programs in Petersburg City Public Schools and request the department to complete a follow-up visit in the fall of 2009 to ensure that students are receiving certified CTE courses as described in the essential actions based on the follow-up review.

**Impact on Resources:** Cost of the academic review consultants' travel and lodging.

**Timetable for Further Review/Action:** September 2009



**Alternative Education Program Review  
Follow-up Visit Report of Findings  
2008-2009**

**Date of Visit: March 26, 2009**

**School Division: Petersburg Public Schools**

**Superintendent: Dr. James Victory**

**Program: Blandford Academy**

**Principal: Gail Alexander**

The alternative education review team visited Blandford Academy on March 26, 2009. Team members included:

**Dr. Yvonne Holloman, VDOE  
Dr. Dorothea Shannon, VDOE  
Dr. Michael Nusbaum, VDOE  
Mrs. Debbie Bergtholdt, VDOE**

Focus areas for the follow-up visit included the following Essential Actions:

- 1. Align Horizon's curriculum with skills necessary for transition to regular diploma seeking program and GED program (ISAEP).**
- 2. Adhere to procedures for student placement in a timely manner which allows for parent input.**
- 3. Secure the needed resources and materials for students and teachers (i.e., textbooks).**
- 4. Provide access to the CTE program to the students enrolled in the CPP program.**
- 5. Provide early intervention in elementary and middle school programs to reduce the need for alternative programs.**

Team members interviewed 5 teachers, 1 administrator, and 2 students. Five classroom observations were conducted. The following documents were reviewed:

- 17 ISAEP records**
- Lesson plans for CPP and Horizons classes**
- Student portfolios**
- Student cumulative records**
- Student alternative education plans for CPP and Horizons**

## **Part I: Status of Implementation: Essential Actions**

### **Essential Action #1:**

**Align Horizon's curriculum with skills necessary for transition to regular diploma seeking program and GED program (ISAEP).**

#### **Status of Implementation:**

This essential action is ongoing. Teachers are utilizing the *Contemporary GED Exercise Book* during instruction. School staff members have developed a GED study plan and timeline to be used as tools for monitoring preparation for testing.

There is ample evidence that students are successfully transitioning from the Horizons program to the ISAEP program. During the initial visit in December, there was one student enrolled; however, during this follow-up visit, 17 active students have enrolled in the program.

#### **Recommended Interventions:**

Expand the GED study plan to include goals, objectives, and evaluation methods. Student should be actively involved in the development of the GED study plan.

#### **Measure of Effectiveness:**

Revised GED study plans for the appropriate students.

#### **Recommended Follow-up Technical Assistance:**

Not applicable

### **Essential Action #2:**

**Adhere to procedures for student placement in a timely manner which allows for parent input.**

#### **Status of Implementation:**

School staff members have developed a checklist for student entrance into Blandford Academy. The ISAEP folders contained the appropriate parent/guardian notification of enrollment and subsequent documentation.

There was ample evidence of compliance with ISAEP enrollment requirements. Furthermore, the Blandford staff members have collaborated with the staff members of students' home-schools to streamline entrance procedures for prospective students.

#### **Recommended Interventions: None**

#### **Measure of Effectiveness: Not applicable**

#### **Recommended Follow-up Technical Assistance: Not applicable**

### **Essential Action #3:**

**Secure the needed resources and materials for students and teachers (i.e., textbooks).**

#### **Status of Implementation:**

Classroom observations and interviews revealed that Horizons, CPP, and Choices teachers have been provided with adequate materials such as textbooks and computer-based programs such as Voyager and Odyssey.

In addition, school administrators have ensured that teachers receive appropriate access to diagnostic tools.

