

**MINUTES**  
**Virginia Board of Education**  
**Committee on School and Division Accountability**  
**Wednesday; July 22, 2015; 1:30 p.m.**  
**Jefferson Conference Room; James Monroe Building**

**Welcome and Opening Comments**

The following Board of Education (Board) members were present for the July 22, 2015 Committee on School and Division Accountability meeting: Diane Atkinson; Dr. Oktay Baysal; Dr. Billy Cannaday, Jr.; James Dillard; Darla Edwards; Elizabeth Vickrey Lodal; and Joan Wodiska. Dr. Steven Staples, the superintendent of public instruction, was also present.

Ms. Atkinson, chairman of the committee, convened the meeting and welcomed the Board members and guests.

**Approval of Minutes from the June 24, 2015 Meeting**

The minutes were approved as drafted.

**Public Comment**

Nicole Dooley commented on the proposed changes to the School Performance Report Card on behalf of JustChildren. She said they had had a chance to review the recommended data elements and appreciated the inclusion of clear and useful information about school climate. JustChildren is recommending that the following be included in the redesigned Report Cards:

- Suspension and expulsion data;
- Information on school-based arrests and referral to law enforcement as Virginia refers students to law enforcement at a rate three times the national average;
- Data on chronically truant students; and
- Information about the use of Positive Behavioral Interventions and Supports (PBIS), restorative justice, or other evidence-based alternatives to suspensions and referrals to law enforcement

She noted that they appreciate the tremendous amount of work and consideration that the Board, Department, school staff, and other stakeholders have put into creating more useful Report Cards.

Dr. Jenny Sue Flannagan, president of the Virginia Association of Science Teachers (VAST) also spoke. She said VAST applauds the Board for discussing the addition of a graduation seal for science as well as a clear definition of laboratory science in high school but would also like the Board to consider the addition of a provision that supports the teaching of science at the elementary level. In addition, VAST would like to see

explicit language that gives importance to all four core subjects each day as well as including effective practices in these disciplines.

Tom Smith provided public comment on behalf of the Virginia Association of School Superintendents (VASS). Mr. Smith thanked the Board for the opportunity to make comments on the re-design of the school Report Card. He said the Board will hear additional comment from two school superintendents at tomorrow's Board meeting. He mentioned the following concerns:

- Establishing the purpose of the Report Card and determining who is the audience;
- How will it be communicated;
- Ranking and sorting of schools;
- How, when, and what data will be collected;
- How do you reliably assess school climate;
- How will we deal with some of the unintended consequences of this process; and
- Will we inadvertently create "have" and "have not" schools

Mr. Smith reiterated that VASS remains committed to helping the Board work through some of these issues.

Candice Lucas, an advocate for children with disabilities and their families, also provided comment. She said advocates are experiencing extreme challenges in holding schools accountable for meeting the needs of children with special needs. One of the biggest challenges they are seeing is the banning of advocates so they cannot attend Individualized Education Program (IEP) meetings. She thanked Mr. Eisenberg, assistant superintendent for special education and student services, for sending out a May 12 email notifying school divisions that limiting the participation of advocates of the parents' choice is not appropriate. She mentioned two counties specifically where these problems are encountered. She said that Virginia needs to be number one in promoting advocacy for all children. She asked the Board to consider what is going on in these school divisions. She stated that, in August, a national organization, Dignity in Schools, and the NAACP Legal Defense Fund will be in Virginia because of what is going on in two local school divisions and their lack of response to federal law. She looks forward to the Board listening and paying attention to this issue.

### **Discussion of School Performance Report Card Redesign**

Charles Pyle, director of the office of communications, Bethann Canada, director of educational information management, and Dr. Cynthia Cave, assistant superintendent of policy and communications, were the presenters for this agenda item and discussed the following issues:

- An update on stakeholder engagement and
- Recommendations on data elements to include in the Report Card prototype

Mr. Pyle provided recommended additions to the Report Card and referred to the proposed elements highlighted in yellow in the meeting materials. The first section was the Accountability section. At this point, there are no recommendations for change here. In the section headed College and Career Readiness, some changes are proposed regarding SAT and AP achievement and post-secondary enrollment. Under School Finance, there are recommendations regarding division per-pupil spending, composite index, and district revenue sources/amounts. Under Enrollment and Demographics, there is a recommendation regarding overall fall membership by subgroup. Under Student Achievement, there is information regarding achievement gaps by subgroup and percent of kindergartners needing early reading services. Under Educators, there is a recommendation that the number of elementary/high school students per teacher (by district and state) be added. Recommendations were also provided under other categories, including School Climate, Tools and Features, and Snapshot recommendations. Mr. Pyle also discussed proposed new Report Card elements under these same categories and briefed the Board on some of the outreach activity taking place, including the current survey available to all stakeholders. As of this morning, there have been more than 11,000 participants in the survey. Roughly two-thirds of the participants identified themselves as parents. He thanked the school division partners for their assistance with this project.

Ms. Atkinson thanked him for the presentation. She also noted that the Board is to redesign the Report Card in consultation with the SOL Innovation Committee. Therefore, she will be reaching out to the chair of that committee to discuss how to accomplish that requirement.

