

**COLLEGE PARTNERSHIP LABORATORY SCHOOLS**

GUIDELINES FOR THE SUBMISSION AND APPROVAL OF

COLLEGE PARTNERSHIP LABORATORY SCHOOL APPLICATIONS

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VIRGINIA BOARD OF EDUCATION

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## SECTION I: BACKGROUND

Pursuant to § [22.1-349.1(A)](https://law.lis.virginia.gov/vacodefull/title22.1/chapter19.1/) of the Code of Virginia, as amended by [Chapter 2 of the 2022 Acts of Assembly](https://budget.lis.virginia.gov/item/2022/2/HB30/Chapter/4/4-14.00/), Special Session I, a "College Partnership Laboratory School” (Lab School) means a public, nonsectarian, nonreligious school in the Commonwealth established by a public institution of higher education, public higher education center, institute, or authority; or an eligible private institution of higher education as defined in § [23.1-628](https://law.lis.virginia.gov/vacode/title23.1/chapter6/section23.1-628/) related to the Tuition Assistance Grant Program (eligible entities).

Lab Schools are public schools established upon approval by the Board of Education (Board) and execution of a contract between the governing board of a Lab School and the Board. The members of the governing board are selected by the institution of higher education establishing the Lab School.

As provided in § [22.1-349.1](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.1/), a Lab School may be established in Virginia in order to accomplish the following:

* Stimulate the development of innovative programs for preschool through grade 12 students.
* Provide opportunities for innovative instruction and assessment.
* 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 high standards for both teachers and administrators.
* Encourage greater collaboration between education providers from preschool to the postsecondary level.
* Develop models for replication in other public schools.

The required criteria and guidelines for the submission and approval of Lab School Applications to the Board are provided in this document (Guidelines).

A Lab School is subject to all federal and state laws and regulations and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry, or need for special education services. Enrollment shall be open to any child who is deemed to reside within the Commonwealth through a lottery process on a space-available basis. (S*ee* § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/) A)

Notwithstanding the provisions of § [22.1-349.5](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.5/), a public institution of higher education; a public higher education center, institute, or authority; or an eligible entity as defined in § [23.1-628](https://law.lis.virginia.gov/vacode/title23.1/chapter6/section23.1-628/) may submit a Lab School Application for formation of a Lab School.

Section [22.1-349.5](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.5/) of the *Code of Virginia* also states that “[t]he purposes of the college partnership laboratory school application are to present the proposed school’s academic and operational vision and plans, demonstrate the applicant’s capacities to execute the proposed vision and plans, and provide the Board with a clear basis for assessing the applicant’s plans and capacities. An approved college partnership laboratory school application shall not serve as the school’s contract. Within 90 days of approval of a college partnership laboratory school application, the Board and the governing board of the approved school shall execute a contract that clearly sets forth the academic and operational performance expectations and measures by which the college partnership laboratory school will be judged and the administrative relationship between the Board and the Lab School, including each party’s rights and duties. The performance expectations and measures set forth in the contract shall include but need not be limited to applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the college partnership laboratory school is operating and has collected baseline achievement data for its enrolled students.”

A “Lab School Applicant” or “Applicant” is the primary eligible entity pursuing the creation of a new Lab School and must be a public institution of higher education, public higher education center, institute, or authority; or an eligible private institution of higher education as defined in § [23.1-628](https://law.lis.virginia.gov/vacode/title23.1/chapter6/section23.1-628/) related to the Tuition Assistance Grant Program. An Applicant will be referred to as an “Awardee” should its Lab School Application be approved by the Board.

Section [22.1-349.5](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.5/) of the *Code of Virginia* states the following regarding Lab School Applications:

“B. Each college partnership laboratory school application shall provide or describe thoroughly each of the following essential elements of the proposed school plan:

1. An executive summary;
2. The mission and vision of the proposed college partnership laboratory school, including identification of the targeted student population;
3. The proposed location of the school;
4. The grades to be served each year for the full term of the contract;
5. Minimum, planned, and maximum enrollment per grade per year for the term of the contract;
6. Background information on the proposed founding governing board members and, if identified, the proposed school leadership and management team;
7. The school's proposed calendar and sample daily schedule;
8. A description of the academic program aligned with state standards;
9. A description of the school's educational program, including the type of learning environment, such as classroom-based or independent study; class size and structure; curriculum overview; and teaching methods;
10. The school's plan for using internal and external assessments to measure and report student progress in accordance with the Standards of Learning;
11. The school's plans for identifying and successfully serving students with disabilities, students who are English language learners, students who are academically behind, and gifted students, including but not limited to compliance with applicable laws and regulations;
12. A description of co-curricular and extracurricular programs and how they will be funded and delivered;
13. Plans and timelines for student recruitment and enrollment, including lottery procedures if sufficient space is unavailable;
14. The school's student disciplinary policies, including those for special education students;
15. An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies such as advisory bodies or parent and teacher councils, the Board, and any external organizations that will play a role in managing the school;
16. A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown in the organization chart;
17. A staffing chart for the school's first year and a staffing plan for the term of the contract;
18. Plans for recruiting and developing school leadership and staff;
19. The school's leadership and teacher employment policies, including performance evaluation plans;
20. A plan for the placement of college partnership laboratory school students, teachers, and employees upon termination or revocation of the contract;
21. Explanation of any partnerships or contractual relationships central to the school's operations or mission;
22. The school's plans for providing transportation, food service, and all other significant operational or ancillary services;
23. Opportunities and expectations for parent involvement;
24. A detailed school start-up plan that identifies tasks, timelines, and responsible individuals;
25. Description of the school's financial plan and policies, including financial controls and audit requirements;
26. A description of the insurance coverage the school will obtain;
27. Start-up and five-year budgets with clearly stated assumptions;
28. Start-up and first-year cash-flow projections with clearly stated assumptions;
29. Evidence of anticipated fundraising contributions, if claimed in the application;
30. A sound facilities plan, including backup or contingency plans if appropriate; and
31. Assurances that the college partnership laboratory school (i) is nonreligious in its programs, admission policies, employment practices, and all other operations and (ii) does not charge tuition, except as described in subsection D of § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/).”

