

Virginia Commission on Youth Study of Alternative Education Options Advisory Group Meeting

General Assembly Building
5th Floor East Conference Room
September 16, 2008 at 1:00 p.m.

MINUTES

Members Present

The Honorable William H. Fralin, Jr., Virginia House of Delegates
The Honorable Robert Brink, Virginia House of Delegates
Cynthia Cave, Department of Education
Anne Wescott, Department of Education
Michelle Vucchi, Department of Education
Tracey Jenkins, Department of Criminal Justice Services
Nancy Halstead, Virginia Alternative Education Association
Bet Neale, Virginia Association of Secondary School Principals
Pat Lacy, Virginia School Boards Association
Robley Jones, Virginia Education Association
Joyce Jones, Hopewell City Schools
Sarah Geddes, Just Children
Jan McKee, Virginia Alternative Education Association
Asia Jones, Roanoke City Schools
Christa Pierpont, Restorative Community Foundation
Arlene Cundiff, Citizen Member

Commission on Youth Staff Members

Amy Atkinson, Leah Hamaker, Cordell Hairston

Agenda Items

I. Welcome and Introductions

Amy M. Atkinson, Executive Director

Leah Hamaker, Legislative Policy Analyst

Ms. Atkinson called the meeting to order at 1:00 p.m. Advisory Group members and the audience introduced themselves. Ms. Hamaker reviewed agenda items and mentioned that Commission members will vote on findings and recommendations from the Advisory Group during the last Commission meeting of the study year. This would be scheduled in December.

II. 2008 Study Findings and Recommendations

I. Finding – Students Not Receiving Educational Services

Recommendations

Option 1: Introduce legislation to amend Section 22.1-209.1:2 of the *Code of Virginia* to provide that regional alternative education options may also be utilized for students who are not succeeding in their home schools. *Currently, regional alternative education programs serve students with a pending violation of school board policy, have been expelled or suspended on a long-term basis or*

are returning from juvenile correctional centers. (No budgetary impact)

Option 2: Introduce a budget amendment to allow school divisions not currently participating in a regional alternative education program or participating but not allotted slots to join an existing regional alternative education program and be allocated state slots. *There are approximately 16 affected school divisions.*

Option 3: Introduce the legislation set forth in Option 1 and also a budget amendment for 413 additional slots in the regional alternative education programs. *These slots could be utilized for students who are not succeeding in the public school setting as well as address the existing shortage of slots. The fiscal impact would be \$1,581,790, \$3,707 per slot multiplied by 413.*

Option 4: Introduce legislation requesting the Board of Education to promulgate regulations that authorize the creation of pilot over-age academies for middle and high school students who are older than their grade level and/or who have dropped out of school. These programs would first be established in school divisions with dropout rates above the state average and would be modeled after the Lancaster Phoenix Academy and the City of Roanoke's Overage Academy. The legislation would request that the Department of Education apply for any federal grants or other funding available in order to establish these pilots. The Board of Education would also report to the General Assembly on the effectiveness of the pilot overage academies by January 1, 2011. *This legislation would be introduced as a Section 1 bill. There is a budgetary impact if language mandates rather than authorizes creation of pilots*

Option 5: By letter request the Department of Education to offer guidance in the Model Code of Student Conduct to school divisions regarding the imposition of suspensions or expulsions on students for tardiness or attendance issues.

The Advisory Group discussed how the availability of slots in the regional programs would impact the feasibility of Option 1. Making Option 1 optional would address this concern. Wording of any proposed legislation would be very important. It would be helpful to state "if slots were available". Language pertaining to due process protections would need to be added. The Advisory Group also stated that it would be helpful to clarify that Section 22.1-209.1:2 of the Code referred to regional programs. The Advisory Group recommended that Option 1 could be presented to the full Commission with the above changes. For Option 2, staff should survey those 16 school divisions to see if they would even want to participate in a regional program. Some of the school divisions may not which would reduce the fiscal impact. The Advisory Group noted that the significant fiscal impact would make it likely that both Option 2 and Option 3 would be rejected but recommended that staff present them to the Commission. Option 4 was moved to Recommendation 6 for further discussion. Option 5 was referred to the Commission's Truancy and School Dropout Prevention study.

II. Finding – Shortage of School-based Prevention Programs

Recommendations

Option 1: Request a budget amendment for the Department of Education to construct a database to capture data on utilization of Student Assistance Programs (SAPs) in Virginia. Such a database will allow for ongoing assessment of the efficacy of SAP, future program development and funding.

The fiscal impact is \$150,000 first year of Biennium and \$100,000 second year of Biennium.

Option 2: Send a letter to the Board of Education expressing interest in the evaluation of existing SAPs in Virginia and request the Board to consider this evaluation while prioritizing future projects. *Such an evaluation would aid in future decision-making regarding program development and funding.*

The Advisory Group discussed the importance of not creating any new mandates for schools. The Advisory Group recommended that both Option 1 and Option 2 be referred to the Commission's Truancy and School Dropout Prevention study.

III. Finding – Effective Disciplinary Programs

Recommendations

Option 1: Introduce legislation to amend Section 22.1-279.9 of the *Code of Virginia* to include the development of programs focused on teaching school rules, social-emotional skills, reinforcing appropriate student behavior, effective classroom management and evidence-based programs that are designed to prevent discipline programs. *Currently, this section requires school boards, in cooperation with the local law enforcement agencies, juvenile and domestic relations court judges and personnel, parents and the community-at-large, to develop programs to prevent violence and crime on school property and at school-sponsored events. Legislation would include the development of programs focused on teaching school rules, social-emotional skills, reinforcing appropriate student behavior, effective classroom management and evidence-based programs that are designed to prevent discipline programs.*

Option 2: Introduce legislation to amend Section 22.1-279.6 of the *Code of Virginia* to add to the Department's *Student Conduct Policy Guidelines* that school divisions create disciplinary plans that include positive interventions and means of correction other than suspension or expulsion.

