



VIRGINIA BOARD OF EDUCATION

AGENDA ITEM

Agenda Item: B

Date: June 21, 2024

Title: First and Final Review of College Partnership Laboratory School Fiscal Agent and Partnerships

Presenter: Dr. Andy Armstrong, Assistant Superintendent of Strategic Innovation

Purpose of Presentation

Action required by state or federal law or regulation (i.e., a change in law requires a change in program requirements; this is part of a regulatory action).

Executive Summary

The Board has previously approved the lab schools for Paul D. Camp Community College (PDC), Roanoke College (RC), Mountain Gateway Community College (MGCC), Emory & Henry College (E&H), and Germanna Community College (GCC). These lab schools were subsequently contracted for within 90 days of Board approval among the Board of Education President, Superintendent of Public Instruction, and applicant institution of higher education (IHE).

Under the College Partnership Laboratory School laws (§ 22.1-349.1, Code of Virginia), a “college partnership laboratory school is defined in relevant part as: “a nonsectarian, nonreligious school in the Commonwealth established by a public institution of higher education; public higher education center, institute, or authority; or an eligible institution as defined in § [23.1-628](#).” Thus, the five aforementioned schools had and have the authority to establish a college partnership laboratory school.

The Virginia General Assembly approved an amended 2022-2024 biennial budget (“Caboose Budget”), which was signed by the Governor, became Chapter 1 of the 2024 Acts of Assembly Special Session I, and took effect on May 13, 2024.

Budget language was modified to state that notwithstanding the provisions of subsection A of § 22.1-349.1, Code of Virginia, for the purpose of Item 137.C.44 and the College Partnership Laboratory School Fund, a "college partnership laboratory school" means a public, nonsectarian, nonreligious school in the Commonwealth established by a baccalaureate public institution of

higher education.” This definition excludes the five aforementioned schools from eligibility to access Operational Per-Pupil Funding moneys from the College Partnership Laboratory School Fund (“Fund”) to operate a college partnership laboratory school (“Lab School”).

Language in the Caboose Budget further provides that, subject to specified conditions, institutions that are not eligible for funding under the definition may partner with a public baccalaureate institution of higher education (IHE) in Virginia to access Operational Per-Pupil funding from the Fund.

Budget language requires: (1) the public baccalaureate institution to have an approved Lab School application to serve as the fiscal agent and partner (“FA&P”) by June 30, 2024; (2) the resubmission of contracts to the Virginia Department of Education (VDOE) to meet such FA&P requirements; and (3) that the Lab Schools reach financial sustainability by the end of their initial approval period as defined in § [22.1-349.8](#).

Action Requested

First and final review: Action requested at this meeting.

The Board is requested to approve the following:

1. The Fiscal Agent and Partnership Application between Emory & Henry College and Old Dominion University.
2. The Fiscal Agent and Partnership Application between Germanna Community College and Old Dominion University.
3. The Fiscal Agent and Partnership Application between Mountain Gateway Community College and Old Dominion University.
4. The Fiscal Agent and Partnership Application between Paul D. Camp Community College and Old Dominion University.
5. The Fiscal Agent and Partnership Application between Roanoke College and Old Dominion University.

Previous Review or Action

1. On April 25, 2024, the Board approved a lab school application from Emory & Henry College on a vote of 8Y-1N.
2. On November 15, 2023, the Board unanimously approved a lab school application from Germanna Community College.
3. On March 28, 2024, the Board approved a lab school application from Mountain Gateway Community College on a vote of 7Y-1N.
4. On April 25, 2024, the Board approved a lab school application from Paul D. Camp Community College on a vote of 8Y-1N.
5. On April 25, 2024, the Board approved a lab school application from Roanoke College on a vote of 7Y-1A-1N.

Background Information and Statutory Authority

[Chapter 19.1](#) of Title 22.1 of the Code of Virginia sets the statutory requirements for lab schools and the process for approving such schools.

Section [22.1-349.6](#) requires the Board to “establish procedures for receiving, reviewing, and ruling upon applications and shall make a copy of any such procedures available to all interested parties upon request. If the Board finds that the application is incomplete, the Board shall request the necessary additional information from the applicant. The Board's review procedures shall establish a review committee that may include experts with the operation of similar schools located in other states.”

In accordance with § [22.1-349.6](#), the Board has set the [Guidelines for the Approval of College Partnership Laboratory Schools](#). Moreover, in preparation for receiving applications, the Board re-formed the Standing Committee. The Standing Committee met from 2010–2013 and had new members appointed by the Board President in December 2022. The Standing Committee comprises five members: Joan Wodiska (Chair), Dr. Pam Moran (Vice-Chair), and John Bailey, as well as Board members Bill Hansen and Andy Rotherham.

The Standing Committee has had eight public meetings in 2023 and six in 2024. After each meeting, the Standing Committee has provided a report on progress to the Board. In its meetings, the Standing Committee has setup a process for reviewing applications, including a SME review by VDOE staff; standardized process documents, such as application rubrics, compliance reports, and reports to the Board; revised the lab school application; reviewed applications from multiple applicants; and received public comment. The Standing Committee recommends high-quality applications to the Board. The Board reviews and ultimately determines final approval of all lab school applications.

Stakeholder Engagement

This item will not require stakeholder engagement.

Implementation and Communication

Upon approval by the Board, VDOE staff will coordinate with the Office of the Attorney General to execute contract amendments for all abovementioned lab schools between the Board, original parties to each respective contract, and Old Dominion University by June 28th in accordance with Item 137.C.44 of the Caboose Budget.

The approval of the lab schools will be publicized through the VDOE, the original contracting parties, and Old Dominion University. Additionally, VDOE will require resubmission of contracts

to meet the fiscal agent and partnership requirements of the budget. Furthermore, VDOE will report to the Chairs of the Senate Finance and Appropriations and House Appropriations Committee of any submissions and prior contracts.

Impact on Fiscal and Human Resources

This item will not impact resources at VDOE.