The Lab School Application addresses each of these 31 elements as well as several others that are not mandated in the *Code of Virginia* but are needed for the Board to evaluate a Lab School Application. The Board has established procedures for receiving, reviewing, and ruling upon Lab School Applications and will make a copy of the procedures available to all interested parties upon request.

Please visit the Virginia Department of Education’s (Department) website for additional information on Lab Schools in Virginia: <http://www.doe.virginia.gov/instruction/laboratory_schools/index.shtml>

## SECTION II: GENERAL INSTRUCTIONS

Lab School Applications must be submitted to the Board.

Applicants must adhere to the Guidelines prescribed by the Board included in this document. The Guidelines address the process for the submission and approval of Lab School Applications, and the elements included in § [22.1-349.5](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.5/) of the *Code of Virginia.*

Part A: Submission

Two hard copies of the completed Lab School Application with the original signatureof the authorized official on the cover page and on the certification page must be submitted to:

Office of Board Relations

Virginia Board of Education

P. O. Box 2120

Richmond, Virginia 23218-2120

In addition, a PDF version of the completed Lab School Application must be submitted on the form provided by the Department by email to the Office of Board Relations at [board@doe.virginia.gov](mailto:board@doe.virginia.gov) and to [labschools@doe.virginia.gov](mailto:labschools@doe.virginia.gov).

*Note:* The *Virginia Freedom of Information Act* (FOIA), § [2.2-3700 et seq.](https://law.lis.virginia.gov/vacodefull/title2.2/chapter37/) of the *Code of Virginia*, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees. Please be advised that documents submitted to the Department are subject to FOIA and must be released in response to a FOIA request unless the records are exempt as specifically provided by law.

Part B: Schedule for Review by the Virginia Board of Education

***Initial Receipt of Application***

When the Board receives a Lab School Application, Department staff, on behalf of the Board, will send an acknowledgement to the Applicant. The Department will determine that a Lab School Application is complete when all the required Application elements have been submitted in the required format.

If the Lab School Application is deemed incomplete, the Department will notify the Applicant within fifteen (15) business days of receipt of the Lab School Application and request that the outstanding information be submitted within thirty (30) business days of such notification to the Applicant that additional information is needed.

If an Applicant fails to respond to the initial request for additional information, the Department will contact the Applicant and make a second request for any outstanding information. In this communication, the Department will indicate that the Lab School Application will not be considered for review by the Board’s College Partnership Laboratory School Standing Committee (Standing Committee) until all information is received. The Applicant may withdraw the Lab School Application at any time during the initial process and resubmit it at a later time.

If the Lab School Application is deemed complete by the Department, it will be sent to the Standing Committee. The Standing Committee may request individuals with subject matter expertise, which may include Department personnel, or may convene an advisory work group to assist with the review of the Lab School Application and provide the Standing Committee with technical expertise. Such individuals or work group could include those with experience in the operation of similar schools located in other states.

The Standing Committee shall request public comment or schedule public hearings on the Lab School Application to provide appropriate opportunity for input from parents, teachers, and other interested parties and to obtain information to assist the Board in its evaluation of the Application.

***Meeting with the College Partnership Laboratory Schools Standing Committee***

Representatives of the eligible entity submitting the Lab School Application must attend a meeting with the Standing Committee. At the meeting with the Standing Committee, these representatives will be asked to discuss the contents of the Lab School Application and address the Standing Committee’s questions.

Following the public comment or public hearing conducted by the Standing Committee and the meeting with the Applicant, the Standing Committee will prepare a report to the full Board with the Standing Committee’s recommendation. A copy of the report will be provided to the Applicant upon provision of the report to the Board.

The Standing Committee’s report will normally be considered for first review at the next regularly scheduled full Board meeting. The Board may review the Lab School Application multiple times before receiving the Lab School Application for final review. The Applicant should attend each meeting at which the Board considers the Application to answer questions or make comments regarding the Application.

***Action by the Board***

The Board will take one of the following actions upon final review of the Lab School Application:

*Action 1:* The Board will decide that the Lab School Application meets the Board’s approval criteria.

Following action by the Board, the Applicant will be formally notified by the Department of the Board’s action within five (5) business days.

*Action 2:* The Board will render a decision that the Lab School Application does not meet the Board’s approval criteria.

The Board will provide the Applicant with an opportunity to address any deficiencies in the Lab School Application within a time frame agreed to by both the Board and the Applicant. The Applicant may resubmit the Lab School Application at a later date. The Applicant may also withdraw the Lab School Application at any time and resubmit it at a later date.

Following action by the Board, the Applicant will be formally notified by the Department of the Board’s action within five (5) business days.

All meetings of the Board’s Standing Committee are publicly noticed at <http://www.doe.virginia.gov/boe/committees_standing/index.shtml#lab>, and all interested parties are invited to attend.

