



**VSBA Executive Director  
Barbara J. Coyle**

## From the Executive Director

### Questions I Would Ask!

"It seems like VSBA is always changing, what's wrong with what we've been doing?" is a comment I get occasionally when in conversations with board members. Then I hear other board members say the opposite, "What next new idea is coming from VSBA?" I love both questions because they reinforce that the VSBA Board of Directors Strategic Plan is a work in progress where we analyze, adapt and innovate as needed to become a more effective organization. So, if what's on the horizon at VSBA is of interest, I composed some quick questions and answers.

**Q:** "Just in case you saw it somewhere, what the heck is TYLTSM?"

**A:** TYLTSM is my internal acronym for "Take Your Legislator to School Month", which is celebrated in November. It was created by the VSBA to promote a closer relationship between public education and the Virginia state legislature. Through a proclamation by the Office of the Governor, school divisions are urged to invite at least one of their legislators to visit their schools in November. A packet of helpful information

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## DATES TO REMEMBER

**September 30**  
Legislative Advocacy  
Conference  
**CLICK HERE**

**NEW!**

**October 2**  
Webinar (topic tba)

**November 20-22**  
VSBA Annual Convention

## OEI Lawsuit:

### A Special Note from VSBA President Roy Boyles and Executive Director Barbara Coyle

As was announced on August 21 (Press Release: [http://www.vaschoolboards.org/images/uploads/news/OEI\\_PressRelease\\_Final.pdf](http://www.vaschoolboards.org/images/uploads/news/OEI_PressRelease_Final.pdf)), the VSBA and Norfolk City School Board are filing suit in the Circuit Court for the City of Norfolk requesting the court to invalidate the legislation enacted by the General Assembly at its 2013 session creating the Opportunity Educational Institution (OEI) and the Opportunity Educational Institution Board. This step was not taken lightly and not without discussion and approval by the VSBA Board of Directors at its June 6 meeting. The VSBA Board's decision centers on two core issues:

1. The Constitution of Virginia states in Article VIII, Section 7, that *the supervision of schools in each school division shall be vested in a school board, to be composed of members selected in the manner, for the term, possessing the qualifications, and to the number provided by law.* The OEI Board is not a school board. Rather, the legislation declares that the OEI Board to be a policy board in the executive branch of government and an education institution falling under Title 23 of the Code of Virginia, which relates to institutions of higher education.
2. Article VIII, Section 5, of the Constitution of Virginia, provides that the State Board of Education shall create school divisions.

The General Assembly, not the State Board of Education, created the OEI Board as a statewide school division. Consequently, the OEI legislation violates the constitutional mandate that school divisions be created by the Board of Education.

The VSBA Board voted to move forward on this lawsuit because this new law is clearly unconstitutional, and if left unchallenged will forever change the authority of all local school boards in Virginia, which have been tasked with the great responsibility of managing and leading our public schools. There is no tomorrow on this issue.

## HOW CAN OUR DIVISION BE INVOLVED?

Many divisions have contacted VSBA to ask how they can be involved and show their support. A sample resolution is available at [http://www.vaschoolboards.org/images/uploads/OEI\\_SampleResolution.docx](http://www.vaschoolboards.org/images/uploads/OEI_SampleResolution.docx) We encourage local school boards around the state to adopt this resolution, or something similar. When you do, share the resolution with your local media outlets, and send a copy to VSBA.



### Take Your Legislator to School Guide

[http://www.vaschool-boards.org/images/uploads/2013LegislatorToSchool\\_Guide.pdf](http://www.vaschool-boards.org/images/uploads/2013LegislatorToSchool_Guide.pdf)

### Legislative Advocacy Conference

[http://www.vaschool-boards.org/index.php/meetings\\_conferences/legislative\\_advocacy\\_conference/](http://www.vaschool-boards.org/index.php/meetings_conferences/legislative_advocacy_conference/)

#### From the Executive Director *continued from page 1*

was sent out on August 2. To find out more, download our helpful guidebook (see link on left). We know it is successful because we immediately heard back on August 2 from the Honorable Richard Anderson, Delegate, 51st House District. Delegate Anderson said, "This is a great initiative.... Thanks for the great work that VSBA is doing, Gina... and thanks for this initiative to get legislators into Virginia schools!"

**Q:** "I saw the email about a Legislative Advocacy Conference. The General Assembly doesn't start until January, so why discuss legislative issues on September 30?"