During the Board discussion which followed the presentation, the following issues were raised:

- One Board member, who commended Mr. Pyle on the outreach efforts, said she took the survey herself and was pleased with how easy it was to use. She also asked about data regarding law enforcement referrals. Dr. Staples said there is currently discussion between the Departments of Education, Criminal Justice Services, and Juvenile Justice.
- A Board member said the goal is to keep children in school and to give the public the information it needs. She also asked if information could be included regarding per-pupil spending and how Virginia ranks.
- One Board member said she was disappointed to see that data regarding free and reduced lunch participation was not suggested in the proposal. She asked that certain related elements be included. Mr. Pyle said this information would be included as part of a subgroup. However, the Board member said that would be an incomplete measure. She also mentioned school visits and said it might be important to include contact information for those interested in visiting schools. In addition, she said she thought the information proposed might need to be streamlined.
- Another Board member commended Mr. Pyle on the work done, but said he wished that we could identify who the audience is. He said some might actually get lost in the data. He asked that we identify different types of audiences and

consider having different reports. As to college and career readiness, he asked how we can identify some indicators for success from higher education. Another Board member mentioned that students are also being prepared for career and citizenship. Therefore, some thought should also be given to that data. Mr. Pyle said some of this is included in the Report Card now.

- A Board member said that we need to know what stakeholders like and dislike about the Report Card we currently use.
- A Board member asked if we could include opportunities for student participation in various school programs and activities on the Report Card.
- A Board member asked if she could get more information about what it would cost to make the Report Card readily available in other languages and how parents with disabilities could access the information.
- A Board member noted that much of the information included is positive. He sees the Report Card as a means of providing information to parents who can then put pressure on their schools and political representatives to do something to improve their school divisions in those cases where improvement is needed.
- Depending on who you are, the needs of the users may differ. Survey information may be helpful in distinguishing those needs.
- One of the challenges in the work may be the gaps in response by stakeholders who are not able to participate for various reasons. The goal should be to engage a wide array of parents who for whatever reason have not been able to participate in the past.
- A Board member said she would be willing to ask the Chamber of Commerce to foot the bill for the Spanish version of this survey. She said including Spanish as well as other languages could bring in a whole new pool of participants.
- Some issues discovered as the Board goes through this process will have to be addressed at a later time.

When Ms. Atkinson asked if the presenters felt they had the information they need, Mr. Pyle said, yes, they do. Ms. Atkinson said she would like to add a student's ability to complete the Free Application for Federal Student Aid (FAFSA) application as an additional element for the future. That data is available through the federal government. In response to comments provided during the public comment period, she also said that they will not include letter grades or rankings on the Report Card.

### ***Discussion of Regulations Establishing the Standards for Accrediting Public Schools in Virginia (SOA)***

Dr. Cynthia Cave, assistant superintendent for policy and communications, and Shelley Loving-Ryder, assistant superintendent for student assessment and school improvement, led this agenda item discussion regarding the following issues:

- Revisions to proposed accreditation ratings (Fast-track) and
- Preliminary concepts (Comprehensive Review)

Dr. Cave began her presentation by noting that, as part of the fast-track regulations, we are looking at legislation that was approved by the General Assembly in 2012-2015, as

well as a bill from 1999. This legislation was not incorporated into the regulations because the 2013 review of the SOA was withdrawn, and the Board decided that they wanted to go forward with a more comprehensive revision. The 2015 bills will be incorporated in the regulations during the current fast-track regulatory process. Among other issues, the bills deal with health and safety, expedited re-takes, technical changes in language, a diploma seal for biliteracy, accreditation ratings, and student growth. Dr. Cave also acknowledged the support provided by Ms. Atkinson during this process. Ms. Atkinson asked about HB 1675 and SB 982 which permit local school boards to waive the 140 clock hours of instruction under certain circumstances. These bills require the Board to develop guidelines which support the changes required by the language in the bills. Ms. Atkinson asked if the Board will be looking at those guidelines in September as the regulations could potentially be in effect very quickly. Dr. Staples said staff is already working on the guidelines for the 140 clock-hour waiver.

Dr. Cave then provided an overview of last month's discussion regarding the accreditation ratings and walked through a brief explanation of how the new proposal would work. She said last month they proposed a new rating of partially accredited. At that time some of the members asked if the ratings could be simplified. Working with Ms. Atkinson, a hierarchy of accreditation ratings was developed: *fully accredited*, *partially accredited* under specified different circumstances, *conditionally accredited*, and *accreditation denied*. As proposed, conditionally accredited now means you are a new school with no data. Partially accredited is now proposed as a broad category with a number of different subcategories.

Ms. Atkinson thanked Dr. Cave and Ms. Loving-Ryder for the work done on this project. She proposed several changes in the language and Board discussion followed. Ms. Atkinson said no vote would be taken today, but this item will come before the Board tomorrow. At that time, she will propose the technical changes discussed today.

Issues raised include the following:

- Dr. Staples reminded the committee that action on Fast-Track is anticipated tomorrow. Now they will be going into a different process with the comprehensive review and final approval by the Board on that action is not anticipated for several more meetings.
- A Board member brought up one of the regulation's sections regarding school and community communications (information given to the parent at the beginning of the year). She asked that the language in Part VII (8VAC20-131-270.B.1) be clarified to include language regarding a notice to parents of sexually explicit materials being used in the classroom. She is also asking that the Board look at current limitations on school divisions' ability to be innovative as well as more flexibility for waivers. She said this is something that needs to be explored.
- Another Board member said he hopes we do not limit creativity.
- A Board member asked for clarification regarding the notification of change. She was told that the notice has to occur before the testing. If you build it into the

standards, there would be a variety of possibilities available. Ms. Loving-Ryder provided an example.

- A Board member said there has been much discussion related to the Board's philosophical shift. There are some sections in the regulations that will require further discussion because of this shift.

### **Concluding Remarks and Adjournment**

Ms. Atkinson expressed her appreciation for the work that has been done. The meeting then adjourned at 5:00 p.m.