Part C: Contract Execution

Section [22.1-349.5](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.5/) C of the *Code of Virginia* states the following:

“The purposes of the college partnership laboratory school application are to present the proposed school's academic and operational vision and plans, demonstrate the applicant's capacities to execute the proposed vision and plans, and provide the Board with a clear basis for assessing the applicant's plans and capacities. An approved college partnership laboratory school application shall not serve as the school's contract. Within 90 days of approval of a college partnership laboratory school application, the Board and the governing board of the approved school shall execute a contract that clearly sets forth the academic and operational performance expectations and measures by which the college partnership laboratory school will be judged and the administrative relationship between the Board and the college partnership laboratory school, including each party's rights and duties. The performance expectations and measures set forth in the contract shall include but need not be limited to applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the college partnership laboratory school is operating and has collected baseline achievement data for its enrolled students.”

As soon as the Board takes action to approve a Lab School, the Board and the Applicant will negotiate the terms of the contract so that it can be executed within the 90-day statutory timeline.

Part D: Renewals and Revocations

Section [22.1-349.8](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.8/) of the *Code of Virginia* states the following:

“A. A college partnership laboratory school may be approved or renewed for a period not to exceed five school years. A college partnership laboratory school renewal application submitted to the Board shall contain:

1. A report on the progress of the school in achieving the goals, objectives, program and performance standards for students, and such other conditions and terms as the Board of Education may require upon granting initial approval of the college partnership laboratory school application; and
2. A financial statement, on forms prescribed by the Board, that discloses the costs of administration, instruction, and other spending categories for the school and that has been concisely and clearly written to enable the Board and the public to compare such costs with those of other schools or comparable organizations.
3. The Board may revoke a contract if the college partnership laboratory school does any of the following or otherwise fails to comply with the provisions of this chapter:
4. Commits a material and substantial violation of any of the terms, conditions, standards, or procedures required under this chapter or the contract;
5. Fails to meet or make sufficient progress toward the performance expectations set forth in the contract;
6. Fails to meet generally accepted standards of fiscal management; or

4. Substantially violates any material provision of law from which the college partnership laboratory school was not exempted.

1. If the Board revokes or does not renew a college partnership laboratory school contract, it shall clearly state, in a resolution, the reasons for the revocation or nonrenewal.”

If the Board revokes or does not renew a Lab School contract, it shall clearly state the reasons for the action in a Board resolution. The Board’s decision to approve or disapprove a Lab School Application or to revoke or fail to renew an agreement is final and is not subject to appeal. The Applicant may, however, submit a Lab School Application again at a later date.

Part E: Technical Assistance

Prior to submitting a Lab School Application, the Applicant may seek technical assistance from the Department. Requests for technical assistance should be addressed to the Department’s Office of Policy, email at [board@doe.virginia.gov](mailto:board@doe.virginia.gov). Department staff will work with each Applicant on a case-by-case basis in order to address individual needs.

Part F: Additional Information

The following website contains additional information regarding Lab Schools in Virginia: <http://www.doe.virginia.gov/instruction/laboratory_schools/index.shtml>. Inquiries regarding Lab Schools can be made by email to [labschools@doe.virginia.gov](mailto:labschools@doe.virginia.gov).

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## SECTION III: APPLICATION COMPONENTS

The required components of a complete Lab School Application are listed below. The Lab School Application is available on the Department’s website at <http://www.doe.virginia.gov/instruction/laboratory_schools/index.shtml>.

Part A: Application Information

This section provides background information on the proposed Lab School, contact information for the Applicant, partnering local school division(s), and other business, private sector, or industry partners. The section also includes prior experience of the Applicant, or organization submitting the Lab School Application, in establishing and operating a Lab School.

Part B: Narrative Information

This section provides a detailed description of the proposed Lab School.

1. ***Executive Summary:*** This summary must be included and must address the need for the Lab School and its goals and objectives. (The suggested length is two pages.)
2. ***Mission Statement:*** State the mission and vision of the proposed Lab School, including identification of the targeted student population, must be included. The following components must be addressed:
3. A description of the Lab School’s mission and vision and how it is consistent with the Virginia *Standards of Quality* (SOQ), the Virginia *Standards of Learning* (SOL), and the Virginia *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA). (*See* § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/) of the *Code of Virginia*.)
4. A description of any specific area of academic concentration.
5. The Lab School’s core philosophy.
6. Information about the Lab School’s targeted student population.
7. ***Educational Program:*** State the goals and objectives to be achieved by the Lab School, which must meet or exceed the SOL. The following components must be addressed:
8. A description of the Lab School’s academic program and how it is aligned with state standards.
9. An overview of the curriculum, and teaching methods to be used at the Lab School and a description of the learning environment and instructional strategies to be used at the Lab School, including scientifically research-based instructional strategies to ensure that student engagement and achievement are occurring.
10. A plan for using internal and external assessments to measure and report student progress in accordance with the SOL*.*
11. A description of plans for identifying, evaluating, and successfully serving students with disabilities, students who are English Language Learners, students who are academically behind, and gifted students. Such plans must comply with applicable laws and regulations.
12. An explanation of the procedures for corrective actions needed in the event that pupil performance at the Lab School falls below the standards outlined in the SOA. (*See* [Part VIII of the SOA](https://law.lis.virginia.gov/admincodefull/title8/agency20/chapter131/partVIII/).)
13. Information regarding the minimum and maximum enrollment per grade for the full term of the contract as well as class size and structure for each grade. (*See* § [22.1-253.13:2](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13:2/) of the *Code of Virginia*.)
14. The proposed calendar and sample daily schedule.
15. A description of the performance-based goals and related measurable educational objectives to be achieved by the Lab School. (*See* § [22.1-253.13:1](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13:1/) B of the *Code of Virginia*.)
16. For each grade or course in the Lab School, please provide a detailed description of how the SOL and the corresponding SOL Curriculum Framework will be used as the foundation for curricula to be implemented. Include within the description how the goals and objectives of the curricula will meet or exceed the SOL, address student performance standards, relate to state and federal assessment standards, and include measurable student outcomes.(*See* <http://www.doe.virginia.gov/testing/index.shtml> on the Department’s website for more information about the SOL.)
17. A description of the Lab School’s assessment plan to obtain student performance data, which would include how these data will be used to monitor and improve achievement and how program effectiveness will be measured. The Applicant must also provide benchmark data for how student achievement will be measured over a specified period of time. The Applicant must address how these data will be established and documented in the first year of operation and how the data will be measured over the successive four-year period before the contract of such school is renewed by the Board. The benchmark data should address targets for student improvement to be met each year.
18. A description of any assessment other than the SOL that may be used to measure progress during the academic year.

