

Virginia Board of Education – July 2020 Meeting Update

On July 22nd and 23rd, the [Virginia Board of Education \(VBOE\)](#) met virtually for their scheduled special committee work session and regular business meeting. A video stream of the meeting can be found [here](#). The Virginia School Boards Association does our best to give you a concise summary of the relevant aspects of the meeting. We encourage you and your superintendent to delve deep into this information to better understand how it will impact your school division. Additionally, we welcome any feedback that you may wish to provide. If you have any questions, concerns, or compliments for the Board, please send them to me at jason@vsba.org. You are a vital part of this conversation, and we may wish to share your feedback at the next VBOE meeting on September 16th-17th, 2020.

Special Committee Wednesday Work Session

On July 22, 2020, the [Special Committee to Review the Standards of Accreditation](#) met to discuss and adopt procedures that will guide the committee's work as they seek to examine the current Standards of Accreditation (SOAs). Dr. Keisha Pexton, Committee Chair, called the meeting to order and asked for a motion to approve the minutes from the June meeting of the committee. A motion was made and properly seconded. The motion to approve the minutes carried unanimously via roll call vote.

After approval of the minutes, Dr. Pexton shared her thoughts on the process to guide the committee's work. Dr. Pexton invited committee members to review the draft [Work Plan](#) and provide feedback.

The committee discussed the need to review the indicators being used to establish accreditation and if these indicators are correctly measuring outcomes. The scope of the review is to not change the current SOA model, but to capture the positive outcomes, negative outcomes, and unintended consequences that have arisen since adoption of the current SOAs. The committee will also examine the current "outcomes model" for the SOAs and contemplate whether an "inputs model" would be more appropriate for measuring certain SOAs.

In addition, the committee will review accreditation models used in other states and how Virginia's SOAs align with the federal accountability system. At the August meeting of the committee, reports on national accreditation standards and requirements for Virginia's SOAs will be provided to the Board.

With no further discussion, the committee adjourned and will reconvene on August 27th at 10:00 a.m.

Board Business Session

On Thursday, July 23, 2020, the Virginia Board of Education convened for their [regular business meeting](#). Board President Dan Gecker called the virtual business session to order and asked for approval of the minutes from the June Board meeting. Due to the virtual nature of the meeting, the minutes were approved by a roll call vote.

With approval of the minutes, the Board proceeded to elect a new Vice-President. Dr. Jamelle Wilson was nominated and elected unanimously as the Board's Vice-President.

With the election of the Vice-President finished, the Board reviewed the following items on the Consent Agenda: [Item A- Final Review of Financial Report on Literary Fund \(Item A- Attachment A\)](#) ([Item A- Attachment B](#)), [Item B- Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Funds or Placement on a Waiting List \(Item B- Attachment A\)](#) ([Item B- Attachment B](#)).

Following approval of the Consent Agenda by roll call vote, the Board moved to its Action/Discussion Items.

[Item C- First Review of Proposed Amendments to the Regulations Establishing Standards for Accrediting Public Schools in Virginia \(8VAC20-131\) to Comport with 2020 Legislation Passed by the General Assembly \(Fast-Track Action\)](#). Ms. Holly Coy, Assistant Superintendent of Policy, Equity, and Communications, Virginia Department of Education (VDOE). Ms. