

COMMONWEALTH of VIRGINIA

Board of Education Agenda

Date of Meeting September 17, 2009

Time: 9 a.m.

Location: Jefferson Conference Room, 22nd Floor, James Monroe Building
101 North 14th Street, Richmond, Virginia



9:00 a.m. FULL BOARD CONVENES

Moment of Silence

Pledge of Allegiance

Approval of Minutes of the July 23, 2009, Meeting of the Board

Public Comment

Action/Discussion: Board of Education Regulations

- A. Final Review of Pupil Transportation Specifications for School Buses
- B. First Review of a Notice of Intended Regulatory Action (NOIRA) for Proposed *Regulations Governing Unexcused Absences and Truancy*

Action/Discussion Items

- C. First Review of Requests from Norfolk City School Board for a Rating of Conditionally Accredited for Lafayette-Winona Middle School and Northside Middle School
- D. First Review of Requests for Continuation of the Rating of Conditionally Accredited from Norfolk City School Board and Richmond City School Board
- E. First Review of a Revised Memorandum of Understanding for Sussex County Public Schools to Include Compliance with the *Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA)* (8 VAC 20-131-315)
- F. First Review of a Report on the Investigation of a Testing Irregularity and Resulting Non-compliance with 8 VAC 20-131-30 of the Standards for Accrediting Schools at A.P. Hill Elementary School in Petersburg City for the 2008-2009 School Year

Action/Discussion Items (continued)

- G. Final Review of Proposed Guidelines for an Academic and Career Plan as Required in Section 8 VAC 20-131-140 of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*
- H. First Review of the 2008-2009 Annual Report on Public Charter Schools in the Commonwealth of Virginia
- I. First Review of Proposed Revisions to the Standards of Quality

Report

- J. Adult Education Annual Performance Report

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

ADJOURNMENT

IMMEDIATELY FOLLOWING ADJOURNMENT OF BUSINESS SESSION:

- K. Public Hearing on the Proposed *Economics and Personal Finance Standards of Learning*

PUBLIC NOTICE

The Board of Education members will meet for dinner at 6:30 p.m. at the Crowne Plaza Hotel on Wednesday, September 16, 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 ensure 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.

The proposed bus specifications shown in Attachment A have been updated and revised to include recent changes in equipment and technology and to provide clarification. Additions to the specifications are indicated in bold text and deletions are indicated by strikethroughs. The proposed changes were developed in consultation with the Department's Specifications Committee, which is comprised of pupil transportation representatives from school divisions across the state. None of the changes represent significant deviations from standard industry practices. All of the recommended specifications comply with the safety requirements of the National Highway Traffic Safety Administration. They include a recommendation by the Specifications Committee to eliminate hydraulic disc brakes as an option on 65-passenger conventional buses due to safety and performance considerations.

The proposed changes to the specifications were developed with the goal of improving safety and operational effectiveness. Knowing that it is difficult to design statewide specifications that encompass the specific needs of each division bus fleet in the state, the Specifications Committee considered the geographic differences of Virginia's regions, the technology available on new school buses, the past track record of current specification configurations, specifically the overall cost of maintenance, and any components with a record of failure that could cause safety to be compromised. The committee also made comparisons with specifications of other states and adjusted the current specifications to improve Virginia's minimum specifications and align Virginia's specifications with the best practices of other states and national standards.

Public comments were received from one school bus dealer in Virginia and from one school division. The comments and recommended actions from the Specifications Committee are summarized in Attachment B. The major comment dealt with the date used to determine the applicability of the specifications being the date the vendor receives the purchase order or signs a valid sales contract with the purchaser. Other comments suggested clarifications or editorial changes.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education approve the proposed school bus specifications.

Impact on Resources:

There is no impact on DOE's resources to initiate these specifications.

Timetable for Further Review/Action:

No additional review or action is needed.

Virginia School Bus Specifications

Section 1 Notice/General Information

These Specifications define certain, but not all, components required on a school bus chassis purchased by Virginia public school divisions.

Any variation from the specifications, in the form of additional equipment or changes in style of equipment, without prior approval of the Pupil Transportation Service, Department of Education, is prohibited.

The responsibility for compliance with these school bus specifications rests with dealers and manufacturers. If any dealers or manufacturers sell school bus vehicles that do not conform to any or all of these specifications, a general notice will be sent to all school divisions advising that equipment supplied by such dealer or manufacturer will be disapproved for school transportation until further notice. A copy of the notice will be sent to the dealer or manufacturer and will remain in effect until full compliance by the dealer or manufacturer is assured.

General Information

1. All public school buses (bodies and chassis) and school activity buses used to transport children to and from school or school-related events purchased, leased or contracted for by any public school board in Virginia, *on or after the effective date of this document*, as specified in 8VAC20-70-460, shall:
 - a. Meet or exceed the minimum requirements of these specifications;
 - b. Meet all applicable Federal Motor Vehicle Safety Standards; and,
 - c. Meet or exceed the current National School Transportation Specifications and Procedures (also referred to herein as the National Specifications) except when in conflict with the requirements herein. In such cases, the requirements specified in this document shall prevail.
2. The requirements specified herein are the minimum requirements for school buses in Virginia. The date used to determine the applicability of these specifications shall be defined as the date the vendor receives the purchase order or signs a valid sales contract with the purchaser.
3. Used school buses purchased or operated by a public school board in Virginia shall meet or exceed all federal and state requirements for public school buses that were in effect on the date the vehicle was manufactured.
4. Any variation from the specifications, in the form of additional equipment or changes in style of equipment, without prior approval of the Department of Education (DOE), is prohibited.

SCHOOL BUS DEFINITIONS

TYPE A:



Type “A” school bus is a conversion bus constructed utilizing a cutaway front-section vehicle with a left side driver’s door. This definition includes two classifications: Type A1, with Gross Vehicle Weight Rating (GVWR) 14,500 pounds or less; and Type A2 with a GVWR greater than 14,500 pounds and less than or equal to 21,500 pounds.

TYPE B:



Type “B” school bus is constructed utilizing a body on a stripped chassis. The entrance door is behind the front wheels. This definition includes two classifications: Type B1, with a GVWR of 10,000 pounds or less, designed for carrying more than 10 persons and Type B2, with a GVWR greater than 10,000 pounds.

TYPE C:



Type “C” (“Conventional”) school bus is a body installed upon a flat-back cowl chassis with a hood and fenders. This definition includes two classifications: Type C1, with a GVWR range of 17,500 pounds and a design seating capacity range from 16 to 30 persons; and Type C2 with a GVWR of more than 21,500 pounds, designed for carrying more than 30 persons. The engine is in front of the windshield and the entrance door is behind the front wheels. Both Type C1 and Type C2 must be equipped with dual rear tires.

TYPE D:



Type “D” (“Transit”) school bus means a bus with a body constructed using a stripped chassis. The entrance door is ahead of the front wheels. The bus is also known as a rear engine or front engine transit style school bus.

School Activity Bus



“Multifunction School Activity Bus (MFSAB)”(school activity bus) means a school bus whose purposes do not include transporting students to and from home or school bus stops, as defined in 49 CFR 571.3. This subcategory of school bus meets all FMVSS for school buses except the traffic control devices, identification, color, use of cruise control, and seating requirements (see item 80)

Section 2

Virginia School Bus Specifications

SPECIFICATIONS FOR SCHOOL BUSES

THE BUS CHASSIS

1. Air Cleaner.

- A. The engine intake air cleaner system shall be furnished and properly installed by the chassis manufacturer to meet the engine manufacturer's specifications.
- B. An air cleaner restriction indicator shall be furnished and installed by chassis manufacturer.

2. Alternator.

- A. All buses shall be equipped with a heavy duty truck or bus type alternator having a minimum output rating of 130 amperes for Type A buses, and 160 amperes for Type B and above, alternator shall be capable of producing a minimum of 50 percent of its maximum rated output at the engine manufacturer's recommended idle speed.
- B. Buses equipped with electrically powered wheelchair lift, air conditioning or other accessories may be equipped with a device that monitors the electrical system voltage and advances the engine idle speed when the voltage drops to, or below, a pre-set level.
- C. Belt drive shall be capable of handling the rated capacity of the alternator with no detrimental effect on other driven components. Direct-drive alternator is permissible in lieu of belt drive.

3. Axles.

- A. The front and rear axle and suspension systems shall have a gross axle weight rating at ground commensurate with the respective front and rear weight loads that will be imposed by the bus.
- B. Rear axle shall be single speed, full-floating type.

4. Battery.

- A. The storage batteries shall have minimum cold cranking capacity rating (cold cranking amps) equal to the cranking current required for 30 seconds at 0 degrees Fahrenheit and a minimum reserve capacity rating of 120 minutes at 24 amps. Higher capacities may be required, depending upon optional equipment and local environmental conditions.

- B. Batteries shall be mounted in a slide out tray on the left side of the body in a compartment designed for storage batteries.
- C. Exception: Type A units – Batteries may be located in standard manufacturer's position.
- D. Buses may be equipped with a battery shut-off switch. The switch is to be placed in a location not readily accessible to the driver or passengers.

5. Brakes.

- A. Four-wheel brakes, adequate at all times to control bus when fully loaded, shall be provided in accordance with Federal Motor Vehicle Safety Standards.
- B. The chassis brake system shall conform to the provisions of Federal Motor Vehicle Safety Standards (FMVSS) 105 (*Hydraulic and Electric Brake Systems*), 106 (*Brake Hoses*), and 121 (*Air Brake Systems*) as applicable.
- C. Chassis shall be equipped with auxiliary brakes capable of holding vehicle on any grade on which it is operated under any conditions of loading on a surface free from snow or ice. Operating controls of such auxiliary brakes shall be independent of operating controls of service brakes.
- D. Buses having full compressed air systems shall be equipped with a minimum 13.2 cfm engine oil-fed air compressor.
 - 1. Air supply for air compressor shall be taken from the clean side of engine air cleaner system.
 - 2. A desiccant type air dryer with automatic purge and drain cycle and a heating element shall be installed on all air brake buses.
 - 3. Air brake systems shall include system for anti-compounding of the service and parking brakes.
- E. Buses using hydraulic brakes shall have power assist brakes. Hydraulic line pressure shall not exceed recommendation of chassis or brake manufacturer.

6. Bumper, Front.

- A. Front bumper shall be heavy-duty, channel steel at least eight inches in height with 3/16- inch thickness, painted black, and shall be furnished by chassis manufacturer as part of chassis.

- B. Front bumper shall extend to outer edges of fenders at bumper top line (to assure maximum fender protection) and be of sufficient strength to permit pushing, lifting or towing without permanent distortion to bumper, chassis, or body.
- C. Exceptions:
 - 1. Type A vehicles having a Gross Vehicle Weight Rating (GVWR) of 14,500 pounds or less – bumper shall be manufacturer's standard painted black.
 - 2. Type D vehicles – same as above, except that the front bumper shall be furnished by body manufacturer.
 - 3. Activity vehicles – may be painted a different color other than black. (See Item 80.)

7. Clutch.

- A. Torque capacity shall be equal to or greater than the engine torque output. Clutch facing shall be non-asbestos.
- B. A starter interlock shall be installed to prevent actuation of the starter if the clutch pedal is not depressed.

8. Color.

- A. Chassis, including wheels, front bumper, rails and lettering shall be black. Backs of mirrors should be non-gloss black. The balance of the bus should be yellow.
- B. Hood, cowl, and fenders shall be National School Bus Yellow (NSBY).
- C. All paint shall meet the lead-free standards.
- D. Exception: Activity vehicles shall not be painted NSBY. (See Item 80.)

9. Drive Shaft.

- A. Drive shaft shall be protected by metal guard or guards to prevent it from whipping through floor or dropping to ground if broken.

10. Electrical System.

- A. Battery. See Item 4.
- B. Alternator. See Item 2.
- C. Lights and signals. See Item 20.

- D. Wiring. See Item 79.
- E. Power terminal. Chassis manufacturer shall provide an electric power source terminal for bus body power connection. Wiring from the power source in wiring terminal shall have a current carrying capacity of 125 amperes continuous (minimum 4 gauge wire). If the bus is to be equipped with Air Conditioning or Wheelchair Lift, current carrying capacity shall be increased to 150 amperes continuous.

This conductor shall be routed to cover the least distance practicable between points of termination. It should be of continuous size protected by fusible links, fuses, circuit breakers, or a resettable electronic circuit protection device, no more than 24 inches from the battery. The terminal shall be of the single post-type, minimum of one-fourth inch (1/4") stud and located in an accessible location for service, subject to approval of the Department of Education.

- F. Light terminal. The chassis manufacturer shall provide a wire terminal adjacent to or in the under dash area of the left side panel accessible to the body company for connection of rear brake lights, tail lights, turn signal lights, and back-up lights. A terminal strip consisting of individual terminals with each terminal properly identified shall be provided to meet this requirement.
- G. Fuse. All fuses shall be located in fuse block and properly identified for the circuit protected.
- H. Each chassis circuit shall be color-coded and a diagram of the circuits shall be included with the chassis.
- I. Wiring harness. All conductors from the alternator to the battery shall be continuous in length. The conductors shall be sized to provide at least a 25 percent greater current carrying capacity than the design output of the alternator (minimum 4 gauge wire). The conductor between the alternator and the battery shall be routed in a manner that will provide the least distance between points of termination. A separate ground conductor from alternator to engine shall be provided (minimum four-gauge).
- J. Buses using multiplexed electrical systems may meet the intent of these specifications without the use of specified equipment, subject to the approval of the Department of Education.

11. Electronic Engine Speed Limiter.

- A. An electronic engine speed limiter shall be provided and set to limit engine speed not to exceed the maximum revolutions per minute as recommended by the engine manufacturer. ~~For Type B, C, and D buses,~~

~~and where feasible on Type A buses,~~ Bus road speed shall not exceed a maximum of 60 miles per hour.

12. Engine.

- A. The engine shall be of the internal-combustion, four-stroke cycle type.
- B. All ~~gas~~ **gasoline**-powered buses shall have an automatic fire extinguisher system in the engine compartment.

13. Exhaust System.

- A. Exhaust pipe, muffler, and tail pipe shall be outside bus body attached to chassis.
- B. Tail pipe shall be constructed of seamless or electrically welded tubing of 16-gauge steel or equivalent.
- C. Size of tail pipe shall not be reduced after it leaves muffler.
- D. Exhaust system shall be properly insulated from fuel tank and tank connections by securely attached metal shield at any point where it is 12 inches or less from tank or tank connections.
- E. Muffler shall be constructed of corrosion-resistant material.
- F. Types A and B chassis may be furnished with the manufacturer's standard tail pipe configuration.
- G. Exhaust shall exit to the rear and opposite side of vehicles with special service entrances. The exhaust on Type A shall exit behind the rear wheel and to the opposite side of the special service entrance.

14. Fenders, Front.

- A. Total spread of outer edges of front fenders, measured at fender line, shall exceed total spread of front tires when front wheels are in straight-ahead position.
- B. Front fenders shall be properly braced and free from any body attachment.

15. Frame.

- A. Frame lengths shall be established in accordance with the design criteria for the complete vehicle.

- B. Making holes in top or bottom flanges or side units of the frame and welding to the frame shall not be permitted except as provided or accepted by the chassis manufacturer.
- C. Frames shall not be modified for the purpose of extending the wheel base.
- D. Any secondary manufacturer that modifies the original chassis frame shall provide a warranty at least equal to the warranty offered by the original equipment manufacturer (OEM), and shall certify that the modification and other parts or equipment affected by the modification shall be free from defects in material and workmanship under normal use and service intended by the OEM.

16. Fuel Tank.

- A. Fuel tank shall be rated for the appropriate passenger capacity of the vehicle, per manufacture and FMVSS, but shall not be less than 30 gallons. The tank shall be filled and vented to the outside of the body and the fuel filler should be placed on the right side in a location where accidental fuel spillage will not drop or drain on any part of the exhaust system.
- B. Fuel lines shall be mounted to the chassis frame in such a manner that the frame provides the maximum possible protection from damage.
- C. Fuel tank may be mounted between the frame rails or outboard on the right side of the vehicle.
- D. The actual draw capacity of each fuel tank shall be a minimum of 83 percent of the tank capacity.
- E. Exception: Type A Vehicles – fuel tank shall be manufacturer’s standard, mounted, filled, and vented outside of body. Special needs buses will allow for left side fuel filler.
- F. Installation of alternative fuel tanks and fuel systems shall comply with all applicable Federal Motor Vehicles Safety Standards (FMVSS), CFR’s, all applicable fire codes, and standards of the National Fire Protection Association.

17. Heating System, provision for.

- A. The chassis engine shall have plugged openings for the purpose of supplying hot water for the bus heating system. The opening shall be suitable for attaching $\frac{3}{4}$ inch pipe thread/hose connector. The engine shall be capable of supplying water having a temperature of at least 170° F at a flow rate of 50 pounds per minute at the return end of 30 feet of one-inch inside diameter automotive hot water heater hose. (SBMI Standards No.

001-Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment.)

- B. Exception: Type A buses shall be manufacturer's standard.

18. Horn.

- A. The bus shall be equipped with a horn(s) of standard make with the horn(s) capable of producing a complex sound in bands of audio frequencies between 250 and 2,000 cycles per second, and tested in accordance with SAE J377, *Horn – Forward Warning – Electric – Performance, Test, and Application*.

19. Instrument and Instrument Panel.

- A. Chassis shall be equipped with the following instruments and gauges:
 - 1. Speedometer which will show speed;
 - 2. Odometer which will show accrued mileage, including tenths of miles, tenths of miles can be accrued with trip odometer;
 - 3. Ammeter or voltmeter with graduated scale;
 - 4. Oil pressure gauge;
 - 5. Water temperature gauge;
 - 6. Fuel gauge;
 - 7. Upper-beam headlamp indicator; and
 - 8. Tachometer.
- B. All instruments or gauges shall be mounted on instrument panel in such manner that each is clearly visible to driver in normal seated position. Lights in lieu of gauges are not acceptable.
- C. Exception: Type A vehicles – the ammeter, or voltmeter and its wiring are to be compatible with generating capacity. Tachometer is not required.
- D. Multi-function gauges must have prior approval of the Department of Education.

20. Lights and Signals.

- A. Each chassis shall be equipped with not less than two headlights – beam controlled, and stop and tail lights, and two front turn signal lamps

mounted on front fenders. Front turn signal lamps on Type D bodies shall be the same as the rear turn signals unless the turn signals are incorporated as a part of the headlight assemblies or otherwise incorporated into the front end design as approved by the Department of Education.

- B. Lights shall be protected by fuse or circuit breakers.
 - C. Self-canceling directional signal switch shall be installed by the chassis manufacturer. The directional signals shall activate only when ignition is in “on” position.
 - D. Daytime Running Lights (DRL) are required.
 - E. Brake air pressure gauge (air brakes), brake indicator lamp (vacuum/hydraulic brakes), or brake indicator lamp (hydraulic/hydraulic) are required.
 - F. Turn signal indicator is required.
 - G. Glow-plug indicator lamp is required, where appropriate.
 - H. Instruments and controls must be illuminated as required by FMVSS 101 (*Controls and Displays*).
- 21. Oil Filter.**
- A. An oil filter with a replaceable element shall be provided and connected by flexible oil lines if it is not a built-in or an engine-mounted design. The oil filter shall have a capacity in accordance with the engine manufacturer’s recommendation.
- 22. Openings.**
- A. All openings in floorboard or firewall between chassis and passenger-carrying compartment, such as for gearshift lever and auxiliary brake lever, shall be sealed.
- 23. Passenger Load.**
- A. Gross vehicle weight (GVW) (i.e., wet weight, plus body weight, plus driver’s weight of 150 pounds, plus weight of maximum seated pupil load based on not less than 120 pounds per pupil) shall not exceed maximum gross vehicle weight rating as established by manufacturer.
 - B. Actual GVW shall not exceed the chassis manufacturer’s GVWR for the chassis, nor shall the actual weight carried on any axle exceed the chassis manufacturer’s Gross Axle Weight Rating (GAWR).

- C. The manufacturer's GVWR for a particular school bus shall be furnished by manufacturers in duplicate (unless more copies are requested) to the state agency having student transportation jurisdiction. The state agency shall, in turn, transmit such ratings to other state agencies responsible for development or enforcement of state standards for school buses.

24. Retarder System (Optional).

- A. A retarder system, if used, shall limit the speed of a fully loaded school bus to 19.0 mph on a 7 percent grade for 3.6 miles.

25. Shock Absorbers.

- A. Bus shall be equipped with front and rear double-acting shock absorbers compatible with manufacturer's rated axle capacity.

26. Springs.

- A. Springs or suspension assemblies shall be of ample resiliency under all load conditions and of adequate strength to sustain loaded bus without evidence of overload.
- B. Springs or suspension assemblies shall be designed to carry their proportional share of gross vehicle weight.
- C. Rear springs shall be of progressive, variable, parabolic or air ride type.
- D. Stationary eye of the front spring shall be protected by full wrapper leaf in addition to main leaf.
- E. The capacity of springs or suspension assemblies shall be commensurate with the chassis manufacturer's GVWR and chassis specification minimums.
- F. Exception: Type A vehicles – springs that are regular equipment on vehicle to be purchased may be used.

27. Steering Gear.

- A. Steering gear shall be approved by chassis manufacturer and designed to assure safe and accurate performance when vehicle is operated with maximum load and maximum speed.
- B. No changes shall be made in steering apparatus that are not approved by chassis manufacturer.
- C. There shall be clearance of at least two inches between steering wheel and cowl instrument panel, windshield, or any other surface.

- D. Power steering is required and shall be of the integral type with integral valves.
- E. The steering system shall be designed to provide a means for lubrication of all wear-points that are not permanently lubricated.

28. Tires and Rims.

- A. Tire and rim sizes, based upon current standards of the Tire and Rim Association of America, Inc. (TRA), shall be required.
- B. Total weight imposed on any tire shall not be above the current standard of the TRA.
- C. Dual rear tires shall be provided on all vehicles.
- D. All tires on given vehicles shall be of the same size and shall meet or exceed the load range rating of the TRA for required GAWR.
- E. Spare tire, if required, shall be suitably mounted in accessible location outside passenger compartment.

29. Towing Attachment Points.

- A. Rear towing devices (i.e., tow hooks, tow eyes, or other designated towing attachment points) shall be furnished to assist in the retrieval of buses that are stuck and/or for towing buses when a wrecker with a “wheel lift” or an “axle lift” is not available or cannot be applied to the towed vehicle.
- B. Towing devices shall be attached to the chassis frame either by the chassis manufacturer or in accordance with the chassis manufacturer’s specifications.
- C. Each rear towing device shall have a strength rating of 13,500 pounds with the force applied in the rearward direction, parallel to the ground, and parallel to the longitudinal axis of the chassis frame rail.
- D. The towing devices shall be mounted such that they do not project rearward of the rear bumper.

30. Transmission.

- A. Mechanical type transmission shall be synchromesh except first and reverse gears. Its design shall provide not less than four forward and one reverse speeds. With five-speed transmission, fifth gear shall be direct.

- B. Automatic transmissions are permissible when equipped with a parking pawl or approved parking brake system.

31. Turning Radius.

- A. Chassis with a wheel base of 264 inches or less shall have a right and left turning radius of not more than 42 ½ feet, curb to curb measurement.
- B. Chassis with a wheel base over 264 inches shall have a right and left turning radius of not more than 44 ½ feet curb to curb measurement.

32. Weight Distribution.

- A. Shall be established by chassis manufacturers' engineering department.

33. Wheels.

- A. Disc wheels are required.

THE BUS BODY

34. Aisle.

- A. Minimum clearance of all aisles, including aisle (or passageway between seats) leading to emergency door shall be 12 inches. Aisles shall be unobstructed at all times.
- B. Aisle supports of seat backs shall **meet FMVSS 222.** ~~be slanted away from aisle sufficiently to give aisle clearance of 15 inches at top of seat backs.~~

35. Back-up Alarm.

- A. An automatic audible alarm shall be installed behind the rear axle and shall comply with the published Backup Alarm Standards (SAE J994b), providing a minimum of 112 dBA, or shall have a variable volume feature that allows the alarm to vary from 87 dBA to 112 dBA sound level, staying at least 5 dBA above the ambient noise level.

36. Body Sizes.

- A. Sizes are based on knee-room clearance between rows of forward-facing seats, overall width, center aisle width, and average rump width.

37. Bumper, Rear.

- A. Rear bumper shall be of pressed steel channel at least 3/16 inch by 9 ½ inches.
- B. It shall be wrapped around back corners of bus. It shall extend forward at least 12 inches, measured from rear-most point of body at floor line.
- C. Bumper shall be attached to chassis frame in such manner that it may be easily removed, shall be so braced as to develop full strength of bumper section from rear or side impact, and shall be so attached as to prevent hitching of rides.
- D. Rear bumper shall extend beyond rear-most part of body surface at least one inch, measured at floor line.
- E. Exception: Type A vehicles – Rear bumper shall be standard type furnished by chassis manufacturer as part of chassis on conversions. Body manufacturer will furnish bumper on cutaway chassis.

38. Color.

- A. School bus body including hood, cowl, external speakers and fenders shall be painted uniform color – National School Bus Yellow (NSBY). Prior to the application of the finish coats to the bus body, hood and cowl, external speakers and fenders, all surfaces shall be cleaned of grease, foreign matter, excessive body caulking, sealing material and treated as per paint manufacturer’s recommendation for proper adhesion and painted NSBY.
- B. Grill shall be NSBY, silver, or gray, if painted; otherwise it shall be chrome or anodized aluminum.
- C. Rear bumper, body trim, and rub rails shall be painted black. Must meet color requirements specific to bus. (See “Bus Chassis” Item 8 for specific specifications.)
- D. The roof of the bus may be painted white extending down to the drip rails on the sides of the body except that front and rear roof caps shall remain NSBY.
- E. All paint shall meet the lead-free standards.
- F. Paint shall be applied for a total dry thickness of at least 1.8 mils over all painted surfaces.

Exception: Activity vehicle – Activity vehicle shall not be painted NSBY. Bumpers, body trim and rub rails may be painted a different color other than black. (See Item 80.)

- G. Retro-reflective tape. Material shall be Type V or better, as determined by the American Society of Testing Materials (ASTM: D4956-90). “Standard specifications for reflective sheeting for traffic control.”
1. The rear of the bus body shall be marked with strips of retro-reflective NSBY material to outline the perimeter of the back of the bus using material which conforms with the requirements of FMVSS 131 (*School Bus Pedestrian Safety Devices, Table 1*). The perimeter marking of rear emergency exits per FMVSS 217 (*Bus Emergency Exits and Window Retention and Release*), and/or the use of retro reflective “SCHOOL BUS” signs partially accomplishes the objective of this requirement. To complete the perimeter marking of the back of the bus, strips of at least 1 ¾ inch retro-reflective NSBY material shall be applied horizontally above the rear windows and above the rear bumper, extending from the rear emergency exit perimeter, marking outward to the left and right rear corners of the bus. Vertical strips shall be applied at the corners connecting these horizontal strips.
 2. “SCHOOL BUS” signs shall be marked with retro reflective NSBY material comprising background for lettering of the front and/or rear “SCHOOL BUS” signs.
 3. Sides of the bus body shall be marked with at least 1 ¾ inch retro reflective NSBY material, extending the length of the bus body and located (vertically) between the floor line and the beltline.

39. Communication System – Optional Equipment.

- A. Communication systems. If communication systems are used on school buses, the systems shall be subject to written policies adopted by the local school board. Installation shall be subject to the Department of Education fleet assessment.
1. The radio mounting shall be in the driver’s compartment in a safe, secure location, so as not to interfere with normal bus operation.
 2. Mounting shall be permanent. Temporary mountings will not be acceptable.
 3. Wiring shall be protected by a proper fuse or circuit breaker and permanently connected to an accessory circuit shut off by ignition switch. Plug-in type connections are not acceptable.
 4. Antenna shall be permanently mounted so as not to interfere with driver’s vision of roadway. Antenna lead-in cable shall be permanently secured with the proper clamps, grommets, and sealant. Antenna cable may not pass through window opening.

- B. Public address system. For use by driver, the system contains an inside speaker and/or an external speaker that is of special use when driver needs to caution pupils about surrounding dangers at school bus stops. Inside speakers shall be recessed type.
- C. AM/FM radios, cassette players or CD players. If AM/FM radios, cassette players, or CD players are installed, they shall be properly mounted by the body manufacturer or local shop personnel. All wiring shall be properly connected and concealed and any speakers shall be of recessed type.

No internal speakers, other than the driver's communication systems, may be installed within 4 feet of the driver's seat back in its rearmost upright position.

- D. Camera. Both equipment and installation shall be subject to the Department of Education fleet assessment.
 1. The equipment must be installed in an area at the front of the bus.
 2. The equipment is outside the federal head impact zone, FMVSS 222 (*School Bus Passenger Seating and Crash Protection*).
 3. The equipment is located in an area not likely to cause student injury.
 4. The equipment will have no sharp edges or projections.

40. Construction, Type B, C, and D Vehicles.

- A. Construction of body shall meet all requirements of FMVSS 220 (*School Bus Rollover Protection*), 49 CFR § 571.220, FMVSS 221 (*School Bus Joint Strength*), 49 CFR § 571.221, and all other applicable federal standards.
- B. Construction shall be of prime commercial quality steel or other material with strength at least equivalent to all steel as certified by bus body manufacturer. All such construction materials shall be fire resistant.
- C. Construction shall provide reasonable dust proof and watertight unit.
- D. Bus body (including roof bows, body posts, strainers, stringers, floor, inner and outer linings, rub rails and other reinforcements) shall be of sufficient strength to support entire weight of fully loaded vehicle on its top or side if overturned. Bus body as unit shall be designed and built to provide impact and penetration resistance.

- E. Side posts and roof bows. There shall be a body side post and roof bow fore and aft of each window opening. This may be a continuous bow or two separate pieces effectively joined.
- F. Floor shall be of prime commercial quality steel of at least 14-gauge or other metal or other material at least equal in strength to 14-gauge steel. Floor shall be level from front to back and from side to side except in wheel housing, toe board, and driver's seat platform areas. When plywood is used, it shall be of ½-inch exterior B.B. Grade or equivalent and securely fastened to the existing steel floor.
- G. Roof strainers. Two or more roof strainers or longitudinal members shall be provided to connect roof bows, to reinforce flattest portion of roof skin, and to space roof bows. These strainers may be installed between roof bows or applied externally. They shall extend from windshield header and, when combined with rear emergency doorpost, are to function as longitudinal members extending from windshield header to rear floor body cross member. At all points of contact between strainers or longitudinal members and other structural material, attachment shall be made by means of welding, riveting or bolting.
- H. Floor sills. There shall be one main body sill at each side post and two intermediate body sills on approximately 10-inch centers. All sills shall be of equal height, not to exceed three inches. All sills shall extend width of body floor except where structural members or features restrict area.

Main body sill shall be equivalent to or heavier than 10-gauge and each intermediate body sill shall be equivalent to or heavier than 16-gauge, or each of all sills shall be equivalent to or greater than 14-gauge. All sills shall be permanently attached to floor.

Connections between sides and floor system shall be capable of distributing loads from vertical posts to all floor sills.
- I. All openings between chassis and passenger-carrying compartment made due to alternations of body manufacturer shall be sealed. (See Item 59).
- J. A cover shall be provided for the opening to the fuel tank fill pipe.
- K. A moisture and rustproof removable panel shall be provided in the floor for access to the fuel tank sender gauge. It shall be designed for prolonged use and adequate fastening to the floor.

41. Construction, Type A Vehicles.

- A. Construction of body shall meet all requirements of FMVSS 220 (*School Bus Rollover Protection*), 49 CFR § 571.220, and all other applicable federal standards.

- B. Body joints created by body manufacturer shall meet the 60 percent joint strength provision required in FMVSS 221 (*School Bus Body Joint Strength*), 49 CFR § 571.221, for Type B, C, and D buses.
- C. Construction shall be of prime commercial quality steel or other material with strength at least equivalent to all steel as certified by bus body manufacturer. All such construction materials shall be fire resistant.
- D. Construction shall provide reasonably dustproof and watertight unit.
- E. Bus body (including roof bows, body posts, strainers, stringers, floor, inner and outer linings, rub rails and other reinforcements) shall be of sufficient strength to support entire weight of fully loaded vehicle on its top or side if overturned. Bus body as unit shall be designed and built to provide impact and penetration resistance.
- F. Floor. Plywood of ½ inch exterior B.B. Grade or equivalent shall be applied over the existing steel floor and securely fastened. Floor shall be level from front to back and from side to side except in wheel housing, toe board, and driver seat platform areas.
- G. Roof strainers. Two or more roof strainers or longitudinal members shall be provided to connect roof bows to reinforce flattest portion of roof skin, and to space roof bows. These strainers may be installed between roof bows or applied externally. They shall extend from windshield header to rear body header over the emergency door. At all points of contact between strainers or longitudinal members and other structural material, attachment shall be made by means of welding, riveting, or bolting.

After load as called for in Static Load Test Code has been removed, none of the following defects shall be evident:

- 1. Failure or separation at joints where strainers are fastened to roof bows;
 - 2. Appreciable difference in deflection between adjacent strainers and roof bows; or
 - 3. Twisting, buckling, or deformation of strainer cross-section.
- H. Area between floor and window line shall be restructured inside to include at least four vertical formed reinforcement members extending from floor to window line rail. They shall be securely attached at both ends.
 - I. Rear corner reinforcements. Rear corner framing of the bus body between floor and window sill and between emergency door post and last side post shall consist of at least one structural member applied horizontally to

provide additional impact and penetration resistance equal to that provided by frame members in areas of sides of body. Such member shall be securely attached at each end.

- J. All openings between chassis and passenger carrying compartment made due to alterations by body manufacturers shall be sealed. (See Item 59.)

42. Defrosters.

- A. Defrosting and defogging equipment shall direct a sufficient flow of heated air onto the windshield, the window to the left of the driver and the glass in the viewing area directly to the right of the driver to eliminate frost, fog and snow. (Exception: The requirements of this standard do not apply to the exterior surfaces of double pane storm windows.)
- B. The defrosting system shall conform to SAE J381, *Windshield Defrosting Systems Test Procedure and Performance Requirements – Trucks, Buses, and Multipurpose Vehicles*.
- C. The defroster and defogging system shall be capable of furnishing heated, outside ambient air, except that the part of the system furnishing additional air to the windshield, entrance door and step well may be the recirculating air type.
- D. Exception: Type A vehicle, auxiliary fan is not required.

43. Doors.

- A. Service Door.
 - 1. Service door shall be manually or power-operated, under control of driver, and so designed as to afford easy release and prevent accidental opening. No parts shall come together so as to shear or crush fingers.
 - 2. Service door shall be located on right side of bus opposite driver and within his direct view.
 - 3. Service door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 68 inches.
 - 4. Service door shall be of split-type, outward opening type.
 - 5. All door glass shall be approved safety glass. Bottom of lower glass panel shall not be more than 10 inches from the bottom of the door. Top of upper glass panel shall not be more than three inches from top of door opening.

6. Vertical closing edges shall be equipped with flexible material to protect children's fingers.
 7. All doors shall be equipped with padding at the top of each door opening. Pad shall be at least three inches wide and one inch thick and extend the full width of the door opening.
 8. For power-operated entrance doors, the emergency release valve, switch or device to release the service door must be placed above, to the immediate left, or to the immediate right of the entrance door and must be clearly labeled in a color contrast with the background of the label.
- B. Rear Emergency Door Type B, C, and D vehicles.
1. Emergency door shall be located in center of rear end of bus.
 2. Rear emergency door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 45 inches measured from floor level.
 3. Rear emergency door shall be hinged on right side and shall open outward and be equipped with an adequate strap or stop to prevent door from striking lamps or right rear of body. Such strap or stop shall allow door to open at least at a 90-degree angle from closed position.

Exception: Type D vehicles with rear engines – Emergency door shall be located on the left side, shall be hinged on the front side and open outward. Door shall meet all requirements of FMVSS 217 (*Bus Emergency Exits and Window Retention and Release*), 49 CFR § 571.217.
 4. The upper portion of the emergency door shall be equipped with approved safety glazing, the exposed area of which shall be at least 400 square inches. The lower portion of the rear emergency door on Types A, B, C and D vehicles shall be equipped with a minimum of 240 square inches of approved safety glazing. This glass shall be protected by a metal guard on the inside. This guard shall be free of any sharp edges that may cause injury to passengers.
 5. There shall be no steps leading to emergency door.
 6. When not fully latched, emergency door shall actuate signal audible to driver by means of mechanism actuated by latch.

7. Words "EMERGENCY DOOR," both inside and outside in black letters two inches high, painted or vinyl, shall be in compliance with FMVSS 217 (*Bus Emergency Exits and Window Retention and Release*).
8. The emergency door shall be designed to open from inside and outside bus. It shall be equipped with a slide bar and cam-operated lock located on left side of door and fastened to the door framing.

The slide bar shall be approximately 1 ¼ inches wide and 3/8 inch thick and shall have a minimum stroke of 1 ¼ inches. The slide bar shall have a bearing surface of a minimum of 3/4 inch with the door lock in a closed position. Control from driver's seat shall not be permitted. Provision for opening from outside shall consist of non-detachable device so designed as to prevent hitching to, but to permit opening when necessary. Door lock shall be equipped with interior handle and guard that extend approximately to center of door. It shall lift up to release lock.

9. All doors shall be equipped with padding at the top edge of each door opening. Pad shall be at least three inches wide and one inch thick and extend the full width of the door opening.

C. Rear emergency door, Type A vehicles.

1. Emergency door shall be located in center of rear end of bus and shall be equipped with fastening device for opening from inside and outside body, which may be quickly released but is designed to offer protection against accidental release. Control from driver's seat shall not be permitted. Provision for opening from outside shall consist of device designed to prevent hitching to but to permit opening when necessary.
2. No seat or other object shall be placed in bus which restricts passageway to emergency door to less than 12 inches.

D. Security locking system.

1. A locking system to lock the emergency door(s) or roof hatch(es) exists and the entrance door may be installed.
2. The system shall meet requirements of FMVSS 217 (*Bus Emergency Exits and Window Retention and Release*) and be equipped with an interlock in the chassis starting circuit and an audible alarm to indicate when an emergency exit is locked while the ignition switch is in the "on" position.
3. A cutoff switch on the interlock circuit or any exit equipped with a lock and hasp shall not be allowed.

4. The entrance door lock system shall not permit hooking or snagging during passenger egress/ingress.

44. Emergency Equipment.

A. Fire Extinguisher.

1. The bus shall be equipped with one dry-chemical fire extinguisher of at least five-pound capacity with pressure indicator, mounted in extinguisher manufacturer's bracket of automotive type, and located in full view and in an accessible place in the front of the bus.
2. The fire extinguisher shall bear label of Underwriters' Laboratories, Inc., showing a rating of 2A 10BC, or greater.
3. Fire extinguisher shall have aluminum, brass, or steel valves, heads, check stems, siphon tubes, levers, safety pins, chain, handles and metal hanging brackets. Plastic shall not be used for those named parts.

B. First Aid Kit.

1. Bus shall carry Grade A metal first-aid kit, unit-type, mounted in full view and in an accessible place in the front of the bus and identified as a first-aid kit.

2. The first-aid kit shall contain the following items:

Item	Unit
Bandage compress (sterile gauze pads) 4-inch	3
Bandage compress (sterile gauze pads) 2-inch	2
Adhesive absorbent bandage (nonadhering pad) 1 x 3 inch	2
Triangular bandage, 40-inch	2
Gauze bandage, 4 inch	2
Absorbent-gauze compress	1
Antiseptic applicator (swab type) 10 per unit (Zephiran Chloride/Green Soap type)	2
Bee sting applicator (swab type) 10 per unit	1
Pair medical non-latex examination gloves	1
Mouth-to-mouth airway	1

C. Warning Devices.

1. Bus shall be equipped with a kit containing three reflectorized triangular warning devices meeting requirements of FMVSS 125 (*Warning Devices*), 49 CFR § 571.125.

2. Kit shall be securely mounted.

D. Body Fluid Clean-up Kit.

1. Each bus shall carry a Grade A metal or rigid plastic kit, mounted in an accessible place and identified as a body fluid clean-up kit with a directions for use sheet attached to the inside cover.
2. The kit shall be moisture proof and properly mounted or secured in a storage compartment.
3. Contents shall include, but not be limited to, the following items:
 - a. One pair non-latex gloves
 - b. One pick-up spatula or scoop
 - c. One face mask
 - d. Infectious liquid spill control powder
 - e. Anti-microbial hand wipes – individually wrapped
 - f. Germicidal disinfectant wipes – tuberculocidal
 - g. Plastic disposal bag with tie

E. Seat Belt Cutter.

1. Each bus shall be equipped with a durable webbing cutter having a full width handgrip and a protected, replaceable or non-corrodible blade. The required belt cutter shall be mounted in a location accessible to the seated driver in an easily detachable manner.

45. Emergency Exits.

- A. Each emergency exit shall comply with FMVSS 217 (*Bus Emergency Exits and Window Retention and Release*), 49 CFR § 571.217, regarding the number of exits, types of exits and location of exits based on the capacity of the vehicle.
1. Side Emergency Exit Doors.
 - a. A dedicated aisle of at least 12 inches in width, referenced to the rear of the emergency exit door is required.

- b. Side emergency exit doors shall be hinged on the forward edge.
- c. When not fully latched, side emergency exit door shall actuate a signal audible to the driver by means of a mechanism actuated by the latch when the ignition switch is on.
- d. A security locking system designed to prevent vandalism may be installed provided it meets all specifications of Item 43 D.

2. Roof Exits/Vents.

- a. All vehicles shall be equipped with a minimum of one emergency roof exit/vent approved by the Department of Education.
- b. When not fully latched, this exit shall actuate a signal audible to the driver by means of a mechanism actuated by the latch when the ignition switch is on.
- c. A roof exit/vent security locking system designed to prevent vandalism may be installed provided it meets all specifications of Item 43 D.
- d. When a single roof exit is installed, it shall be located as near as practicable to the longitudinal midpoint of the passenger compartment, and shall be installed such that the centerline of the hatch is on the longitudinal centerline of the bus.
- e. If two roof exits are utilized, they shall be located as near as practicable to the points equidistant between the longitudinal midpoint of the passenger compartment and the front and the rear of the passenger compartment.

NOTE: No removal or cutting of any roof structural component shall occur during installation. If the installation required by subdivisions 2 d and 2 e of this section cannot be accomplished as described, then prior approval by the Department of Education will be required through a written request from the local school division.

- f. Roof exits/vents shall have rustproof hardware.
- g. Roof exits/vents shall be hinged in the front and be equipped with an outside release handle.

3. Emergency exit windows.
 - a. Push-out emergency windows are permissible, if required by FMVSS 217 (*Bus Emergency Exits and Window Retention and Release*), 49 CFR § 571.217.
 - b. When not fully latched, the emergency exit window shall actuate a signal audible to the driver by means of a mechanism actuated by the latch.
 - c. No emergency exit window shall be located directly in front of a side emergency exit door.

46. Floor Covering.

- A. Floor in under seat area, including tops of wheel housings, driver's compartment and toe board shall be covered with fire-resistant rubber floor covering or an approved equivalent, having minimum overall thickness of .125 inch. Driver's compartment and toe board area shall be trimmed with molding strips behind the cowl face line.
- B. Floor covering in aisle shall be of aisle-type fire resistant rubber or an approved equivalent, nonskid, wear-resistant and ribbed. Minimum overall thickness shall be .1875 inch measured from tops of ribs and have a calculated burn rate of 0.1 or less, using the test methods, procedures and formulas listed in FMVSS 302 (*Flammability of Interior Materials*). Rubber floor covering shall meet federal specifications ZZ-M71d.
- C. Floor covering shall be permanently bonded to floor, and shall not crack when subjected to sudden changes in temperature. Bonding or adhesive material shall be waterproof and shall be of the type recommended by manufacturer of floor-covering material. All seams shall be sealed with waterproof sealer.
- D. All floor covering seams shall be covered with trim and fastened with screws.
- E. On Types B, C, and D buses, a flush-mounted, screw-down plate that is secured and sealed shall be provided to access the fuel tank sending unit and/or fuel pump. This plate shall not be installed under flooring material.

47. Handrails.

- A. At least 1 handrail shall be installed. The handrail(s) shall assist passengers during entry or exit, and shall be designed to prevent entanglement, as evidenced by the passing of the NHTSA string and nut test.

48. Heaters.

- A. Hot water heaters of fresh air or combination fresh air and recirculating type, with power defrosters, are required.
- B. Heaters shall bear nameplate rating affixed by heater manufacturer on top of heater shell.
- C. Heaters shall be capable of maintaining inside temperature of 50° F, with an outside temperature of 20° F when the bus is loaded to one-half capacity.
- D. The heater wiring shall be connected to the cold side of the ignition switch through a continuous duty solenoid relay.
- E. The power defroster shall deliver a sufficient amount of heated air distributed through a windshield duct, nozzle or nozzles to defog and de-ice the entire windshield, and to defog the driver's window. The duct, nozzle, or nozzles shall be designed to prevent objects from being placed in any manner that would obstruct the flow of air.
- F. Water circulation cut-off valves in the supply and return lines, a minimum of ¾ inch diameter, shall be at or near the engine. A water flow-regulating valve in the pressure line for convenient operation by the driver is also required. All valves shall be ¼ turn ball type.
- G. Heater hoses, including those in engine compartment, shall be supported in such manner that hose chafing against other objects will not occur nor shall suspended water lines interfere with routine vehicle maintenance.
- H. All water hoses in driver or passenger area shall be shielded.
- I. An auxiliary heater of recirculating type, having a minimum capacity of 60,000 BTU output, shall be installed under the second seat behind the wheel housing. There shall be a grille or guard over exposed heater cores to prevent damage by pupils' feet.
- J. Exception: Type A and D vehicles.
 - 1. Front heater with high output and defroster shall be furnished by the chassis manufacturer.
 - 2. The body manufacturer shall provide an additional under seat heater near the rear of the bus.
- K. All heater cores shall be the coiled tubing fin type approved by the Department of Education.

49. Hinges.

- A. All exterior metal door hinges shall be designed to allow lubrication to be channeled to the center 75 percent of each hinge loop without disassembly, unless they are constructed of stainless steel, brass or non-metallic hinge pins or other designs that prevent corrosion.

50. Identification of School Buses.

- A. All lettering shall be of black paint or vinyl decal and conform to “Series B” for Standard Alphabets for Highway Signs. The words “SCHOOL BUS” shall be on reflective yellow background. See Diagrams 1 and 2. For purposes of identification, school buses shall be lettered as follows:
 - 1. Both the front and rear of the body shall bear the words, “SCHOOL BUS” in black letters eight inches in height.
 - 2. The bus number shall be placed just back of the front warning sign on the left side, just behind the entrance door on the right side and be 4 inches high. The number is required on the left side of the front bumper (driver’s side). The number shall be placed on the rear body of the bus and shall be 4 inches high.
 - 3. (Name of) County Public Schools or (Name of) City Public Schools shall be placed on each side of the bus body at the beltline and be 4 inches high.
 - 4. Type of Fuel – Identification of fuel type shall be in 2 inch lettering adjacent to the fuel filler opening.
 - a. A sign with black letters on clear or school bus yellow background, indicating the type of alternative fuel being used, may be placed on the side of the bus near the entrance door. No sign shall be more than 4-3/4 inches long or more than 3-1/4 inches high.
 - 5. Options - The following lettering and signs are options, but if equipped, they must conform to these specifications:
 - a. The bus number may be placed in the center of the bus roof with black (12-inch minimum) numbers.
 - b. The bus number (4 inches minimum) shall be placed on the inside rear header with black paint or vinyl decals. It shall not interfere with the Emergency Door letterings.

- c. Battery - The location of the battery identified by the word “Battery” or “Batteries” on the battery compartment door in 2 inch lettering.
 - d. Traffic Warning Lights Sign – Shall be placed in between the top and bottom glass on the rear emergency door, and lettered “STOP WHEN RED LIGHTS FLASH.” The sign shall be marked with retro-reflective NSBY material comprising background for black letters, 4 inches in height. On a rear-engine Type D bus, the sign shall be placed in the center of the engine door.
Exception: The sign shall not be mounted on any activity vehicle.
 - e. Stop for Railroad Crossing Sign – The sign shall be placed on the rear of the bus.
 - f. Identification Sign for Students – A sign with symbols and/or numbers displaying identification information for the students of the bus or route served shall be mounted on the right side of the bus near the entrance door. The sign shall be no larger than 121 square inches.
 - g. American Flag Decals – Non-reflective, American Flag decals, no larger than 6 inches by 10 inches shall be placed on the exterior of the bus, on both sides and/or at the rear of the bus. The decals shall be centered between the top two rub rails and mounted so that the right edge of the decal is no closer than 3 inches from the bus number or so that the left edge of the decal is no further than 12 inches from the bus number. A rear decal shall be centered in the rear of the bus.
Exception: Type A buses shall mount the decals below the second rub rail and centered below the bus number on both sides.
 - h. Bus Safety Hotline Sign – A sign with yellow lettering on black background may be mounted in the center of the rear bumper with the letters “School Bus Safety Hotline Call (area) xxx-xxxx. The sign is not to exceed 3 ¼ inches high x 10 inches wide.
6. No manufacturer or vendor logos, signs or other items not approved in the Specifications shall be displayed.

51. Inside Height.

- A. Inside body height shall be 72 inches or more, measured metal to metal, at any point on longitudinal center line from front vertical bow to rear vertical bow.
- B. Exception: Type A conversion van – Inside body height shall be 62 inches minimum.

52. Insulation.

- A. Ceilings and walls shall be coated with proper materials to deaden sounds and to reduce vibrations to a minimum. Thermal insulation (minimum R-value of 5.5) shall be used to insulate walls and roof between inner and outer panels.

53. Interior.

- A. Interior of bus shall be free of all unnecessary projections likely to cause injury. This standard requires inner lining on ceilings and walls. Ceiling panels shall be constructed so as to contain lapped joints with all exposed edges hemmed to minimize sharpness. If lateral panels are used, forward panels shall be lapped by rear panels.

54. License Plates.

- A. All vehicles shall be constructed so that mounting and securing of license plates will be compliant with FMVSS and the *Code of Virginia*, Section 46.2-716.

55. Lights and Signals.

- A. No lights or signals other than specified here shall be installed on school buses, except those required by federal regulations. All lights and reflectors shall be approved by the Superintendent, Department of State Police, Commonwealth of Virginia.
 - 1. Clearance lights. Body shall be equipped with two red clearance lamps at rear, two amber clearance lamps at front, and intermediate side marker lamps on buses 30 feet or more in length controlled by headlight switch. They may be of armour type.
 - 2. Identification lamps. Three amber lamps shall be mounted on front and three red lamps on rear of body controlled by the headlight switch.
 - 3. Stop and tail lamps. Bus shall be equipped with two matched stop and tail lamps of heavy duty type, which shall be in combination, emitting red light plainly visible from a distance of at least 500 feet to rear, and mounted on rear end with their centers not less than 12

nor more than 24 inches from plane side of body, and not less than six or more than 18 inches below D-glass in rear of body. They shall be approximately seven inches in diameter or, if a shape other than round, a minimum 38 square inches of illuminated area and shall meet SAE specifications. These lights shall be on the same horizontal line with the turn signal units and shall not flash.

4. Back-up lamps. The bus body shall be equipped with 2 white rear back-up lamps that are at least 4 inches in diameter or, if a shape other than round, a minimum of 12 square inches of illuminated area and shall meet FMVSS 108 (*Lamps, Reflective Devices, and Associated Equipment*). If back-up lamps are placed on the same horizontal line as the brake lamps and turn signal lamps, they shall be to the inside.
5. Interior lamps. Interior lamps shall be provided which adequately illuminate aisles and step well.
6. Turn signal units. Bus shall be equipped with Class A, flashing turn signal units of heavy-duty type. These signals shall be independent units equipped with amber lenses on all faces. The turn signals/directional signal units shall activate only when ignition is in "on" position. A pilot light or lights shall indicate when these lights are activated. The front lights shall be mounted near the front corners of chassis on each side. The rear lights shall be seven inches in diameter, or if a shape other than round, the lights must be 38 square inches in area and mounted not less than six nor more than 18 inches from plane of the side of the body and not less than six nor more than 18 inches below D-glass in rear of body. They shall be on the same horizontal line with the stop and tail lights required in 3 above.
 - a. In addition to the turn signals described above, two amber lenses metal turn signal lamps of armour-type with a minimum of four candlepower each shall be mounted on the body side at approximate seat level height and located just to the rear of the entrance door on the right side of the body and approximately the same location on the left side. They are to be connected to and function with the regular turn signal lamps. Such lamps shall provide 180° angle vision and if painted, they shall be black.
 - b. Exception: Type A – Turn signals shall be chassis manufacturer's standard.
7. Hazard warning signal. The turn signal units shall also function as the hazard warning system. The system shall operate

independently of the ignition switch and, when energized, shall cause all turn signal lamps to flash simultaneously.

8. Reflex reflectors. (Class A) Two amber lights and two amber reflectors (they may be combined) shall be mounted, one on each side, near the front of the chassis. Two three-inch red reflectors shall be mounted, one on each side near the rear of the body and two three-inch red reflectors shall be mounted on the rear above the bumper. Two intermediate amber three-inch reflectors, one on each side near the middle of the bus, shall be mounted on buses 30 feet or more in length. They shall be mounted in accordance with FMVSS 108 (*Lamps, Reflective Devices, and Associated Equipment*).
9. School bus traffic warning lights.
 - a. A non-sequential system for the traffic warning lights shall be installed that allow the red traffic warning lights to activate when the door opens. When doors close all lights shall immediately deactivate.
 - b. Buses shall be equipped with four red lights and four amber lights. One amber light shall be located near each red light, at the same level, but closer to the vertical centerline of the bus. All lights shall comply with SAE standards for school bus warning lamps.
 - c. The traffic warning light system shall be wired so that the amber lights are activated manually by a hand operated switch. When door is opened, amber lights will automatically deactivate and red traffic warning lights, warning sign with flashing lights and crossing control arm shall be activated. When door is closed, all lights shall be deactivated. There shall be a rocker style momentary switch that when depressed and released deactivates the red traffic warning lights, crossing arm and stop arm. The driver need not depress or reactivate the switch in any way for the continued operation of the non-sequential system. This feature will allow for railroad crossing operations and momentary deactivation in the case that the lights are activated and no stops need to be made. There shall also be a control switch that would allow for deactivation of this feature during maintenance operation. These switches shall be labeled according to their functions and shall meet standards of FMVSS 101 (*Controls and Displays*).
 - d. The control circuit shall be connected to the cold side of the ignition switch with the master push button cancel switch

mounted on the accessory console, clearly distinguished, visible and accessible to the driver.

- e. The flasher and the relay shall be fastened in a compartment in the driver area and be easily accessible for servicing. The location of the flasher shall be approved by the Department of Education.
- f. System shall contain an amber pilot light for amber lamps and a red pilot light for red lamps, clearly visible to the driver, to indicate when system is activated.
- g. A black border 1 ¼ to 3 inches wide shall be painted around the lights and must be equipped with a black painted hooded housing.
- h. All electrical connections shall be soldered or connected by an acceptable SAE method.
- i. All switches and pilot lights shall be properly identified by labels.
- j. There shall be an interrupt feature in the system to interrupt the traffic warning sign and the crossing control arm when their use is not desired. This feature shall consist of a double throw relay and a momentary switch.
- k. Manual switch, cancel switch and interrupt switch shall be momentary switches.
- l. There shall be no controls and/or switches located in the steering wheel for operation of any system except controls and/or switches of the horn or optional cruise control. All controls and/or switches shall be labeled according to their function and shall meet the standards of FMVSS 101 (*Controls and Displays*).
- m. Option: Additional side-mounting warning lights for school divisions approved for participation in the Board of Education's approved pilot program. Additional warning lights may be mounted on the front sides of the school bus above the entrance door and the driver's window. Lights shall work in conjunction with the standard warning light system and shall meet FMVSS and SAE standards or must be of a type approved by the Department of State Police.

Optional Equipment

- a. Fog lights – Must be mounted by the manufacturer, meet FMVSS requirements and comply with Virginia Code.
10. School bus traffic warning sign must conform to FMVSS 131 (*School Bus Pedestrian Safety Devices*).
- a. Warning sign shall be mounted on the left side near the front of the bus immediately below the window line.
 - b. Sign shall be of the octagon series, 18 inches in diameter, and be equipped with wind guard. The sign shall have a red background with a ½ inch white border, and the word “STOP” on both sides in white letters, six inches high and one inch wide. The sign shall be reflective.
 - c. Sign shall have double-faced alternately flashing red lights, four inches in diameter, located at the top and bottom most portions of the sign, one above the other.
 - d. The sign shall be connected and energized through the red traffic warning lamps.
 - e. Air operated signs require air pressure regulator in addition to control valve. Source of supply shall be the main air tank with a pressure protection valve at the tank.
 - f. Sign and components shall comply with all provisions of SAEJ 1133.
 - g. A second school bus traffic warning sign on the left side near the rear of the bus, may be mounted on all 64, or larger sized passenger Type C and D school buses.
11. School Bus Crossing Control Arm.
- a. An approved crossing control arm shall be mounted on the right end of the front bumper with mounting brackets appropriate for the bumper configuration.
 - b. The arm shall be activated in conjunction with the traffic warning sign.
 - c. The arm when in the stored position shall have a magnetic or other suitable latch to secure the arm against the bumper.
 - d. Source of supply for air-operated arms shall be the main air supply tank with pressure protection valve at tank.

- e. Appropriate grommets or a loom shall be used where wires or tubes go through holes in bumper and firewall.

12. Strobe Warning Light.

Each bus shall be equipped with a white flashing strobe light meeting the following requirements:

1. Shall have self-contained power supply.
2. Construction: Base shall be Lexan™ or other polycarbonate or corrosion resistant metallic material. Lens shall be clear Lexan™ or other polycarbonate material or equal or better strength, resilience, and durability. Unit shall be sealed to protect against intrusion of dust and moisture. All external fasteners including mounting screws shall be stainless steel. Unit shall have mounting gasket to isolate the light assembly from vibration.
3. Electrical characteristics: Shall have a flash energy of minimum 8 joules. Shall have 80 (plus or minus 10) single or double flashes per minute. Shall have integral fuse or circuit breaker protection and reverse polarity protection. Maximum current draw shall be 2 amperes at 12 volts.
4. Dimensions and location: Overall height of unit shall be approximately 4 inches to 6 inches, with lens diameter approximately 4 inches to 6 inches. Mounting location is to be centered (laterally) on roof of bus, approximately 48 inches (longitudinally) from rear edge of rear roof cap.
5. SAE specifications: Shall meet SAE J575 and J1318.
6. Body circuitry: Shall include a separate, clearly labeled driver's panel mounted switch, with a clearly labeled pilot light.

56. Metal Treatment.

- A. All metal parts that will be painted shall be chemically cleaned, etched, zinc-phosphate-coated, and zinc-chromate or epoxy-primed or conditioned by equivalent process.

57. Mirrors.

- A. Interior rear view mirror at least 6 x 30 inches, metal encased safety glass of at least 1/8 inch thickness, which will afford good view of pupils and roadway to rear and shall be installed in such a way that vibration will be reduced to a minimum. It shall have rounded corners and protected edges.
- B. Exception: Type A - Interior mirror to be 6 x 16 inches.
- C. All buses shall have a mirror system that conforms to FMVSS 111 (*Rearview Mirrors*), 49 CFR § 271.111 as amended.
- D. Thermostatically controlled heated exterior mirrors are permissible.
- E. Motorized exterior mirrors may be used.

58. Mounting.

- A. Chassis frame shall extend to rear edge of rear body cross member. Bus body shall be attached to chassis frame in such manner as to prevent shifting or separation of body from chassis under severe operating conditions.
- B. Body front shall be attached and sealed to chassis cowl in such manner as to prevent entry of water, dust, and fumes through joint between chassis cowl and body.
- C. Insulating material shall be placed at all contact points between body and chassis frame on Types A, B, C and D buses. Insulating material shall be approximately 1/4 inch thick and shall be so attached to chassis frame or body member that it will not move under severe operating conditions.

59. Openings.

- A. Any openings in body or front fenders of chassis resulting from change necessary to furnish required components shall be sealed. (See Item 22 and Item 40i and Item 41j.)

60. Overall Length.

- A. Overall length of bus shall not exceed 40 feet when measured from bumper to bumper.

61. Overall Width.

- A. Overall width of bus shall not exceed 100 inches, including traffic-warning sign in closed position. Outside rearview mirrors are excluded.

62. Rub Rails.

- A. There shall be one rub rail located on each side of the bus at seat cushion level which extends from the rear side of the entrance door completely around the bus body (except the emergency door or any maintenance access door) to the point of curvature near the outside cowl on the left side, or to the front corner of the bus body.
- B. There shall be one additional rub rail located on each side at, or no more than 10 inches above, the floor line. The rub rail shall cover the same longitudinal area as the upper rub rail, except at the wheel housings, and it shall extend only to the radii of the right and left rear corners.
- C. Both rub rails shall be attached at each body post and at all other upright structural members.
- D. Each rub rail shall be four inches or more in width in their finished form, shall be constructed of 16-gauge steel or suitable material of equivalent strength and shall be constructed in corrugated or ribbed fashion.
- E. Both rub rails shall be applied outside the body or outside body posts. (Pressed-in or snap-on rub rails do not satisfy this requirement.) For Type A-1 vehicles using the body provided by the chassis manufacturer or for types A-2, B, C and D using the rear engine compartment, rub rails need not extend around the rear corners.
- F. There shall be a rub rail or equivalent bracing located horizontally at the bottom edge of the body side skirts.

63. Seat Belt for Driver.

- A. A locking retractor type 2-lap belt/shoulder harness seat belt shall be provided for the driver. Each belt section shall be booted so as to keep the buckle and button-type latch off the floor and within easy reach of the driver. Belt shall be anchored in such a manner or guided at the seat frame so as to prevent the driver from sliding sideways from under the belt.

64. Seats.

- A. All seats shall have minimum depth of 14 inches.
- B. In determining seating capacity of bus, allowable average rump width shall be 13 inches. (See Item 36.)
- C. All seats shall conform to FMVSS 222 (*School Bus Passenger Seating and Crash Protection*).
- D. Seating plans for buses with wheelchair positions, see Item 92A. All school bus seating shall be of a three-to-three arrangement with the exception of the last row seat to the left of any rear emergency door. This seat shall **meet the standards set forth in FMVSS 222 for last row seating and ingress and egress of standards of FMVSS 217 for emergency door and aisle clearance at that position.** ~~be of a maximum width of 26" limiting it to two (2) passengers.~~ There shall be provided a full width barrier in front of each seating position. Type D, Rear engine buses shall be exempt from the last row requirements.

Exception – Type A – 16 passenger may have two-to-two seating arrangement, with 30 inch seats.

- E. Floor track seat securement may be used.
- F. Passenger seat cushion retention system shall **meet FMVSS 222.** ~~employed to prevent passenger seat cushions from disengaging from seat frames in event of accident. Each seat cushion retention system shall be capable of withstanding vertical static load equal to minimum of five times weight of cushion. System shall also be capable of withstanding forward or rearward static load equal to 20 times weight of cushion.~~
- G. No bus shall be equipped with jump seats or portable seats.
- H. Seat spacing shall meet FMVSS 222 (*School Bus Passenger Seating and Crash Protection*).
- I. Seat and back cushions of all seats shall be designed to safely support designated number of passengers under normal road conditions encountered in school bus service. Covering of seat cushions shall be of material having 42 ounce finished weight, 54-inch width, and finished vinyl coating of 1.06 broken twill. Material on polyester drill and polyester cotton twill knit backing with equal vinyl coating which meets or exceeds the laboratory test results for the 42 ounce 1.06 covering may be used. Padding and veering on all seats shall comply with provisions of FMVSS 302 (*Flammability of Interior Materials*), 49 CFR § 571.302.

- J. Minimum distance between steering wheel and backrest of driver's seat shall be 11 inches. Driver's seat shall have fore-and-aft adjustment of not less than four inches and up and down adjustment of three inches. It shall be manually adjustable and strongly attached to floor.
- K. Minimum of 36-inch headroom for sitting position above top of undepressed cushion line of all seats shall be provided. Measurement shall be made vertically not more than seven inches from sidewall at cushion height and at fore-and-aft center of cushion.
- L. Backs of all seats of similar size shall be of same width at top and of same height from floor and shall slant at same angle with floor.
- M. Seat back heights shall be between 24 and 27 inches measured from **seating reference point.** ~~cushion level.~~

Exception: Seats with optional child safety restraining systems shall comply with FMVSS 222 (*School Bus Passenger Seating and Crash Protection*).

65. Barrier.

- A. A padded barrier shall be installed at rear of driver's seat in such a position as not to interfere with adjustment of driver's seat.
- B. A padded barrier shall be installed at rear of entrance step well. Barrier to coincide with length of the right front seat cushion with minimum width of 26 inches and shall have a modesty panel to extend from bottom of barrier to floor.

66. Steps.

- A. First step at service door shall be not less than 10 inches and not more than 16 inches from ground, based on standard chassis specifications.
- B. Service door entrance may be equipped with two-step or three-step step well. Risers in each case shall be approximately equal.
- C. Steps shall be enclosed to prevent accumulation of ice and snow.
- D. Steps shall not protrude beyond side bodyline.
- E. Grab handle not less than 20 inches in length shall be provided in unobstructed location inside doorway, but shall not be attached so that it will interfere with the opening of the glove compartment door. This handle shall be designed to eliminate exposed ends that would catch passenger clothing and shall be so placed in a position to aid small children entering the bus.

- F. Step covering. All steps, including the floor line platform area, shall be covered with an elastomer floor covering having a minimum overall thickness of 0.187 inch.
1. The step covering shall be permanently bonded to a durable backing material that is resistant to corrosion.
 2. Steps, including the floor line platform area, shall have a 1 ½ inch nosing that contrasts in color by at least 70 percent measured in accordance with the contrasting color specification in 36 CFR, Part 1192, ADA, *Accessibility Guidelines for Transportation Vehicles*.
 3. Step treads shall have the following characteristics:
 - a. Abrasion resistance: Step tread material weight loss shall not exceed 0.40 percent, as tested under ASTM D-4060, *Standard Test Method for Abrasion Resistance of Organic Coatings by the Taber Abraser*, (CS-17 Wheel, 1,000 gram, 1,000 cycle)
 - b. Weathering resistance: Step treads shall not break, crack, or check after ozone exposure (7 days at 50 phm at 40 degrees C) and Weatherometer exposure (ASTEM D-750, Standard Test method for Rubber Deterioration in Carbon-Arc Weathering Apparatus, 7 days)
 - c. Flame resistance: Step treads shall have a calculated burn rate of .01 or less using the test methods, procedures and formulas listed in FMVSS No. 302 (*Flammability of Interior Materials*).
- G. There shall be a “no-smoking” sign placed on the top step riser of the entrance step well. The letters shall be red in color with a white background and a length of 9 ½ inches and lettering height of 1 ¼ inches.

67. Stirrup Steps.

- A. If the windshield and lamps are not easily accessible from the ground, there may be at least 1 folding stirrup step or recessed foothold installed on each side of the front of the body for easy accessibility for cleaning. There also may be a grab handle installed in conjunction with the step. Steps are permitted in or on the front bumper in lieu of the stirrup steps if the windshield and lamps are easily accessible for cleaning from that position.

68. Storage and Luggage Compartments.

- A. Vehicles may be equipped with luggage compartments or tool compartments in the body skirt provided they do not reduce ground clearance to less than 14 ½ inches from bottom of compartment and that the addition of the compartments does not exceed the vehicles' GVWR.
- B. Optional: Drivers storage compartment may be above the driver's area and must not impede ingress and egress. It shall not violate any federal safety standard or the *Code of Virginia*.

69. Sun Shield.

- A. Interior adjustable transparent sun shield, darkest shade available, not less than 6 x 30 inches shall be installed in position convenient for use by driver.
- B. Exception: Type A vehicles – Manufacturer's standard is acceptable.

70. Tail Pipe.

- A. Tail pipe shall extend to but not more than 2 inches beyond outer edge of rear bumper. (See Item 13 B.)

71. Trash Container and Hold Device.

- A. When requested or used, the trash container shall be secured by a holding device that is designed to prevent movement and to allow easy removal and replacement. It shall be soft, pliable, and installed in an accessible location in the driver's compartment, not obstructing passenger access to the entrance door.

72. Undercoating.

- A. Entire underside of bus body, including floor sections, cross members, and below floor line side panels, shall be coated with rust-proofing compound for which compound manufacturer has issued notarized certification of compliance to bus body building that compounds meet or exceed all performance requirements of Federal Specification TT-C-520 b using modified test procedures for following requirements:
 - 1. Salt spray resistance – pass test modified to 5.0 percent salt and 1,000 hours.
 - 2. Abrasion resistance – pass.
 - 3. Fire resistance – pass.

- B. Undercoating compound shall be applied with suitable airless or conventional spray equipment to recommend film thickness and shall show no evidence of voids in cured film. Undercoating is expected to prevent rust under all bus service conditions for minimum of five years.

73. Ventilation and Air Conditioning.

- A. Body shall be equipped with suitable, controlled ventilating system of sufficient capacity to maintain proper quantity of air under operating conditions without opening of windows except in extremely warm weather.
- B. Static-type, non-closable, exhaust roof ventilators shall be installed in low-pressure area of roof panel.
- C. Air conditioning units may be installed on an optional basis. Application requires heavier electrical components and assessment by the Department of Education, on an individual unit basis.
- D. Auxiliary fans shall meet the following requirements:
 - 1. Fans for left and right sides of the windshield shall be placed in a location where they can be adjusted for maximum effectiveness and where they do not obstruct vision to any mirror. Note: Type A buses may be equipped with one fan;
 - 2. Fans shall have 6-inch (nominal) diameter; and
 - 3. Fan blades shall be enclosed in a protective cage. Each fan shall be controlled by a separate switch.

74. Water Test.

- A. Each and every school bus body, after it is mounted on chassis ready for delivery, shall be subjected to a thorough water test in which water under pressure equal to a driving rain is forced against the entire bus body from various directions. Any leaks detected are to be repaired before the bus is declared ready for delivery.

75. Wheel Housings.

- A. Wheel housings shall be of full open type.
- B. Wheel housings shall be designed to support seat and passenger loads and shall be attached to floor sheets in such manner as to prevent any dust or water from entering the body. Wheel housings shall be constructed of 16-gauge (or thicker) steel.

- C. Inside height of wheel housings above floor line shall not exceed 12 inches.
- D. No part of a raised wheel housing shall extend into the emergency door opening.
- E. Wheel housings shall provide clearance for dual wheels as established by National Association of Chain Manufacturers. Mounting of housings in the wheel area must be free of protruding screws and bolts.
- F. Exception: Type A vehicles – Standard does not apply to conversion vans.

76. Windshield and Windows.

- A. All glass in windshield, windows, and doors shall be of approved safety glass, so mounted that permanent mark is visible, and of sufficient quality to prevent distortion of view in any direction. Windshield shall be AS1 and all other glass shall be AS2.
- B. Plastic glazing material of a thickness comparable to AS2 glass, meeting ANSI Standard Z 26.1 and FMVSS 205 (*Glazing Materials*), 49 CFR § 571.205, may be used in side windows behind the driver's compartment.
- C. Windshield shall have horizontal shade band consistent with SAE J-100 or have full tinted glass.
- D. Each full side window shall provide unobstructed emergency opening at least nine inches high and 22 inches wide, obtained either by lowering of window or by use of knock-out type split-sash windows.
- E. Approved tinted glass or plastic glazing material may be used.
- F. ~~Per manufacturer's specifications.~~ **Windshield shall comply with all federal and state regulations.**

77. Windshield Washers.

- A. Windshield washers meeting federal requirements shall be provided and shall be controlled by a switch accessible to the driver. Reservoir shall be mounted outside passenger compartment.

78. Windshield Wipers.

- A. Bus shall be equipped with variable-speed windshield wipers of air or electric-type powered by a motor or motors of sufficient power to operate wipers.

- B. Blades and arms shall be of such size that minimum blade length will be 12 inches with longer blades being used whenever possible.
- C. The wipers shall meet the requirements of FMVSS 104 (*Windshield Wiping and Washing Systems*).

79. Wiring.

- A. All wiring shall conform to current standards of Society of Automotive Engineers.
- B. Circuits
 - 1. Wiring shall be arranged in at least 12 regular circuits as follows:
 - a. Head, tail, stop (brake) and instrument panel lamps
 - b. Clearance lamps
 - c. Dome and step well lamps
 - d. Starter motor
 - e. Ignition
 - f. Turn-signal units
 - g. Alternately flashing red signal lamps
 - h. Horns
 - i. Heater and defroster
 - j. Emergency door buzzer
 - k. Auxiliary fan
 - l. Booster pump
 - 2. Any of the above combination circuits may be subdivided into additional independent circuits.
 - 3. Whenever possible, all other electrical functions (such as electric-type windshield wipers) shall be provided with independent and properly protected circuits.

4. Each body circuit shall be color coded or numbered and a diagram of the circuits shall be attached to the body in a readily accessible location.
- C. A circuit breaker shall be provided for each circuit except starter motor and ignition circuits.
 - D. A continuous duty solenoid relay operated by the ignition switch, for Circuits i, j, k, and l.
 - E. All wires within body shall be insulated and protected by covering of fibrous loom (or equivalent) that will protect them from external damage and minimize dangers from short circuits. Whenever wires pass through body member, additional protection in form of appropriate type of insert shall be provided.
 - F. All light circuits shall be such as to provide, as nearly as possible, bulb design voltage at light bulb terminals.
 - G. Buses using multiplexed electrical systems may meet the intent of these specifications without the use of specified equipment, subject to the approval of the Department of Education.
 - H. There shall be a manual noise suppression switch installed in the control panel. The switch shall be labeled and alternately colored. This switch shall be an on/off type that deactivates body equipment that produces noise, including, at least, the AM/FM radio, heaters, air conditioners, fans and defrosters. This switch shall not deactivate safety systems, such as windshield wipers or lighting systems.

SPECIFICATIONS FOR ACTIVITY BUSES

80. Activity Buses.

- A. Activity buses shall meet all Federal Motor Vehicle Safety Standards for school buses except as noted in Items 80.B through 80.F.
(NOTE: Any variation from the specifications, in the form of additional equipment or changes in style of equipment, without prior approval of the DOE, is prohibited.)
- B. Identification.
 1. The activity bus body shall be identified "Activity Bus", lettered 8 inches in height in the front and rear of the vehicle.
 2. The name of the school division or individual school shall be lettered in at least 4 inch height in the beltline area.

3. All lettering and numbering shall be painted or be vinyl decals of a contrasting color of the body and conform to FMVSS and Virginia DOE Bus Minimum Specifications, and shall meet all reflectivity standards.
4. No manufacturer or vendor logos, signs or other items not approved in the Virginia DOE Bus Minimum Specifications shall be displayed.

C. Color.

1. The activity bus shall not be painted NSBY. The local school division may determine the color of the body of the vehicle and the color scheme may utilize up to 2 colors. This combination may be in addition to a white painted roof. It is recommended that light colors be used for the body color to enhance visibility by other vehicles. Markings shall be contrasted against selected colors for ease of identification during periods of reduced visibility other than darkness. NOTE: The NSBY color shall not be used as a part of any color scheme.

D. Lights and Warning Devices.

1. All activity buses shall meet all state and FMVSS for school bus lighting and warning device requirements with the following exceptions:
 - a. The 8 lamp, traffic warning light system shall not be equipped.
 - b. The flashing lighted stop arm and the crossing control arm shall not be equipped.

E. Seats.

1. Other types of seats and increased spacing, which meet all regulations of FMVSS 222 (*School Bus Passenger Seating and Crash Protection*) and 302 (*Flammability of Interior Materials*) may be used in lieu of regular school bus seats.
2. Seating on activity buses: Other types of seats and increased spacing may be used provided all provisions of FMVSS 222 (*School Bus Passenger Seating and Crash Protection*), 49 CFR §571.222, are met.

- F. Cruise Control.
 - 1. Optional equipment and shall be used on activity trips and be operated in accordance with regulation speeds.

SPECIFICATIONS FOR WHEELCHAIR LIFT SCHOOL BUSES

81. General Requirements.

- A. School buses or school vehicles designed for transporting children with special transportation needs shall comply with Virginia's standards applicable to school buses and Federal Motor Vehicle Safety Standards as applicable to their GVWR category.
- B. Any school bus that is used for the transportation of children, who are confined to a wheelchair or other restraining devices that prohibit use of the regular service entrance, shall be equipped with a power lift, unless a ramp is needed for unusual circumstances.
- C. Lift shall be located on the right side of the body, in no way attached to the exterior sides of the bus but confined within the perimeter of the school bus body when not extended.

82. Aisles.

- A. All aisles leading to the emergency door from wheelchair area shall be a minimum of 30 inches in width. A wheelchair securement position shall never be located directly in front of (blocking) a power lift door location.

83. Communications.

- A. Special education buses shall be equipped with a two-way communication system. (See Item 39 A.)

84. Fastening Devices.

- A. Unless otherwise specified below, fastening devices shall conform to FMVSS 222 (*School Bus Passenger Seating and Crash Protection*), 49 CFR § 571.222, as amended.
 - 1. Wheelchair fastening devices shall be provided and attached to the floor or walls or both to enable securement of wheelchairs in the vehicle. The devices shall be of the type that requires human intervention to unlatch or disengage. The fastening devices shall be designed to withstand forces up to 3,000 pounds per tie down

leg or clamping mechanism or 12,000 pounds total for each wheelchair.

2. Additional fastening devices may be needed to assist the student due to the many different configurations of chairs and exceptionalities.

85. Heaters.

- A. An additional heater shall be installed in the rear portion of the bus behind wheel wells as required in Item 48 I, except a 50,000 minimum BTU heater may be used in bodies originally designed for 31-66 passenger capacity and 34,000 minimum BTU heater may be used in bodies of 30 passengers or less. Hose to rear heater, when under body shall be encased in metal tube.

86. Identification.

- A. Buses with wheelchair lifts used for transporting children with physical disabilities shall display universal handicapped symbols located on the front and rear of the vehicle below the window line. Such emblems shall be white on blue, shall be a minimum of nine inches and a maximum of 12 inches in size, and shall be of a high-intensity retro reflective material meeting the requirements of Federal Highway Administration (FHWA) FP-85, *Standard Specifications for Construction of Road and Bridges on Federal Highway Projects*. They shall be placed so as not to cover lettering, lamps or glass.

87. Passenger Capacity Rating.

- A. In determining the passenger capacity of a school bus for purposes other than actual passenger load (e.g., vehicle classification or various billing/reimbursement models), any location in a school bus intended for securement of a wheelchair during vehicle operation shall be regarded as four designated seating positions, and each lift area shall count as four designated seating positions.

88. Wheelchair Lift.

- A. The wheelchair lift shall be located on the right side of the bus body. Exception: The lift may be located on the left side of the bus if, and only if, the bus is only used to deliver students to the left side of one-way streets.
 1. A ramp device may be used in lieu of a mechanical lift if the ramp meets all the requirements of the Americans with Disabilities Act (ADA) as found in 36 CFR §1192.23, *Vehicle ramp*.

2. A ramp device that does not meet the specifications of ADA, but does meet the specifications of paragraph C of this section, may be installed and used, when, and only when, a power lift system is not adequate to load and unload students having special and unique needs. A readily accessible ramp may be installed for emergency exit use. If stowed in the passenger compartment, the ramp must be properly secured and placed away from general passenger contact. It must not obstruct or restrict any aisle or exit while in its stowed or deployed position.
3. All specially equipped school buses shall provide a level-change mechanism or boarding device (e.g., lift or ramp), complying with paragraph B or C of this section, with sufficient clearances to permit a wheelchair user to reach a securement location.

B. Vehicle lift and installation.

1. General: Vehicle lifts and installations shall comply with the requirements set forth in FMVSS 403 (*Platform Lift Systems for Motor Vehicles*), and FMVSS 404 (*Platform Lift Installations in Motor Vehicles*).
2. Design loads: The design load of the lift shall be at least 800 pounds. Working parts, such as cables, pulleys and shafts, which can be expected to wear, and upon which the lift depends for support of the load, shall have a safety factor of at least six, based on the ultimate strength of the material. Non-working parts, such as platform, frame and attachment hardware that would not be expected to wear, shall have a safety factor of at least three, based on the ultimate strength of the material.
3. Lift capacity: The lifting mechanism and platform shall be capable of operating effectively with a wheelchair and occupant mass of at least 800 pounds.
4. Controls: (See 49 CFR 571.403, S6.7, *Control systems*.)
5. Emergency operations: (See 49 CFR 571.403, S6.9, *Backup operation*.)
6. Power or equipment failures: (See 49 CFR 571.403, S6.2.2, *Maximum platform velocity*.)
7. Platform barriers: (See 49 CFR 571.403, S6.4.7, *Wheelchair retention*.)
8. Platform surface: (See 49 CFR 571.403, S6.4.2, S6.4.3, *Platform requirements*.)

9. Platform gaps and entrance ramps: (See 49 CFR 571.403, S6.4.4, *Gaps, transitions and openings.*)
10. Platform deflection: (See 49 CFR 571.403, S6.4.5, *Platform deflection.*)
11. Platform movement: (See 49 CFR 571.403, S6.2.3, *Maximum platform acceleration.*)
12. Boarding direction: The lift shall permit both inboard and outboard facing of wheelchair and mobility aid users.
13. Use by standees: Lifts shall accommodate persons who are using walkers, crutches, canes or braces, or who otherwise have difficulty using steps. The platform may be marked to indicate a preferred standing position.
14. Handrails: (See 49 CFR 571.403, S6.4.9, *Handrails.*)
15. Circuit breaker: A resettable circuit breaker shall be installed between the power source and the lift motor if electrical power is used. It shall be located as close to the power source as possible, but not within the passenger/driver compartment.
16. Excessive pressure: (See 49 CFR 571.403, S6.8, *Jacking prevention.*)
17. Documentation: The following information shall be provided with each vehicle equipped with a lift:
 - a. A phone number where information can be obtained about installation, repair and parts. (Detailed written instructions and parts list shall be available upon request.)
 - b. Detailed instructions regarding use of the lift shall be readily visible when the lift door is open, including a diagram showing the proper placement and positions of wheelchair/mobility aids on the lift.
18. Training materials: The lift manufacturer shall make training materials available to ensure the proper use and maintenance of the lift. These may include instructional videos, classroom curriculum, system test results or other related materials.
19. Identification and certification: Each lift shall be permanently and legibly marked or shall incorporate a non-removable label or tag that states it conforms to all applicable requirements of the current

National School Transportation Specifications and Procedures. In addition and upon request of the original titled purchaser, the lift manufacturer or an authorized representative shall provide a notarized Certificate of Conformance, either original or photocopied, which states that the lift system meets all the applicable requirements of the current National School Transportation Specifications and Procedures.

C. Vehicle ramp

1. If a ramp is used, it shall be of sufficient strength and rigidity to support the special device, occupant and attendant(s). It shall be equipped with a protective flange on each longitudinal side to keep the special device on the ramp.
2. The surface of the ramp shall be constructed of nonskid material.
3. The ramp shall be equipped with handles and shall be of weight and design to permit one person to put the ramp in place and return it to its storage place.
4. Ramps used for emergency evacuation purposes may be installed in raised floor buses by manufacturers. They shall not be installed as a substitute for a lift when a lift is capable of serving the need.

89. Ramps.

- A. When a power lift system is not adequate to load and unload students having special and unique needs, a ramp device may be installed.
1. If a ramp is used, it shall be of sufficient strength and rigidity to support the special device, occupant, and attendants. It shall be equipped with a protective flange on each longitudinal side to keep special device on the ramp.
 2. Floor of ramp shall be of nonskid construction.
 3. Ramp shall be of weight and design, and equipped with handles, to permit one person to put ramp in place and return it to its storage place.

90. Regular Service Entrance.

- A. In Type D vehicles, there shall be three step risers, of equal height, in the entrance well.
- B. An additional foldout step may be provided which will provide for the step level to be no more than six inches from the ground level.

- C. Three step risers in Type C vehicles are optional.

91. Restraining Devices.

- A. Seat frames may be equipped with attachments or devices to which restraining harnesses or other devices may be attached. Attachment framework or anchorage devices, if installed, shall conform to FMVSS 210 (*Seat Belt Assembly Anchorages*), 49 CFR § 571.210, and FMVSS No. 213 (*Child Restraint Systems*).

92. Seating Arrangements.

- A. Flexibility in seat arrangements to accommodate special devices shall be permitted due to the constant changing of passenger requirements. All seating shall meet the requirements of FMVSS 222 (*School Bus Passenger Seating and Crash Protection*).
- B. There shall be a padded barrier forward of any standard seating position and between lift-gate and first seat to rear of lift-gate. A wheelchair position immediately forward of lift-gate shall have a barrier between lift and wheelchair. (See Item 65.)

93. Special Light.

- A. Lights shall be placed inside the bus to sufficiently illuminate lift area and shall be activated from door area. An outside light to be activated when lift door is open and deactivated when lift door is closed is permissible.

94. Special Service Entrance.

- A. Bus bodies may have a special service entrance constructed in the body to accommodate a wheelchair lift for the loading and unloading of passengers.
- B. The opening to accommodate the special service entrance shall be at any convenient point on the right (curb side) of the bus and far enough to the rear to prevent the doors, when open, from obstructing the right front regular service door (excluding a regular front service door lift).
- C. The opening shall not extend below the floor level. Outboard type lifts shall be used.
- D. The opening, with doors open, shall be of sufficient width to allow the passage of wheelchairs. The minimum clear opening through the door and the lift mechanism shall be 30 inches in width.

- E. A drip molding shall be installed above the opening to effectively divert water from entrance.
- F. Entrance shall be of sufficient width and depth to accommodate various mechanical lifts and related accessories as well as the lifting platform.
- G. Doorposts and headers from entrance shall be reinforced sufficiently to provide support and strength equivalent to the areas of the side of the bus not used for service doors.
- H. Special service entrance doors shall be equipped with padding at the top edge of the door opening. Pad shall be at least three inches wide and one inch thick and extend the full width of the door opening.

95. Special Service Entrance Doors.

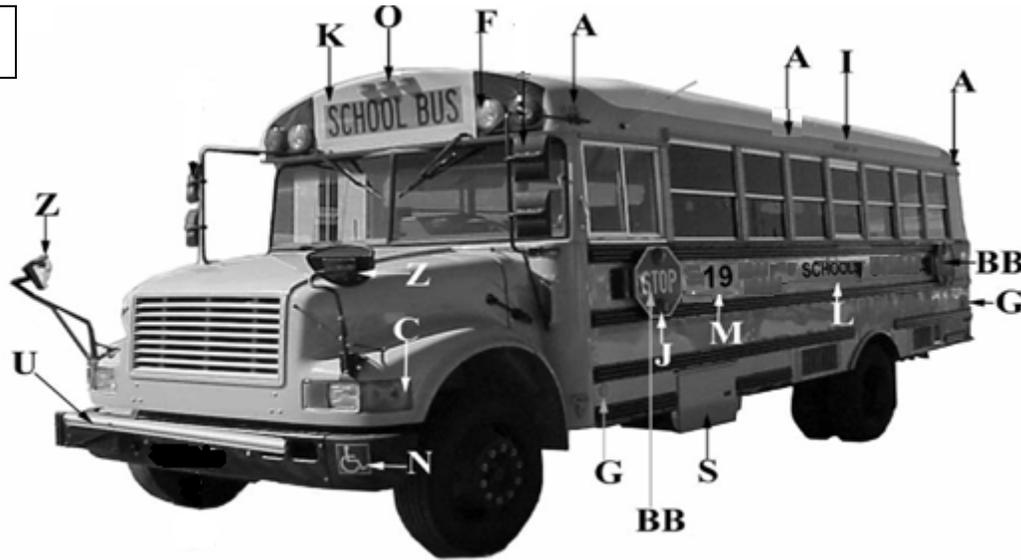
- A. A single door of a minimum 43 inches may be used.
- B. All doors shall open outwardly.
- C. All doors shall have positive fastening devices approved by Pupil Transportation Services to hold doors in the open position.
- D. All doors shall be weather sealed and on buses with double doors, they shall be so constructed that a flange on the forward door overlaps the edge of the rear door when closed.
- E. When dual doors are provided, the rear door shall have at least a one-point fastening device to the header. The forward mounted door shall have at least three-point fastening devices. One shall be to the header, one to the floor line of the body, and the other shall be into the rear door. These locking devices shall afford maximum safety when the doors are in the closed position. The door and hinge mechanism shall be of a strength that will provide for the same type of use as that of a standard entrance door.
- F. Door materials, panels, and structural strength shall be equivalent to the conventional service and emergency doors. Color, rub rail extensions, lettering and other exterior features shall match adjacent sections of the body.
- G. Each door shall have windows set in a waterproof manner compatible within one inch of the lower line of adjacent sash.
- H. Doors shall be equipped with a device that will actuate a flashing visible signal located in the driver's compartment when doors are not securely closed and ignition is in "on" position. A cluster light "LIFT" is allowed.

- I. A switch shall be installed so that the lifting mechanism will not operate when the lift platform doors are closed.

96. Special Optional Equipment.

- A. Special seats for attendants may be installed on an optional basis. The location, restraints, and so forth shall be assessed and approved on an individual unit basis. All equipment shall be secured properly.

Diagram 1

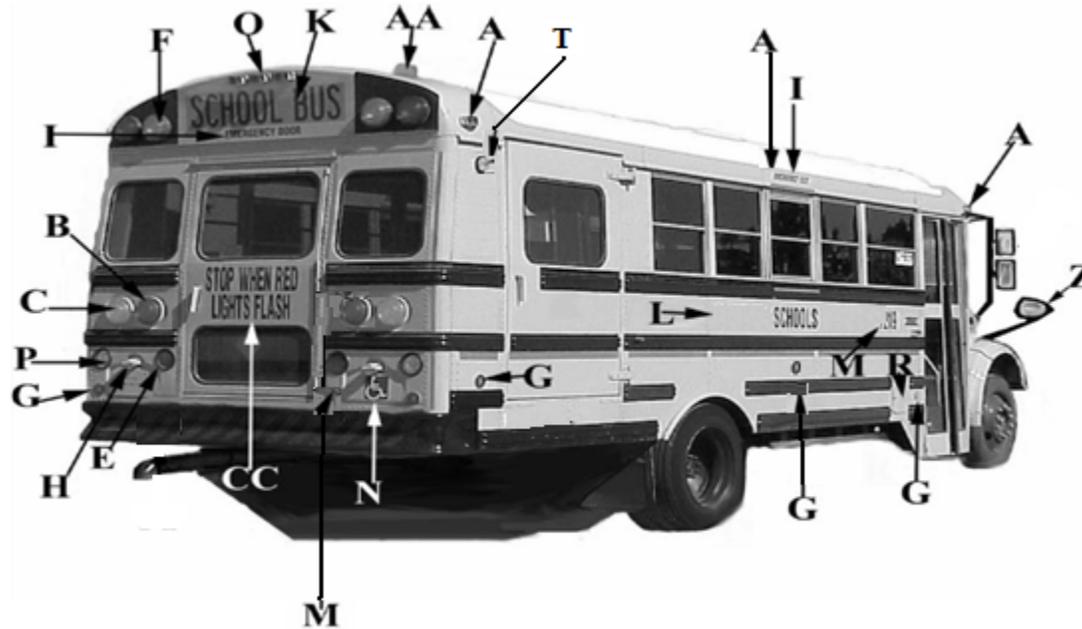


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MINIMUM LETTERING AND LIGHTING REQUIREMENTS

A	Clearance lights (see item 55 A(1))	L	Name of Division (see item 50 A(3))
BB	Octagonal Stop Arm (2 nd optional-see item 55-10(g))	M	Bus Numbers (see item 50 A(2))
C	Front Turn Signals, (amber lenses)	N	Universal Handicapped Symbol, Wheelchair Lift Equipped Buses (see item 86)
F	Pupil Warning Lights, Side By Side Amber and Red, Flat Back Design Quartz Halogen Bulb	O	Identification Lamps
G	Reflectors (see item 55 A(8))	S	Battery Box (see item 50 A (5c))
I	Emergency Exit	U	Pupil Crossing Arm
J	Double Faced Flashing Red Lights	Z	Cross/Side View Mirror System
K	SCHOOL BUS, Front And Rear, 8 inch letters on retroreflective yellow background		

Diagram 2



MINIMUM LETTERING AND LIGHTING REQUIREMENTS

A	Clearance lights (see item 55 A(1))	M	Bus Numbers (see item 50 A(2))
B	Seven inch Tail Lights	N	Universal Handicapped Symbol, Wheelchair Lift Equipped Buses (see item 86)
C	Seven Inch Turn Signals (amber lenses)	O	Identification Lamps
E	4 inch LED Stop / Tail Lights	P	Back-up Lights
F	Pupil Warning Lights, Side By Side Amber and Red, Flat Back Design Quartz Halogen Bulb	R	Fuel Door (see item 50 A(4))
G	Reflectors (see item 55 A(8))	T	Wheelchair Lift Landing Light (see item 93(A))
H	License Plate Lamp	Z	Cross/Side View Mirror System
I	Emergency Exit Signs	AA	Roof-mounted White Flashing Strobe Light
K	SCHOOL BUS, Front And Rear, 8 inch letters on retroreflective yellow background	CC	Rear Door Lettering (optional see item 50 A 5 (e))
L	Name of Division (see item 50 A(3))		

Addendum

Air Conditioning (Optional).

The following specifications are applicable to all types of school buses that may be equipped with air conditioning.

1. Performance Specifications.

The installed air conditioning system should cool the interior of the bus from 100 degrees to 80 degrees Fahrenheit, measured at three points (minimum) located four feet above the floor on the longitudinal centerline of the bus. The three required points shall be: (1) near the driver's location, (2) at the longitudinal midpoint of the body, and (3) two feet forward of the emergency door, or for Type D rear-engine buses, 2 feet forward of the end of the aisle.

The test conditions under which the above performance must be achieved shall consist of (1) placing the bus in a room (such as a paint booth) where ambient temperature can be maintained at 100 degrees Fahrenheit; (2) soaking the bus at 100 degrees Fahrenheit with windows open for at least one hour; and (3) closing windows, turning on the air conditioner with the engine running at the chassis manufacturer's recommended low idle speed, and cooling the interior of the bus to 80 degrees Fahrenheit, or lower, within 30 minutes while maintaining 100 degrees Fahrenheit outside temperature.

Alternately, and at the user's discretion, this test may be performed under actual summer conditions, which consist of temperatures above 85 degrees Fahrenheit, humidity above 50 percent with normal sun loading of the bus and the engine running at the engine manufacturer's recommended low idle speed. After a minimum of one hour of heat-soaking, the system shall be turned on and must provide a minimum of a 20 degree temperature drop in the 30 minute time limit.

The manufacturer shall provide facilities for the user or user's representative to confirm that a pilot model of each bus design meets the above performance requirements.

**MINIMUM SPECIFICATIONS FOR SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA BOARD OF EDUCATION**

Minimum Chassis Specification Chart		
Type "A"		
Maximum Design (Passenger) Capacity	<u>16</u>	<u>24</u>
GVWR (Pounds) (Minimum)	10,000 lbs	10,000 lbs
Minimum engine size Electronic speed limiter set to maximum of 60 MPH	diesel engines	6.0 Liter
	gasoline engines	5.4 Liter
Wheelbase (inches)	139	139
Minimum fuel tank, gallons	30 gallons	30 gallons
Minimum	Tires*	See Item 28
	Rims	Disc 6.0 X 16
Minimum Transmission Specifications	4 speed automatic	4 speed automatic
Alternators amps	130	130
Frame	Per standards for severe duty	Per standards for severe duty
Steering	Power-meeting Virginia Specification	Power-meeting Virginia Specification
Front Bumper	Heavy duty painted black	Heavy duty painted black
Brakes	Power, with anti-lock brakes system	Power, with anti-lock brakes system
Suspension	Per standards for severe duty	Per standards for severe duty
Drive Shaft	Grease fittings on all shafts, guards on all shafts	Grease fittings on all shafts, guards on all shafts
Fuel Tank	30 gallons(see item 16)	30 gallons(see item 16)
Air Cleaner	Per engine manufacturer specifications w/restrictor indicator	Per engine manufacturer specifications w/restrictor indicator
Oil Filter	Replaceable, 1 quart	Replaceable, 1 quart
Battery	600 CCA	600 CCA
Horn	Dual Electric	Dual Electric
Lights	Per FMVSS and daytime running lights	Per FMVSS and daytime running lights
Gauges	Speedometer, tachometer, fuel, oil pressure, coolant temp, and voltmeter	Speedometer, tachometer, fuel, oil pressure, coolant temp, and voltmeter

Minimum Chassis Specification Chart

Type "A"

Maximum Design (Passenger) Capacity	<u>16</u>	<u>24</u>
Color	Frame, wheels, bumper, rails and letterings-black; balance yellow	Frame, wheels, bumper, rails and letterings-black; balance yellow

1. 16 Passenger Base Bus (Gasoline Engine – must have automatic fire extinguisher system – V8 – Min)
2. 16 Passenger Base Bus (Diesel Engine)
3. 24 Passenger Base Bus (Gasoline Engine – must have automatic fire extinguisher system – V8 – Min)
4. 24 Passenger Base Bus (Diesel Engine)

Maximum Design (Passenger) Capacity	"C1" 30	35	53	65	(Delete) 65 (Hydr.)	71	77
GVWR (lbs.)	17,500	21,000	25,000	27,500	27,500	29,000	31,000
Wheels	8-STUD DISC 19.5" X 6.75"	8-STUD DISC 22.5" X 6.75"	8-STUD DISC 22.5" X 6.75"	10-Stud Disc 22.5" X 7.75"	10-Stud Disc 22.5" X 7.75"	10-Stud Disc 22.5" X 7.75"	10-Stud Disc 22.5" X 8.25"
Tires	9R22.5 (1)	9R22.5 (1)	9R22.5 (1)	10R22.5(1)	10R22.5(1)	10R22.5(1)	11R22.5(1)
Frame	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
Steering	Power (2)	Power (2)	Power (2)	Power (2)	Power (2)	Power (2)	Power (2)
Front Bumper	3/16 Steel	3/16 Steel	3/16 Steel	3/16 Steel	3/16 Steel	3/16 Steel	3/16 Steel
Front Axle	7,000 lbs	6,000 lbs	8,000 lbs	10,000 lbs	10,000 lbs	10,000 lbs	10,000 lbs
Rear Axle	10,500 lbs	15,000 lbs	17,000 lbs	17,500 lbs	17,500 lbs	19,000 lbs	21,000 lbs
Service brake:							
Hydraulic	Hydraulic Disc w/abs	Hydraulic Disc w/abs(3)	Hydraulic Disc w/abs(3)		Hydraulic Disc w/abs		
Air		13.2 CMF Compressor/Air dryer(3)	13.2 CMF Compressor/Air dryer(3)	13.2 CMF Compressor/Air dryer		13.2 CMF Compressor/Air dryer	13.2 CMF Compressor/Air dryer

(1) Load range meeting TRA standards for required gawr.

(2) Power – Meeting Virginia specification

(3) Hydraulic (w/ Allison 2200 pts only) Full Air (5 speed direct or Allison 2100 pts only)

Maximum Design (Passenger) Capacity	<u>“C1”</u> <u>30</u>	<u>35</u>	<u>53</u>	<u>65</u>	(Delete) 65 (Hydr.)	<u>71</u>	<u>77</u>
Suspension	Frnt. Springs 7,000 lbs. Ea @ grd. Rear Springs 10,500 lbs. Ea @ grd Frnt. and rear shock absorbers	Frnt. Springs 3,000 lbs. Ea @ grd. Rear Springs 7,500 lbs. Ea @ grd Frnt. and rear shock absorbers	Frnt. Springs 7,000 lbs. Ea @ grd. Rear Springs 10,500 lbs. Ea @ grd Frnt. and rear shock absorbers	Frnt. Springs 5,000 lbs. Ea @ grd. Rear Springs 8,750 lbs. Ea @ grd Frnt. and rear shock absorbers	Frnt. Springs 5,000 lbs. Ea @ grd. Rear Springs 8,750 lbs. Ea @ grd Frnt. And rear Shock absorbers	Frnt. Springs 5,000 lbs. Ea @ grd. Rear Springs 9,500 lbs. Ea @ grd Frnt. and rear shock absorbers	Frnt. Springs 5,000 lbs. Ea @ grd. Rear Springs 10,500 lbs. Ea @ grd Frnt. and rear shock absorbers
Engine	175 H.P.*	175 H.P.*	175 H.P.*	175 H.P.*	175 H.P. *	190 H.P.*	210 H.P.*
Transmission (Allison)	5 Speed Direct, 1,000 PTS	5 Speed Direct, 2,200 or 2,100 pts**	5 Speed Direct, 2,100 or 2,200 pts**	5 Speed Direct or 2,500 pts	2,200pts	2,500 PTS	2,500 PTS
Drive Shaft	Guards on all shafts	Guards on all shafts	Guards on all shafts	Guards on all shafts	Guards on all shafts	Guards on all shafts	Guards on all shafts
Fuel tank (min size)	30	30	30	30	30	30	30
Air cleaner	Dry element type w/restriction gauge	Dry element type w/restriction gauge	Dry element type w/restriction gauge	Dry element type w/restriction gauge	Dry element type w/restriction gauge	Dry element type w/restriction gauge	Dry element type w/restriction gauge
Alternator	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits
Horn	Per FMVSS	Per FMVSS	Per FMVSS	Per FMVSS	Per FMVSS	Per FMVSS	Per FMVSS

* (ENGINE) Electronic speed limiter set to maximum of 60 mph ** See Brake

Maximum Design (Passenger) Capacity	“C1” 30	35	53	65	(Delete) 65 (Hydr.)	71	77
Lights	Per FMVSS and daytime running lights	Per FMVSS and daytime running lights	Per FMVSS and daytime running lights	Per FMVSS and daytime running lights			
Gauges	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure as required	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure as required	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure
Color	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and letter black. Back of mirrors non gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non gloss black. The balance yellow
Oil Filter	1 Qt. Per manufacturer	1 QT per manufacturer	1 Qt. Per manufacturer	1 Qt. Per manufacturer			
Battery	750 cca	750 cca	750 cca	750 cca	750 cca	750 cca	750 cca

Minimum Chassis Specification Chart

TYPE "D" Front Engine Transit

Maximum Design (Passenger) Capacity	<u>42 & 53</u>	<u>65</u>	<u>71</u>	<u>77</u>	<u>83</u>
GVWR (lbs.)	27,800	29,000	29,000	32,000	32,000
Wheels	10-Stud Disc 22.5" X 7.5"	10-Stud Disc 22.5" X 7.5"	10-Stud Disc 22.5" X 7.5"	10-Stud Disc 22.5" X 8.25"	10-Stud Disc 22.5" X 8.25"
Tires	11R22.5(1)	11R22.5(1)	11R22.5(1)	11R22.5(1)	11R22.5(1)
Frame	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
Steering	Power (2)				
Front Bumper	3/16 Steel				
Front Axle	10,800 lbs	12,000 lbs	12,000 lbs	13,000 lbs	13,000 lbs
Rear Axle	17,000 lbs	17,000 lbs	17,000 lbs	19,000 lbs	19,000 lbs
Service brakes:					
Air	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear
Suspension	Frt. Springs 5,400 lbs. Ea @ grd. Rear Springs 8,500 lbs. Ea @ grd Frt. and rear shock absorbers	Frt. Springs 6,000 lbs. Ea @ grd. Rear Springs 8,500 lbs. Ea @ grd Frt. and rear shock absorbers	Frt. Springs 6,500 lbs. Ea @ grd. Rear Springs 9,500 lbs. Ea @ grd Frt. and rear shock absorbers	Frt. Springs 6,500 lbs. Ea @ grd. Rear Springs 9,500 lbs. Ea @ grd Frt. and rear shock absorbers	Frt. Springs 6,500 lbs. Ea @ grd. Rear Springs 9,500 lbs. Ea @ grd Frt. and rear shock absorbers
Engine	190 H.P*	190 H.P*	190*	210*	210*
Transmission (Allison)	2,500 PTS	2,500 PTS	2,500 PTS	2,500 PTS	3,000 PTS
Drive Shaft	Guards on all shafts				
Fuel tank (min size)	30	30	30	30	30
Air cleaner	Dry element type w/restriction gauge				
Alternator	160 amp 4 ga. charging and ground circuits				
Horn	Per FMVSS				

(1) Load range meeting TRA standards for required gawr.

(2) Power – Meeting Virginia specification

* (ENGINE) Electronic speed limiter set to maximum of 60 mph

Minimum Chassis Specification Chart

TYPE "D" Front Engine Transit

Maximum Design (Passenger) Capacity	<u>42 & 53</u>	<u>65</u>	<u>71</u>	<u>77</u>	<u>83</u>
Lights	Per FMVSS and daytime running lights				
Gauges	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure
Color	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow
Oil Filter	1 Qt. Per manufacturer				
Battery	750 cca				

Minimum Chassis Specification Chart

TYPE "D" Rear Engine Transit

Maximum Design (Passenger) Capacity	<u>66</u>	<u>72</u>	<u>78</u>	<u>84</u>
GVWR (lbs.)	29,800	29,800	33,000	33,000
Wheels	10-Stud Disc 22.5" X 7.5"	10-Stud Disc 22.5" X 7.5"	10-Stud Disc 22.5" X 7.5"	10-Stud Disc 22.5" X 7.5"
Tires	11R22.5(1)	11R22.5(1)	11R22.5(1)	11R22.5(1)
Frame	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
Steering	Power (2)	Power (2)	Power (2)	Power (2)
Front Bumper	3/16 Steel	3/16 Steel	3/16 Steel	3/16 Steel
Front Axle	10,800 lbs	10,800 lbs	12,000 lbs	12,000 lbs
Rear Axle	19,000 lbs	19,000 lbs	21,000 lbs	21,000 lbs
Service brakes:				
Air	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear	13.2 CMF Comp/Air dryer 16.5" x 5" Frt 16.5 x 7" Rear
Suspension	Frt. Springs 5,400 lbs. Ea @ grd. Rear Springs 9,500 lbs. Ea @ grd Frt. and rear shock absorbers	Frt. Springs 5,400 lbs. Ea @ grd. Rear Springs 9,500 lbs. Ea @ grd Frt. and rear shock absorbers	Frt. Springs 6,000 lbs. Ea @ grd. Rear Springs 10,500 lbs. Ea @ grd Frt. and rear shock absorbers	Frt. Springs 6,000 lbs. Ea @ grd. Rear Springs 10,500 lbs. Ea @ grd Frt. and rear shock absorbers
Engine	190 H.P.*	190 H.P.*	210 H.P.*	210 H.P.*
Transmission (Allison)	2,500 PTS	2,500 PTS	3,000 PTS	3,000 PTS
Drive Shaft	Guards on all shafts	Guards on all shafts	Guards on all shafts	Guards on all shafts
Fuel tank (min size)	30	30	30	30
Air cleaner	Dry element type w/restriction gauge	Dry element type w/restriction gauge	Dry element type w/restriction gauge	Dry element type w/restriction gauge
Alternator	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits	160 amp 4 ga. charging and ground circuits
Horn	Per FMVSS	Per FMVSS	Per FMVSS	Per FMVSS
Lights	Per FMVSS and daytime running lights	Per FMVSS and daytime running lights	Per FMVSS and daytime running lights	Per FMVSS and daytime running lights

(1) Load range meeting TRA standards for required gawr.

(2) Power – Meeting Virginia specification

* (ENGINE) Electronic speed limiter set to maximum of 60 mph

Minimum Chassis Specification Chart

TYPE "D" Rear Engine Transit

Maximum Design (Passenger) Capacity	66	72	78	84
Gauges	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure	Speedometer, tachometer, fuel, oil pressure, coolant temp & voltmeter, air pressure
Color	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow	Frame, wheels, bumper, rails and lettering-black. Back of mirrors – non-gloss black. The balance yellow
Oil Filter	1 Qt. Per manufacturer			
Battery	750 cca	750 cca	750 cca	750 cca

**Public Comments on Proposed Revisions to Virginia School Bus Specifications
(Based on Proposed Specifications presented at June 2009 Board of Education Meeting)**

Specification as Proposed (June Meeting)	Comment Received	Recommended Action of Specifications Committee
Item 48.A. – Hot water heaters of fresh air or combination fresh air and recirculating type, with power defrosters, are required.	Stafford County - Page 24 Item 48 A references a hot water heater. This seems redundant, if the water is hot then there is no need for a heater.	Leave as written. Heating of the school bus shall only be done with hot water heated by the engine. The statement refers to the means of producing the heat.
Item 50.A. 5.b. – The bus number (4 inches minimum) shall be placed on the inside rear header with black paint or vinyl decals. It shall not interfere with the Emergency Door letterings.	Stafford County - Page 26 letter B under optional markings a bus may have, the word “shall” is used in referencing the number on the rear head, perhaps “may” will work better since it is optional.	Leave as written. This is an optional item that if chosen shall be of a specific size.
Item 76.F. – Per manufacturer’s specifications.	Stafford County - Page 40 letter F only says “Per manufacturers specifications.” Is there something else that belongs there?	Change to “Windshield shall comply with all federal and state regulations.”
General Information – Item 2 – The requirements specified herein are the minimum requirements for school buses in Virginia. The date used to determine the applicability of these specifications shall be defined as the date the vendor receives the purchase order or signs a valid sales contract with the purchaser.	Sonny Merryman, Inc. – It is common practice among many Virginia school districts to make unbudgeted school bus equipment purchases with year end money or unused funds from operational savings or other sources. In many instances such state contract or emergency purchases are made quickly in order to expend funds prior to the close of the fiscal year. It is possible the locality may wish to purchase an “in stock” unit from a dealer which is not a current model year, however the	Currently this item is restricted by regulations and changing it would require a regulation change to 8VAC20-70-460 and 8VAC20-20-525. No change recommended.

**Public Comments on Proposed Revisions to Virginia School Bus Specifications
(Based on Proposed Specifications presented at June 2009 Board of Education Meeting)**

Specification as Proposed (June Meeting)	Comment Received	Recommended Action of Specifications Committee
	<p>school bus met or exceeded all federal and state specifications at the date of manufacture. Oftentimes, non current model year units are particularly attractive for cash strapped localities to acquire because additional savings/discounts may be realized by purchasing units prior to new model year price increases. Potentially, a locality may desire the quick purchase of a non current year stock unit that may not meet new state specifications that may have been enacted since the bus was manufactured. This could prevent the locality from making a critical purchase of a new bus. Also, it would highly discourage school bus dealers from stocking units which may become obsolete or unsellable under the current “date of purchase order” requirement. Purchasing new school buses which are fully compliant at the date of manufacture neither compromises safety nor intentionally undermines new Department of Education specifications or requirements related to the purchase of new school buses. Since the regulations allow school districts to purchase used buses (Item 3) which met or exceeded all</p>	

**Public Comments on Proposed Revisions to Virginia School Bus Specifications
(Based on Proposed Specifications presented at June 2009 Board of Education Meeting)**

Specification as Proposed (June Meeting)	Comment Received	Recommended Action of Specifications Committee
	federal and state requirements at the date of manufacture it only seems reasonable that new buses should be afforded that opportunity if a district desired to purchase it.	
Item 11. A. An electronic engine speed limiter shall be provided and set to limit engine speed not to exceed the maximum revolutions per minute as recommended by the engine manufacturer. For Type B, C, and D buses, and where feasible on Type A buses, bus road speed shall not exceed a maximum of 60 miles per hour.	Sonny Merryman, Inc. – Recommend the term “where feasible” be removed from text. A reliable road speed governor is now available for Type A buses (both Ford and GM gas & diesel).	Adopt comment and remove “For Type B, C, and D buses, and where feasible on Type A buses, bus.”
Item 34. B. Aisle supports of seat backs shall be slanted away from aisle sufficiently to give aisle clearance of 15 inches at top of seat backs.	Sonny Merryman, Inc. – Due to new FMVSS 222 regulations this section needs to be deleted.	Adopt comment. Remove “be slanted away from aisle sufficiently to give aisle clearance of 15 inches at top of seat backs.” Add “meet FMVSS 222.”
Item 48. J. Exception: Type A and D vehicles. 1. Front heat with high output and defroster shall be furnished by the chassis manufacturer. 2. The body manufacturer shall provide an additional under seat heater near the rear of the bus.	Sonny Merryman, Inc. – This section needs to be clarified. Type A & D vehicles have little in common and should have separate exception sections. Is a second rear heater required on Type A & D buses? The largest rear heater available on a Type A bus from Thomas Built Buses is 50,000 BTU. On Type D rear engine I think we are talking about location of the heater but not sure in reading the text.	Leave as written. This allows for manufacturers placement.

**Public Comments on Proposed Revisions to Virginia School Bus Specifications
(Based on Proposed Specifications presented at June 2009 Board of Education Meeting)**

Specification as Proposed (June Meeting)	Comment Received	Recommended Action of Specifications Committee
<p>Item 64. D. Seating plans for buses with wheelchair positions, See Items 92A. All school bus seating shall be of a three (3) to three (3) arrangement with the exception of the last row seat to the left of any rear emergency door. This seat shall be of a maximum width of 26” limiting it to two (2) passengers. There shall be provided a full width barrier in front of each seating position. Type D, Rear engine buses shall be exempt from the last row requirements. Exception – Type A – 16 passenger may have two (2) to two (2) seating arrangement, with 30 inch seats.</p>	<p>Sonny Merryman, Inc. – Recommend changing last row width from 26” to 30”. School districts which purchase lap/shoulder seat belts need this change as there is no 26” lap/shoulder seatbelt seat available in the industry. The 16 passenger unit should be able to utilize 30, 32, or 36 inch seat widths. Two high school children will not fit comfortably on a 30” seat.</p>	<p>Change this seat “shall be of...” to this seat shall “meet the standards set forth in FMVSS 222 for last row seating and FMVSS 217 for ingress and egress of emergency door and aisle clearance at that position.”</p>
<p>Item 64. F. Passenger seat cushion retention system shall be employed to prevent passenger seat cushions from disengaging from seat frames in event of accident. Each seat cushion retention system shall be capable of withstanding vertical static load equal to minimum of five times weight of cushion. System shall also be capable of withstanding forward or rearward static load equal to 20 times weight of cushion.</p>	<p>Sonny Merryman, Inc. – New FMVSS 222 regulations address the seat retention issue so this section is no longer applicable.</p>	<p>Adopt comment. Remove all text after “system shall” and add system shall “meet FMVSS 222.”</p>
<p>Item 64. M. Seat back heights shall be between 24 and 27 inches measured from cushion level.</p>	<p>Sonny Merryman, Inc. – New FMVSS 222 regulations address seat height so this section is no longer applicable.</p>	<p>Modify comment and remove “cushion level” and replace with “seating reference point.”</p>

**Public Comments on Proposed Revisions to Virginia School Bus Specifications
(Based on Proposed Specifications presented at June 2009 Board of Education Meeting)**

Specification as Proposed (June Meeting)	Comment Received	Recommended Action of Specifications Committee
Diagram 2 – E 4 inch LED Stop/Tail Lights	Sonny Merryman, Inc – Is LED correct? No where in the specifications for lighting is LED mentioned. LED lights are options and are purchased by a number of districts, however specifying LED for this one light is unusual.	Adopt comment. Remove “LED” from diagram 2.
Minimum Specifications for Chassis – Fuel Tank	Sonny Merryman, Inc – Recommend requiring minimum 60 gallon fuel tank on all buses 53 passenger and above. The 60 gallon tank is and has been industry standard for many years in the Commonwealth. By allowing a 30 gallon tank it requires the school districts to specify something they have taken for granted for many years.	Leave as written. If 30 gallon tanks are not available then there is no issue of not complying with the minimums.

Regulations are being proposed to establish a uniform definition for “unexcused absence” and any concomitant policies, procedures, or reporting requirements.

Summary of Major Elements: The attached Notice of Intended Regulatory Action (NOIRA) Background Document summarizes the major elements of this proposal to create regulations governing unexcused absences and truancy.

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

Impact on Resources: There may be an administrative impact on some local school divisions, depending upon current practice.

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



Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Virginia Department of Education
Virginia Administrative Code (VAC) citation	8 VAC 20-720-10
Regulation title	Regulations Governing Unexcused Absences and Truancy
Action title	New regulations to govern the collection and reporting of truancy - related data and provide guidance on school attendance policy
Date this document prepared	September 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*.

Purpose

Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.

The proposed regulatory action will govern the collection and reporting of truancy-related data, while providing comprehensive guidance on school attendance policy, including a standard definition of "unexcused absence."

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., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

§ 22.1-16. Bylaws and regulations generally.

"The Board of Education may 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."

§ 22.1-258. Appointment of attendance officers; notification when pupil fails to report to school.

Section 22.1-258 of the *Code of Virginia* requires each school division to create an attendance plan for any student with five unexcused absences and to schedule a conference with parents after the sixth unexcused absence, as shown below.

"Every school board shall have power to appoint one or more attendance officers, who shall be charged with the enforcement of the provisions of this article. Where no attendance officer is appointed by the school board, the division superintendent shall act as attendance officer."

Whenever any pupil fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, a reasonable effort to notify by telephone the parent to obtain an explanation for the pupil's absence shall be made by the attendance officer, other school personnel, or volunteers organized by the school administration for this purpose. Any such volunteers shall not be liable for any civil damages for any acts or omissions resulting from making such reasonable efforts to notify parents and obtain such explanation when such acts or omissions are taken in good faith, unless such acts or omissions were the result of gross negligence or willful misconduct. This subsection shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law or to affect any claim occurring prior to the effective date of this law. School divisions are encouraged to use noninstructional personnel for this notice.

Whenever any pupil fails to report to school for a total of five scheduled school days for the school year and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, and a reasonable effort to notify the parent has failed, the school principal or his designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, by the attendance officer to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

If the pupil is absent an additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, the attendance officer shall schedule a conference within ten school days with the pupil, his parent, and school personnel, which conference may include other community service providers, to resolve issues related to the pupil's nonattendance. The conference shall be held no later than fifteen school days after the sixth absence. Upon the next absence by such pupil without indication to the attendance officer that the pupil's parent is aware of and supports the pupil's absence, the school principal or his designee shall notify the attendance officer or the division superintendent, as the case may be, who shall enforce the provisions of this article by either or both of the following: (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in § [16.1-228](#) or (ii) instituting proceedings against the parent pursuant to § [18.2-371](#) or § [22.1-262](#). In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the provisions of this section. In the event that both parents have been awarded joint physical custody pursuant to § [20-124.2](#) and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

Nothing in this section shall be construed to limit in any way the authority of any attendance officer or division superintendent to seek immediate compliance with the compulsory school attendance law as set forth in this article.

Attendance officers, other school personnel or volunteers organized by the school administration for this purpose shall be immune from any civil or criminal liability in connection with the notice to parents of a pupil's absence or failure to give such notice as required by this section."

Need

Please detail the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. In addition, delineate any potential issues that may need to be addressed as the regulation is developed.

Unexcused absences are linked to numerous harmful personal and social consequences, such as academic failure, school dropout, crime and violence, unemployment, substance abuse, adult criminality and incarceration, unwanted pregnancy, and social isolation (Office of Juvenile Justice and Delinquency Prevention, 2007). Due to the strong link between truancy and these negative consequences, the Virginia Department of Education has recognized that truancy "is a critical issue to address as early and effectively as possible." (*Improving School Attendance: A Resource for Virginia Schools*, Virginia Department of Education, 2005) The scope of truancy is difficult to measure. School division policies vary on how to categorize legitimate absences and unexcused

absences. In some school divisions, decisions on how to categorize absences differ at the school building level. The Department's current data collection includes the raw number of unexcused absences for each student and an indicator whether a truancy conference has been scheduled for a student after six unexcused absences. The regulations proposed will establish a uniform definition of "unexcused absence" and concomitant reporting requirements.

Substance

Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed.

The proposed regulations will include specific provisions regarding standard definitions of terminology and any concomitant policies, procedures, or reporting requirements.

Alternatives

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action. Also, please describe the process by which the agency has considered or will consider other alternatives for achieving the need in the most cost-effective manner.

The alternative is to continue with the current practice with the Virginia Department of Education providing technical assistance.

Public participation

Please indicate the agency is seeking comments on the intended regulatory action, to include ideas to assist the agency in the development of the proposal and the costs and benefits of the alternatives stated in this notice or other alternatives. Also, indicate whether a public hearing is to be held to receive comments on this notice.

The agency is seeking comments on the intended regulatory action, including but not limited to 1) ideas to assist in the development of a proposal, 2) the costs and benefits of the alternatives stated in this background document or other alternatives and 3) potential impacts of the regulation. The agency is also seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the *Code of Virginia*. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulations.

Anyone wishing to submit comments may do so via the Regulatory Town Hall Web site, www.townhall.virginia.gov, or by mail, e-mail or fax to Dr. Susan FitzPatrick, Grants & Reports Manager, Safe & Drug-Free Schools Program, Virginia Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804)225-2897, fax (804)786-9769, e-mail Susan.Fitzpatrick@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 day of the public comment period.

A public hearing will not be held to receive comments on this notice.

Following the receipt of a citizen petition for rulemaking, the Virginia Department of Education published the petition in the Register of Regulations in the Regulatory Town Hall as required by the Administrative Process Act. Public comments were received during a 21-day public comment period. Eleven comments were received from ten individuals in support of the proposed regulations. No comments were received in opposition to the proposed regulations.

Participatory approach

Please indicate, to the extent known, if advisers (e.g., ad hoc advisory committees, technical advisory committees) will be involved in the development of the proposed regulation. Indicate that 1) the agency is not using the participatory approach in the development of the proposal because the agency has authorized proceeding without using the participatory approach; 2) the agency is using the participatory approach in the development of the proposal; or 3) the agency is inviting comment on whether to use the participatory approach to assist the agency in the development of a proposal.

The agency is using the participatory approach in the development of the proposal.

Family impact

Assess the potential 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.

The proposed regulatory action is expected to have a positive impact on the institution of the family and family stability. School attendance has been identified as a key issue in understanding and addressing the dropout rate (*Grad Nation: A Guidebook to Help Communities Tackle the Dropout Crisis*, America's Promise Alliance, 2009).

Board of Education Agenda Item

Item: _____ C. _____

Date: September 17, 2009

Topic: First Review of Requests from Norfolk City School Board for a Rating of Conditionally Accredited for Lafayette-Winona Middle School and Northside Middle School

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

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:

Once a school has failed to achieve a *Fully Accredited* status for four consecutive years based on its academic performance, as stated in 8 VAC 20-131-300.C, the school shall be rated *Accreditation Denied*. As outlined in 8 VAC 20-131-315, as an alternative to the memorandum of understanding required for schools rated *Accreditation Denied*, a local school board may choose to reconstitute the school and apply to the Board of Education for a rating of *Conditionally Accredited*. The application shall outline specific responses that address all areas of deficiency that resulted in the *Accreditation Denied* status.

As defined by the Standards of Accreditation, "reconstitution" means a process that may be used to initiate a range of accountability actions to improve pupil performance, curriculum, and instruction to address deficiencies that caused a school to be rated *Accreditation Denied*. Actions may include, but not be limited to, restructuring a school's governance, instructional program, staff, or student population.

Two Norfolk City schools that failed to achieve a status of *Fully Accredited* for the fourth consecutive year are requesting a rating of *Conditional Accreditation*. A history of the schools requesting a rating of *Conditionally Accredited* for the first year follows:

Division	School Name	Subjects Warned in 2006	Subjects Warned in 2007	Subjects Warned in 2008	Subjects Warned in 2009
Norfolk City Public Schools	Lafayette-Winona Middle School	Mathematics	Mathematics	Mathematics	History
Norfolk City Public Schools	Northside Middle School	Mathematics	Mathematics	Mathematics	History

Summary of Major Elements

Norfolk City Public Schools is requesting a rating of *Conditionally Accredited* for Lafayette-Winona Middle School and Northside Middle School indicating that reconstitution efforts have changed the governance in the two schools. The chart below indicates the reconstitution processes that will be used by the schools to initiate a range of accountability actions to improve pupil performance.

School Division	School Name	Governance	Staff
Norfolk City Public Schools	Lafayette-Winona Middle School	Primary	Additional
Norfolk City Public Schools	Northside Middle School	Primary	Additional

Data indicating these schools' performance over the last three years is included in Attachment A. It should be noted that 2008-2009 was the first year that Norfolk City Public Schools implemented the social studies breakout tests for the middle grades. The performance of the students on the Standards of Learning (SOL) assessment for U. S. History I impacted the overall achievement of students at both schools. Although the schools were able to improve pass rates in mathematics, the schools fell short of the benchmark for History/Social Studies by nine points at Lafayette-Winona Middle School and four points at Northside Middle School.

The Office of School Improvement has worked closely with these schools to design and implement an oversight committee as a formal mechanism to focus on and improve instruction in the area(s) of warning. The purpose of the oversight or shared governance committee is to:

1. Serve as a formal mechanism to guide instructional decisions based on data including, but not limited to, formative assessment data, classroom observations and review of lesson plans.
2. Monitor and adjust the school's improvement plan frequently.
3. Provide outside expertise and knowledge in the content area of warning and/or in research-based instructional practices that foster improved student achievement.
4. Align division resources with the needs of the school, including additional help and support from the central office.
5. Share the governance in the instructional area(s) of warning through a formal decision-making process. In these committees, the principal is not the sole instructional decision-maker.

The following table indicates the composition of the oversight committees for each school requesting ratings of *Conditionally Accredited*:

School Division	School Name	Outside expertise in area of warning	Division curriculum or instructional leader	Principal	Teacher	Outside monitor or facilitator
Norfolk City Public Schools	Lafayette-Winona Middle School	VDOE History Content Specialist	Director of Middle Schools	Principal	Lead Teacher	VDOE Contracted Auditor
Norfolk City Public Schools	Northside Middle School	VDOE History Content Specialist	Director of Middle Schools	Principal	Lead Teacher	VDOE Contracted Auditor

The following table provides an overview of the alternative governance efforts presented in the letters requesting ratings of *Conditionally Accredited*:

Division	School Name	Overview of Request
Norfolk City Public Schools	Lafayette-Winona Middle School	The role of the governance committee is to monitor the school improvement plan, review data, and make adjustments as needed. The governance committee meets at least monthly and will include representation from the school, division, and state levels. Decision-making is by consensus with majority vote. A Virginia Department of Education (VDOE) history content specialist will be assigned to the governance committee at the request of the division.
Norfolk City Public Schools	Northside Middle School	The role of the governance committee is to monitor the school improvement plan, review data, and make adjustments as needed. The governance committee meets at least monthly and will include representation from the school, division, and state levels. Decision-making is by consensus with majority vote. A VDOE history content specialist will be assigned to the governance committee at the request of the division.

Recommendations

The VDOE will provide technical assistance to the schools and division through a partnership with the Appalachia Regional Comprehensive Center (ARCC), the Virginia Foundation of Educational Leadership (VFEL), and the Center for Innovation and Improvement (CII). The technical assistance will provide staff with information regarding the division-level indicators that support the rapid improvement of low-performing schools. These indicators are as follows:

1. **Community.** The division includes civic leaders, community organizations, and churches in the division and school improvement planning and maintains regular communication with them.
2. **Achievement Targets.** The division sets division, school, and student subgroup achievement targets.
3. **Data System.** The division ensures that key pieces of user-friendly data are available in a timely fashion at the division, school, and classroom levels.
4. **Program Evaluation.** The division examines existing school improvement strategies being implemented across the division and determines their value, expanding, modifying, and culling as evidence suggests.
5. **Curriculum.** The division provides a cohesive division curriculum guide aligned with state standards or otherwise places curricular expectations on the school.
6. **Data Training.** The division provides the technology, training, and support to facilitate the school's data management needs.
7. **Staff Incentives.** The division provides incentives for staff who work effectively in hard-to-staff and restructured schools
8. **Resource Reallocation.** The division regularly reallocates resources to support school, staff, and instructional improvement.
9. **Quality Staff.** The division recruits, trains, supports, and places personnel to competently address the problems of schools in need of improvement.
10. **Division Intervention.** The division intervenes early when a school is not making adequate progress.
11. **Progress Monitoring.** The school reports and documents its progress monthly to the superintendent, and the superintendent reports the school's progress to the school board.
12. **Division Contact.** The division designates a central office contact person for the school, and that person maintains close communication with the school and an interest in its progress.
13. **Division-School Communication.** Division and school decision-makers meet at least twice a month to discuss the school's progress.
14. **Professional Development.** Professional development is built into the school schedule by the division, but the school is allowed discretion in selecting, training, and consulting that fit the requirements of its improvement/restructuring plan and its evolving needs.
15. **Programs and Practices.** The improvement/restructuring plan includes research-based, field-proven programs, practices, and models.
16. **Vision.** The improvement/restructuring plan includes a clear vision of what the school will look like when restructured or substantially improved.
17. **Quick Wins.** The improvement/restructuring plan focuses on "quick wins," early successes in improvement.
18. **School Teams.** A team structure is officially incorporated into the school improvement plan and school governance policy.
19. **Student Support.** The division works with the school to provide early and intensive intervention for students not making progress.
20. **Instruction and Performance.** The school's Leadership Team regularly looks at school performance data and aggregated classroom observation data and uses that data to make decisions about school improvement and professional development needs.

It is imperative to emphasize not only the shared leadership between the central office and the school, but the importance of shared instructional leadership within the school. In the 2009-2010 school year, VDOE's partnership with ARCC, VFEL and CII will continue to provide technical assistance with a concentration on continued division-level support and school-level support with a focus on shared instructional leadership. Division staff, principals, school improvement teams, and lead teachers from the division and the two schools will receive research-based technical assistance throughout the school year

prepared by the CII and delivered by VFEL faculty and VDOE staff on the following rapid improvement leadership indicators. Rapid improvement leaders:

1. Make an action plan so that everyone involved knows specifically what they need to do differently.
2. First concentrate on a very limited number of changes to achieve early, visible wins for the school.
3. Make changes that deviate from organization's norms and rules if necessary to gain visible wins.
4. Implement an action plan in which change is mandatory for all staff, not optional.
5. Replace or redeploy some staff as necessary based on careful examination of skills and readiness for change.
6. Quickly discard tactics that don't work and spend more resources and time on tactics that work.
7. Report progress but keep the school's focus on high goals.
8. Motivate others inside and outside the school to contribute to success.
9. Use various tactics to help staff empathize with those they serve and be motivated for change.
10. Work hard to gain the support of trusted influencers among staff and community.
11. Silence critics with speedy success on "quick win" objectives.
12. Personally analyze data about the organization's performance to identify high-priority problems that can be fixed quickly.
13. Set up systems to measure and report interim results often.
14. Share results in open-air meetings to hold all staff accountable for results and to focus on solving problems.

Systems and processes are also necessary for improvement. For this reason, additional technical assistance will be provided by the CII and delivered by VFEL faculty and VDOE staff to focus on the following systems and processes:

1. Establishing a team structure with specific duties and time for instructional planning.
2. Focusing the principal's role on building leadership capacity, achieving learning goals, and improving instruction.
3. Aligning classroom observations with evaluation criteria and professional development.
4. Engaging teachers in aligning instruction with standards and benchmarks.
5. Engaging teachers in assessing and monitoring student mastery.
6. Engaging teachers in differentiating and aligning learning activities.
7. Assessing student learning frequently with standards-based assessments.
8. Expecting and monitoring sound instruction in a variety of modes.
9. Expecting and monitoring sound homework practices and communication with parents.
10. Expecting and monitoring sound classroom management.

The importance of data cannot be underestimated for schools that are chronically underachieving. Using research-based indicators that lead to increased student achievement is imperative for improvement. The VDOE has designed a quarterly reporting instrument that will help divisions and schools monitor critical indicators that are related not only to immediate increases in student achievement, but also to those indicators that are attributed to students not graduating on time.

The following are recommendations for each of the two schools requesting a rating of *Conditionally Accredited*:

1. The VDOE will appoint an auditor through the academic review process to monitor the implementation of the schools' reconstitution efforts monthly. Also, the VDOE will assign the VDOE history specialist to provide technical assistance to the division and schools throughout the year.
2. LEA staff assigned to work with the schools throughout the year will attend technical assistance provided by the VDOE regarding division support and the division framework needed to restructure and support low-performing schools. In addition, school staff, including the principal, will attend similar technical assistance regarding rapid improvement leadership indicators and systems and processes that support increased student achievement. This technical assistance will be provided by the VFEL, ARCC, and the CII, and will be monitored by a monthly online reporting system.
3. The division and schools will submit the required data profile as specified by the VDOE at least quarterly. This report may be found at <http://www.doe.virginia.gov/VDOE/SchoolImprovement/>.
4. The division will adhere to any additional recommendations indicated in the Conditional Request and Recommendations form or by the auditor throughout the year and will comply with any reporting requirements requested (submission of Algebra Readiness Diagnostic Testing [ARDT] data on a regular basis, monthly reporting to the superintendent and Office of School Improvement). Specific recommendations for each school are as follows:

Division	School Name	Recommendations
Norfolk City Public Schools	Lafayette-Winona Middle School	Division staff, VDOE contractor, VDOE history content specialist, division staff, and school staff must participate in monthly meetings to discuss the progress in the school's implementation of the school improvement plan, addressing issues related to history instruction, and the alignment of state and local educational agency (LEA) resources.
Norfolk City Public Schools	Northside Middle School	Division staff, VDOE contractor, VDOE history content specialist, division staff, and school staff must participate in monthly meetings to discuss the progress in the school's implementation of the school improvement plan, addressing issues related to history instruction, and the alignment of state and LEA resources.

Attachment A provides a summary of each school's present and past SOL pass rates, area(s) of warning, overview of the reconstitution efforts, the VDOE's recommendations, and projected follow-up. Attachment B is the letter from Norfolk City School Board requesting a rating of *Conditional Accreditation* for Lafayette-Winona Middle School and Northside Middle School

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the recommendations and rating of *Conditionally Accredited* for Lafayette-Winona Middle School and Northside Middle School as requested by Norfolk Public Schools.

Impact on Resources: The Office of School Improvement will be required to use the academic review budget to fund auditors assigned to schools.

Timetable for Further Review/Action: None

Division of Student Assessment and School Improvement
Conditional Request & Recommendations

Name of Division: Norfolk City		Name of School: Lafayette-Winona Middle School		
Title I: N	School Improvement Status: N/A		Grades: 6-8	
Subjects Warned in 2006: Mathematics	Subjects Warned in 2007: Mathematics	Subjects Warned in 2008 Mathematics	Subjects Warned in 2009 History	
Overview of 2009-2010 Request	Establish a governance committee. The role of the governance committee is to monitor the school improvement plan, review data, and make adjustments as needed. The governance committee meets at least monthly and will include representation from the school, division, and state levels. Decision-making is by consensus with majority vote. A Virginia Department of Education (VDOE) history content specialist will be assigned to the governance team at the request of the division.			

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	64.89	71.21	73.32	75.99
Mathematics Performance	37.88	55.11	55.39	70.27
Science Performance	79.35	79.21	79.3	80.19
History Performance	AYP not available	76.25	75.7	60.98

Recommendations

The department recommends the following for each school requesting a rating of *Conditionally Accredited*:

1. The VDOE will appoint an auditor through the academic review process or the PASS program to monitor the implementation of the school's reconstitution efforts monthly.
2. Local educational agency (LEA) staff assigned to work with the school throughout the year will attend technical assistance provided by the department regarding division support and the division framework needed to restructure and support low-performing schools. In addition, school staff, including the principal, will attend similar technical assistance regarding rapid improvement leadership indicators and systems and processes that support increased student achievement. This technical assistance will be provided by the Virginia Foundation of Educational Leadership (VFEL), the Appalachia Regional Comprehensive Center (ARCC), and the Center for Innovation and Improvement (CII) and will be monitored by a monthly online reporting system.
3. The division and school will submit the required data profile as specified by the VDOE at least quarterly.
4. The division will adhere to any additional recommendations indicated in the Conditional Request and Recommendations form or by the auditor throughout the year and will comply with any reporting requirements requested (submission of Algebra Readiness Diagnostic Testing [ARDT] data on a regular basis, monthly reporting to the superintendent and Office of School Improvement).

Specific recommendations for each school are as follows: VDOE contractor, VDOE history content specialist, division staff, and school staff must participate in monthly meetings to discuss the progress in the school's implementation of the school improvement plan, addressing issues related to history instruction, and the alignment of state and LEA resources.

Division of Student Assessment and School Improvement
Conditional Request & Recommendations

Name of Division:		Name of School: Northside Middle School		
Title I: N	School Improvement Status: N/A		Grades: 6-8	
Subjects Warned in 2006: Mathematics	Subjects Warned in 2007: Mathematics	Subjects Warned in 2008 Mathematics	Subjects Warned in 2009 History	
Overview of 2009-2010 Request	Establish a governance committee. The role of the governance committee is to monitor the school improvement plan, review data, and make adjustments as needed. The governance committee meets at least monthly and will include representation from the school, division, and state levels. Decision-making is by consensus with majority vote. A Virginia Department of Education (VDOE) history content specialist will be assigned to the governance committee at the request of the division.			