The following components should be addressed if applicable to the Lab School:

1. A detailed description of any alternative accreditation plan, in accordance with the SOA ([8VAC20-131-420](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section400/)), for which the Lab School will request approval from the Board.
2. A general description of any incentives/partnerships that the Lab School intends to have with school divisions to enhance both the educational program of the Lab School and the partnering school division(s).
3. If the Lab School plans to use virtual learning in its educational program, a description of how virtual learning will be used and estimates of how many students will participate.
   1. ***Governance:*** The following components must be addressed:
4. Background information on the proposed founding governing board members and, if identified, the proposed school leadership and management team. (*See* § [22.1-299.2](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-299.2/) B of the *Code of Virginia*.)
5. A chart that clearly presents the Lab School’s organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies (such as advisory bodies or parent and teacher councils), the Board, and any external organizations that will play a role in managing the school.
6. A clear description of the roles and responsibilities for the governing board, the Lab School’s leadership and management team, and any other entities shown in the organization chart. This includes a description of the functions, roles, and duties of the governing board and its proposed composition and bylaws. The description must detail the specific role of the governing board in the operation and oversight of the Lab School.
7. A description of the governing board’s relationship with the affiliated public or private institution of higher education and its Board of Visitors, any local school boards, parents, and community organizations.
8. ***Management Structure*:**The following components must be addressed:
9. Staffing chart for the Lab School’s first year and a staffing plan for the term of the contract.
10. Plans for recruiting and developing Lab School leadership and staff.
11. A description of the academic/professional experience/qualifications of the Lab School’s leadership and proposed faculty who will teach at the Lab School.
12. An assurance that the Applicant will meet the conditions in § [22.1-349.9](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.9/) of the *Code of Virginia*, which states that “teachers who work in a college partnership laboratory school shall hold a license issued by the Board or, in the case of an instructor in the Board-approved teacher education program of the institution of higher education, be eligible to hold a Virginia teaching license. Teachers working in a college partnership laboratory school shall be subject to the requirements of §§ [22.1-296.1](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.1/), [22.1-296.2](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.2/), and [22.1-296.4](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.4/) that are applicable to teachers employed by a local school board.”
13. The Lab School’s leadership and teacher employment policies, including performance evaluation plans. Such performance evaluation plans must be consistent with the policies of the institution of higher education.
14. A plan that addresses the qualifications of the teachers and administrators at the Lab School, including compliance with state law and regulations regarding Board licenses and endorsements. (*See* § [22.1-349.9](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.9/) of the *Code of Virginia*.)
15. A plan to provide high-quality professional development programs (*See* [§ 22.1-253.13:5](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-253.13C5) of the *Code of Virginia*.)
16. Provisions for the evaluation of staff at regular intervals.
17. Provisions for a human resource policy for the Lab School that is consistent with state and federal law.
18. An explanation of any partnerships or contractual relationships central to the Lab School’s operations or mission, including information regarding any partnerships with school divisions to provide educational or ancillary services. Contractual relationships include procuring the services of an education management organization, food services, transportation, school health services, custodial services, and security services. (*See* § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/) C of the *Code of Virginia*.)
19. Notification to all Lab School employees of the terms and conditions of employment.
20. Information and materials indicating how parents, the community, and other stakeholders were involved in developing the application for the Lab School. A description of how parental involvement will be used to support the educational needs of the students, the Lab School’s mission and philosophy, and its educational focus.
21. Plans and timelines for student recruitment and an open enrollment process for any child who is a resident of the Commonwealth, including lottery procedures if sufficient space is unavailable. Please include a description of the lottery process to be used to determine Lab School enrollment on a space-available basis and a timeline for when the lottery process will begin for the first academic year of enrollment and when parents will be notified of the outcome of the lottery process. (*See* § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/) of the *Code of Virginia*.)
22. Any enrollment-related policies and procedures that address special situations, such as the enrollment of siblings and children of faculty and founders and the enrollment of nonresident students, if applicable. Consistent with a Lab School’s mission and purpose that may address special populations of students, the Applicant must indicate how to ensure that community outreach has been undertaken so that special populations are aware of the formation of the Lab School and that enrollment is open to all students residing in the Commonwealth. Pursuant to § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/) B of the *Code of Virginia*, enrollment in a Lab School “shall be open through a lottery process on a space-available basis to any student who is deemed to reside within the Commonwealth. A waiting list shall be established if adequate space is not available to accommodate all students whose parents have requested to be entered in the lottery process. Such waiting list shall also be prioritized through a lottery process, and parents shall be informed of their student's position on the list.”
23. A model *Student Code of Conduct* policy that addresses student behavior, discipline, and participation in school activities. The plan should identify the role of teachers and administrators in discipline and mentoring. The plan must also identify disciplinary policies for special education students.
24. A detailed Lab School start-up plan that identifies tasks, timelines, and responsible individuals.
25. A description of co-curricular and extracurricular programs and how these programs will be funded and delivered.
26. A general description of any operational incentives/partnerships that the Lab School intends to have with school divisions to enhance both the educational program of the Lab School and the partnering school division(s).