**A:** Over the past several years I have been receiving calls in the summer from an increasing number of board members, on behalf of their boards, who are inquiring about any new or updated VSBA legislative positions. Their boards, they explain, are creating a legislative positions package and meeting with legislators early in the fall when the school board can meet on "home turf". To be fully prepared, school boards want to know the VSBA's positions. It makes sense for VSBA to offer a conference that will highlight upcoming issues, best practices in state-level advocacy, hot topics in education policy, and effective ideas for engaging your

elected officials. By doing so, every board member can be an active advocate for public education. Nothing speaks more effectively than someone, whether elected or appointed, who has the same constituency. To find out more about the terrific agenda we have scheduled for the Legislative Advocacy Conference, click the link on the left of this page.

**Q:** "It seems like VSBA is constantly talking about advocacy. What is this about?"

**A:** Simply put, VSBA is all about advocacy. As I explain to boards in our board development sessions, advocacy begins at the local level with boards embracing the concept that to be effective in this day and age all board members are needed to promote great public schools. Promoting means being informed and sharing the message that it isn't just about more money (although that would be good); it also is about innovation, local best practices, hard working teachers and sharing the good news. That advocacy climbs up to the VSBA and NSBA as partners in being informed, sharing what works, speaking out, and not letting the naysayers steal the limelight. **BC**

10<sup>th</sup> ANNUAL  
VSBA 5k  
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Go Green Virginia

The 2013 VSBA Green Schools Challenge is now available. Please complete the challenge by September 30, 2013. For more information, please

**CLICK HERE**

<http://gogreenva.org/?/challenge/participate/id/2>



From VASS Executive Director Steve Staples

Nurturing Board-Superintendent Relationships



The length of service by the superintendent is an important factor in the overall success of school divisions. In a recent issue, District Administration magazine referenced an important study on this topic. That study, by the Mid-Continent Research for Education and Learning (McREL) group, noted:

...longer superintendent tenure has a positive effect on student achievement. District leaders who focus on the right goals, manage change effectively and stick around long enough to see results tend to have higher-performing students. "Tenure absolutely matters," says Becca Bracy Knight, executive director of the Broad Center for the Management of School Systems....(District Administration magazine; April 2011)

That length of service for superintendents is directly related to their relationship with the school board. So maintaining a healthy board-superintendent relationship may be one of the keys to student success in Virginia's schools.

Here are a few ideas to keep that relationship a positive one for both sides:

• Communicate, communicate, communicate!

Board members need to know what superintendents are thinking and vice-versa. So keep those communication lines open and maintain regular, frequent, and honest communication channels.

• Agree on a few priority goals.

There will always be hundreds of issues vying for attention and it is unlikely that any school division has the resources to address them all at once! When the school board and superintendent can agree on a smaller number of priority goals, the division can focus time, effort, and resources towards accomplishing those goals. Once those goals have been set, the superintendent should direct actions to accomplish them and the school board should receive timely updates to assess progress.

• Focus on the "big picture."

It is easy to be distracted by day-to-day issues that may feel "urgent" at the time. If school boards and superintendents end up spending too much of their time debating who makes the varsity baseball team or which teacher gets the classroom at the end of the hall, they will have little time left to lead on the big issues like student achievement, financial stability, and teacher competency.

• Don't overreact.

During the course of any relationship, there will be challenging times. Emergencies will arise, unexpected events will appear, and stress will add to the "heat of the moment". Calm, cool, consistent leadership sends an important message to the community that there is no need to panic even as solutions are developed. Conflicting messages and directions only add to the confusion and anxiety inherent in any crisis situation.

• Celebrate victories and face failures together.

In his book, Good to Great, Jim Collins reminds us that an important step in achieving long-term success is facing the truth of our own realities. When things have gone well, take a moment to celebrate the accomplishments. When they haven't, take the time to assess what actually happened (data helps!) and then develop new approaches to generate improvements.

According to a 2006 AASA study (The State of the Superintendency), the average turnover rate of superintendents each year is between 14-16 percent (AASA website, "Superintendent and District Data"). During the past 13 months in Virginia, we have greatly exceeded those averages, with 50 of the 132 school divisions welcoming new superintendents since last July 1. Their ultimate success, and the success of all superintendents in the Commonwealth, is directly related to their relationship with the school board. That relationship is certainly worthy of time and attention...and it may ultimately determine the success of the students and teachers in our schools. Best wishes for a terrific 2013-14 school year!



## A Message From Emily Webb, VSBA Government Relations Coordinator

Leadership. Advocacy. Support. Those three simple words are the guiding principles behind the mission of VSBA and I will rely on each of them while developing my new role. I want to take a few minutes to outline how I see each of these words playing a part in what I know will be an exciting year.