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	74.18	74.41	73.87	80.37
Mathematics Performance	45.03	52.25	63.86	71.93
Science Performance	83.82	79.73	88.25	88.34
History Performance	AYP not available	70.93	72.38	66.31

Recommendations
<p>The department recommends the following for each school requesting a rating of <i>Conditionally Accredited</i>:</p> <ol style="list-style-type: none"> 1. The VDOE will appoint an auditor through the academic review process or the PASS program to monitor the implementation of the school's reconstitution efforts monthly. 2. Local educational agency (LEA) staff assigned to work with the school throughout the year will attend technical assistance provided by the department regarding division support and the division framework needed to restructure and support low-performing schools. In addition, school staff, including the principal, will attend similar technical assistance regarding rapid improvement leadership indicators and systems and processes that support increased student achievement. This technical assistance will be provided by the Virginia Foundation of Educational Leadership (VFEL), the Appalachia Regional Comprehensive Center (ARCC), and the Center for Innovation and Improvement (CII) and will be monitored by a monthly online reporting system. 3. The division and school will submit the required data profile as specified by the VDOE at least quarterly. 4. The division will adhere to any additional recommendations indicated in the Conditional Request and Recommendations form or by the auditor throughout the year and will comply with any reporting requirements requested (submission of Algebra Readiness Diagnostic Testing [ARDT] data on a regular basis, monthly reporting to the superintendent and Office of School Improvement). <p>Specific recommendations for each school are as follows: VDOE contractor, VDOE history content specialist, division staff, and school staff must participate in monthly meetings to discuss the progress in the school's implementation of the school improvement plan, addressing issues related to history instruction, and the alignment of state and LEA resources.</p>



Norfolk Public Schools
NATIONALLY RECOGNIZED. GLOBALLY COMPETITIVE.

August 25, 2009

Dr. Mark E. Emblidge
President
Virginia Department of Education
413 Stuart Circle
Suite 303
Richmond, VA 23220

Dear Dr. Emblidge:

Norfolk Public Schools is requesting conditional accreditation for Lafayette-Winona Middle School and Northside Middle School for the 2009-2010 school year. These two middle schools missed the mark for accreditation in the area of History. For the first time in 2008-2009, Norfolk Public Schools administered the US History 1 and 2 tests in grades 6-7.

Summary of History Standards of Learning Test Pass Rates for the Norfolk Public School:
2004-05 through 2008-09

Subject Test	04-05	05-06	06-07	07-08	08-09
Grade 6 History: US to 1877	N/A	N/A	N/A	N/A	44.4
Grade 7 History: US 1877 to Present	N/A	N/A	N/A	N/A	78.2
Grade 8 History: Civics & Economics	81.3	79.8	79.8	73.6	68.1

Lafayette-Winona Middle	04-05	05-06	06-07	07-08	08-09
Grade 6 History: US to 1877	N/A	N/A	N/A	N/A	34
Grade 7 History: US 1877 to Present	N/A	N/A	N/A	N/A	68
Grade 8 History: Civics & Economics	78.9	71.5	67	74.2	69

Northside Middle	04-05	05-06	06-07	07-08	08-09
Grade 6 History: US to 1877	N/A	N/A	N/A	N/A	42
Grade 7 History: US 1877 to Present	N/A	N/A	N/A	N/A	82
Grade 8 History: Civics & Economics	82.9	76.7	70.7	68.4	70

The schools' Data Team has received training in data analysis and data driven decision making by certified trainers and they have received ongoing support in data analysis. The district administers quarterly assessments in the core content based on state standards. Teachers received much assistance using this data to drive instruction in their classrooms.

Teachers in the history department have had the opportunity to participate in numerous full day "power planning" sessions sponsored by the district. These work sessions allowed teachers from all schools to work and plan with their grade level colleagues. Best instructional practices and data-driven decision making are the focus of these sessions.

Additionally, support has been provided to the school from outside experts. Dr. Doug Reeves provided coaching and support to the principal and teachers on instructional best practices through quarterly webinars and Dr. Linda Gregg worked on-site with the special education staff to raise achievement in all contents. Both of these individuals are from the Leadership and Learning Center for Performance Assessment founded by Dr. Douglas Reeves.

The district conducted comprehensive Academic Reviews using an in-house team consisting of: Executive Director of Elementary Schools, history teacher specialists, reading specialist and senior coordinators of Special Education. The Academic Reviews provided much insight into the operations of the schools history and math departments.

Upon receipt of the preliminary scores this July and in-depth analysis of the results, it became apparent to us that further steps would be necessary if we are to ensure success for all students at both Lafayette-Winona and Northside Middle Schools. For the 2009-2010 academic year:

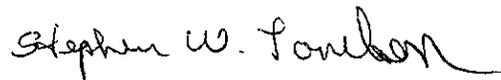
- The entire history instructional teams has been staffed with teachers who are highly qualified. Norfolk Public Schools is requesting conditional accreditation based on these staff changes and the implementation of shared governance in the area of history. The shared governance committees will include representation from the two schools, district, and state and university levels.
- The district requests that the VDOE history and social sciences coordinator visit classrooms and provide feedback.
- Collaboration with the VDOE history and social sciences coordinator and NPS history senior coordinator to review curriculum and professional development.
- A focus on the adult actions for accountability from all levels of the organization including:
 - Executive Director to monitor and provide feedback of monthly data team meeting minutes and attend when possible
 - Chief Academic Officer and Executive Director will review the quarterly content observations completed by Lafayette-Winona and Northside Middle School administrators and department chairs
 - The Superintendent's senior leadership team will receive monthly status updates and provide support through the various departments (Academics, Operations, Human Resources, Technology, Testing, Finance)
 - Accountability Plans will focus on adult actions. The Executive Director will monitor the deep implementation of these actions. Review quarterly reports

We believe that through these efforts, the students at both middle school will benefit from improved instruction and will be able to demonstrate increased academic success.

We look forward to meeting the Board to make this formal request for conditional accreditation for Lafayette-Winona and Northside Middle Schools.

Thank you for your consideration of these issues.

Very truly yours,

A handwritten signature in black ink that reads "Stephen W. Tonelson". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Dr. Stephen W. Tonelson
Chairman
Norfolk School Board

CC: Kathleen Smith

Board of Education Agenda Item

Item: D.

Date: September 17, 2009

Topic: First Review of Requests for Continuation of the Rating of Conditionally Accredited from Norfolk City School Board and Richmond City School Board

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

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 September 25, 2008
action Board accepted for first review a request for a continued rating of *Conditionally Accredited*

Background Information:

Once a school has failed to achieve a *Fully Accredited* status for four consecutive years based on its academic performance, as stated in 8 VAC 20-131-300.C, the school shall be rated *Accreditation Denied*. As outlined in 8 VAC 20-131-315, as an alternative to the memorandum of understanding required for schools rated *Accreditation Denied*, a local school board may choose to reconstitute the school and apply to the Board of Education for a rating of *Conditionally Accredited*. The application shall outline specific responses that address all areas of deficiency that resulted in the *Accreditation Denied* status.

As defined by the Standards of Accreditation, "reconstitution" means a process that may be used to initiate a range of accountability actions to improve pupil performance, curriculum, and instruction to address deficiencies that caused a school to be rated *Accreditation Denied*. Actions may include, but not be limited to, restructuring a school's governance, instructional program, staff, or student population.

Summary of Major Elements

Last year, thirteen schools were granted an accreditation rating of *Conditionally Accredited*. As indicated by preliminary data, seven of those schools will be *Fully Accredited*; three of those schools have been closed by their respective local school boards; and one of those schools will be denied accreditation. Two schools from two divisions are requesting a continued rating of *Conditionally Accredited* for the third consecutive year. These two schools are indicated below:

Division	School Name	Subjects Warned in 2006	Subjects Warned in 2007	Subjects Warned in 2008	Subjects Warned in 2009
Norfolk City	Lake Taylor Middle School	Mathematics	Mathematics	Mathematics	Mathematics
Richmond City	Thomas C. Boushall Middle School	English, Mathematics, History	English, Mathematics, History	English, Mathematics, History, Science	Mathematics, History

The chart below summarizes the primary and the additional justifications provided in September 2009 by the two school divisions for reconstitution efforts in the two schools.

School Division	School Name	Governance	Staff
Norfolk City	Lake Taylor Middle	Primary	Primary
Richmond City	Thomas C. Boushall Middle	Primary	

Governance

These schools have been implementing alternative governance through an oversight or shared governance committee. The purpose of the oversight or shared governance committee is to:

1. Serve as a formal mechanism to guide instructional decisions based on data including, but not limited to, formative assessment data, classroom observations, and review of lesson plans.
2. Monitor and adjust the school's improvement plan frequently.
3. Provide outside expertise and knowledge in the content area of warning and/or in research-based instructional practices that foster improved student achievement.
4. Align division resources with the needs of the school, including additional help and support from the central office.
5. Share the governance in the instructional area(s) of warning through a formal decision-making process. In these committees, the principal is not the sole instructional decision-maker.

Staffing

At Lake Taylor Middle School, the entire mathematics instructional team has been staffed with teachers who are highly qualified to teach mathematics. The division has recruited master teachers from the division to work at Lake Taylor Middle School for the 2009-2010 year.

At both Lake Taylor Middle School and Thomas C. Boushall Middle School, there is a focus on adult actions for accountability from all levels of the organization (Attachments B and C).

Achievement

Attachment A provides a summary of each school's present and past SOL pass rates, area(s) of warning, overview of the reconstitution efforts, the department's recommendations, and projected follow-up.

Schools that were granted a rating of *Conditional Accreditation* and *Warned in Mathematics* in 2008-2009 were required to administer the Algebra Readiness Diagnostic Test (ARDT) to all sixth- and seventh-grade students throughout the year. The ARDT tracks the number of students who are on grade level. Pre- and post-test results for the schools requesting a third conditional rating as a result of being warned in mathematics for the third consecutive year are included below:

Lake Taylor Middle
Number/percentage of 6th-grade students scoring at each grade level

Grade Level	Pre-Test		Post-Test	
	# of Students	% of Students	# of Students	% of Students
3	15	7%	5	3%
4	95	43%	79	41%
5	88	40%	65	34%
6	24	11%	43	22%
7	0	0%	0	0%
8	0	0%	0	0%
Total	222		192	

Lake Taylor Middle
Number/percentage of 7th-grade students scoring at each grade level

Grade Level	Pre-Test		Post-Test	
	# of Students	% of Students	# of Students	% of Students
3	0	0%	0	0%
4	85	45%	65	41%
5	93	50%	69	43%
6	6	3%	11	7%
7	3	2%	14	9%
8	0	0%	0	0%
Total	187		159	

Thomas C. Boushall Middle

Number/percentage of 6th-grade students scoring at each grade level

Grade Level	Pre-Test		Post-Test	
	# of Students	% of Students	# of Students	% of Students
3	2	2%	2	2%
4	51	45%	39	34%
5	44	39%	44	39%
6	17	15%	29	25%
7	0	0%	0	0%
8	0	0%	0	0%
Total	114		114	

Thomas C. Boushall Middle

Number/percentage of 7th-grade students scoring at each grade level

Grade Level	Pre-Test		Post-Test	
	# of Students	% of Students	# of Students	% of Students
3	0	0%	0	0%
4	55	50%	40	36%
5	40	36%	46	41%
6	9	8%	12	11%
7	7	6%	13	12%
8	0	0%	0	0%
Total	111		111	

Technical Assistance

Schools granted a rating of *Conditional Accreditation* in 2009-2010 will also be required to participate in technical assistance from the department. Through a partnership with the Appalachia Regional Comprehensive Center (ARCC), the Virginia Foundation of Educational Leadership (VFEL), the Center for Innovation and Improvement (CII) and the Virginia Department of Education, division staff will continue to be provided a series of technical assistance provided via webinars. The technical assistance will continue to provide division staff with information regarding the division-level indicators that support the rapid improvement of low-performing schools. These indicators are as follows:

1. **Community.** The division includes civic leaders, community organizations, and churches in the division and school improvement planning and maintains regular communication with them.
2. **Achievement Targets.** The division sets division, school, and student subgroup achievement targets.
3. **Data System.** The division ensures that key pieces of user-friendly data are available in a timely fashion at the division, schools and classroom levels.
4. **Program Evaluation.** The division examines existing school improvement strategies being implemented across the division and determines their value, expanding, modifying, and culling as evidence suggests.
5. **Curriculum.** The division provides a cohesive division curriculum guide aligned with state standards or otherwise places curricular expectation on the school.

6. **Data Training.** The division provides the technology, training, and support to facilitate the school's data management needs.
7. **Staff Incentives.** The division provides incentives for staff who work effectively in hard-to-staff and restructured schools
8. **Resource Reallocation.** The division regularly reallocates resources to support school, staff, and instructional improvement.
9. **Quality Staff.** The division recruits, trains, supports, and places personnel to competently address the problems of schools in need of improvement.
10. **Division Intervention.** The division intervenes early when a school is not making adequate progress.
11. **Progress Monitoring.** The school reports and documents its progress monthly to the superintendent, and the superintendent reports the school's progress to the school board.
12. **Division Contact.** The division designates a central office contact person for the school, and that person maintains close communication with the school and an interest in its progress.
13. **Division-School Communication.** Division and school decision-makers meet at least twice a month to discuss the school's progress.
14. **Professional Development.** Professional development is built into the school schedule by the division, but the school is allowed discretion in selecting, training and consulting that fit the requirements of its improvement/restructuring plan and its evolving needs.
15. **Programs and Practices.** The improvement/restructuring plan includes research-based, field-proven programs, practices, and models.
16. **Vision.** The improvement/restructuring plan includes a clear vision of what the school will look like when restructured or substantially improved.
17. **Quick Wins.** The improvement/restructuring plan focuses on "quick wins," early successes in improvement.
18. **School Teams.** A team structure is officially incorporated into the school improvement plan and school governance policy.
19. **Student Support.** The division works with the school to provide early and intensive intervention for students not making progress.
20. **Instruction and Performance.** The school's Leadership Team regularly looks at school performance data and aggregated classroom observation data and uses that data to make decisions about school improvement and professional development needs.

It is imperative to emphasize not only the shared leadership between the central office and the school, but the importance of shared instructional leadership within the school. In the 2009-2010 school year, VDOE's partnership with ARCC, VFEL and CII will continue to provide technical assistance with a concentration on continued division-level support and school-level support with a focus on shared instructional leadership. Division staff, principals, school improvement teams, and lead teachers will receive research-based technical assistance throughout the school year prepared by CII and delivered by VFEL faculty and VDOE staff on the following rapid improvement leadership indicators. Rapid improvement leaders:

1. Make an action plan so that everyone involved knows specifically what they need to do differently.
2. First concentrate on a very limited number of changes to achieve early, visible wins for the school.
3. Make changes that deviate from organization's norms and rules if necessary to gain visible wins.

4. Implement an action plan in which change is mandatory for all staff, not optional.
5. Replace or redeploy some staff as necessary based on careful examination of skills and readiness for change.
6. Quickly discard tactics that don't work and spend more resources and time on tactics that work.
7. Report progress but keep the school's focus on high goals.
8. Motivate others inside and outside the school to contribute to success.
9. Use various tactics to help staff empathize with those they serve and be motivated for change.
10. Work hard to gain the support of trusted influencers among staff and community.
11. Silence critics with speedy success on "quick win" objectives.
12. Personally analyze data about the organization's performance to identify high-priority problems that can be fixed quickly.
13. Set up systems to measure and report interim results often.
14. Share results in open-air meetings to hold all staff accountable for results and to focus on solving problems.

Systems and processes are also necessary for improvement. For this reason, additional technical assistance will be provided by CII and delivered by VFEL faculty and VDOE staff to focus on the following systems and processes:

1. Establishing a team structure with specific duties and time for instructional planning.
2. Focusing the principal's role on building leadership capacity, achieving learning goals, and improving instruction.
3. Aligning classroom observations with evaluation criteria and professional development.
4. Engaging teachers in aligning instruction with standards and benchmarks.
5. Engaging teachers in assessing and monitoring student mastery.
6. Engaging teachers in differentiating and aligning learning activities.
7. Assessing student learning frequently with standards-based assessments.
8. Expecting and monitoring sound instruction in a variety of modes.
9. Expecting and monitoring sound homework practices and communication with parents.
10. Expecting and monitoring sound classroom management.

The importance of data cannot be underestimated for schools that are chronically underachieving. Using research-based indicators that lead to increased student achievement is imperative for improvement. The VDOE has designed a quarterly reporting instrument that will help divisions and schools monitor critical indicators that are related not only to immediate increases in student achievement, but also to those indicators that are attributed to students not graduating on time.

Recommendations

The following recommendations are for both schools requesting a continued rating of *Conditional Accreditation*:

1. The VDOE will appoint an auditor through the academic review process or the PASS program to monitor the implementation of the schools' reconstitution efforts monthly.
2. Local educational agency (LEA) staff assigned to work with the schools throughout the year will continue to attend technical assistance provided by the VDOE regarding division support and the division framework needed to restructure and support low-performing schools. In addition, school staff, including the principal, will attend similar technical assistance regarding

rapid improvement leadership indicators and systems and processes that support increased student achievement. This technical assistance will be provided by the VFEL, ARCC, and CII and will be monitored by a monthly online reporting system.

3. If warned in mathematics in the middle school grades, the Algebra Readiness Diagnostic Test (ARDT) will be given to all sixth- and seventh-grade students throughout the year. The Office of School Improvement and the LEA representative will set a schedule for this testing based on recommendations from VDOE’s mathematics specialist.
4. The divisions and schools will submit the required data profile as specified by the VDOE, at least quarterly.
5. The divisions will adhere to any additional recommendations indicated in the Conditional Request and Follow-up form or by the auditor throughout the year and will comply with any reporting requirements requested (submission of ARDT data on a regular monthly basis, reporting to the superintendent and Office of School Improvement). Specific recommendations for each school are as follows:

Division	School Name	Recommendations
Norfolk City Schools	Lake Taylor Middle School	Division staff, VDOE contractor, and school staff must participate in a monthly meeting to discuss the progress in the school’s implementation of the school improvement plan, issues related to mathematics instruction, and the alignment of state and LEA resources. A VDOE mathematics specialist will be assigned to support the school’s progress as requested by Norfolk City Schools.
Richmond City Schools	Thomas C. Boushall Middle School	A new auditor will be assigned to this school who will meet with a division-level representative and the principal at least monthly. The purpose of this meeting is to align division and school resources as well as discuss the implementation of the school’s improvement plan.

Attachment B is the request from Norfolk City School Board for a continued rating of *Conditional Accreditation* for Lake Taylor Middle School. Attachment C is the request from Richmond City School Board for a continued rating of *Conditional Accreditation* for Thomas C. Boushall Middle School.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the recommendations and ratings of *Conditionally Accredited* for Lake Taylor Middle School and Thomas C. Boushall Middle School as requested by the Norfolk City School Board and Richmond City School Board, respectively.

Impact on Resources: The Office of School Improvement will be required to use the academic review budget to fund the auditors assigned to these schools.

Timetable for Further Review/Action: None

Virginia Department of Education
 Division of Student Assessment and School Improvement
 Conditional Request & Recommendations

Name of Division: Norfolk City		Name of School: Lake Taylor Middle School	
Title I: N	School Improvement Status: N/A		Grades: 6-8
Subjects Warned in 2006: Mathematics	Subjects Warned in 2007: Mathematics	Subjects Warned in 2008: Mathematics	Subjects Warned in 2009: Mathematics
2009-2010 request	In addition to alternative governance, Norfolk City Public Schools has replaced staff with master teachers. A Virginia Department of Education (VDOE) mathematics specialist will work with division and school staff.		

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	66.48	70.52	67.83	73.7
Mathematics Performance	40.68	49.5	59.44	62.23
Science Performance	74.31	73.79	80.92	79.58
History Performance	66.48	70.52	67.83	73.7

Recommendations
<p>The department recommends the following for each school requesting a rating of Conditionally Accredited:</p> <ol style="list-style-type: none"> 1. The VDOE will appoint an auditor through the academic review process or the PASS program to monitor the implementation of the school's reconstitution efforts monthly. 2. Local educational agency (LEA) staff assigned to work with the school throughout the year will continue to attend technical assistance provided by the department regarding division support and the division framework needed to restructure and support low-performing schools. In addition, school staff, including the principal, will attend similar technical assistance regarding rapid improvement leadership indicators and systems and processes that support increased student achievement. This technical assistance will be provided by the Virginia Foundation of Educational Leadership (VFEL), the Appalachian Regional Comprehensive Center (ARCC), and the Center for Innovation and Improvement (CII) and will be monitored by a monthly online reporting system. 3. If warned in mathematics in the middle school grades, the Algebra Readiness Diagnostic Test (ARDT) will be given to all sixth- and seventh-grade students throughout the year. The Office of School Improvement and the LEA representative will set a schedule for this testing based on recommendations from the department's middle school mathematics specialist. 4. The division and school will submit the required data profile as specified by the VDOE at least quarterly. 5. The division will adhere to any additional recommendations indicated in the Conditional Request and Recommendations form or by the auditor throughout the year and will comply with any reporting requirements requested (submission of ARDT data on a regular basis, monthly reporting to the superintendent and Office of School Improvement). <p>Specific recommendations for each school are as follows: VDOE contractor, division staff and school staff must participate in a meeting monthly to discuss the progress in the school's implementation of the school improvement plan, issues related to mathematics instruction, and the alignment of state and LEA resources. A VDOE mathematics specialist will be assigned to support the school's progress as requested by Norfolk City Schools.</p>

Virginia Department of Education
 Division of Student Assessment and School Improvement
 Conditional Request & Recommendations

Name of Division: Richmond City		Name of School: Thomas Boushall Middle School	
Title I: N	School Improvement Status: N/A		Grades: 6-8
Subjects Warned in 2006: English, Mathematics, and History	Subjects Warned in 2007: English, Mathematics, and History	Subjects Warned in 2008: English, Mathematics, History, and Science	Subjects Warned in 2009: Mathematics and History
2009-2010 request	Continued alternative governance.		

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	55.26	61.14	57.47	76.13
Mathematics Performance	46.5	47.07	47.96	54.44
Science Performance	69.61	74.13	64.78	84.3
History Performance		45.29	58.43	71.7

Recommendations

The department recommends the following for each school requesting a rating of Conditionally Accredited:

1. The VDOE will appoint an auditor through the academic review process or the PASS program to monitor the implementation of the school's reconstitution efforts monthly.
2. Local educational agency (LEA) staff assigned to work with the school throughout the year will continue to attend technical assistance provided by the department regarding division support and the division framework needed to restructure and support low-performing schools. In addition, school staff, including the principal, will attend similar technical assistance regarding rapid improvement leadership indicators and systems and processes that support increased student achievement. This technical assistance will be provided by the Virginia Foundation of Educational Leadership (VFEL), the Appalachian Regional Comprehensive Center (ARCC), and the Center for Innovation and Improvement (CII) and will be monitored by a monthly online reporting system.
3. If warned in mathematics in the middle school grades, the Algebra Readiness Diagnostic Test (ARDT) will be given to all sixth- and seventh-grade students throughout the year. The Office of School Improvement and the LEA representative will set a schedule for this testing based on recommendations from the department's middle school mathematics specialist.
4. The division and school will submit the required data profile as specified by the VDOE at least quarterly.
5. The division will adhere to any additional recommendations indicated in the Conditional Request and Recommendations form or by the auditor throughout the year and will comply with any reporting requirements requested (submission of ARDT data on a regular basis, monthly reporting to the superintendent and Office of School Improvement).

Specific recommendations for each school are as follows: A new auditor will be assigned to this school who will meet with a division-level representative and the principal at least monthly. The purpose of this meeting is to align division and school resources as well as discuss the implementation of the school's improvement plan.



Norfolk Public Schools
NATIONALLY RECOGNIZED. GLOBALLY COMPETITIVE.

August 25, 2009

Dr. Mark E. Emblidge
President
Virginia Board of Education
413 Stuart Circle
Suite 303
Richmond, VA 23220

Dear Dr. Emblidge:

Norfolk Public Schools is requesting a continued rating of conditional accreditation for Lake Taylor Middle School (LTMS) for the 2009-2010 school year. They have been conditional for the past two years. The district has directed much support to the school. The curriculum coordinators and teacher specialists have spent an average of two to three days weekly in the building working with teachers in planning and delivering quality instruction. The school's Data Team has received training in data analysis and data-driven decision making by certified trainers and they have received ongoing support in data analysis. The district administers quarterly assessments in the core content based on state standards. Teachers received much assistance using this data to drive instruction in their classrooms. Teachers in the math department have had the opportunity to participate in numerous full day "power planning" sessions sponsored by the district. These work sessions allowed teachers from all schools to work and plan with their grade level colleagues. Best instructional practices and data-driven decision making are the focus of these sessions. The district also provided the school with six additional math teachers to help lower class size and provide team teaching and peer mentoring, and the master schedule was adjusted to allow for 90 minutes of daily instruction in mathematics for 6th and 7th graders. They also had training and support on CFA's with high rigor.

Additionally support has been provided to the school from outside experts. Dr. Doug Reeves provided coaching and support to the principal and teachers on instructional best practices through quarterly webinars and Dr. Linda Gregg worked on site with the special education staff to raise achievement in all contents. Both of these individuals are from the Leadership and Learning Center founded by Dr. Douglas Reeves. In addition, Lake Taylor has had the support from the College of William and Mary. Dr. Margie Mason serves on the Shared Governance Team. The district conducted a comprehensive Academic Review using an in-house team consisting of: Executive Director of Elementary Schools, high school Algebra teacher, math and science teacher specialists, reading specialist and the Senior Director of Special Education. The Academic Review provided much insight into the operations of the school and math department.

Upon receipt of the preliminary scores this July and in-depth analysis of the results, it became apparent to us that further steps would be necessary if we are to ensure success for all students at Lake Taylor Middle School. For the 2009-2010 academic year:

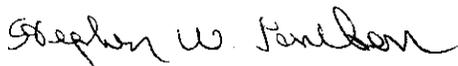
- The entire math instructional team has been staffed with teachers who are highly qualified to teach mathematics. The district had a targeted recruitment of Master Teachers from the district to work at LTMS.
- Norfolk Public Schools is requesting conditional accreditation based on these staff changes and the implementation of shared governance in the area of mathematics. The shared governance committee will include representation from the school, district, And state and university levels.
- Collaboration with the mathematics consultant assigned to VDOE and NPS math senior coordinator to review curriculum and professional development
- A focus on the adult actions for accountability from all levels of the organization including:
 - Executive Director to monitor and provide feedback of monthly data team meeting minutes and attend when possible
 - Chief Academic Officer and Executive Director will review the quarterly content observations completed by LTMS administrators and department chairs
 - The Superintendent's senior leadership team will receive monthly status updates and provide support through the various departments (Academics, Operations, Human Resources, Technology, Testing, Finance)
 - Accountability Plan will focus on adult actions. The Executive Director will monitor the deep implementation of these actions. Quarterly reports will be reviewed.

We believe that through these efforts, the students at Lake Taylor Middle School will benefit from improved instruction and will be able to demonstrate increased academic success.

We look forward to meeting the Board to make this formal request for conditional accreditation for Lake Taylor Middle School.

Thank you for your consideration of these issues.

Very truly yours,



Dr. Stephen W. Tonelson
Chairman
Norfolk School Board

CC: Kathleen Smith



SCHOOL BOARD
OF THE
CITY OF RICHMOND

301 NORTH NINTH STREET RICHMOND, VA 23219-1927

CHANDRA H. SMITH
DISTRICT SIX

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Member, Human Resources Committee

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1706 4TH AVENUE
RICHMOND, VA 23222
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August 27, 2009

Dr. Mark Emblidge, President
Commonwealth of Virginia
Board of Education
413 Stuart Circle, Suite 130
Richmond, Virginia 23220

Dear Dr. Emblidge:

This correspondence is in response to information received from Dr. Kathleen Smith, Director of School Improvement at the Virginia Department of Education, informing us that Boushall Middle School will not meet the requirements for full accreditation for the fifth year and will subsequently be rated as Accreditation Denied.

As an alternative to the development of a Memorandum of Understanding (MOU) between the Board of Education and the Richmond Public Schools Board, we are submitting a request to continue implementing our reconstitution plan and to apply for a rating of Conditionally Accredited. The reconstitution plan for Boushall School has been updated and is outlined in attachment A.

Boushall made significant gains on the spring 2009 Standards of Learning tests and the school made AYP for 2009-10. Therefore, we are certain that with additional training of administrative and instructional staff, coaching, and tutorial assistance, the students will demonstrate increased performance in Mathematics and Social Science as evidenced by state and local assessment data. We look forward to meeting with the State Board to make the formal request for the Conditionally Accredited status.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chandra H. Smith".

Chandra H. Smith
Chair

RICHMOND PUBLIC SCHOOLS

Boushall Middle School

Boushall Middle School serves 479 students in grades six through eight. The school serves a population that includes 94.38% of African-American, 1.87% Caucasian and 3.75% Hispanic students; 89.74% students qualify to receive free or reduced lunch. The school also serves 26% of students who qualify to receive special education services.

For the 2009-2010 school year, we will focus on the crucial role of school leaders in promoting powerful teaching and learning and develop a stronger, more intense instructional program. School leaders at Boushall will receive additional training and assistance in developing a coherent instructional vision and a broader use of data to make instructional decisions. The principal and assistant principals will receive additional training on classroom walk-throughs and evaluations and how to use the data to make effective instructional decisions. A strong professional development plan for teachers will be implemented in the areas of mathematics, inclusionary practices, and differentiation of instruction.

Instructionally, we will focus on developing specific professional development opportunities for individual teachers, monitor instruction more closely by several stakeholders, to include the Executive Director of Secondary Education, Chief Academic Officer and the Title I Manager, employ a mathematics consultant to work with teachers and administrators to effectively implement the math curriculum, utilize intervention programs, technology tools, and other resources. We will also employ the service of a data / intervention coach to assist in monitoring the progress of individual students and to ensure that they receive the appropriate intervention.

Boushall Middle has entered into a long term technical assistance agreement with the Technical Training Assistance Center at Virginia Commonwealth University focusing on training staff on how to implement school-wide inclusive practices. A major focus this year will be on the monitoring and training of the exceptional education department. This will include a retraining of all staff and our exceptional education oversight committee.

The performance for the students at Boushall Middle School is noted in the chart below. This year, Boushall made significant gains in the areas of English, science and social science / history and modest gains in mathematics. Boushall made AYP for the 2009-10 school year. They are holding in year four of school improvement and will offer school choice and supplemental educational services.

SOL SCORES (Percent Passing)

School Year	English	Math	History	Science
2006-2007	64	48	44	73
2007-2008	61	51	47	72
2008-2009	60	54	58	61
2009-2010	78	58	68	80

The final phase of the plan includes a change in governance with respect to instructional decisions. A team of central office staff will be assigned to the school to work with the administrative and instructional staffs. The committee will consist of:

Dionne Ward, Executive Director of Secondary Education
Victoria Oakley, Chief Academic Officer
Ernestine Scott, Title I Manager
Kenya Wallach, Mathematics Instructional Specialist
Maria Crenshaw, Title I Mathematics Instructional Specialist
Richard Staton, English Instructional Specialist
Tiffany Frierson, Title I Reading Instructional Specialist
Barbara Ulschmid, Social Studies Instructional Specialist
Helena Easter, Science Instructional Specialist
Michelle Boyd, Coordinator of Secondary Exceptional Education
Brittany Hott, Exceptional Education Instructional Specialist

The role of the committee will be to set the stage for improved academic achievement. The committee will meet with the appropriate instructional staff at the school by September 18th to discuss its function and to provide a meeting format and required preparation for each session. The committee will review the School Improvement Plan to include the day-to-day instructional plans, remediation and intervention strategies and distribution of physical and fiscal resources that are directed towards instructional best practices. Instructional decisions will be made by consensus.

The Alternative Governance Committee will meet the second and fourth Thursday of every month. The Instructional Specialists, Chief Academic Officer, Executive Director of Secondary Education and the Title I Manager will also conduct instructional observations bi-weekly and conduct planning with core departments during their scheduled planning times. Data will be shared by the data / intervention coach and department chairs, student by student to check progress and ensure the correct use of intervention strategies. This information, along with formative and summative student assessment data, will be reviewed at the bi-monthly Alternative Governance Committee meetings to drive and retool instructional practices. We will also focus on best practices and the development and monitoring of intervention plans for all students who do not master bi-weekly and nine week objectives.

Additional instructional oversight will be provided by the RPS Charting the Course Team. This team of central office administrators will visit the school on a bi-weekly basis to review school based formative assessments, make classroom observations and

meet with the administrative and instructional team. An emphasis will be placed on reviewing and analyzing data and making necessary alterations to instructional strategies.

Board of Education Agenda Item

Item: _____ E. _____

Date: September 17, 2009

Topic: First Review of a Revised Memorandum of Understanding for Sussex County Public Schools to Include Compliance with the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA) 8 VAC 20-131-315

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

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:

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. Sussex County 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 Sussex County Public Schools requested a division-level review and assistance from the Virginia Department of Education (VDOE). Sussex County Public Schools and the VBOE signed an initial memorandum of understanding (MOU) detailing the review process on December 9, 2004.

Sussex County 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

As indicated in 8 VAC 20-131-315 of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA), the *Conditionally Accredited* rating may be granted for a period not to exceed three years if the school is making progress toward a rating of *Fully Accredited* in accordance with the terms of the VBOE's approval of the reconstitution application. The regulation also indicates that the school will revert to a status of *Accreditation Denied* if it fails to meet the requirements to be rated *Fully Accredited* by the end of the three-year term. Based on assessments in 2008-2009, Ellen W. Chambliss Elementary School has failed to achieve a status of *Fully Accredited* for the past three years while granted a status of *Conditional Accreditation*. Based on assessment data for the 2008-2009, Ellen W. Chambliss Elementary School has a status of *Accreditation Denied*.

Sussex Central Middle School was reconstituted for 2009-2010 to serve all students in the county in grades four through seven. For accountability purposes, the reconstituted middle school received the same school number as Annie B. Jackson Elementary School which is now closed. The accreditation rating of *Accredited with Warning* for Sussex Central Middle School for the 2009-2010 school year is based on assessments provided in 2008-2009 for Annie B. Jackson Elementary School (school number 0020). The assessment data for 2008-2009 for Sussex Central Middle School (school number 0480), *Conditionally Accredited* in 2008-2009, indicates that the school did meet accreditation benchmarks. Accreditation data for all Sussex County Public Schools is included in Attachment A.

Additionally, Section 8 VAC 20-131-315 of the SOA, adopted by the VBOE 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

Ellen W. Chambliss Elementary School is in denied status for 2009-2010 based on 2008-2009 assessments, a MOU is required.

Summary of Major Elements:

Since Sussex County Public Schools continues to have schools accredited with warning and in denied status, the MOU for division-level academic review will serve as the MOU to satisfy Section 8 VAC 20-131-315.

Attachment B is the proposed MOU for Sussex County Public Schools. An auditor will be assigned to Ellen W. Chambliss Elementary School. The auditor will provide a monthly report to the Office of School Improvement regarding the implementation of the mathematics and reading programs in grades K-7. The principal at Sussex Central Middle School has asked that the Partnership for Achieving Successful Schools (PASS) coach return this year to help implement the reconstitution plan to incorporate grades four through seven.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education waive first review and accept the attached MOU.