    1. ***Financial and Operations Information:*** The following components must be addressed:
27. A description of the Lab School’s financial plan and policies, including financial controls and audit requirements in accordance with generally accepted accounting principles.
28. Start-up and five-year budgets with clearly stated assumptions and information regarding projected revenues and expenditures.
29. Start-up and five-year cash flow projections with clearly stated assumptions and indications of short- and long-term sources of revenue.
30. Evidence of anticipated fundraising contributions, if applicable*.*
31. A description of the insurance coverage that the Lab School will obtain. Types of insurance include general liability, health, and property.
32. A justification for each type of insurance coverage sought and evidence that the Applicant has consulted with the affiliated public or private institution of higher education to ensure that the level of coverage is satisfactory.
33. A sound facilities plan, including backup or contingency plans. Facilities information includes (1) the provision of suitable instructional space; (2) provisions for library services; (3) provisions for the safe administration and storage of student records and medications; (4) information regarding compliance with building and fire codes and compliance with the federal Americans with Disabilities Act; (5) general information on emergency evacuation plans; (6) information regarding site location and preparation; (7) the structure of operation and maintenance services; and (8) financial arrangements for facilities, including any lease arrangements with school divisions or other entities and whether debt will be incurred.
34. A description of whether transportation services will be provided. If transportation is to be provided, please indicate whether the Lab School will contract for transportation with the local education agency or another entity. Please indicate whether transportation will be provided to all students attending the Lab School.
35. A description of transportation services for students with disabilities. (Section [22.1-221](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-221/) A of the *Code of Virginia* states that “[e]ach disabled child enrolled in and attending a special education program provided by the school division pursuant to any of the provisions of § [22.1-216](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-216/) or § [22.1-218](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-218/) shall be entitled to transportation to and from such school or class at no cost if such transportation is necessary to enable such child to obtain the benefit of educational programs and opportunities.”)
36. A description of food service operations and all other significant operational or ancillary services to be provided.
37. ***Placement Plan:*** The following components must be addressed:
38. Identification of a member of the Lab School’s leadership who will serve as a single point of contact for all activities that may need to take place for the Lab School to close, including but not limited to, the transfer of students to another school, the management of student records, and the settlement of financial obligations. Please include contact’s name, title, email address, and phone number.
39. A notification process for parents/guardians of students attending the Lab School and teachers and administrators of the termination or revocation of the contract.
40. A notification process to parents/guardians of students attending the Lab School of alternative public school placements within a set time period from the date of termination or revocation of the contract.
41. Provisions for ensuring that student records are provided to the parent or guardian, or another school identified by the parent or guardian within a set time period. If the student transfers to another school division, provisions for the transfer of the student’s record to the school division to which the student transfers upon the request of that school division. (*See* § [22.1-289](https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-289/) of the *Code of Virginia*).
42. A placement plan for Lab School employees that details the level of assistance to be provided within a set period of time from the date of closure.
43. A close-out plan related to financial obligations and audits, the termination of contracts and leases, and the sale and disposition of assets within a set period of time from the date of closure. The plan shall include the disposition of the Lab School’s records and financial accounts upon closure.
44. ***Other Assurances and Requirements:*** The following components should be addressed:
    1. A description of the Lab School’s policies and procedures for compliance with the federal *Family Educational Rights and Privacy Act* and records retention schedules consistent with guidance issued by the Library of Virginia.
    2. Evidence that the proposed Lab School programs, services, and activities will operate in accordance with all applicable federal and state laws and regulations, including the *Virginia Freedom of Information Act*.
    3. A listing of all waivers to state regulations needed for the Lab School at the time of its opening. This does not preclude a Lab School from requesting additional waivers once the Lab School is operational.
    4. A description of any collaborative partnerships that may be made with public school divisions to enhance opportunities for all Virginia students, from preschool to postsecondary. An educational program provided to students enrolled in a public school division pursuant to a collaborative partnership between the Lab School and the public school division shall be considered to be the educational program of the public school division for purposes of the SOA. (*See* § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/) G of the *Code of Virginia*.)
    5. A description of all agreements that the Applicant may need in the contract with the Board related to the release of the Lab School from state regulations, consistent with the requirements in § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/) B of the *Code of Virginia*, including the approval of an Individual School Accreditation Plan*.* Section [22.1-349.4](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.4/) of the *Code of Virginia* states that “[i]f the college partnership laboratory school application proposes a program to increase the educational opportunities for at-risk students, the Board of Education may approve an Individual School Accreditation Plan for the evaluation of the performance of the school.”
    6. A description of how the Applicant and members of the governing board will disclose any conflicts of interest, which would include a personal interest in any transactions involving the Lab School, including information regarding the frequency with which such disclosures will be made. (*See* § [2.2-3114](https://law.lis.virginia.gov/vacode/title2.2/chapter31/section2.2-3114/) of the *Code of Virginia*.)
    7. Conflict of interest disclosure(s) by the Applicant and/or members of the governing board in the proposed Lab School. This includes any relationships that parties may have with vendors performing services at the Lab School.