### Leadership

My mission is to ensure that VSBA is the leading voice in education in Richmond and across the Commonwealth. I want your legislators to know all of the great work you do, day in and day out. I encourage all of you to invite your legislators to your board meetings and to visit your schools. November is "Take Your Legislator to School" Month and is the perfect time to invite them to see first-hand the excellent work our schools are doing in their backyards.

### Advocacy

My main focus throughout the year will be to advocate for our 133 school divisions, but I can't do it alone. I need all of you to join me in our advocacy efforts. As Barbara said in the March 2013 newsletter, "Advocacy takes all of us". While we often focus on January-March, advocacy is a year-long process. Stay informed on issues that affect your school system and make sure you know the facts. Also, get to know your legislators the other 10 months of

the year when they aren't in the heat of the General Assembly. The best time to engage a legislator on an issue is before they have voted on it. Finally, the legislative and advocacy process can be challenging, but being understanding, realistic and appreciative of everyone's efforts will go a long way.

### Support

My goal is to support all of our school boards, superintendents, legislators and clerks. I want to support your efforts and ensure that you have the correct information and contacts to help you better advocate for yourself, your students, your teachers and your community. If you ever have a question or concern, please call. Myself and our team here at VSBA is always willing to help.

I look forward to meeting and working with all of you in the coming weeks and months. I would be remiss if I didn't mention our upcoming Legislative Advocacy Conference on September 30<sup>th</sup>. The one-day conference will help you and your school board to learn in-depth knowledge about anticipated issues for the 2014 General Assembly session, best practices in state-level advocacy, and allow you to hear from your elected leaders on challenges facing education in Virginia. I hope you will be able to join me and the entire VSBA team for this exciting event.

November is "VSBA Take Your Legislator to School" Month

Download our helpful guide today, which includes everything you need to create a successful legislator visit in your division, including quick tips, a sample invitation, sample media alert, VSBA proclamation, Governor's proclamation, and more.

**CLICK  
HERE**

[http://www.vaschoolboards.org/images/uploads/LegislatorToSchool\\_Guide.pdf](http://www.vaschoolboards.org/images/uploads/LegislatorToSchool_Guide.pdf)

## Legislative Advocacy Conference

September 30, 2013  
Charlottesville Omni

**Brochure**

<http://www.vaschoolboards.org/images/uploads/legislativeadvocacyconference2.pdf>

**Register Online**

<https://em.eboardsolutions.com/Events/Registration/Wizard/EventDetails.aspx?C=ifON&EID=GE11>

**Sycamore County School Board**

# Peer Sexual Harassment in Schools

**A**ngelica Hart, Sycamore County school board member, was just settling down to eat her popcorn and watch NCIS on television when the telephone rang. When Angelica answered the telephone, Monica Wellesley, a parent from Angelica's district, stated loudly, "Ms. Hart, I am sorry to bother you at home, but this couldn't wait until tomorrow. My daughter, Honey, is in Mrs. Delight's first grade class at Sycamore Elementary. Tonight, while relaying the day's events at school, Honey casually mentioned to her father and me that Ian Amored, a classmate, kissed her on the playground today. This is sexual harassment and I am considering consulting an attorney."

Angelica assured Monica that she would look into the matter and would inform Ed Ukates, the Sycamore division superintendent. Knowing that Ed would never answer the telephone during NCIS, Angelica decided to postpone her call until the next morning.

The next morning, Ed was sitting at his desk pondering what it would be like to be NCIS star Mark Harmon when the phone rang. Angelica relayed her conversation with Monica Wellesley the evening before and Ed said he would look into the matter immediately. Checking out his reflection in the window, Ed decided to get some exercise and walk over to the elementary school and visit Patience Petigrew, principal of Sycamore Elementary.

After hearing the story, Patience smiled and led Ed down to Mrs. Delight's classroom. Patience pointed out Ian to Ed. A little guy with bright red hair, Ian was enthusiastically piling stones on a scale at the science table. Mrs. Delight informed Ed and Patience that she observed the kiss on the playground. "The girls were chasing the boys around the playground and when Honey caught Ian he gave her a quick peck on the cheek," she said. "Honey giggled and went on playing. To my knowledge, this is the first time Ian or any other boy in this class has done this, and I told Ian after the incident that kissing one's classmates is not appropriate behavior."

Ed returned to his office murmuring, "Some days I think it would have been easier if I had joined the NCIS (Naval Criminal Investigative Service). However, since Monica Wellesley threatened to sue the school division, Ed decided to call Jeffrey Justice, school board attorney, even though he did not think Ian's conduct amounted to sexual harassment.