Impact on Resources:

None

Timetable for Further Review/Action:

Sussex County Public Schools will provide monthly and quarterly data as required to the Office of School Improvement.

School Division: 091 - Sussex County Public Schools
 School: 0020 - Sussex Central Middle ***
 Grade Range: 04 to 07
 Title1 Status: Title I -SchWide

Preliminary Accreditation Status this Year: Accredited with Warning: Warned in English, Math, History
 Accreditation Status Last Year: Fully Accredited

Subject	Data Source	Number of Students		Score	Benchmark	Met Benchmark?
		Students Passing	Students Taking			
Grade 3 - 5 English	Current Year	116	161	72 %	75 %	No
	3-year average	363	514	71 %		
Mathematics	Current Year	77	111	69 %	70 %	No
	3-year average	236	351	67 %		
History	Current Year	32	57	56 %	70 %	No
	3-year average	97	158	61 %		
Science	Current Year	42	52	81 %	70 %	Yes
	3-year average	110	158	70 %		

Number of Benchmarks Met: 1 of 4

Notes: Preliminary accreditation ratings for this school were calculated on Aug 11,2009 based on data received from the testing vendor on Aug 05,2009. Because the data are preliminary, not all student scores may be included in these results. Refer to the "Number of Students" columns for the actual number of student test results included in these ratings.

Virginia Department of Education
Office of School Improvement
School Accreditation Detail Report
PRELIMINARY - Not for public release
2009-2010 School Year
Based on the data from the 2008-2009 School Year

School Division: 091 - Sussex County Public Schools
School: 0050 - Ellen W. Chambliss Elementary ***
Grade Range: KG to 03
Title1 Status: Title I -SchWide

Preliminary Accreditation Status this Year: Accreditation Denied: Warned in English

Accreditation Status Last Year: Conditionally Accredited: Warned in English

Subject	Data Source	Number of Students		Score	Benchmark	Met Benchmark?
		Students Passing	Students Taking			
Grade 3 - 5 English	Current Year	39	65	60 %	75 %	No
	3-year average	120	182	66 %		
Mathematics	Current Year	37	66	56 %	70 %	Yes
	3-year average	147	192	77 %		
Grade 3 History	Current Year	54	66	82 %	50 %	Yes
	3-year average	143	168	85 %		
Grade 3 Science	Current Year	41	65	63 %	50 %	Yes
	3-year average	122	168	73 %		

Number of Benchmarks Met: 3 of 4

Notes: Preliminary accreditation ratings for this school were calculated on Aug 11,2009 based on data received from the testing vendor on Aug 05,2009. Because the data are preliminary, not all student scores may be included in these results. Refer to the "Number of Students" columns for the actual number of student test results included in these ratings.

School Division: 091 - Sussex County Public Schools
 School: 0340 - Sussex Central High ***
 Grade Range: 08 to 12
 Title1 Status: Not Title1

Preliminary Accreditation Status this Year: Fully Accredited

Accreditation Status Last Year: Fully Accredited

Subject	Data Source	Number of Students		Score	Benchmark	Met Benchmark?
		Students Passing	Students Taking			
English	Current Year	145	163	89 %	70 %	Yes
	3-year average	524	602	87 %		
Mathematics	Current Year	218	274	80 %	70 %	Yes
	3-year average	698	911	77 %		
History	Current Year	204	241	85 %	70 %	Yes
	3-year average	706	835	85 %		
Science	Current Year	209	274	76 %	70 %	Yes
	3-year average	610	805	76 %		

Number of Benchmarks Met: 4 of 4

Notes: Preliminary accreditation ratings for this school were calculated on Aug 11,2009 based on data received from the testing vendor on Aug 05,2009. Because the data are preliminary, not all student scores may be included in these results. Refer to the "Number of Students" columns for the actual number of student test results included in these ratings.

School Division: 091 - Sussex County Public Schools
 School: 0380 - Jefferson Elementary ***
 Grade Range: KG to 03
 Title1 Status: Title I -SchWide

Preliminary Accreditation Status this Year: Fully Accredited

Accreditation Status Last Year: Fully Accredited

Subject	Data Source	Number of Students		Score	Benchmark	Met Benchmark?
		Students Passing	Students Taking			
Grade 3 - 5 English	Current Year	102	126	81 %	75 %	Yes
	3-year average	313	373	84 %		
Mathematics	Current Year	79	95	83 %	70 %	Yes
	3-year average	248	298	83 %		
Grade 3 History	Current Year	21	27	78 %	50 %	Yes
	3-year average	81	95	85 %		
History	Current Year	25	29	86 %	70 %	Yes
	3-year average	70	84	83 %		
Grade 3 Science	Current Year	22	28	79 %	50 %	Yes
	3-year average	78	95	82 %		
Science	Current Year	28	33	85 %	70 %	Yes
	3-year average	73	84	87 %		

Number of Benchmarks Met: 6 of 6

Notes: Preliminary accreditation ratings for this school were calculated on Aug 11,2009 based on data received from the testing vendor on Aug 05,2009. Because the data are preliminary, not all student scores may be included in these results. Refer to the "Number of Students" columns for the actual number of student test results included in these ratings.

Virginia Department of Education
Office of School Improvement
School Accreditation Detail Report
PRELIMINARY - Not for public release
2009-2010 School Year
Based on the data from the 2008-2009 School Year

School Division: 091 - Sussex County Public Schools
School: 0481 - Sussex Central Middle ***
Grade Range: 06 to 08
Title1 Status: Not Title1

Preliminary Accreditation Status this Year: Fully Accredited

Accreditation Status Last Year: Conditionally Accredited: Warned in Math

Subject	Data Source	Number of Students		Score	Benchmark	Met Benchmark?
		Students Passing	Students Taking			
English	Current Year	326	391	83 %	70 %	Yes
	3-year average	995	1240	80 %		
Mathematics	Current Year	260	311	84 %	70 %	Yes
	3-year average	727	1013	72 %		
History	Current Year	80	81	99 %	70 %	Yes
	3-year average	261	292	89 %		
Science	Current Year	82	93	88 %	70 %	Yes
	3-year average	249	302	82 %		

Number of Benchmarks Met: 4 of 4

Notes: Preliminary accreditation ratings for this school were calculated on Aug 11,2009 based on data received from the testing vendor on Aug 05,2009. Because the data are preliminary, not all student scores may be included in these results. Refer to the "Number of Students" columns for the actual number of student test results included in these ratings.

**VIRGINIA BOARD OF EDUCATION
SUSSEX COUNTY SCHOOL BOARD**

**MEMORANDUM OF UNDERSTANDING
Goals and Expected Outcomes
School Years 2009-2011**

Background

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.

The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA), adopted by the Board in September 2006, Section 8 VAC 20-131.315 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.

8 VAC 20-131-315. Action requirements for schools that are denied accreditation.

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

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

School Division Goals and Performance Objectives

The Sussex County School Board and central office staff will implement key priorities for improving student achievement at Ellen W. Chambliss Elementary School and Sussex Central Middle School ensuring alignment of resources with these priorities for improving student achievement, and holding the board and staff accountable for results. These priorities must align with the expectations in this memorandum of understanding (MOU) and the following areas of focus:

- Shared Leadership Between the Central Office and School to Raise Student Achievement
- Teacher Quality

Since Sussex County Public Schools continues to have schools *Accredited with Warning* and in *Accreditation Denied* status, the MOU for division-level academic review will serve as the MOU to satisfy Section 8 VAC 20-131-315.

The following performance objectives are established.

Shared Leadership Between the Central Office and School

1. The central office staff and principals under the direction of the superintendent will plan, implement and monitor a new basal reading program (Scott Foresman). The central office leadership team and principal will continue to implement and monitor the mathematics program (Saxon Mathematics).
2. The central office staff and principals under the direction of the superintendent will provide monthly written reports on the implementation of reading and mathematics initiatives at Ellen W. Chambliss Elementary School and Sussex Central Middle School to include activities planned, activities completed, timelines, participation targets, and student outcomes to the Sussex County School Board and the Department of Education.
3. The central office staff and principal under the direction of the superintendent will meet monthly with the assigned auditor as well as reading and mathematics consultants to discuss the implementation of the reading and mathematics program at Ellen W. Chambliss Elementary School. The auditor will clear all appointments to visit the school with the superintendent in advance of the visit. Governance meetings will take place as scheduled by the superintendent and will be limited to after school whenever possible.
4. The central office staff and principals under the direction of the superintendent will implement a data monitoring process with accountability for results and link school and division professional development to improving student achievement as supported by assessment results and other data.
5. At the request of the principal, a Partnership for Achieving Successful Schools (PASS) coach will continue working at Sussex Central Middle School.

6. Using the quarterly report approved by the Department of Education, the central office staff and principals under the direction of the superintendent will provide the department data as required and will include recommendations for modifications to the corrective action plan that demonstrate accountability for results.

Teacher Quality

1. The central office staff and principals under the direction of the superintendent will develop and monitor individual action plans to reduce provisional license.
2. Sussex County Public Schools will commit to hiring personnel who are the most qualified for the position vacancy.
3. Sussex County Public Schools will provide written reports as requested by the Virginia Board of Education (as needed and appropriate) on current instructional vacancies, number of teachers on provisional licenses, and progress on individual action plans to reach full licensure.

Status Reports to the Virginia Board of Education

A corrective action plan will be submitted as required to the Virginia Board of Education as required in 8 VAC 20-131-315 of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* for Ellen W. Chambliss Elementary School.

8 VAC 20-131-315. Action requirements for schools that are denied accreditation.

A. Any school rated Accreditation Denied in accordance with 8 VAC 20-131-300 shall be subject to actions prescribed by the Board of Education and shall provide parents of enrolled students and other interested parties with the following:

1. Written notice of the school's accreditation rating within 30 calendar days of the notification of the rating from the Department of Education;
2. A copy of the school division's proposed corrective action plan, including a timeline for implementation, to improve the school's accreditation rating; and
3. An opportunity to comment on the division's proposed corrective action plan.

Such public comment shall be received and considered by the school division prior to finalizing the school's corrective action plan and a Board of Education memorandum of understanding with the local school board.

The Sussex County School Board will provide a summative report on progress made in meeting or exceeding MOU agreements and expectations to the Virginia Board of Education and the Department of Education, as requested.

Authorizations

I (We) agree to work collaboratively to implement the requirements of the memorandum of understanding (MOU) for the purpose of improving student achievement in Sussex County Public Schools.

<p>Printed Name: _____</p> <p>Title: Chair, Sussex County Public Schools</p> <p>Signature: _____</p> <p>Date: _____</p>	<p>Printed Name: _____</p> <p>Title: Superintendent, Sussex County Public Schools</p> <p>Signature: _____</p> <p>Date: _____</p>
<p>Printed Name: _____</p> <p>Title: President, Virginia Board of Education</p> <p>Signature: _____</p> <p>Date: _____</p>	<p>Printed Name: _____</p> <p>Title: Superintendent of Public Instruction</p> <p>Signature: _____</p> <p>Date: _____</p>

Board of Education Agenda Item

Item: _____ F. _____

Date: September 17, 2009

Topic: First Review of a Report on the Investigation of a Testing Irregularity and Resulting Non-compliance with 8 VAC 20-131-30 of the Standards for Accrediting Schools at A.P. Hill Elementary School in Petersburg City for the 2008-2009 School Year

Presenter: Mrs. Shelley Loving-Ryder, Assistant Superintendent, Division of Student Assessment and School Improvement

Telephone Number: 804-225-2102 **E-Mail Address:** Shelley.Loving-Ryder@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: Previous Board Resolution _____

Action requested at this meeting

Previous Review/Action:

No previous board review/action

Previous review/action

date:

action:

Background Information:

On June 4, 2009, Virginia Department of Education (VDOE) staff received a report of possible Standards of Learning (SOL) testing irregularities at A. P. Hill Elementary School in Petersburg, Virginia during the spring 2009 test administration. The report alleged that 8 to 12 students at A. P. Hill Elementary School who were potentially at risk of failing the SOL tests were removed from the testing environment by the principal and did not participate in one or more of their grade level SOL assessments. The report also

alleged that concerns about testing procedures at this school had been reported to the Petersburg City Public Schools and that no action had been taken.

Based on its authority under *Code of Virginia*, § 22.1-253.13:3 D which states, “*the Virginia Department of Education may initiate or cause to be initiated, on behalf of the Virginia Board of Education, an investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests,*” Virginia Department of Education (VDOE) staff initiated an investigation to determine the validity of the allegations at A.P. Hill Elementary.

While most testing irregularities are investigated by the Division’s Director of Testing (DDOT) under the guidance of the Virginia Department of Education’s Office of Test Administration, Scoring and Reporting, in some cases VDOE staff conduct the investigation. For example, if the reported irregularity suggests that staff from the school division’s central office are involved, then an investigation by the Virginia Department of Education on behalf of the Virginia Board of Education may be warranted. Because the initial report of the irregularity at A.P. Hill alleged that the central office had been informed of the testing issues at this school and had not taken action, the VDOE staff investigated the irregularity on behalf of the board.

The report prepared by VDOE staff concluded that at least twelve students at A. P. Hill Elementary School did not take one or more SOL tests, but according to attendance records, should have had time to take these tests either in a regular testing session or make-up testing session. The report further determined that there was no evidence that central office staff was involved in the testing irregularity.

The report describing the investigation of the testing irregularity was provided to Dr. James Victory, superintendent of Petersburg City Schools and Mr. Kenneth Pritchett on July 22, 2009. A copy of the full report may be found in Attachment A. The report required Petersburg City Schools to submit a corrective action plan within 30 days. Petersburg has submitted its corrective action plan, included as Attachment B.

Petersburg City Public Schools has been in division level review status since 2004 and has reported to the Virginia Board of Education regularly on the status of implementing its corrective action plan and the terms of its Memorandum of Understanding.

Summary of Major Elements:

The Standards for Accrediting Schools at 8 VAC 20-131-30 Part III B states “*in kindergarten through eighth grade, where the administration of Virginia assessment program tests are required by the Board of Education, each student shall be expected to take the tests....*” Further, according to the *No Child Left Behind* regulations, 34 C.F.R. § 200.6 (a)(1), “*a state’s academic assessment system must provide for the participation of all students in the grades assessed.*” The Board of Education is asked to review the results of the investigation of the testing irregularity and the actions taken by the school

division in response to the report to determine whether action regarding the accreditation of A.P. Hill Elementary School is required.

According to the Standards for Accrediting Schools, 8VAC 20-131-340. Special Provisions and Sanctions:

A. Any school in violation of these regulations shall be subject to Appropriate action by the Board of Education including, but not limited to, the withholding or denial of a school's accreditation.

B. A school's accreditation rating may be withheld by action of the Board of Education for any school found to be in violation of test security procedures pursuant to § 22.1-19.1 of the Code of Virginia. Withholding of a school's accreditation rating shall not be considered an interruption of the three-consecutive-year period for purposes of receiving an Accreditation Denied status pursuant to 8 VAC 20-131-300.

C. The Board of Education may exercise its authority to seek school division compliance with school laws pursuant to relevant provisions of the Code of Virginia when any school within a division is rated Accreditation Denied.

The existing accreditation procedures exclude students who were not tested from the calculations. However, to assist the board in determining the Appropriate actions regarding the accreditation ratings for A.P. Hill, the board will be presented with 1) pass rates and accreditation ratings calculated using the existing procedure in which these students were not counted and 2) pass rates and accreditation ratings calculated with these students counted as **failing**.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education waive first review and determine Petersburg City Schools' compliance with the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA). In 8 VAC 20-131-30 Part III B, the SOA states, "In kindergarten through eighth grade, where the administration of Virginia assessment program tests are required by the Board of Education, each student shall be expected to take the tests..." According to the *Standards for Accrediting Schools, 8VAC 20-131-340 Special Provisions and Sanctions*, any school in violation of these regulations shall be subject to Appropriate action by the Board of Education including, but not limited to, the withholding or denial of a school's accreditation.

Impact on Resources: N/A

Timetable for Further Review/Action: N/A

**Virginia Department of Education
Report to Petersburg City Public Schools
on the Investigation of
Standards of Learning Testing Irregularities
At A.P. Hill Elementary School
July 22, 2009**

PURPOSE

The purpose of this investigation was to inquire into alleged Standards of Learning (SOL) testing irregularities at A. P. Hill Elementary School, to determine the extent to which state testing procedures were violated, and to determine whether any such irregularities or violations affected school and/or student performance.

BACKGROUND

On June 4, 2009, Virginia Department of Education (VDOE) staff received a report of possible SOL testing irregularities at A.P. Hill Elementary School in Petersburg, Virginia during the spring 2009 Non-Writing test administration. The report alleged that 8 to 12 students at A.P. Hill Elementary School who were potentially at risk of failing the SOL tests were removed from the testing environment by the principal and did not participate in one or more of their grade level SOL assessments. The report also alleged that concerns about testing procedures at this school had been reported to the Petersburg City Public Schools and that no action had been taken.

Petersburg City Public Schools has been in division level review status since 2004 and has reported to the Virginia Board of Education regularly on the status of implementing its corrective action plan and the terms of its Memorandum of Understanding.

REQUIREMENT FOR STUDENTS TO BE TESTED

The Standards for Accrediting Schools at 8 VAC 20-131-30 Part III B states “in kindergarten through eighth grade, where the administration of Virginia assessment program tests are required by the Board of Education, each student shall be expected to take the tests....” Further, according to the No *Child Left Behind* regulations, 34 C.F.R. § 200.6 (a)(1), “a state’s academic assessment system must provide for the participation of all students in the grades assessed.”

AUTHORITY FOR A STATE-DIRECTED INVESTIGATION

Based on its authority under *Code of Virginia*, § 22.1-253.13:3 D which states, “the Virginia Department of Education may initiate or cause to be initiated, on behalf of the Virginia Board of Education, an investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests,” VDOE initiated an investigation to determine the validity of the allegations at A.P. Hill Elementary.

While most testing irregularities are investigated by the Division’s Director of Testing (DDOT) under the guidance of the Virginia Department of Education’s Office of Test Administration, Scoring and Reporting, in some cases VDOE staff conduct the investigation. For example, if the reported irregularity suggests that staff from the school division’s central office are involved, then an investigation by the Virginia Department of Education on behalf of the Virginia Board of Education may be warranted. Because the initial report of the irregularity at A.P. Hill alleged that the central office had been informed of the testing issues at this school and had not take action, the VDOE staff investigated the irregularity on behalf of the board.

METHODOLOGY

On June 11, 2009, VDOE personnel obtained the SOL answer documents, enrollment data, and student attendance reports for A.P. Hill Elementary School. SOL answer documents were examined to determine which students participated in each assessment, and a list was compiled identifying those students who submitted blank answer documents. This list was then compared to the student attendance reports to determine whether the students who submitted blank answer documents were absent throughout the testing window (including make-up testing).

Additionally, the student answer documents were compared to the enrollment data to determine whether all students in grades 3 through 5 participated in statewide assessments. A second list was compiled identifying students who were enrolled at A. P. Hill Elementary School but did not submit answer documents. The students on this list were compared to the students listed in Pearson Access as participating in alternate or alternative assessments. Pearson Access is the Web-based test administration system used by all Virginia school divisions to manage the tests that comprise the Virginia Assessment Program.

VDOE personnel determined that interviews regarding the alleged irregularity should be conducted with students and staff members at A.P. Hill Elementary School. Students chosen for interview had missed one or more SOL assessments but were listed as present for some portion of the testing window. Petersburg City Public School personnel contacted the students’ parents to obtain permission for the students to participate in the interviews. Of the eight students who were identified, four students were available for interviews. Staff members chosen for interviews included teachers of the students who

missed one or more tests, examiners identified as administering the test to students who needed a small group administration (small group examiners), examiners administering the tests to students who were absent on the regular test days (make-up examiners), the School Testing Coordinator (STC)/assistant principal, and principal. The interviews were conducted on June 12 and June 15, 2009.

On June 12, VDOE personnel obtained SOL test booklets from Petersburg City Public Schools DDOT for A.P. Hill Elementary School. Test booklets and answer documents were compared to determine if the answers in the test booklets matched the answers coded on the corresponding answer documents. All answer documents and test booklets were maintained in a secure location throughout the investigation.

INFORMATION OBTAINED FROM STUDENT INTERVIEWS

Interviews conducted with students at A.P. Hill Elementary School revealed that all four students thought they had taken all four SOL assessments (mathematics, reading, science, and history). All students indicated that they marked answers in the test booklet first and then on the answer document.

- Student “A” was able to recall the number of questions on the mathematics, reading, and history tests. She indicated that she did best on the science test, but she couldn’t recall any details of this test. Student “A” submitted completed answer documents for mathematics, reading, and history. Student “A’s” science answer document was marked with testing status “1” (absent). Attendance records show that Student “A” was marked as absent on the date the science test was first administered, but was present during the make-up testing window, June 4 – June 5, 2009.
- Student “B” said she took her tests in a room with one other student and the teacher read the tests aloud and recorded the session on a tape recorder. She indicated that she liked the reading test, “did okay” on the science test, and thought the math test was “a little harder.” Student “B” submitted completed answer documents for mathematics and history. Student “B’s” reading and science answer documents were marked with testing status “1” (absent). Attendance records show that Student “B” was marked as absent on the dates the reading and science tests were administered, but was present for make-up testing, June 4 – June 5, 2009.
- Student “C” first said he took the mathematics test and then later said he took all of the tests. He was unable to recall when or where he was tested or who administered the reading, science, or history tests to him. Student “C” submitted a completed answer document for mathematics. Student “C’s” reading, science, and history answer documents were marked with testing status “1” (absent). Attendance records show that Student “C” was marked as present on the dates the reading and history tests were administered, and absent on the date the science test was administered. He was listed as present for make-up testing, June 4 – June 5, 2009.
- Student “D” said he took his tests in a different room than he normally would because he had been suspended. He said he took three tests (mathematics,

science, and history) in one day. He then said he took his reading test the next day and described a reading passage about “cleaning your room.” This passage is actually on a released reading test. Student “D” submitted completed answer documents for mathematics, science, and history. Student “D’s” reading answer document was marked with testing status “1” (absent). Attendance records show that Student “D” was marked as absent on the day that the reading test was administered. He was listed as present for make-up testing, June 4 – June 5, 2009.

It is of note that students at A.P. Hill Elementary School had been using SOL released test items as benchmark tests during the second semester as a means to prepare for actual SOL testing. The interviewers believe that since students had been assessed using multiple released tests and had marked their answers on Scantron bubble sheets, students might not have been able to differentiate between the actual SOL test and the practice tests they had taken. The recollection of one reading passage by Student “D” is indicative of the type of confusion the students may have regarding actual SOL testing versus benchmark testing.

EXAMINATION OF ENROLLMENT DATA, ATTENDANCE RECORDS, SOL ANSWER DOCUMENTS, AND SOL TEST BOOKLETS

VDOE staff reviewed enrollment data, attendance records, answer documents, and test booklets of students who were tested in grades three, four, and five. The inspection of enrollment data, attendance records, test booklets and answer documents was conducted to determine which students were tested, which students were absent for one or more tests, and if discrepancies existed between answers recorded by students in the test booklets and the answers recorded on the answer documents. The results of the examination revealed that seventeen students missed one or more SOL tests and were marked absent in the testing status on the answer document. Of these seventeen students:

- Five students missed one or more SOL tests but were not listed as absent on their attendance records on the dates those tests were administered.
- Twelve students were present on the days of make-up testing, but did not make-up missed tests. (Note: there may be overlap between these students and the five students who were not listed as absent but missed a test on the original testing dates.)
- Two students were present for one of the make-up testing dates, but it is not possible to determine whether they may have made up another test on this day.
- Three students were absent throughout the testing and make-up dates.

A comparison of answer documents with student enrollment revealed that fifteen students did not have any answer documents. Further examination of these students’ records revealed:

- Four of these students participated in the Virginia Alternate Assessment Program (VAA.P.) for all subjects.
- Ten of these students participated in the Virginia Grade Level Alternative (VGLA) for reading and mathematics. These students did not participate in any assessments for science or history.

- One student enrolled at A.P. Hill Elementary on June 5, 2009.

The discrepancies found between answers in test booklets and answers on answer documents were minor and may have been related to students' difficulty in transcribing the answers from the test booklets to the answer documents.

INFORMATION OBTAINED FROM STAFF INTERVIEWS

VDOE staff interviewed ten teachers, the assistant principal/STC, and the principal of A. P. Hill Elementary School. Results of the interviews are as follows:

Training

- The STC participated in training for administering SOL tests conducted by the Division Director of Testing.
- All teachers stated they participated in training provided by the STC prior to SOL testing.
- The principal said she did not participate in training and “was not an integral part of the testing process.”
- All teachers, small group examiners, and make-up examiners interviewed agreed that the STC provided training. During the training the following materials were provided: a testing schedule (including make-up dates), lists of students who were to be tested in a small group setting, a schedule for bathroom breaks, a materials check-out schedule, a proctor assignment schedule, and an examiner's manual. Examiners were to review the manual and ask the STC questions if necessary.

Testing

- All teachers and the STC described procedures for checking materials in and out and for maintaining security of the testing materials.
- Teachers said students were identified to be removed for small group testing according to Individualized Education Plans (IEP) or 504 plans, or based on teacher recommendation for particular students. Students were picked up from the classroom by the small group examiner, along with their testing materials, and taken to an alternate testing location.
- All teachers, small group examiners, and make-up examiners said they were informed by the STC, in advance, which students to remove from their classrooms for testing in an alternate location.
- The principal did not know the proper procedures or processes established by the STC for the administration of SOL tests at A.P. Hill Elementary School. The principal removed some students from class for disciplinary reasons; however, she did not communicate to the teacher to mark those students as absent from testing on the provided Student Absence Form nor did she report the removal to the STC herself to ensure the student would be provided a make-up testing opportunity. Also, in some cases the principal withheld, or removed, students from class prior to the small group examiner arriving to pick them up. As a

result of poor accounting for student attendance during testing, there was confusion regarding which students had been tested.

Make-up Testing

- All teachers indicated that the procedure for reporting a student who was absent from testing was to put his/her name on the Student Absence Form provided by the STC and turn the form in with their testing materials at the end of testing session. The STC used Student Absence Forms to create the student rosters for make-up testing.
- Make-up testing dates were established for June 4 and June 5, 2009, as part of the school testing calendar. According to the STC, she continued make-up testing on June 8 and June 9, 2009, in order to make sure that all students were tested.
- Teachers were not sure whether all students completed tests they missed due to absence. Teachers did not administer make-up tests to their own students. All of the teachers interviewed believed that all students in their class had completed their SOL tests.
- There was a discrepancy between the responses of teachers regarding who was responsible for completing testing status and accommodation fields on the answer documents. One teacher said teachers met with the STC after testing to check answer documents for erasure marks and to complete testing status and accommodation fields. All other teachers said they assumed the STC completed these fields because they did not do this. Several teachers did indicate that they had completed these fields in previous years, but not this year. The STC said she completed these fields this year.
- At the conclusion of make-up testing, according to the STC, the Student Absence Forms were destroyed and therefore an accurate record of student absences from initial testing does not exist. An incomplete list of make-up testing rosters exists on the STC's computer, according to the STC.

Accountability

- The STC stated that, to her knowledge, all test booklets, used answer documents, and pre-ID labels were returned to the DDOT at the conclusion of testing.
- Unused answer documents containing pre-ID labels with student identifiable information were discovered in a trash can in the room used for interviewing staff members.
- Both the principal and assistant principal said it was possible that some students did not participate in one or more tests, but it was not intentional. The principal did state that if students were the least bit disruptive they were removed from the testing environment to ensure that the rest of the class was not interrupted during testing. The principal stated, "it is not improbable that we may have missed some students tests."
- According to the teachers and the STC all students were to participate in testing and take all of the required tests. The principal was acting outside of the process established by the STC, and understood by the teachers, for reporting students that had not tested and therefore created confusion regarding which students had actually been in attendance to test or were in need of a make-up test. This

confusion led to the potential omission of certain students from the make-up test administration and subsequent marking of those students as absent on the answer documents.

- The teachers and examiners interviewed, as well as the STC, felt as though every student that should have been tested was tested.
- When the principal was questioned during the initial interview about the students that had not completed a test, the answers varied from “Yes, I removed that student for” to “I don’t know I’ll have to check on that one.” The principal did provide additional information during two separate phone calls explaining some student absences and or disciplinary action taken causing the student’s missing test attempts. In regards to student absences being reported incorrectly, the principal mentioned that her normal attendance secretary had missed a couple of days during testing which may account for some of the errors. The discipline referrals had been handled by the principal; however, they were not entered into the school discipline system for accurate accounting of the student’s incident.
- Regarding students in special education having submitted VGLA collections for reading and mathematics but not participating in any science or history assessments, when told of a superintendent’s memo describing the tests these students should take, the principal stated, “I am sure we got the memo. I don’t stop and read them all, no; I should probably read them a little better.”

CONCLUSIONS

- The principal was not a participant in the training for the administration of SOL tests at A.P. Hill Elementary School. As a result, the principal did not have an understanding of the processes and procedures required for accounting for each student’s attendance during SOL testing.
- Lack of communication between the principal and the STC led to confusion regarding which students had been removed from class, the bus ramp, or hallway for disciplinary reasons and would need to have a make-up test administered to them.
- At least twelve students did not take one or more SOL tests, but according to attendance records, these students should have had time to take these tests either in a regular testing session or make-up testing session.
- Even though the STC reported that she reviewed answer documents to determine which students needed to participate in make-up testing, procedures for reporting students absent from test sessions were not adequate for maintaining accurate lists for make-up testing. As well, the STC did not check the answer documents against the attendance records to ensure that all students marked absent were indeed absent throughout the entire testing window.
- Documentation submitted by teachers containing lists of students that were absent and in need of a make-up test were not maintained beyond the end of the testing window.
- Procedures for disposing of unused testing materials were inadequate for maintaining confidentiality of student identifying information.

- Students who participated in VGLA for reading and mathematics did not complete any assessments in science or history.
- Interviews with school staff indicated that Petersburg central office staff were not involved in the irregularity.

RECOMMENDATIONS

- The principal needs to become an integral part of the testing process, involved in the training of staff, and to be fully aware of all testing procedures at A. P. Hill Elementary School.
- The principal and STC need to establish an effective process for communicating all attendance and disciplinary actions during testing, therefore increasing the ability for all students to be tested and accounted for. This should include students removed from the sidewalk, bus ramp, school hallway, etc., prior to the start of testing on any given day.
- The STC needs to develop a procedure for retaining all materials associated with testing until all testing is complete and scores have been accurately reported for all students. This includes items such as, Student Absence forms, materials check-out schedule, bell schedule, bathroom schedule, small group examiner schedule, make-up testing schedule, make-up testing roster, etc.

ACTIONS

- The principal and STC at A.P. Hill Elementary School shall work with Petersburg City Public Schools central office staff to develop a corrective action plan that establishes
 - ◆ effective procedures for accounting for all students and ensuring that all students participate in SOL assessments or alternate assessments in all subjects Applicable to the students' grade levels. The procedures should address accounting for students who participate in VGLA or VAAP. and for ensuring that students who are absent on the test day are scheduled for make-up testing.
 - ◆ procedures for accounting for all testing materials, including unused pre-id labels and any other testing materials to ensure the protection of student identifiable information in a manner that is consistent with the Family Education Rights and Privacy Act (FERPA).

This corrective action plan shall be submitted to the Division of Student Assessment and School Improvement at the VDOE by Petersburg's Division Director of Testing within 30 days of receiving this report.

- The Division Director of Testing shall provide direct training and support to the principal and STC of A.P. Hill Elementary School on proper testing procedures, the marking of testing status and special accommodations on answer documents, and the proper handling and disposition of secure and nonsecure test materials.

- VDOE special education staff will work with Petersburg City Public Schools' staff to ensure that the IEPs of the students who participated in VGLA for reading and mathematics but not in science and history/social science are consistent with the requirements of the Individuals with Disabilities Education Act (IDEA), as referenced in Testing Memo No. 733.
- Assessment staff from the VDOE shall audit and monitor the administration of SOL tests at A. P. Hill Elementary School during the 2009-2010 school year.
- This report will be presented to the Virginia Board of Education's Committee on School and Division Accountability on September 16, 2009, for possible action by the full board at its September 17, 2009, meeting regarding the Petersburg City Schools' compliance with the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA). In 8 VAC 20-131-30 Part III B, the SOA states, "In kindergarten through eighth grade, where the administration of Virginia assessment program tests are required by the Board of Education, each student shall be expected to take the tests..."

According to the SOA, 8VAC 20-131-340. Special provisions and sanctions

- A. Any school in violation of these regulations shall be subject to Appropriate action by the Board of Education including, but not limited to, the withholding or denial of a school's accreditation.
- B. A school's accreditation rating may be withheld by action of the Board of Education for any school found to be in violation of test security procedures pursuant to § 22.1-19.1 of the Code of Virginia. Withholding of a school's accreditation rating shall not be considered an interruption of the three-consecutive-year period for purposes of receiving an Accreditation Denied status pursuant to 8 VAC 20-131-300.
- C. The Board of Education may exercise its authority to seek school division compliance with school laws pursuant to relevant provisions of the Code of Virginia when any school within a division is rated Accreditation Denied.