Part C: Assurances

Assurances in the *Code of Virginia*: The assurances in the *Code of Virginia* represent the policies and procedures that must be developed and addressed in the Lab School Application to carry out the provisions of the law. By signing and submitting a Lab School Application, the Applicant expressly assures the Board of the following:

1. No tuition will be charged to students attending the Lab School, except as described in subsection E of § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/) of the *Code of Virginia*.
2. The Lab School will be nonreligious in its admission policies, employment practices, instruction, and all other operations.
3. The proposed Lab School programs, services, and activities will operate in accordance with all applicable federal and state laws and regulations (including the federal *Americans with Disabilities Act*, the federal *Individuals with Disabilities Education Improvement Act*, Section 504 of the federal *Rehabilitation Act of 1973*, and the *Virginia Freedom of Information Act*) and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services.
4. The Applicant will take all actions necessary to enter into a contract with the Board promptly, but within no later than 90 days of the Board’s approval of the Lab School.
5. The Lab School leadership will be retained on contract no later than two (2) months prior to the opening date of the Lab School.
6. An assurance that the Applicant will meet the condition in § [22.1-349.9](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.9/) of the *Code of Virginia*, which state that “teachers who work in a college partnership laboratory school shall hold a license issued by the Board or, in the case of an instructor in the Board-approved teacher education program of the institution of higher education, be eligible to hold a Virginia teaching license. Teachers working in a college partnership laboratory school shall be subject to the requirements of §§ [22.1-296.1](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.1/), [22.1-296.2](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.2/), and [22.1-296.4](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.4/) applicable to teachers employed by a local school board.”
7. All initial requests for waivers from the Board will be made prior to the opening date of the Lab School. (This does not preclude a Lab School from working with the local school board to request additional waivers once the Lab School is operational.)
8. The Applicant must assure knowledge of the *Virginia State and Local Government Conflict of Interest Act* (§ [2.2-3100 et seq.](https://law.lis.virginia.gov/vacodefull/title2.2/chapter31/) of the *Code of Virginia*) and the *Virginia Public Procurement Act* (§ [2.2-4300 et seq.](https://law.lis.virginia.gov/vacodefull/title2.2/chapter43/) of the *Code of Virginia*).

Assurances approved by the Virginia Board of Education: By signing and submitting the Lab School Application, the Applicant expressly assures the Board of the following:

1. If the Lab School Application is approved, the Applicant will take all actions necessary to enter into a contract with the Board promptly within no later than 90 days of the Board’s approval of the Lab School.
2. If the Lab School Application is approved, the leadership of the Lab School will be retained on contract no later than two (2) months prior to the opening date of the Lab School.
3. All initial requests for waivers from the Board will be made by the local school board, on behalf of the Applicant, prior to the opening date of the Lab School. (This does not preclude a Lab School from working with the Board to request additional waivers once the Lab School is operational.)
4. The Applicant assures knowledge of the *Virginia State and Local Government Conflict of Interest Act* (§ [2.2-3100 et seq.](https://law.lis.virginia.gov/vacodefull/title2.2/chapter31/) of the *Code of Virginia*) and the *Virginia Public Procurement Act* (§ [2.2-4300 et seq.](https://law.lis.virginia.gov/vacodefull/title2.2/chapter43/) of the *Code of Virginia*).

Part D: Certification

The Applicant must certify that to the best of his/her knowledge the information in the Lab School Application is correct, and that the Applicant has addressed all Lab School Application elements that pertain to the proposed Lab School, and that the Applicant understands and will comply with the assurances listed above.

## SECTION IV: COLLEGE PARTNERSHIP LABORATORY SCHOOLS LAWS

**§ 22.1-349.1. Definitions; objectives.**

1. As used in this chapter, unless the context requires a different meaning:

"At-risk student" means a student having a physical, emotional, intellectual, socioeconomic, or cultural risk factor, as defined in Board criteria, that research indicates may negatively influence educational success.

"College partnership laboratory school" means a public, nonsectarian, nonreligious school in the Commonwealth established by a public institution of higher education or private institution of higher education that operates a teacher education program approved by the Board.

"Governing board" means the board of a college partnership laboratory school that is responsible for creating, managing, and operating the college partnership laboratory school and whose members have been selected by the institution of higher education that establishes the college partnership laboratory school. The governing board shall be under the control of the institution of higher education that establishes the college partnership laboratory school.

1. College partnership laboratory schools may be established as provided in this chapter to (i) stimulate the development of innovative programs for preschool through grade 12 students; (ii) provide opportunities for innovative instruction and assessment; (iii) provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management, and structure; (iv) encourage the use of performance-based educational programs; (v) establish high standards for both teachers and administrators; (vi) encourage greater collaboration between education providers from preschool to the postsecondary level; and (vii) develop models for replication in other public schools.

**§ 22.1-349.2. College Partnership Laboratory School Fund.**

There is created in the state treasury a special nonreverting fund to be known as the College Partnership Laboratory School Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated in accordance with the general appropriation act and any gifts, grants, bequests, or donations from public or private sources shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to the Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of establishing or supporting college partnership laboratory schools that stimulate the development of alternative education programs for preschool through grade 12 students by providing opportunities for innovative instruction and greater cooperation and coordination between institutions of higher education and preschool through grade 12 education systems. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent of Public Instruction. The Board shall establish criteria for making distributions from the Fund to a college partnership laboratory school requesting moneys from the Fund and may issue guidelines governing the Fund as it deems necessary and appropriate.

**§ 22.1-349.3. Establishment and operation of college partnership laboratory schools; requirements.**

A. A college partnership laboratory school is subject to all federal and state laws and regulations and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry, or need for special education services.