The Advisory Group recommended that Option 1 be changed so that the Chair would write a letter asking that the revisions to the Standards of Accreditation (SOA) include provisions for schools exhibiting suspension and expulsion rates above the state average implement an evidence-based intervention program designed to improve suspension and expulsion rates. The Advisory Group did not support Option 2.

IV. Finding – Lack of Clarity on Alternative Education

Recommendations

Option 1: Introduce legislation to include a definition of alternative education programs in the *Code of Virginia* using the language recommended by the Virginia Alternative Education Association.

Option 2: Introduce legislation to include a definition of alternative education programs modeled after language used in Massachusetts.

Option 3: Introduce legislation to include a definition of alternative education programs modeled after language used in Maine.

Option 4: Write a letter to the Board of Education requesting that a more consistent definition of alternative education programs be outlined on the Department's regulations (8VAC20-330-10) pursuant to Section 22.1-16 of the *Code of Virginia*.

Option 5: Write a letter to the Board of Education requesting that a more consistent definition of alternative education programs be outlined on the Department's website.

The Advisory Group discussed designating alternative programs that did not have a disciplinary focus as "nontraditional" programs. Alternative education would refer to those programs for students with disciplinary issues. It was also discussed that the definition for alternative education be consistent with Section 22.1-253.13:1 of the *Code of Virginia*. Staff would develop a new recommendation based on the Advisory Group discussion to present to the Commission.

III. Finding – No Central Point of Contact for Alternative Education

Recommendations

Option 1: Write a letter requesting the Superintendent of Public Education to establish a central point of contact with the Department of Education in the area of alternative education options.

The Advisory Group supported Option 1.

VI. Finding – The Lack Of Guidance/Standards for Local Alternative Education Schools/Programs

Recommendation

Option 1: Write a letter requesting the Board of Education establish model standards for locally-created alternative education programs consistent with the standards established for the regional alternative education programs.

Moved from Recommendation I.

Option 4: Introduce legislation requesting the Board of Education to promulgate regulations that authorize the creation of pilot over-age academies for middle and high school students who are older than their grade level and/or who have dropped out of school. These programs would first be established in school divisions with dropout rates above the state average and would be modeled after the Lancaster Phoenix Academy and the City of Roanoke's Overage Academy. The legislation would request that the Department of Education apply for any federal grants or other funding available in order to establish these pilots. The Board of Education would also report to the General Assembly on the effectiveness of the pilot overage academies by January 1, 2011. *This legislation would be introduced as a Section 1 bill. There is a budgetary impact if language mandates rather than authorizes creation of pilots*

For Option 1, the Advisory Group suggested that "guidelines" be substituted for "standards" and that it be made known that these guidelines would be nonbinding. The Advisory Group supported the recommendation with the wording change.

Option 4 was referred to the Commission's Truancy and School Dropout

Prevention study.

VII. Finding – Individual Plans for Students At-Risk of School Failure

Recommendations

Option 1: Introduce legislation requiring the Department of Education include in the Standards of Accreditation provisions for school divisions which require the creation of a personal Academic and Career Plan for each seventh and eighth grade student. The plan shall include the student's educational goals and program of study for high school graduation and a post-secondary career pathway based on the student's academic and career interests.

Option 2: Introduce legislation requiring the Department of Education include in the Standards of Accreditation provisions for school divisions an Individualized Plan for each seventh and eighth grade student who have been suspended, expelled or in danger of being suspended or expelled. The plan shall include identified steps/options that will assist the student achieving educational success.

Option 3: Write a letter to the Board of Education in support of the Governor's suggested revision to 8 VAC 20-131-140 to require academic and career plans of all middle school students.

The Advisory Group discussed the fiscal impact of Options 1 and 2. Options 1, 2, and 3 were not supported by the Advisory Group.

VIII. Finding – Tracking Students Attending Alternative Education

Recommendation

Option 1: Write a letter requesting that the Department of Education establish a mechanism for school divisions to use the individual student tracking number system to indicate whether a student is succeeding in their home school, in a local alternative setting or in a regional alternative school.

Option 1 was supported by the Advisory Group.

IX. Career and Technical Education

Recommendation

Option 1: Request the Commission on Youth to evaluate policies and goals for career and technical education services, career and technical education needs and gaps in services that addresses identified needs of career and technical education programs in the Commonwealth. *The above issues of this study are identical to those in Section 30-199 of the Code of Virginia, which established the Advisory Council Career and Technical Education. The enabling legislation has been in place for several years; however, the Council has yet to meet.*

Option 2: Request a budget amendment in the amount of \$93,349 the first year of the Biennium and \$99,334 in the second year to fund the Advisory Council on Career and Technical Education in the legislative branch as set forth in Section 30-199 of the *Code of Virginia* to recommend an integrated and coordinated multi-agency approach for the delivery of quality career and technical education programs and services in the public schools.

Option 3: Write a letter requesting an update of activities from the Department of Education pertaining to the development of career and technical education in the Commonwealth, as well as any identified gaps in service. Such an update will take place prior to the 2010 General Assembly Session.

The Advisory Group supported Option 1. Options 2 and 3 were not approved.

III. Adjourn

The meeting adjourned at 3:46 p.m.