#### **Recommended Interventions:**

None

#### **Measure of Effectiveness:**

Not applicable

#### **Recommended Follow-up Technical Assistance:**

Not applicable

### **Essential Action #4:**

**Provide access to the CTE program to the students enrolled in the CPP program.**

#### **Status of Implementation:**

Interviews with students and teachers revealed that ISAEP, Horizons, and CPP students participate in the CTE programs at the high school twice a week. These CTE programs only allow students to receive a certificate of participation. They are not CTE completer programs. The reviewed ISAEP plans contained evidence of participation in the career and technical education program at the high school. This practice was implemented during the start of the second semester,

Two orientation programs for parents of Blandford Academy students were conducted to introduce the seven course offerings for the CTE program at Petersburg High School.

Current enrollment of Blandford Academy students who are participating in the CTE program:

- three students are enrolled in the carpentry program (one student is scheduled to begin on March 30, 2009);
- three students are enrolled in the childcare program (three students are scheduled to begin on March 30, 2009);
- two students will enroll in the personal care aide beginning on March 30, 2009;
- 1 student will enroll in the automotive program beginning on March 30, 2009; and
- 1 student is enrolled in the culinary arts program.

Samples of student work products (i.e. jewelry boxes) completed in the CTE program are displayed in the school. When student attendance in the CTE program becomes a concern, home visits and telephone calls are made by the supervisor of career and technical education. Her efforts are documented in a contact log.

**Recommended Interventions:**

Continue to provide Blandford students with access to the CTE completer programs at Petersburg High School and permit them to attend classes with their peers during the regular school day. It is further recommended that Blandford students begin participating in CTE completer programs at the start of the school year.

**Measure of Effectiveness:**

ISAEP plans and Student Alternative Education plans will contain evidence of participation in the CTE completer programs at the high school.

**Recommended Follow-up Technical Assistance:**

None

**Essential Action #5:**

**Provide early intervention in elementary and middle school programs to reduce the need for alternative programs.**

**Status of Implementation:**

Document reviews revealed evidence of ongoing efforts to address instructional and behavioral issues contributing to the need for an alternative program.

**Recommended Interventions:**

Continue early intervention efforts at the elementary and middle schools to address instructional and behavioral issues that may impede student success.

**Measure of Effectiveness:**

Documentation of intervention efforts such as Response to Intervention and Child Study referrals as deemed appropriate for individual students.

**Recommended Follow-up Technical Assistance:**

None

**Part II: Conclusion**

The ISAEP program at Blandford Academy has met the minimum requirements for a functioning program. Document reviews, interviews, and classroom observations revealed that substantive efforts have been made to address the essential actions.



Higher Education, Virginia Department of Labor and Industry, Virginia Economic Development Partnership, and the Governor's Office for Workforce Development was formed to assist with the development of the plan. The taskforce issued a RFP and designated Workforce Strategy Center to develop the plan.

The report, released in December 2008, recommends that the Commonwealth undertake efforts to improve our performance in the following areas:

- Coordination of education and training
- Use and analysis of Labor Market Information (LMI)
- Connections to the business community
- Counseling and support for students/workers
- Access to postsecondary education

Actions to improve the career pathways system in Virginia include:

- Charging the Virginia Workforce Council to serve in an advisory and leadership capacity to Virginia's career pathways system development
- Creating a LMI advisory group to inform both policy and practice
- Setting a policy goal for improving student transitions
- Increasing retention and completion rates among Virginians enrolled in workforce training and education
- Establishing sustainability of Virginia's career pathways system

A copy of the full report can be found at the following link: [www.workforce.virginia.gov](http://www.workforce.virginia.gov). Hard copies will be available at the meeting.

### **Summary of Major Elements**

The action plan located on page 25 outlines specific deliverables that align with the recommendations of the report. In the coming year, the Governor's Taskforce on Career Pathways System Development will be implementing the plan based on the timeline identified. The Taskforce will provide updates on the implementation process periodically to appropriate boards and stakeholders.

### **Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education accept the Bridging Business and Education for the 21<sup>st</sup> Century Workforce – A Strategic Plan for Virginia's Career Pathways System report for review and monitoring.

### **Impact on Resources:**

Fiscal impact to be determined as implementation moves forward.

### **Timetable for Further Review/Action:**

NONE