B. Enrollment in college partnership laboratory schools shall be open through a lottery process on a space-available basis to any student who is deemed to reside within the Commonwealth. A waiting list shall be established if adequate space is not available to accommodate all students whose parents have requested to be entered in the lottery process. Such waiting list shall also be prioritized through a lottery process, and parents shall be informed of their student's position on the list. For college partnership laboratory schools that form a collaborative partnership with one or more local school divisions in accordance with subsection G, enrollment in the college partnership laboratory school shall be administered by one of the partnering divisions.

C. A college partnership laboratory school shall be administered and managed by a governing board. Pursuant to a contract and as specified in § [22.1-349.4](https://law.lis.virginia.gov/vacode/22.1-349.4/), a college partnership laboratory school is subject to the requirements of the Standards of Quality, including the Standards of Learning and the Standards of Accreditation, and such regulations as are determined by the Board.

D. Pursuant to a college partnership laboratory school agreement, a college partnership laboratory school is responsible for its own operations, including such budget preparation, contracts for services, and personnel matters as are specified in the agreement. A college partnership laboratory school may also negotiate and contract with a school board, the governing body of an institution of higher education, or any third party for the use of a school building or grounds, the operation and maintenance of such building or grounds, and the provision of any service, activity, or undertaking that the college partnership laboratory school is required to perform in order to carry out the educational program described in its contract. Any services for which a college partnership laboratory school contracts with a school board or institution of higher education shall not exceed the cost to the school division or institution to provide such services.

E. No college partnership laboratory school shall charge tuition for courses required for high school graduation. However, (i) tuition may be charged for courses for which the student receives college credit and enrichment courses that are not required to earn a Board-approved high school diploma and (ii) for college partnership laboratory schools that form a collaborative partnership with one or more local school divisions in accordance with subsection G, the school board of the partnering school division that administers student enrollment in accordance with subsection A may charge tuition in accordance with § [22.1-5](https://law.lis.virginia.gov/vacode/22.1-5/) for students who do not reside within the partnering school division.

F. An approved college partnership laboratory school shall be designated as a local education agency but shall not constitute a school division.

G. College partnership laboratory schools are encouraged to develop collaborative partnerships with local school divisions for the purpose of building seamless education opportunities for all preschool through postsecondary students in the Commonwealth. An educational program provided to students enrolled in a local school division pursuant to a collaborative partnership between the college partnership laboratory school and the local school division is the educational program of the local school division for purposes of the Standards of Accreditation.

**§ 22.1-349.4. Contracts for college partnership laboratory schools; release from certain policies and regulations.**

A. The contract between the college partnership laboratory school and the Board shall reflect all agreements regarding the release of the college partnership laboratory school from state regulations, consistent with the requirements of subsection C of § [22.1-349.3](http://law.lis.virginia.gov/vacode/22.1-349.3/). If the college partnership laboratory school application proposes a program to increase the educational opportunities for at-risk students, the Board may approve an Individual School Accreditation Plan for the evaluation of the performance of the school.

B. Any material revision of the terms of the contract may be made only with the approval of the Board and the governing board of the college partnership laboratory school.

**§ 22.1-349.5. College partnership laboratory school application.**

A. Any public institution of higher education or private institution of higher education that has a teacher education program approved by the Board may submit an application for formation of a college partnership laboratory school.

B. Each college partnership laboratory school application shall provide or describe thoroughly all of the following essential elements of the proposed school plan:

1. An executive summary;

2. The mission and vision of the proposed college partnership laboratory school, including identification of the targeted student population;

3. The proposed location of the school;

4. The grades to be served each year for the full term of the contract;

5. Minimum, planned, and maximum enrollment per grade per year for the term of the contract;

6. Background information on the proposed founding governing board members and, if identified, the proposed school leadership and management team;

7. The school's proposed calendar and sample daily schedule;

8. A description of the academic program aligned with state standards;

9. A description of the school's educational program, including the type of learning environment, such as classroom-based or independent study; class size and structure; curriculum overview; and teaching methods;

10. The school's plan for using internal and external assessments to measure and report student progress in accordance with the Standards of Learning;

11. The school's plans for identifying and successfully serving students with disabilities, students who are English language learners, students who are academically behind, and gifted students, including compliance with applicable laws and regulations;

12. A description of co-curricular and extracurricular programs and how they will be funded and delivered;

13. Plans and timelines for student recruitment and enrollment, including lottery procedures if sufficient space is unavailable;

14. The school's student disciplinary policies, including disciplinary policies for special education students;

15. An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies such as advisory bodies or parent and teacher councils, the Board, and any external organizations that will play a role in managing the school;

16. A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown in the organization chart;

17. A staffing chart for the school's first year and a staffing plan for the term of the contract;

18. Plans for recruiting and developing school leadership and staff;

19. The school's leadership and teacher employment policies, including performance evaluation plans;

20. A plan for the placement of college partnership laboratory school students, teachers, and employees upon termination or revocation of the contract;

21. Explanation of any partnerships or contractual relationships central to the school's operations or mission;

22. The school's plans for providing transportation, food service, and all other significant operational or ancillary services;

23. Opportunities and expectations for parent involvement;

24. A detailed school start-up plan that identifies tasks, timelines, and responsible individuals;

25. A description of the school's financial plan and policies, including financial controls and audit requirements;

26. A description of the insurance coverage that the school will obtain;

27. Start-up and five-year budgets with clearly stated assumptions;

28. Start-up and first-year cash-flow projections with clearly stated assumptions;

29. Evidence of anticipated fundraising contributions, if claimed in the application;

30. A sound facilities plan, including backup or contingency plans if appropriate; and

31. Assurances that the college partnership laboratory school (i) is nonreligious in its programs, admission policies, employment practices, and all other operations and (ii) does not charge tuition, except as described in subsection E of § [22.1-349.3](http://law.lis.virginia.gov/vacode/22.1-349.3/).