Is Jeffrey going to confirm Ed's belief?

Ed should consider law school, not the NCIS. While Ian's stolen kiss is not at all appropriate, it does not amount to sexual harassment given the facts here. Peer sexual harassment in the school setting clearly exists and must be addressed when identified. However, in order for an activity to be labeled "sexual harassment," certain factors must be present.

Honey's attorney would have to show that Honey was subject to unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature that is sufficiently severe, persistent or pervasive, to limit Honey's ability to participate in or benefit from the school's education program, or to create a hostile or abusive school environment. Conduct is unwelcome when the student being harassed did not solicit or incite it and regarded the conduct as undesirable or offensive. But remember that mere acquiescence to the conduct or failure to complain does not always mean that the conduct was welcome. In addition, in deciding whether the conduct was sufficiently severe, persistent or pervasive, all relevant circumstances should be considered.

The United States Department of Civil Rights has stated in its guidelines on sexual harassment and bullying that a hostile environment may exist where there is tangible injury to the student (e.g., student's grades go down, the student does not want to go to school, etc.) or where there is no tangible injury but the conduct alters the student's school environment (e.g., the student feels humiliated, but continues to come to school, etc.). In addition, a hostile environment will exist in most cases where there is a pattern or practice of harassment or where the harassment is sustained and nontrivial.

Given the facts of this case, it does not appear that any of these factors exist here. If Mrs. Delight is correct, this is the first time Ian or any other boy has done this. In addition, Monica Wellesley stated that Honey casually mentioned that Ian kissed her while relaying the day's events. She did not indicate that Honey complained or was upset. Based on Honey's reaction as reported by Mrs. Delight, Honey did not appear to find the conduct offensive.

All complaints of peer sexual harassment should be taken seriously and an investigation should be conducted immediately in accordance with school board policy. In this situation, Ian Amored was told, in an age appropriate way, that his behavior should not be repeated. Finally, Principal Petigrew should be sure that the school playground is carefully monitored to ensure that no other students are behaving like Ian.



# **VSBA Annual Convention** **November 20-22, 2013**



**The Doubletree by Hilton Williamsburg**  
**50 Kingsmill Road**  
**Williamsburg, VA**



The VSBA Annual Convention brings together over one thousand school board members, superintendents, school division staff, and educational experts from across the commonwealth. Attend three general sessions, choose from over fifty hot topic seminars pertinent to public education issues, have the opportunity to meet with businesses dedicated to serving schools, and much more. This is the convention you do not want to miss!

## **New This Year!**

- New Location
- Student Achievement Fair
- VSBA Exhibitors Scholarship
- Daily General Sessions
- Extended Regional Meetings
- Networking Stations in the Exhibit Hall
- Breakout Session Tracks
- VSBA Shrimp Fest (It's Back!)

**For More Detailed Information**  
**CLICK HERE**

[http://www.vaschoolboards.org/index.php/meetings\\_conferences/vsba\\_annual\\_convention/](http://www.vaschoolboards.org/index.php/meetings_conferences/vsba_annual_convention/)

**Video Promo**

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<http://www.youtube.com/watch?v=bVnt1XKMUHQ>

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**VSBA PROFILES IN LEADERSHIP**

**Roger Long**  
**Halifax County School Board Member**  
**VSBA Southern Region Chairman**



**What is your hometown?**

Born in Pike County, KY. Reared in Clifton Forge, VA.

**How long have you been a school board member?**

5 years, plus 35 years in public education

**What books do you have at your bedside?**

The Bible, The Plastic Rosary in the Mirror, Uprising, Zen Golf, Say Goodbye to Back Pain, The Simplicity of Amish Life, and Killing Lincoln

**What/Who inspires you?**

Thomas Jefferson, Abraham Lincoln, Henry W. Longfellow, and my guardian, the Rev. Dr. F. Wayne Long.

**What is your motto as a board member?**

Children FIRST for our Future!

**What is your pie-in-the-sky vision for education?**

Strong community support so that ALL children reach their full potential to become well-rounded citizens!

**What is your advice to new board members?**

Don't make vast decisions on half-vast information. No person has all the answers. Ask questions. Get the best information about your schools through study, visitation, and discussion. Speak up on those things about which you have knowledge. Base opinions on legal and factual data. Listen to the attorney. A board has one employee. Work and communicate with the superintendent.