Petersburg City Schools
 Corrective Action Plan for A.P. Hill Elementary School
 August, 2009

Goal: To ensure an effective accountability system for administering Standards of Learning Assessments

Objective: To ensure all students participate in SOL assessments or alternate assessments in all subjects Applicable to the students' grade level

Action	Strategy	Projected Time Frame	Person(s) Responsible	Evidence of Implementation of Strategy
Establish effective procedures for accounting for all students ensuring that all students participate in SOL assessments or alternate assessments	Student data for all students eligible for SOL assessments or alternate assessments will be up-loaded via Pearson Access.	Four/five weeks prior to testing	DDOT Project Manager	Student data files
	<p>The Division Director of Testing (DDOT) will provide training to the Principal and School Test Coordinator (STC) on the procedures and processes for administering the Standard of Learning Assessments in two sessions.</p> <p>Session I</p> <ul style="list-style-type: none"> The DDOT will provide training on the procedures for accounting for all students. <p>Session II</p> <p>The DDOT will provide training on the procedure for:</p> <ul style="list-style-type: none"> Marking testing status and special accommodations on answer documents Proper handling and disposition of secure and nonsecure test materials 	<p>October 2009</p> <p>April 2010</p>	DDOT	<p>Training materials, handouts, and forms Approved by VDOE</p> <p>Agenda and sign-in sheet</p>
	The school will compare the Starbase class enrollment rosters with the Pearson student data file (group rosters) to ensure that all students have been registered for SOL assessments or alternate assessments.	At least two weeks prior to testing	STC, Principal, Classroom Teacher	Pearson group roster verifying all students are registered compared to the Starbase class enrollment rosters

Action	Strategy	Projected Time Frame	Person(s) Responsible	Evidence of Implementation of Strategy
<p>Establish effective procedures for accounting for all students ensuring that all students participate in SOL assessments or alternate assessments</p>	<p>The school will provide the DDOT with a list of students:</p> <ul style="list-style-type: none"> • if any are missing from the student data up-load file when compared to the Starbase class enrollment roster and the Pearson group roster • who transferred into the school after the initial student data up-load and need to be added to the student data up-load file compared to the Starbase transfer report • who transferred out of the school after the initial student data up-load and need to be removed from the student data file compared to the Starbase transfer report 	<p>At least two weeks prior to testing</p>	<p>STC Principal</p>	<p>Pearson group roster verifying all students are registered compared to the Starbase class enrollment rosters</p> <p>Starbase transfer report</p>
	<p>The Special Education Coordinator will provide a list to the STC, Principal and DDOT of Special Education students scheduled to participate in the VAA.P., VGLA, or SOL Assessments by subject and Appropriate grade level.</p>	<p>October 2009</p>	<p>Special Education Coordinator, STC, Principal</p>	<p>List of Special Education students participating in VAA.P./VGLA/SOL</p>
	<p>The STC and the Lead Limited English Proficiency (LEP) teacher will provide a list to the DDOT of LEP students who will participate in the Reading VGLA.</p>	<p>October 2009</p>	<p>STC Lead LEP Teacher Title III Coordinator</p>	<p>List of LEP students participating in the Reading VGLA</p>
	<p>The Special Education Coordinator will monitor the progress of the student collection of evidence to ensure all students are on target to complete the VAA.P. or VGLA by subject/grade level.</p> <p>The Lead LEP teacher will monitor the progress of the LEP students scheduled to participate in the Reading VGLA collection of evidence to ensure all LEP students participating in the Reading VGLA are on target to complete the Reading VGLA</p>	<p>Each nine weeks</p>	<p>DDOT, Special Education Coordinator Principal STC Lead LEP Teacher Title III Coordinator</p>	<p>VDOE VAA.P./VGLA monitoring sheet</p>

Action	Strategy	Projected Time Frame	Person(s) Responsible	Evidence of Implementation of Strategy
Establish effective procedures for accounting for all students ensuring that all students participate in SOL assessments or alternate assessments	Pupil Personnel will provide the DDOT, the Principal, and other Appropriate personnel with monthly updates on externally placed, homebound, home based students to ensure all students are accounted for during SOL testing.	Monthly	Pupil Personnel Coordinator, Director Special Education/Pupil Personnel, Principal	List of externally placed, homebound, & home based students
	A special mandatory training will be provided to all building level attendance secretaries and at least one alternate person to ensure reliable attendance documentation procedures are implemented.	Quarterly	DDOT Student Data Management Specialist	Agenda and sign-in sheet
	<p>Attendance will be taken twice during SOL testing. The first attendance will be taken in homeroom before the start of testing and the attendance sheet will be submitted to the attendance secretary. The attendance secretary <u>must</u> enter the attendance in Starbase.</p> <p>The STC will provide the test examiner a SOL testing attendance roster of students assigned to each testing location. The second attendance will be taken by the test examiner identifying students who are absent and do not test.</p>	<p>Daily</p> <p>Daily during testing</p>	Homeroom/classroom teacher, Test Examiner STC Principal, Attendance secretary	<p>Homeroom attendance sheet</p> <p>Starbase print out of daily attendance</p> <p>SOL testing attendance roster</p>

Action	Strategy	Projected Time Frame	Person(s) Responsible	Evidence of Implementation of Strategy
<p>Establish effective procedures for accounting for all students ensuring that all students participate in SOL assessments or alternate assessments</p>	<p>The principal, STC, and attendance secretary will compare the daily homeroom attendance sheets, the starbase daily attendance reports, and the SOL testing attendance roster to verify any students missing the SOL assessment scheduled for that day and listing them on the Division Daily Absentee Report (excluding Special Education Students who completed a VAA.P./VGLA and LEP students who completed a Reading VGLA).</p>	<p>Daily during testing</p>	<p>STC Principal Attendance Secretary</p>	<p>Division Daily Absentee Report, Homeroom attendance sheet, Starbase print out of daily attendance, SOL testing attendance roster, The List of Special Education students participating in VAA.P./VGLA/SOL The list of LEP students participating in Reading VGLA</p>
	<p>The Division Daily Absentee Report <u>must</u> be submitted to the DDOT</p>	<p>Daily during testing</p>	<p>STC Principals</p>	<p>Division Daily Absentee Report</p>
	<p>The STC will schedule make-up testing dates for all students that miss a SOL assessment by subject/grade level.</p>	<p>Until close of Division testing window</p>	<p>STC Principal</p>	<p>Make-up schedule by student/subject/grade level</p>

Action	Strategy	Projected Time Frame	Person(s) Responsible	Evidence of Implementation of Strategy
<p>Establish effective procedures for accounting for all students ensuring that all students participate in SOL assessments or alternate assessments</p>	<p>The STC will submit an answer document for each student who did not test with the Appropriate testing status code along with the Division Test Code Verification Report indicating why the student(s) did not take a SOL.</p> <p>The STC will complete the Appropriate testing status code in PearsonAccess for students testing online who missed a SOL and submit documentation indicating why the student(s) did not take a SOL.</p> <p>The Special Education Coordinator will complete the Appropriate coding in PearsonAccess for students scheduled to complete a VAA.P. or VGLA but did not submit a collection. The Special Education Coordinator will submit documentation indicating why the student(s) did not complete the VAA.P. or VGLA</p> <p>The Lead LEP teacher will submit to the DDOT documentation indicating why LEP students scheduled to complete a Reading VGLA did not complete the Reading VGLA. The Special Education Coordinator will complete the Appropriate coding in PearsonAccess for LEP students scheduled to complete a Reading VGLA but did not submit a collection.</p>	<p>Close of the division testing window</p>	<p>STC</p> <p>Principal</p> <p>Special Education Coordinator</p> <p>Lead LEP Teacher</p> <p>DDOT</p>	<p>Division Test Code Verification Report</p>

Action	Strategy	Projected Time Frame	Person(s) Responsible	Evidence of Implementation of Strategy
<p>Establish effective procedures for accounting for all testing materials, including unused pre-id labels and any other testing materials to ensure the protection of student identifiable information</p>	<p>The STC will keep all secure testing materials to include all test booklets, answer sheets containing student identifiable information, and all unused pre-id labels stored in a locked location with access by the STC and Principal only. All materials checked-out to the examiners during testing must be returned to the STC at the end of testing each day.</p>	<p>During Testing</p>	<p>STC Principal</p>	<p>Signed affidavit by STC and Principal stating the storage location is secure</p>
	<p>The STC shall retain a copy (and submit a copy to the DDOT) of all testing materials associated with testing to include but not limited to the following: Student absence forms, materials check-out form, bell schedule, bathroom schedule, small group examiner schedule, list of students tested in small groups, make-up testing schedule, make-up testing roster, test booklet assembly ID sheets, school packing list/transmittal forms, school test security agreements, school affidavit</p>	<p>For a period of time not to exceed one year</p>	<p>STC Principal</p>	<p>Document file</p>

Action	Strategy	Projected Time Frame	Person(s) Responsible	Evidence of Implementation of Strategy
<p>Establish effective procedures for accounting for all testing materials, including unused pre-id labels and any other testing materials to ensure the protection of student identifiable information</p>	<p>The STC shall submit to the DDOT:</p> <ul style="list-style-type: none"> • Test booklets • Used scratch paper • Unused pre-ID labels—must list why the label was not used • Damaged answer documents marked VOID (this includes any answer documents that contain student information that will not be submitted for scoring to Pearson) • Documentation for small group (names of students and reason for small groups) • Test authorization tickets (if Appropriate) 	<p>Close of the division testing window</p>	<p>STC Principal</p>	<p>Signed affidavit by DDOT of receipt of materials</p>

Action	Strategy	Projected Time Frame	Person(s) Responsible	Evidence of Implementation of Strategy
Central Office Staff will monitor the administration of SOL Testing	Central Office Staff will be assigned to the school to monitor the administration of SOL Assessments	During the scheduled SOL assessments and make-up	Assistant Superintendent of Instruction DDOT Elementary Director of Instruction Secondary Director of Instruction	Schedule of school assignment

This corrective action plan was developed in collaboration with:

- Dr. J. Victory, Superintendent of Schools
- Dr. A. Parrish, Assistant Superintendent for Instruction
- Ms. G. Price, Division Director of Testing
- Dr. B. Petteway, Director of Secondary Instruction
- Mrs. N. Wingfield, Director of Elementary Instruction
- Principals & Assistant Principals of all schools
- Other division Directors, Coordinators, and Supervisors

8 VAC 20-131-140: College and career preparation programs and opportunities for postsecondary credit.

Beginning with the 2010-2011 academic year, all schools shall begin development of a personal Academic and Career Plan for each seventh-grade student with completion by the fall of the student's eighth-grade year. Students who transfer from other than a Virginia public school into the eighth grade shall have the Plan developed as soon as practicable following enrollment. Beginning with the 2011-2012 academic year, students who transfer into a Virginia public school after their eighth-grade year shall have an Academic and Career Plan developed upon enrollment. The components of the Plan shall include, but not be limited to, the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests. The Academic and Career Plan shall be developed in accordance with guidelines established by the Board of Education and signed by the student, student's parent or guardian, and school official(s) designated by the principal. The Plan shall be included in the student's record and shall be reviewed and updated, if necessary, before the student enters the ninth and eleventh grades. The school shall have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the Plan. Any personal academic and career plans prescribed by local school boards for students in grades 7-12 and in effect as of June 30, 2009, are approved to continue without further action by the Board.

Summary of Major Elements:

The following topics are addressed in the proposed *Guidelines for the Academic and Career Plan*:

- Purpose of Academic and Career Plans
- Academic and Career Plan Timeline
- Academic and Career Plan Template
- Components of the Academic Career Plan

A technical assistance document will be developed by the Virginia Department of Education to include a model Academic and Career Plan template that can be adapted for use by school officials working with students in academic and career preparation.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education adopt the proposed *Guidelines for the Academic and Career Plan*.

Impact on Resources:

School divisions that did not have personal academic and career plans for students in grades 7 through 12 in effect by June 30, 2009, will need to begin developing and implementing such plans for seventh-grade students by the beginning of the 2010-2011 academic year.

Timetable for Further Review/Action:

Following review and final approval of the Board of Education, notification will be made to school divisions of the guidelines and their availability on the Virginia Department of Education's Web site.

Proposed

Guidelines for

Academic and Career Plans

as prescribed in

*Regulations Establishing Standards for Accrediting
Public Schools in Virginia*

8 VAC 20-131-140

*College and career preparation programs and
opportunities for postsecondary credit*

Virginia Board of Education

September 17, 2009

Guidelines for Academic and Career Plans

Introduction

The Board of Education included in its 2009 revisions to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, (8 VAC-20-131-5 et seq) provisions for each middle and high school student to have a personal learning plan that aligns academic and career goals with the student's course of study. On February 19, 2009, the Board adopted the revised Regulations, also known as the *Standards of Accreditation* [<http://www.doe.virginia.gov/VDOE/Accountability/soafulltxt.pdf>]. The section pertaining to Academic and Career Plans reads:

8 VAC 20-131-140: College and career preparation programs and opportunities for postsecondary credit.

Beginning with the 2010-2011 academic year, all schools shall begin development of a personal Academic and Career Plan for each seventh-grade student with completion by the fall of the student's eighth-grade year. Students who transfer from other than a Virginia public school into the eighth-grade shall have the Plan developed as soon as practicable following enrollment. Beginning with the 2011-2012 academic year, students who transfer into a Virginia public school after their eighth-grade year shall have an Academic and Career Plan developed upon enrollment. The components of the Plan shall include, but not be limited to, the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests. The Academic and Career Plan shall be developed in accordance with guidelines established by the Board of Education and signed by the student, student's parent or guardian, and school official(s) designated by the principal. The Plan shall be included in the student's record and shall be reviewed and updated, if necessary, before the student enters the ninth and eleventh grades. The school shall have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the Plan. Any personal academic and career plans prescribed by local school boards for students in grades 7-12 and in effect as of June 30, 2009, are approved to continue without further action by the Board.

Purpose of Academic and Career Plans

The Academic and Career Plan is designed to be a working document that maximizes student achievement by having the student accomplish goals in middle and high school that lead to postsecondary and career readiness. The Plan should be student-driven and maintained by school professionals working cooperatively to assist the student in reaching his or her goals in the most logical academic and career path.

The Academic and Career Plan should start with the end in mind. The student, parent or guardian, and school professional(s) will create a plan agreed upon by all parties to ensure everyone is focused on working toward the same goals and analyze and adjust the Plan in response to new information to meet the needs of the student.

Academic and Career Plan Timeline

Beginning with the 2010-2011 academic year, all schools shall begin development of a personal Academic and Career Plan for each seventh-grade student, with completion by the fall of the student's eighth-grade year.

Students who transfer from other than a Virginia public school into the eighth grade shall have the Plan developed as soon as practicable following enrollment. Beginning with the 2011-2012 academic year, students who transfer into a Virginia public school after their eighth-grade year shall have an Academic and Career Plan developed upon enrollment.

The Academic and Career Plan shall be signed by the student, student's parent or guardian, and school official(s) designated by the principal. The Plan will be included in the student's record and must be reviewed and updated, if necessary, before the student enters the ninth and eleventh grades. The schedule for revising the Plan may be determined by the school division. The school shall have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the Plan.

Academic and Career Plan Template

The format of the Academic and Career Plan is flexible. Any personal academic and career plans prescribed by local school boards for students in grades 7-12 and in effect as of June 30, 2009, are approved to continue without further action by the Board.

A technical assistance document will be developed by the Virginia Department of Education to include a model Academic and Career Plan template that can be adapted for use by school officials working with students in academic and career preparation.

Academic and Career Plan Components

Required components of the Academic and Career Plan shall include, but not be limited to:

- The student's program of study for high school graduation that is aligned with a postsecondary career pathway and/or college entrance;
- A postsecondary career pathway based on the student's academic and career interests; and
- A signature from the student, student's parent or guardian, and school official(s) designated by the principal.

Board of Education Agenda Item

Item: H.

Date: September 17, 2009

Topic: First Review of the 2008-2009 Annual Report on Public Charter Schools in the Commonwealth of Virginia

Presenter: Ms. Diane Jay, Associate Director, Office of Program Administration and Accountability

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E-Mail Address: Diane.Jay@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: Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report the number of public charter school applications that they approved and denied to the Virginia Board of Education on an annual basis. Section 22.1-212.15 requires local school boards to submit annual evaluations of any public charter school to the Virginia Board of Education. The legislation stipulates that the Board report its findings annually to the Governor and the General Assembly by October 15. The Department of Education collected information on the number of charter school applications approved and denied by local school boards through a Superintendent's Memorandum dated May 1, 2009. Additional information was collected through an annual evaluation report submitted for 2008-2009 by each of the public charter schools operating in the state.

Summary of Major Elements: The attached annual report contains a summary of information from the required data collections for operating public charter schools in Virginia. Since the initial state legislation for charter schools was passed in 1998, ten charter schools in nine school divisions have been approved. During the 2008-2009 school year, four schools operated. One of the four charter schools closed as a charter school in June 2009. A fifth charter school received contract approval from its board

during 2008-2009 and will open to students in 2010-2011. Information collected from division superintendents revealed that one charter school application was denied. An annual report that summarizes the results of the public charter schools is attached.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the 2008-2009 Annual Report on Charter Schools in Virginia pursuant to §22.1-212.15, *Code of Virginia*. Additionally, the Superintendent requests the authority to make technical edits to include updating the report to reflect the current accreditation ratings of the schools prior to submitting the report to the Governor and General Assembly.

Impact on Resources: None

Timetable for Further Review/Action: Following approval, the report will be forwarded to the Governor and the General Assembly as required by §22.1-212.15, *Code of Virginia*.



VIRGINIA BOARD OF EDUCATION

REPORT

**A REPORT ON
PUBLIC CHARTER SCHOOLS IN THE
COMMONWEALTH OF VIRGINIA
FOR 2008-2009**

PRESENTED TO

**GOVERNOR TIMOTHY M. KAINÉ
AND THE
VIRGINIA GENERAL ASSEMBLY**

September 17, 2009

PREFACE

Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report annually to the Virginia Board of Education the status of public charter schools. Based on these compliance and performance criteria and other evaluation considerations, the objectives of the evaluation are as follows:

- Evaluate charter schools' progress in achieving the goals.
- Evaluate the performance of charter schools compared to the performance of other public school populations.
- Evaluate the impact of charter schools' activities in terms of contributions to the community and education system, in general.

The staff member assigned to the preparation of the report was Diane L. Jay, associate director, Office of Program Administration and Accountability, Division of Instruction, Virginia Department of Education, P. O. Box 2120, Richmond, Virginia 23218-2120. Questions concerning the report should be directed to Ms. Jay at (804) 225-2905 or by e-mail at Diane.Jay@doe.virginia.gov.

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EXECUTIVE SUMMARY

The evaluation of the public charter schools of Virginia examines the four public charter schools in operation in the state during the 2008-2009 school year. The schools operating provided alternative and experiential learning opportunities for at-risk students. However, differences among these schools include: the histories of the schools, characteristics of the communities served, characteristics of the students enrolled, size of the student bodies, grade levels served, resources available, and educational approaches and priorities.

Key Observations and Findings

National

- Legislation. Forty (40) states and the District of Columbia have charter school laws in place.
- Schools. Of the more than 130,407 public K-12 schools nationally, nearly 4,600 are charters schools. For the 2008-2009 school year, 355 new charter schools opened.
- Students. Charter schools serve more than 1.4 million children. The total United States public school enrollment is 49,113,000.¹

Virginia

- Schools. Four charter schools operated in Virginia in 2008-2009. As of June 2009, the total enrollment for the four charter schools was 256 students.
- Staff. The four schools reported a total of 43.9 staff members including principals, teachers, paraprofessionals, and guidance counselors. The average student-to-teacher ratio was 10 students per teacher.
- Progress in Achieving Goals. Progress as reported in terms of academic status, average daily attendance, and decreased dropout rates varies from year-to-year and among the schools. Murray High School and York River Academy achieved Adequate Yearly Progress (AYP) performance targets under the *No Child Left Behind Act of 2001* (NCLB) for the 2009-2010 school year based on data from 2008-2009. Hampton Harbour Academy did not achieve AYP performance targets for 2008-2009 and will not operate as a school for 2009-2010. Murray High School and York River Academy have been fully accredited since 2004-2005. Hampton Harbour Academy was conditionally accredited for the 2007-2008 and the 2008-2009 school years. In 2006-2007, the school status was “Accreditation Withheld/Improving School Nearing Accreditation.” For 2004-2005 and 2005-2006, the school was accredited with warning.

¹ “Charter Schools Fast Facts.” 6 June 2009. Center for Education Reform. Washington, D.C. 6 June 2009.

<http://www.edreform.com/index.cfm?fuseAction=section&pSectionID=15&cSectionID=97#ENROLLMENT> Path: Site Index.

- Average Daily Attendance and Dropout Rates. The overall average daily attendance rate in the charter schools has improved slightly during the last several years and is presently at 90.8 percent. The state rate for 2008-2009 for all schools was 95 percent. Dropout rates in the public charter schools have historically been higher than comparable rates for the divisions in which they are chartered; however, during the past several years, dropout rates in the charter schools have been comparable to the school divisions in which they were chartered. In 2007-2008, the dropout rate for charter schools was 1.3 percent; the state dropout rate was 1.89 percent. Official dropout rates for 2008-2009 will be available from the Virginia Department of Education after October 1, 2009.
- Comparison of Student Performance. The performance of pupils in charter schools as compared to students in other schools is reported in Adequate Yearly Progress (AYP) and Accreditation status. The schools self-reported that the students in the charter schools are generally performing better than if they had remained in a traditional school.
- Impact on the Community. All of the schools reported programs to achieve parental and community involvement. The perceptions of the schools, community awards, other forms of recognition, and parental surveys suggest success in these efforts. Survey results suggest that the small size, individualized instruction, and innovative approaches to education found in these schools have had a positive impact on the communities they serve.

The Code of Virginia and Charter Schools

The Virginia General Assembly passed House Bill 2311, Public Charter School Fund, during the 2006-2007 session that amended the *Code of Virginia* by adding a section numbered 22.1-212.5:1, establishing a public charter school fund. To date, no gifts, grants, bequests, or donations have been received in the fund for disbursement.

The Virginia General Assembly's most recent change to the charter school law was in 2009, and the change was to remove the limit on the number of public charter schools that could be established in a school division.

Growth of Charter Schools in Virginia

Since the initial state legislation for charter schools was passed in 1998, ten charter schools in nine school divisions have been approved. During the 2008-2009 school year, four schools operated. One of these four charter schools will close in 2009-2010. A fifth charter school received contract approval from its board during 2008-2009 and will open to students in 2010-2011. Information collected from division superintendents revealed that one charter school application was denied in 2008-2009.

In Superintendent's Memorandum, Number 117-09, dated May 1, 2009, "Charter School Report for 2008-2009," superintendents were asked to respond to the following charter school question: "Whether you have charter schools or not in your division, please list barriers you perceive in establishing charter schools in Virginia." Fifty-one (51) percent of the divisions did not respond to the question; 19 percent cited fiscal barriers; 17 percent indicated that there was no interest or need; and nine percent listed no barriers. Other barriers mentioned included: lack of facilities; difficulty obtaining licensed teachers; and restrictiveness of Virginia charter school law. The responses cited above are similar to responses received for the 2006-2007 and 2007-2008 charter school reports.

CHAPTER ONE

Purpose

This report provides the results of an evaluation of the public charter schools in Virginia. The evaluation examines the four public charter schools in operation during the 2008-2009 school year. All of these schools serve at-risk students.

Objectives and Scope of Evaluation

The goals of the four charter schools included in this evaluation are similar in that they are all designed to provide alternative and experiential learning opportunities for students who are at risk. While the general goal is similar, there are also differences among these schools such as:

- histories of the schools;
- characteristics of the communities served;
- characteristics of the students enrolled;
- size of the student bodies;
- grade levels served;
- resources available; and
- educational approaches and priorities.

Summary Report

The summary report focuses on evaluation considerations applicable for all charter schools in the Commonwealth. Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report annually to the Virginia Board of Education the status of public charter schools. Various sections of this *Code* delineate compliance and performance criteria. In that context, the objectives of this evaluation are as follows:

1. Evaluate charter schools' progress in achieving their goals;
2. Evaluate the performance of charter school students compared to the performance of other public school populations; and
3. Evaluate the impact of charter schools' activities in terms of their contributions to the community and education system, in general.

School Specific Attachments

Differences in the characteristics of the four schools and in the data provided by each restrict the ability to provide comparable reporting of charter school performance at the summary report level. These differences also make it difficult to capture many of the unique characteristics and accomplishments of the individual schools. An attachment is provided for each charter school that includes selected school specific information for many of the same evaluation areas considered in the summary report.

Sources

The information, observations, and findings in both the summary report and the attachments are primarily based on the following sources:

- Information collected by the Virginia Department of Education (VDOE) through an annual report. These reports were submitted to the VDOE in June 2009 for the 2008-2009 school year by the school divisions that had public charter schools operating during that period.
- Additional data available to the VDOE that were used to augment the school division reports.
- Information collected by the VDOE on the number of charter school applications approved and denied by local school boards through Superintendent's Memorandum, Number 117-09, dated May 1, 2009.
- Relevant information previously published by the VDOE.

Structure of the Remaining Chapters of the Summary Report

The summary report provides a collective evaluation of the four public charter schools in Virginia. The following three sections of this summary report address:

- Background Information – Chapter Two relates to the *Code of Virginia* as it applies to charter schools as well as summary data related to the charter schools and student populations, waivers, staff, and initiatives to foster parental and community involvement;
- Evaluation – Chapter Three summarizes charter school academic status; and
- Overall Impact – Chapter Four examines the overall impact of charter schools in terms of:
 - effectiveness in meeting the needs of the students served;
 - progress in achieving the schools' goals;
 - benefits to the charter school students;
 - factors influencing the status of the schools; and
 - testimonials.

CHAPTER TWO

Background and Summary Information

This section provides general information addressed in the *Code of Virginia* as it applies to charter schools as well as general information profiling Virginia's charter schools.

A. The *Code of Virginia* as Applied to Charter Schools

As delineated in the *Code of Virginia*, (§ 22.1-212.5), public charter schools in Virginia are nonsectarian, nonreligious, or nonhome-based alternative schools located within a public school division intended to:

- stimulate the development of innovative educational programs;
- provide opportunities for innovative instruction and assessment;
- provide parents and students with more options within their school divisions;
- provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management, and structure;
- encourage the use of performance-based educational programs;
- establish and maintain high standards for both teachers and administrators; and
- develop models for replication in other public schools.

The Virginia General Assembly passed House Bill 2311, Public Charter School Fund, during the 2006-2007 session. This act amended the *Code of Virginia* by adding a section numbered 22.1-212.5:1, establishing a public charter school fund. The purpose of this fund is to establish a mechanism whereby gifts, grants, bequests, or donations from public or private sources can be paid into the state treasury and credited to the fund for establishing or supporting public charter schools in the Commonwealth that stimulate the development of alternative public education programs. Criteria for making distributions from the fund were approved by the Virginia Board of Education on January 10, 2008. To date, no gifts, grants, bequests, or donations have been received in the fund for disbursements.

The Virginia General Assembly's most recent change to the charter school law was in 2009, and the change was to remove the limit on the number of public charter schools that could be established in a school division.

B. Waivers

Based on information collected in the annual evaluation in June 2009, Hampton Harbour Academy requested and received approval for certain waivers in its alternative accreditation plan, including the concentration of instruction time in reading, writing, and mathematics. The school does not offer any elective courses in an effort to help students gain the core skills needed to move forward towards high school graduation.

C. Schools and Student Populations

Since the initial state legislation for charter schools was passed in 1998, ten charter schools in nine school divisions have been approved by local school boards in the following school divisions: Albemarle (2), Chesterfield, Gloucester, Greene, Franklin, and York Counties

and Hampton, Richmond, and Roanoke Cities. The charter schools in Chesterfield, Gloucester, Greene, Franklin Counties, and Roanoke City have closed. Four schools operated during the 2008-2009 school year: two in Albemarle, one in Hampton, and one in York. Hampton’s charter school closed at the end of the 2008-2009 school year. The charter school located in Richmond City received contract approval in 2008-2009 and will open to students in 2010-2011. Information collected from division superintendents revealed that one charter school application was denied by the Norfolk City School Board in 2008-2009.

A Virginia public charter school may be approved or renewed for a period not to exceed five school years; however, the school can be granted multiple renewals that permit operation for more than a total of five years. Table 1 provides summary information about the four charter schools in operation for 2008-2009.

Table 1.
Virginia Public Charter Schools in Operation – 2008-2009

Division	School	Year Opened	Grades Served	Enrollment [1]
Albemarle County	Murray High School	2001	9-12	110
Hampton City	Hampton Harbour Academy	2001	6-8	75
York County	York River Academy	2002	9-12	48
Albemarle County	The Community Public Charter School	2008	6	23

Note [1]: Enrollment numbers are based on charter school self-reported data.

D. Student Populations

Virginia’s public charter schools serve grades 6-12 and enroll a small number of students. The schools reported a total of 256 students enrolled as of June 2009. Virginia’s public charter school student population grew steadily from the opening of the first school in 1999 through the 2003-2004 school year. The student population declined in 2004-2005 and further declined during 2005-2006 with the decrease in the number of schools. The charter school populations remained relatively constant between 2005-2006 and 2008-2009. In 2008-2009, one charter school added a grade, and a new charter school opened serving one grade level. Table 2 profiles the statewide public charter school population over the last nine years.

Table 2.
Trend in Student Populations in Virginia Public Charter Schools

School Year	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Number of Charter Schools	1	1	6	8	7	5	3	3	3	4
Total Student Population [1]	41	40	440	685	745	555	231	237	248	256

Note [1]: Student population is based on charter school self-reported data.

CHAPTER THREE

Evaluation of Charter School Student Performance

Virginia's four public charter schools in operation in 2008-2009 focused on increasing educational opportunities and providing alternative educational programs for students who are potentially at risk of academic failure. However, their population is not a representative subset of the traditional school student population. Examining the accreditation status of the schools and meeting Adequate Yearly Progress (AYP) objectives provides some insight toward performance, but for the charter school population, other metrics require consideration.

Many of the students, particularly older students enrolled in the two high school programs, were in danger of dropping out of school prior to attending the charter schools. Poor attendance, past academic failure, and other risk factors create challenges for the schools in raising the academic achievement level of these students, graduating them, and preparing them to be productive members of society. Despite the challenges, progress has been demonstrated and reported in improved academic achievement, average daily attendance, and dropout rates.

A. Student Selection Criteria

Because the four schools evaluated have different educational models and objectives, they have different student populations. However, many of the criteria used to select students are similar. These criteria include selecting students who:

- have been unsuccessful in a traditional school setting and would benefit academically from a smaller, nontraditional school environment;
- are at risk for leaving school or graduating below potential;
- are over age for the grade level for a variety of reasons (e.g., dropped out, failed grade(s), medical reasons); and/or
- have chronic problems of attendance and/or discipline.

These criteria are unique to these schools and warrant consideration when evaluating the student performance. Other selection criteria such as student career interests and student willingness to commit to school policies and objectives vary. The local selection process also differs among schools.

B. Comparing Charter School and Traditional School Student Performance

Since the objective of Virginia's charter schools is to provide an alternative educational approach and environment to improve educational results for students who experienced failure or poor performance in the traditional schools, the issue of comparative performance is one of determining whether each individual student would perform, or has performed, better in a traditional or charter school. The performance of pupils in charter schools is reported in Adequate Yearly Progress (AYP) and accreditation status of the schools.

C. Academic Achievement 2008-2009

Measuring academic achievement for the charter school student population also presents challenges. The charter school student population is small and lacks continuity from year-to-year. Given the at-risk profile of these students, modest gains in testing results may reflect significant improvement and may represent only a small portion of the actual educational benefit realized.

1. **Academic Status.** Since 2004-2005, Murray High School and York River Academy have been fully accredited. Murray High School and York River Academy met their Adequate Yearly Progress (AYP) objectives for the 2009-2010 school year based on assessment data from 2008-2009. Hampton Harbour Academy did not meet its AYP objectives for 2008-2009, and the status of the school was “conditionally accredited.” The school closed as a charter school at the end of June 2009. The Community Public Charter School was in its first year of operation in 2008-2009, and accreditation and AYP results are pending based on submission of additional information to the Virginia Department of Education.
2. **Qualitative Measures of Achievement.** Several schools conduct surveys that address student attitudes about the school experience, the desire to attend school, and the learning climate. These surveys also try to measure increases in the students’ personal ethics, collaboration, and cooperation. Some schools survey parents regarding the perceptions of their children’s attitudes and observable changes. Schools report that this qualitative and other anecdotal feedback suggest additional evidence of student improvement in the charter school setting.
3. **Other Measures of Achievement.** Many of the at-risk students attending charter schools have a history of difficulties in discipline, attitude, and peer relationships; poor study habits; and communications issues. These characteristics lead to, or are correlated with, low attendance levels and higher dropout rates; however, over the years these measures have improved in the charter schools and are comparable with data reported in the divisions in which they are located.

D. Average Daily Attendance (ADA) Rate

Chronic attendance problems are one of the selection criteria for entry into the middle and two secondary charter schools operating in Virginia. Consequently, public charter schools in Virginia generally have student populations that historically have had lower ADA rates than the traditional public student population.

Charter school and comparable division ADA rate data since 2001 are presented in Table 3. Average daily attendance rates for the 1999-2000 and 2000-2001 school years were reported for only one charter school and are not included. Complete ADA histories for the four evaluated schools and their divisions are provided in the school’s attachment. The overall

ADA rate in the charter schools improved modestly between 2001-2002 and 2006-2007. In 2007-2008, there was a small drop in ADA; in 2008-2009, the ADA improved to the levels recorded in 2005-2006 and 2006-2007. The division rates have remained constant at near the average state rate of 96.2 percent for 2008-2009.

Table 3.
Average Daily Attendance – Charter Schools and Their Divisions

Average Daily Attendance [1]	2001-2002 [2]	2002-2003 [3]	2003-2004 [4]	2004-2005 [5]	2005-2006 [6]	2006-2007 [6]	2007-2008 [6]	2008-2009 [7]
Charter	86.87%	86.15%	88.71%	87.78%	90.6%	91.3%	87.5%	90.8%
Divisions	95.10%	95.18%	95.19%	95.36%	95.7%	95.5%	95.2%	96.2%

Note [1]: Based on data provided by the VDOE.

Note [2]: Includes six charter schools and the divisions in which they were chartered.

Note [3]: Includes eight charter schools and the divisions in which they were chartered.

Note [4]: Includes seven charter schools and the divisions in which they were chartered.

Note [5]: Includes five charter schools and the divisions in which they were chartered.

Note [6]: Includes three charter schools and the divisions in which they were chartered.

Note [7]: Includes four charter schools and the divisions in which they were chartered.

E. Dropout Rate

Another criterion used to select students for charter school placement is “their risk of leaving school.” The operating charter schools in Virginia generally have student populations that would predictably have higher dropout rates than the overall student population. Overall charter school and comparable division dropout rate data for the previous five years are presented in Table 4. Official dropout rates for 2008-2009 will not be available until after October 1, 2009. Dropout rates for 1999-2000 and 2000-2001 were reported for only one charter school and were not included. Complete dropout histories for the four evaluated schools and their divisions are provided in the school’s attachment.

Annual dropout rate data vary from school to school and over time for each charter school. The Department of Education can calculate an event dropout rate for three of the four charter schools for 2008-2009 and compare data for prior years. As indicated by the data in Table 4, dropout rates in Virginia public charter schools have historically been higher than comparable rates for the divisions in which they are chartered. However, in 2006-2007, the charter schools’ dropout rates dropped significantly from previous years and were well below the state dropout rate of 1.87 percent. For 2007-2008, the dropout rate was slightly higher in the charter schools. The cohort dropout rate is calculated for only one of the four public charter schools. Murray High School in Albemarle County has a lower cohort dropout rate than two of the other three high schools in the county. The remaining secondary charter school, York River Academy, added a grade 12 for the first time during 2008-2009 and therefore does not have a 2008 cohort dropout rate. The school’s 2009 cohort dropout rate will be available after October 1, 2009.