C. The purposes of the college partnership laboratory school application are to present the proposed school's academic and operational vision and plans, demonstrate the applicant's capacities to execute the proposed vision and plans, and provide the Board with a clear basis for assessing the applicant's plans and capacities. An approved college partnership laboratory school application shall not serve as the school's contract. Within 90 days of approval of a college partnership laboratory school application, the Board and the governing board of the approved school shall execute a contract that clearly sets forth the academic and operational performance expectations and measures by which the college partnership laboratory school will be judged and the administrative relationship between the Board and the college partnership laboratory school, including each party's rights and duties. The performance expectations and measures set forth in the contract shall include applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the college partnership laboratory school is operating and has collected baseline achievement data for its enrolled students.

**§ 22.1-349.6. Review of college partnership laboratory school applications.**

A. The Board shall 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.

B. To provide appropriate opportunity for input from parents, teachers, and other interested parties and to obtain information to assist the Board in its evaluation of a college partnership laboratory school application, the Board may establish a procedure for public notice, comment, or hearings on such applications.

**§ 22.1-349.7. Decision of the Board final.**

The decision of the Board to grant or deny a college partnership laboratory school application or to revoke or fail to renew an agreement is final and is not subject to appeal.

**§ 22.1-349.8. College partnership laboratory school terms; renewals and revocations.**

A. A college partnership laboratory school may be approved or renewed for a period not to exceed five school years. A college partnership laboratory school renewal application submitted to the Board shall contain:

1. A report on the progress of the school in achieving the goals, objectives, program and performance standards for students, and such other conditions and terms as the Board may require upon granting initial approval of the college partnership laboratory school application; and

2. A financial statement, on forms prescribed by the Board, that discloses the costs of administration, instruction, and other spending categories for the school and that has been concisely and clearly written to enable the Board and the public to compare such costs with those of other schools or comparable organizations.

B. The Board may revoke a contract if the college partnership laboratory school does any of the following or otherwise fails to comply with the provisions of this chapter:

1. Commits a material and substantial violation of any of the terms, conditions, standards, or procedures required under this chapter or the contract;

2. Fails to meet or make sufficient progress toward the performance expectations set forth in the contract;

3. Fails to meet generally accepted standards of fiscal management; or

4. Substantially violates any material provision of law from which the college partnership laboratory school was not exempted.

C. If the Board revokes or does not renew a college partnership laboratory school contract, it shall clearly state, in a resolution, the reasons for the revocation or nonrenewal.

**§ 22.1-349.9. Employment of professional, licensed personnel.**

A. College partnership laboratory school personnel are employees of the institution of higher education that establishes the school.

B. Teachers who work in a college partnership laboratory school shall hold a license issued by the Board or, in the case of an instructor in the Board-approved teacher education program of the institution of higher education, be eligible to hold a Virginia teaching license. Teachers working in a college partnership laboratory school are subject to the requirements of §§ [22.1-296.1](http://law.lis.virginia.gov/vacode/22.1-296.1/), [22.1-296.2](http://law.lis.virginia.gov/vacode/22.1-296.2/), and [22.1-296.4](http://law.lis.virginia.gov/vacode/22.1-296.4/) applicable to teachers employed by a local school board.

C. Professional, licensed personnel of a college partnership laboratory school shall be granted the same employment benefits given to professional, licensed personnel in public schools in accordance with the agreement between the college partnership laboratory school and the Board.

**§ 22.1-349.10. Funding of college partnership laboratory schools.**

A. Each college partnership laboratory school shall receive such funds as may be appropriated by the General Assembly in accordance with the general appropriation act.

B. The governing board of a college partnership laboratory school may accept gifts, donations, or grants of any kind and spend such funds in accordance with the conditions prescribed by the donor. However, no gift, donation, or grant shall be accepted by the governing board of a college partnership laboratory school if the conditions for such funds are contrary to law or the terms of the agreement between the Board and the college partnership laboratory school.

C. Notwithstanding any other provision of law, the proportionate share of state and federal resources allocated for students with disabilities and school personnel assigned to special education programs shall be directed to college partnership laboratory schools enrolling such students. The proportionate share of moneys allocated under other federal, or state categorical aid programs shall be directed to college partnership laboratory schools serving students eligible for such aid.

D. College partnership laboratory schools are eligible to apply for and receive any federal or state funds otherwise allocated for college partnership laboratory schools.

E. The collection of any tuition, room and board, and other educational and related fees from students enrolled at a college partnership laboratory school, as provided in § [22.1-349.3](https://law.lis.virginia.gov/vacode/title22.1/chapter19.1/section22.1-349.3/), shall comply with Board regulations and shall be credited to the account of such school.

F. Each college partnership laboratory school is eligible to apply for and receive available funds from the College Partnership Laboratory School Fund and the institution of higher education that establishes the school.

**§ 22.1-349.11. Immunity.**

A college partnership laboratory school is immune from liability to the same extent as is the public institution of higher education that establishes the school, and the employees and volunteers in a college partnership laboratory school are immune from liability to the same extent as are the employees of the institution of higher education that establishes the school.

## DEPARTMENT CONTACT FOR LAB SCHOOL APPLICATIONS

Questions about the Lab School Application process should be directed to [labschools@doe.virginia.gov](mailto:labschools@doe.virginia.gov).

## DEPARTMENT CONTACT FOR BOARD RELATIONS

Questions pertaining to the Standing Committee or Board should be directed to Office of Board Relations at [board@doe.virginia.gov](mailto:board@doe.virginia.gov).