**What do you consider your greatest accomplishment as a board member?**

Using my values and experiences to mentor other board members and keep us on an agenda that was focused toward the best interests of children.

**What is your primary pet peeve as a board member?**

Uninformed people who have already made up their minds and don't want to listen/be confused with FACTS.

**What is the primary reason you like being a VSBA member?**

Education is a STATE function. VSBA keeps members of local school boards informed on big issues and keeps us involved in a world larger than myopic local political self-concerns.

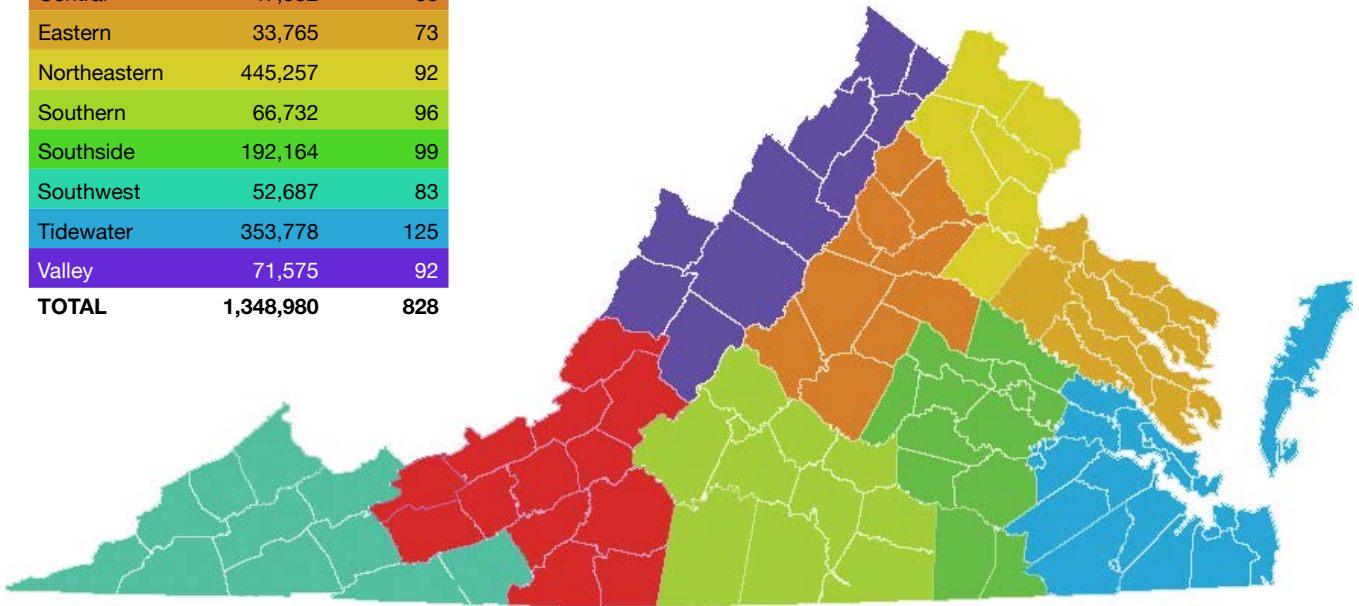
# Ask the Expert

**Q.** Do parents have a legal right to opt their students out of taking high-stakes tests?

**A.** Not in Virginia. State law in some states does give parents a right to decide that their students will not take the state's high-stakes tests, but there is no similar law in Virginia. Students need to take SOL assessments to receive verified credits in order to graduate. In addition, the No Child Left Behind Act (NCLB) requires that 95% of enrolled students must take SOL assessments in order for the school and division to make Annual Yearly Progress (AYP). Although some parts of NCLB have been waived, that part has not. Thus, any school in which 5 or more percent of the students do not take required SOL tests will fail to make AYP regardless of how well the students who do take the test perform. The failure to make AYP leads to serious sanctions, which impact every student in the division.



VSBA Region	Student Enrollment	School Board Members
Blue Ridge	85,470	102
Central	47,552	66
Eastern	33,765	73
Northeastern	445,257	92
Southern	66,732	96
Southside	192,164	99
Southwest	52,687	83
Tidewater	353,778	125
Valley	71,575	92
<b>TOTAL</b>	<b>1,348,980</b>	<b>828</b>



## VSBA Board of Directors

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# VSBA

## Virginia School Boards Association

### MISSION STATEMENT

Virginia School Boards Association, a voluntary, nonpartisan organization of Virginia school boards, promotes excellence in public education through advocacy, training and services.

### VISION STATEMENT

VSBA is recognized and respected as an innovative leader in public education.