Table 4.
Annual Dropout Rates – Charter Schools and Their School Divisions

Dropout Rates [1]	2001-2002 [2]	2002-2003 [3]	2003-2004 [4]	2004-2005 [5]	2005-2006 [6]	2006-2007 [6]	2007-2008 [7]	2008-2009 [8]
Charter Schools [1]	18.0%	12.9%	6.7%	1.6%	3.6%	.6%	1.3%	TBD
School Divisions [1]	2.6%	1.7%	1.5%	0.8%	1.7%	1.9%	1.1%	TBD

Note [1]: Based on data provided by the VDOE.

Note [2]: Includes six charter schools and the divisions in which they were chartered.

Note [3]: Includes eight charter schools and the divisions in which they were chartered.

Note [4]: Includes seven charter schools and the divisions in which they were chartered.

Note [5]: Includes five charter schools and the divisions in which they were chartered.

Note [6]: Includes the three charter schools and the divisions in which they were chartered.

Note [7]: Includes the four charter schools and the divisions in which they were chartered.

Note [8]: Official dropout rates for 2008-2009 for the charter schools will not be available until fall 2009.

CHAPTER FOUR

Overall Assessment

The charter schools state that they have all made progress toward the goals and objectives as stated in their charters. They believe that they have contributed positively toward the educational experience and lives of their students and the communities they serve. For most of these schools, available quantitative data support these perceptions, and qualitative data reinforce them.

A. Effectiveness in Meeting the Needs of the Populations Served

The schools identify their effectiveness as a school by the degree in which the school meets the “special needs” of its students. In general, they believe that the student populations served require an individualized, nurturing, and safe educational environment for success in school and to increase their opportunity for success beyond school. Success cited by the schools includes return rates, graduation rates, parental support and feedback, community support, and school division support. The schools also demonstrated academic improvement by accreditation status and meeting AYP targets.

B. Progress in Achieving Goals

The public charter schools evaluated in this report expressed their progress differently, but stated their goals as:

- achieving state accreditation and meeting AYP targets;
- assuring graduation, completion, or promotion;
- facilitating student access to postsecondary education and training opportunities;
- helping students transition into postsecondary educational, work force, or military opportunities; and
- increasing parental and community involvement.

All of these schools report progress toward meeting some of these goals. However, goals varied from school to school and progress was mixed. For 2008-2009, two schools achieved their AYP targets and were fully accredited. One school did not meet its AYP target and was conditionally accredited. The fourth school operated for its first year, and data are not yet available.

C. Benefits Provided to Students

The schools report that a primary benefit provided for the students is an educational environment in which: (1) students can be comfortable and competitive; (2) targeted post-graduation opportunities can be provided for secondary students; and (3) special individual needs of students can be met.

D. Factors Influencing the Status of Charter Schools in Virginia

Schools provided a variety of responses regarding the factors that have contributed to their present status. Reported perceptions included support (i.e., school system, community, and parental support), funding, facilities, student selection, emphasis on technology, small, structured environments, and excellent staff.

E. Testimonials

Schools have provided statements from students and parents during the course of the year on the success of their charter school.

Student Comments:

“I would like to say thank you for not giving up on me. I would also like to say I really appreciate all that you have done and all that you are doing. I have learned a lot of things; one is that you learn something new every day; another is that I have people in this school I can always come and talk to, but most of all you have taught me the most important thing and that is miracles happen every day.”

“The teachers cared about us and really gave us hope when we didn’t think we could do something. We owe you a thank you and when I become a sports broadcaster, I will be sure I send you some Redskins tickets.”

“I had a lot of memorable experiences. I discovered that our school is like a lost gem waiting to be found. Thank you for believing in us to get the job done.”

“My year has been bitter and sweet. At times I have hated this school with everything I had. But at other times, I have walked these halls slowly, almost savoring the warmth. It has encouraged, almost pushed me, to do better at the things that I have difficulty in. The teachers have this uncanny way of finding ways to relate to us, of finding the talents hidden deep inside us and bringing them out, nurturing them until we are proud, until we take pleasure in doing good. I have learned lessons here. I have learned patience, and I have learned gratitude. Though I looked at the beginning of this school year as the end of the world, I now look at the end of it the same way.”

“Thank you for believing in me and saying that I have talent and that I can do a lot with my life.”

“I want to thank my teachers for helping me learn what I need to achieve my goals in the real world and achieve the goals I set for myself.”

“I’ve learned a lot of things through my attendance at this school. Sure I have great grades, but I’ve found that I absorbed something more. The people of this school transformed me from ordinary to extraordinary, from a common sparrow to a flying phoenix.”

“I’m not sure where I would be right now without this school, but I know that because of it, I’ll be able to find the way to go in the future.”

“Before I came to the school, I had no idea who I was. I felt as though I had no place in the world. The school helped me discover what living is all about -- it’s finding that authentic person in us that makes us special. It’s realizing that we have a purpose in life and we can either ignore that purpose and just settle for what’s in front of us, or we can develop it and create something of quality.”

“People who knew me at my base school can’t believe it when I tell them, but because the charter school worked so well for me, I am graduating high school a year early with two B’s and all the rest A’s. The school was exactly what I needed. There are really great people there and I found the perfect learning environment. I’m really lucky to have gone to a place like this school.”

“The school is small, and everybody knows everyone else. The teachers usually always have a positive attitude, and you can tell that they love having you here. They take the time to get to know each of the students and show interest in things that the students are doing, even if it has to do with something outside of school. Personally, I love the idea of teachers being so involved. I have developed great relationships with some of them. So to sum it up, Murray has changed my life. I’ve come from being about to drop out of school, to writing this at the end of my 11th grade year. I look forward to being a senior next year, and all the excitement that it will bring.”

“I liked school this year. The teachers made me feel good about going to school and about the work.”

“I like to read now better than I did before. I learned that what I do makes a big difference in my work.”

“I love my school now. I can do interesting work and have time to spend drawing my roller coasters. In science next year I can learn all about the way roller coasters work and maybe build one.”

Parent Comments:

“I have seen improvement in self-confidence in his scholastic skills. His grades have greatly improved. He has also gained some insight into identifying inappropriate behaviors and choices, and improved his course to more appropriate behaviors, although he still has a long way to go.”

“The charter school has been a good place for my daughter. We have seen her grow in many ways, especially in learning to trust adults. She has become a much more serious student.”

ATTACHMENTS

Charter Schools Evaluation – 2008-2009

The four charter schools in Virginia included in this evaluation are different. These differences make generalizations about charter school performance and impact difficult.

The following sections provide an attachment for each individual school that is included in the summary report. Each attachment includes the following school-specific information:

- General school information;
- Academic status;
- Attendance data;
- Dropout data;
- Professional development information; and
- Staffing data and information.

The data shown in these attachments are a combination of school self-reported information and information derived from Virginia Department of Education data sources.

Attachment A1

Albemarle County Schools, Murray High School

Year opened as a charter school:	2001
Grades served in 2008-2009:	9-12
Enrollment 2008-2009:	110
School designed to serve students considered to be at risk:	Yes
Intends to operate as a charter school during the 2009-2010 school year:	Yes

Academic Status. Table A1.1 provides the Accreditation and Adequate Yearly Progress (AYP) status at Murray High School since 2004-2005. All schools in the Albemarle County Public School system were fully accredited for 2008-2009. Accreditation results for 2009-2010 will be available later in September 2009. Of the 25 schools, 22 schools made AYP for 2009-2010; one school's status is pending; and two schools did not make AYP.

Table A1.1.

Accreditation and Adequate Yearly Progress (AYP) Status for Murray High School

Academic Status	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
Accreditation	Fully Accredited	TBD				
Adequate Yearly Progress (AYP)	Made AYP	Made AYP [1]				

Note [1]: Virginia AYP status for 2009-2010 based on achievement results from 2008-2009.

Average Daily Attendance (ADA). Table A1.2. provides a summary of average daily attendance rates for Murray High School and the school division in which it is chartered. Average daily attendance has remained relatively constant since becoming a charter school in 2001 and approaches overall attendance rates for the division.

Table A1.2.

Average Daily Attendance for Murray High School

Average Daily Attendance	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Murray High School	90.5%	93.3%	94.4%	91.6%	93.4%	94.5%	92.5%	91.5%
Albemarle County Public	95.9%	95.8%	96.0%	96.1%	96.0%	96.1%	95.9%	96.3%

Annual Dropout Rates. The following table summarizes annual dropout rates for Murray High School and the school division in which it is chartered. Dropout rates have been low and have historically been comparable to the division results. In 2006-2007, the dropout rate for Murray High School was below the county dropout rate. The 2008-2009 dropout rate results will not be available until fall 2009.

Table A1.3.
Annual Dropout Rates for Murray High School

Dropout Rates [1]	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Murray High	0%	1.9%	2.3%	2.2%	1.9%	1.1%	1.9%	TBD
Albemarle County Public Schools	0.8%	0.6%	1.4%	1.4%	1.6%	1.5%	1.6%	TBD

Note [1]: Dropout results for 2001-2008 were provided by VDOE.

Professional Development. In response to survey questions concerning professional development offered at school, the school's responses were:

Professional development customized for charter school personnel only:	No
Professional development hours provided:	Over 100
Number of professional development activities provided:	11 or more
Amount of communication with other charter schools within Virginia:	Very little
Amount of communication with other charter schools outside Virginia:	Very little
Opportunity to attend national meeting(s) regarding charter schools:	No

Staff. The 2008-2009 staffing data indicate one Murray High School teacher per ten students enrolled. The school reported that all teachers were licensed and endorsed. Staffing data for Murray High School are summarized in Table A1.4.

Table A1.4.
Staffing for Murray High School for 2008-2009

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent Filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100
Teachers	10.83	10.83	100
Paraprofessionals	0.66	N/A	N/A
Guidance Counselors	1.0	1.0	100

Attachment A2

Hampton City Schools, Hampton Harbour Academy

Year opened as a charter school:	2001
Grades served in 2008-2009:	6-8
Enrollment 2008-2009:	88
School designed to serve students considered to be at risk:	Yes
Intends to operate as a charter school during the 2009-2010 school year:	No*

Academic Status. Table A2.1 provides the Accreditation and Adequate Yearly Progress (AYP) status at Hampton Harbour Academy since 2004-2005. In 2008-2009, of the 34 schools in the Hampton City Public Schools, 22 did not make AYP; one school was conditionally accredited (Hampton Harbour Academy), one was accredited with warning, and the remaining schools were fully accredited. Hampton Harbour Academy closed as a charter school in June 2009.

Table A2.1.
Accreditation and Adequate Yearly Progress (AYP) Status for Hampton Harbour Academy

Academic Status	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009 [1]
Accreditation	Accredited with Warning	Accredited with Warning	Accreditation Withheld/ Improving School Nearing Accreditation	Conditionally Accredited	Conditionally Accredited
Adequate Yearly Progress (AYP)	Did not Make AYP	Did not Make AYP	Did not Make AYP	Did not Make AYP	Did not Make AYP

Note [1]: Virginia Accreditation and AYP Status for 2008-2009 based on achievement results from 2007-2008.

Average Daily Attendance (ADA). Table A2.2. provides a summary of average daily attendance rates for Hampton Harbour Academy and the division in which it is chartered. The school's ADA has remained constant for the past few years. The ADA remains below overall attendance rates for the school division.

Table A2.2.
Average Daily Attendance for Hampton Harbour Academy

Average Daily Attendance	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Hampton Harbour Academy	85.2%	83.1%	85.0%	82.1%	84.1%	85.2%	84.1%	87.8%
Hampton City Public Schools	94.8%	94.5%	94.8%	95.2%	95.0%	94.9%	94.8%	95.4%

*Hampton Harbour Academy closed as a charter school on June 30, 2009. The school will be converted to a program and will not operate as a charter school in 2009-1010.

Annual Dropout Rates. The school does not serve secondary students. There were no dropouts for 2008-2009.

Professional Development. In response to survey questions concerning professional development offered at school, the school's responses were:

Professional development customized for charter school personnel only:	Yes
Professional development hours provided:	25
Number of professional development activities provided:	11 or more
Amount of communication with other charter schools within Virginia:	Very little
Amount of communication with other charter schools outside Virginia:	Very little
Opportunity to attend national meeting(s) regarding charter schools:	No

Staff. For the 2008-2009 school year, Hampton Harbour Academy reports one teacher per ten students enrolled. Staffing data for Hampton Harbour Academy are summarized in Table A2.3.

Table A2.3.
Staffing for Hampton Harbour Academy for 2008-2009

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent Filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100
Teachers	10.0	9.0	90
Paraprofessionals	3.0	N/A	N/A
Guidance Counselors	1.0	1.0	100

Attachment A3

York County Schools, York River Academy

Year opened as a charter school:	2002
Grades served in 2008-2009:	9-12
Enrollment 2008-2009:	48
School designed to serve students considered to be at risk:	Yes
Intends to operate as a charter school during the 2008-2009 school year:	Yes

Academic Status. Table A3.1 provides the Accreditation and Adequate Yearly Progress (AYP) status at York River Academy since 2004-2005. All 19 schools in the York County Public Schools were fully accredited for 2008-2009. Accreditation results for 2009-2010 will be available later in September 2009. Fifteen of the 19 schools in the York County Public Schools made AYP for 2009-2010.

Table A3.1.
Accreditation and Adequate Yearly Progress (AYP) Status for York River Academy

Academic Status	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
Accreditation	Fully Accredited	TBD				
Adequate Yearly	Made AYP	Made AYP [1]				

Note [1]: Virginia AYP status for 2009-2010 based on achievement results from 2008-2009.

Average Daily Attendance (ADA). Table A3.2 provides a summary of average daily attendance rates for York River Academy and the school division in which it is chartered. Average daily attendance rates for the school have been comparable to the school division ADA rates.

Table A3.2.
Average Daily Attendance for York River Academy

Average Daily Attendance	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
York River Academy	98.8%	95.1%	95.2%	96.7%	95.6%	96.5%	93.9%
York County Public Schools	96.7%	96.3%	96.3%	96.6%	96.0%	96.3%	96.0%

Annual Dropout Rates. The following table summarizes annual dropout rates for York River Academy and the school division in which it is chartered. Historically, from 2002-2005, dropout rates for the school have been higher than division rates. For 2005-2006, 2006-2007, and 2007-2008, there were no dropouts at the school. The 2008-2009 dropout rate results will not be officially available until fall 2009.

Table A3.3.
Annual Dropout Rates for York River Academy

Dropout Rates [1]	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
York River Academy	0%	2.1%	2.6%	0.0%	0.0%	0.0%	TBD
York County Public Schools	0.9%	0.2%	0.5%	.4%	.38%	.66%	TBD

Note [1]: Dropout results for 2002-2008 were provided by VDOE.

Professional Development. In response to survey questions concerning professional development offered at school, the school's responses were:

Professional development customized for charter school personnel only: No
 Professional development hours provided: 40
 Types of professional development activities provided: 11 or more
 Amount of communication with other charter schools within Virginia: Very little
 Amount of communication with other charter schools outside Virginia: Very little
 Opportunity to attend national meeting(s) regarding charter schools: No

Staff. For the 2008-2009 school year, York River Academy reports the teacher-student ratio was no higher than one teacher per 12 students enrolled. The school reported that all teachers were licensed and endorsed. Staffing data for the school are summarized in Table A3.4.

Table A3.4.
Staffing for York River Academy for 2008-2009

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100
Teachers	7.0	7.0	100
Paraprofessionals	0.0	N/A	N/A
Guidance Counselors	1.0	1.0	100

Attachment A4

Albemarle County Schools, The Community Public Charter School

Year opened as a charter school: 2008
 Grade served in 2008-2009: 6
 Enrollment 2008-2009: 23
 School designed to serve students considered to be at risk: Yes
 Intends to operate as a charter school during the 2009-2010 school year: Yes

Academic Status. The school opened in the fall of 2008. The school’s AYP status will be determined pending submission of information to the VDOE establishing the school as a “small n school.” The school’s accreditation rating, based on student achievement on Standards of Learning tests and other statewide assessments, will be released by VDOE later in September 2009.

Average Daily Attendance (ADA). Table A3.2. provides a summary of average daily attendance rates for The Community Public Charter School and the school division in which it is chartered. Average daily attendance rates for the school are comparable to the school division’s ADA rates.

Table A4.1.
Average Daily Attendance for The Community Public Charter School

Average Daily Attendance	2008-2009
The Community Public Charter School	96.5%
Albemarle County Public Schools	96.3%

Annual Dropout Rates. The school does not serve secondary students. There were no dropouts for 2008-2009.

Professional Development. In response to survey questions concerning professional development offered at school, the school’s responses were:

Professional development customized for charter school personnel only: Yes
 Professional development hours provided: 87
 Types of professional development activities provided: 10
 Amount of communication with other charter schools within Virginia: Some
 Amount of communication with other charter schools outside Virginia: Some
 Opportunity to attend national meeting(s) regarding charter schools: Yes

Staff. For the 2008-2009 school year, The Community Public Charter School reports the teacher-student ratio was one teacher per 10 students enrolled. The school reported that all teachers were licensed and endorsed. Staffing data for the school are summarized in Table A4.2.

Table A4.2.
Staffing for The Community Public Charter School for 2008-2009

Category	Total Number of Staff (FTE)	Positions Filled by Licensed and Endorsed Individuals (FTE)	Percent filled by Licensed and Endorsed Individuals
Principal/Director	0.5	0.5	100
Teachers	4.0	4.0	100
Paraprofessionals	1.0	N/A	N/A
Guidance Counselors	0.0	0.0	0.0

Board of Education Agenda Item

Item: I.

Date: September 17, 2009

Topic: First Review of the Standards of Quality

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

Telephone Number: (804) 225-2403

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

Origin:

Topic presented for information only (no board action required)

Board review required by
 State or federal law or regulation
 Board of Education regulation
 Other: _____

Action requested at this meeting Action requested at future meeting: _____

Previous Review/Action:

No previous board review/action
 Previous review/action
date _____
action _____

Background Information:

The 2009 General Assembly added language in Item 140 of the 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.”

The Board of Education approved the work plan for this review on April 30. The work plan includes:

- Participation and involvement of education entities and the public;
- Collection and analysis of data provided by school divisions;
- Research and analysis by an outside independent consultant;
- Examination of all facets of the Standards of Quality (SOQ) staffing standards;
- Identification of best practices; and
- Formulation of recommendations.

The review is being conducted by the Board’s Standing Committee of the Standards of Quality, chaired by Mrs. Saslaw. The committee met on May 27, June 24, and July 22. During these meetings, the committee heard from a number of educational organizations, school divisions, parents, teachers, students, and other members of the public, including the following organizations:

- Virginia Association of School Superintendents
- Virginia School Boards Association
- Virginia Education Association
- Virginia Association of Elementary School Principals
- Virginia Association of Secondary School Principals
- Virginia Association of Supervision and Curriculum Development
- Virginia PTA
- Virginia Municipal League
- Virginia Association of Counties
- Virginia Council of Administrators of Special Education
- Virginia Association of School Nurses
- Virginia School Counselor Association
- Virginia Consortium of Administrators for Education of the Gifted
- Virginia First Cities Coalition
- JustChildren
- Petersburg Advocates for Children
- FACES of Virginia Families (Foster, Adoption, and Kinship Association)
- PLACE (Parent Leaders Advocating for Children’s Education)
- Fairfax County Public Schools

The first public comment period was May 1 through July 31. The Board received 31 comments at the SOQ Committee meetings; 1,130 people who signed and gave comments on JustChildren's petition; four comments at Board of Education meetings; and 14 comments via mail or e-mail from school divisions; organizations, and individuals via e-mail.

The second public comment period will be September 15 through October 4. Four public hearings will be held in Chesapeake City, Fairfax County, Pulaski County, and Richmond City on September 30.

Many of the comments were in opposition to any reductions to the Standards of Quality, as well as the staffing ratio for support positions. Several comments supported previous Board recommendations that have not been funded, especially one principal in every elementary school, one assistant principal for every 400 students; and one reading specialist for every 1,000 students. Several comments recommended increased flexibility. There were recommendations to review the special education staffing and funding mechanism to ensure that access to the general education curriculum is not hindered by funding incentives based on placement. Several comments made recommendations about

school nurses, school counselors, and gifted education teachers.

The SOQ Committee also received a report from Augenblick, Palaich, and Associates, Inc. on staffing standards, heard a presentation on rebenchmarking costs estimated for 2010-2012, and received the results of a survey of local school divisions.

The report from Augenblick, Palaich, and Associates, Inc. includes a review of the research about staffing ratios and staffing ratios recommended by established organizations, staffing ratios suggested in the efficiency reports of school divisions in Virginia, staffing ratios used in other states, and an analysis of staffing data reported by school divisions in the Annual School Report. The report included several ideas for the Board's consideration.

- School divisions employ more personnel than the SOQ ratios provide. The majority of the personnel categories with higher personnel were in the instructional categories. The numbers of elementary and secondary teachers actually employed by divisions appear to be related to division needs based on examining quintiles of school divisions organized by need.
- It appears that school divisions are using their support category revenue to employ more instructional personnel. This is permissible because prevailing support dollars may be used for instructional needs.
- One personnel category that may need to be examined is nurses, assuming that a shift in funding formulas does not detrimentally affect school divisions.
- All SOQ ratios could be expressed in personnel per 1,000 student terms, assuming that such a shift does not detrimentally affect funding or staffing and class sizes at the school and classroom levels. Currently the state uses both student personnel ratios and personnel per 1,000 terms to express SOQ ratios. Using one approach will simplify the SOQ process. Such an approach would avoid the "cliffs" built into some current SOQ ratios. The cliffs mean a school with a difference of just one student can be funded very differently. For example, a school with one more student than another school earns an additional half-time principal for that student.

Summary of Major Elements: The Board will consider policy directions for the Standards of Quality and options for revisions to the standards to address those policy directions. The Board will also consider issues for further study.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board accept this proposal for first review.

Impact on Resources: The impact of this proposal on state and local resources is to be determined.

Timetable for Further Review/Action: The Board will hold four public hearings on September 30 and will receive public comment through October 4. Following the public comment period, final review and approval will be requested at the October 22 Board meeting.

Board of Education Agenda Item

Item: J.

Date: September 17, 2009

Topic: Adult Education Annual Performance Report

Presenter: Elizabeth Hawa, Director, Adult Education and Literacy

Telephone Number: (804) 786-3347 E-Mail Address: Elizabeth.Hawa@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:

The Code of Virginia states:

Section 22.1-226. Allocation of state funds; evaluation and report.

- A. State funds provided for adult education programs shall be allocated to school divisions for actual costs on a fixed-cost-per-student or cost-per-class basis.
- B. School divisions shall evaluate adult education programs offered by the school division annually, beginning on July 1, 2000, by synthesizing data collected for other state and federal reports, and shall report the findings of the evaluation, including the effectiveness and success of programs in assisting adults in obtaining the general educational development (GED®) certificate and the high school diploma. The Board of Education shall collect the results and report the findings to the Governor and the General Assembly.

Summary of Major Elements:

The attached report summarizes the progress made by learners in adult education programs funded by Title II of the Workforce Investment Act during the 2007-2008 fiscal year. The document reports performance targets negotiated with the U. S. Department of Education and the progress made in reaching the targets.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the Annual Performance Report on Adult Education and Literacy Report pursuant to Section 22.1-226 in the *Code of Virginia*.

Impact on Resources:

This responsibility can be absorbed by the agency's existing resources at this time. If the agency is required to absorb additional responsibilities related to this activity, other services may be impacted.

Timetable for Further Review/Action:

Following the Board's approval, the report will be transmitted to the Governor and the General Assembly as required by the *Code of Virginia*.



VIRGINIA BOARD OF EDUCATION

2009 Annual Report

ADULT EDUCATION ANNUAL PERFORMANCE REPORT

PRESENTED TO

**THE HONORABLE TIMOTHY M. KAINE
GOVERNOR OF VIRGINIA
AND
THE GENERAL ASSEMBLY**

JULY 2009

ADULT EDUCATION ANNUAL PERFORMANCE REPORT FISCAL YEAR 2007-2008

The Office of Adult Education and Literacy (OAEL), located within the Division of Technology and Career Education at the Virginia Department of Education (VDOE), provides leadership and oversight to adult education programs and services in Virginia, including Adult Basic Education (ABE), Adult Secondary Education (ASE), and English for Speakers of Other Languages (ESOL). Although the *Code of Virginia* places the responsibility for adult education with Virginia's 132 local school divisions, services are delivered through a partnership of public and community-based providers, including the following: local school boards; community colleges; not-for-profit and faith-based literacy groups; employers; state, local, and regional correctional facilities; and state institutions.

OAEL manages federal and state funds allocated for these programs. This report describes progress made in reaching programmatic goals established for providers that use federal and state resources to augment other public or private funds to conduct adult education programs.

Virginia's programs have been successful in meeting the goal of continuous improvement as prescribed by the federal Workforce Investment Act (WIA). OAEL is one of three work force development partners in the Commonwealth that contributes annually to the eligibility for work force incentive funding. Eligibility specific to OAEL is determined through a formula that incorporates performance targets established by the National Reporting System (NRS) methodology and negotiated with the U.S. Department of Education (USED) annually. In fiscal year 2007-2008, OAEL's performance contributed to the eligibility of the state for incentive funds.

The fiscal year 2007-2008 data indicate that progress is being made to meet the goals cooperatively established by USED and VDOE. This report presents quantitative information in the following areas: (1) characteristics of the adult education population; (2) program performance summary; (3) educational functioning level (EFL) performance; and (4) follow-up outcome measures. Also included is a section on state management of the performance data.

CHARACTERISTICS OF THE ADULT EDUCATION POPULATION

Demographic Indicator	Description
Total Enrollment	Virginia's total enrollment (30,940) is comprised of: 36.7 percent Adult Basic Education (ABE); 14.8 percent Adult Secondary Education (ASE); and 48.5 percent English for Speakers of Other Languages (ESOL) students.
Ethnicity	Virginia's adult student ethnic composition includes: 34.7 percent (10,747) Hispanic; 27.1 percent (8,395) Caucasian; 27.1 percent (8,394) African-American; 10.5 percent (3,256) Asian; .3 percent (107) American Indian/Alaskan Native; and .1 percent (41) Native Hawaiian or Other Pacific Islander. <i>Limitations of rounding prevent the total percentage from equaling 100 percent.</i>
Age	Six-point-nine percent of Virginia's adult student enrollment (2,146) is 16-18; 22.4 percent (6,916) is 19-24; 51.1 percent (15,800) is 25-44 years of age; 16.2 percent (5,026) is 45-59; and three-point-four percent (1,052) is 60 or older.
Gender	Fifty-seven percent (17,659) of Virginia's adult student enrollment is female and 43 percent (13,281) is male.

Demographic Indicator	Description
Employment Status	Virginia's adult students reflect the following employment status: 16,181 are employed; 14,759 are unemployed; 2,804 are in a correctional setting; 74 are in another institutional setting; and 1,189 are on public assistance.
Annual Average Hours of Attendance	Average hours of attendance for students enrolled: ABE, 64; ASE, 43; and ESOL, 71. The overall average is 69 hours.

PROGRAM PERFORMANCE SUMMARY

Areas of Accomplishment	Performance Highlights
Educational Gains	Thirteen thousand two-hundred ninety-five (13,295) students, or 43 percent, completed their educational functioning levels, and another 6,168, or 20 percent, completed their levels and advanced one or more levels.
Performance Targets	Virginia programs exceeded target performance levels in three out of eleven educational functioning levels: ASE Low; ESOL Beginning Low; and ESOL Beginning High. The eight levels where Virginia did not meet targets in performance were: ABE Beginning Literacy; ABE Beginning Basic; ABE Intermediate Low; ABE Intermediate High; ESOL Beginning Literacy; ESOL Intermediate Low; ESOL Intermediate High; and ESOL Advanced.
GED Completers	Statewide, 15,772 adult students earned their GED® credentials.
GED Credentials	Ninety-five percent of students exiting GED credential programs attained their GED credentials.
External Diploma Credentials	Eighty-one percent of students exiting the External Diploma Program attained their External Diplomas.
High School Diploma Credentials	Ninety-one percent of students exiting adult high school diploma programs attained their adult high school diplomas.

ADULT BASIC EDUCATION (ABE)

Educational Functioning Level	Performance Highlights
ABE Beginning Literacy*	Forty-seven percent of enrolled students in ABE Beginning Literacy completed their educational functioning level. Virginia's target performance level was 48 percent. Thirty-nine percent of students were unavailable to complete a post-test.
ABE Beginning Basic Education*	Forty-five percent of enrolled students in ABE Beginning Basic Education completed their educational functioning level. Virginia's target performance level was 50 percent. Forty-one percent of students were unavailable to complete a post-test.
ABE Intermediate Low*	Forty-five percent of enrolled students in ABE Intermediate Low completed their educational functioning level. Virginia's target performance level was 50 percent. Forty-four percent of students were unavailable to complete a post-test.

* For 2007-2008, OAEL introduced new assessment guidelines to comply with federal requirements for programs to increase instructional hours for students prior to post-testing. Demonstrating educational gains for this group was affected by the required increase in instructional hours. Many of these students were not present for the administration of a post-test and, consequently, could not be reported as having made educational gains.

Educational Functioning Level	Performance Highlights
ABE Intermediate High	Thirty-eight percent of enrolled students in ABE Intermediate High completed their educational functioning level. Virginia's target performance level was 40 percent. Demonstrating educational gains for this group has become more challenging with the increased desire of students to take the GED Tests. Many of these students were not present for the administration of a post-test as demonstrated by 47 percent of students not completing a post-test.

ADULT SECONDARY EDUCATION (ASE)

Educational Functioning Level	Performance Highlight
ASE Low	Thirty-eight percent of enrolled students in ASE Low completed their educational functioning level, exceeding the 36 percent target performance level by two percentage points.

ENGLISH FOR SPEAKERS OF OTHER LANGUAGES (ESOL)

Educational Functioning Level	Performance Highlights
ESOL Beginning Literacy†	Thirty-six percent of enrolled students in ESOL Beginning Literacy completed their educational functioning level. Virginia's target performance level was 41 percent. This functioning level experienced a 20 percent drop in enrollment from the previous year. Forty-five percent of students were unavailable to complete a post-test.
ESOL Low Beginning	Forty-six percent of enrolled students in ESOL Low Beginning completed their educational functioning level, exceeding the 40 percent target performance level by six percentage points.
ESOL High Beginning	Forty-seven percent of enrolled students in ESOL High Beginning completed their educational functioning level, exceeding the 40 percent target performance level by seven percentage points.
ESOL Intermediate Low†	Forty-three percent of enrolled students in ESOL Intermediate Low completed their educational functioning level. Virginia's target performance level was 50 percent. Thirty-six percent of students were unavailable to complete a post-test.
ESOL Intermediate High†	Forty-four percent of enrolled students in ESOL Intermediate High completed their educational functioning level. Virginia's target performance level was 51 percent. Thirty-three percent of students were unavailable to complete a post-test.
ESOL Advanced	Twenty-eight percent of enrolled students in ESOL Advanced completed their educational functioning level. Virginia's target performance level was 32 percent. Demonstrating educational gains for this group is a significant challenge because many of these adults are better educated, seeking employment, or working multiple jobs. Transition options for students into adult basic education instructional programs are being developed locally around the state.

† Demonstrating educational gains for these functioning levels is a challenge, because many of these adults have lower literacy skills in their native language, are seeking employment, or are working multiple jobs. As a result, these adults may not be available for a post-test and, consequently, could not be reported as having made educational gains.

FOLLOW-UP OUTCOME MEASURES

Follow-up Measure	Performance Highlights
Obtain a GED® or Secondary School Credential	Ninety-two percent of students with a goal of obtaining a GED or secondary school credential reached their goal within one quarter after leaving class, exceeding the 89 percent target level by three percentage points.
Enter Employment	Fifty-four percent of students with a goal to enter employment reached their goal within one quarter after leaving class, exceeding the 36 percent target level by 18 percentage points.
Retain Employment	Sixty-seven percent of students with a goal to retain employment reached their goal within three quarters after leaving class, exceeding the 53 percent target by 14 percentage points.
Enter Postsecondary Education or Training	Forty-three percent of students with a goal to enter postsecondary education or training reached their goal within one quarter after leaving class, exceeding the 33 percent target by 10 percentage points.

Progress in Virginia’s adult education programs includes improved achievement in educational functioning level completion and surpassing state goals to enter employment, retain employment, enter postsecondary education or training, and obtain a GED or other secondary school credential.

STATE MANAGEMENT OF PERFORMANCE DATA

OAEL has a comprehensive data management system for the collection, analysis, and reporting of state data for the NRS. OAEL has procedures and systems that promote the highest levels of data validity and reliability, including systems for verifying data accuracy from local programs, systems for monitoring data collection and analyses, and corrective systems to improve data on an ongoing basis. State procedures reflect a focus on continuous improvement of the quality and accuracy of data.

PUBLIC HEARING:

Public Hearing on the Proposed *Economics and Personal Finance Standards of Learning*

On June 25, 2009, the Virginia Board of Education accepted for first review the proposed *Economics and Personal Finance Standards of Learning*. The Virginia Board of Education is now seeking public comment on these Standards of Learning for use in Virginia public schools.

The Virginia Department of Education has posted links to the proposed Economics and Personal Finance Standards of Learning on the Department of Education's Web site at http://www.doe.virginia.gov/boe/meetings/2009/06_jun/agenda_items/item_b.pdf.

The Board of Education will hold three public hearings to solicit comments on the proposed standards. The dates and locations of the public hearings are listed below:

September 17, 2009

Virginia Department of Education

September 22, 2009

Riverlawn Elementary School
8100 Beth Nelson Drive
Fairlawn, VA 24141
Time: 7 p.m.

September 22, 2009

Robinson Secondary School
5035 Sideburn Road
Burke, VA 22032
Time: 7 p.m.

Background on the Proposed Framework:

In developing the proposed *Economics and Personal Finance Standards of Learning*, the members of the review team first reviewed the concepts approved in previous documents related to economics and financial literacy, information included in the economics strand of the *History and Social Science Standards of Learning*, and the competencies required for students to complete career and technical education courses in accounting and finance. A concerted effort was made to be comprehensive but succinct in outlining expectations of the course.

The resulting standards address concepts and principles that are important to economics at the macro level, but also direct attention to understanding and skills that students need to be knowledgeable consumers in many areas of daily life, such as further education, career preparation, major purchases, credit and debt, and savings and investments. The proposed standards aim to provide enough direction to ensure that students are exposed to the many aspects of informed decision making they will need for future success, and to serve as a foundation for continued study of economics and finance.

Guidelines for speakers attending the public hearing:

Speakers will be recognized in the order in which they registered on the sign-up sheet.

Each speaker is limited to three minutes.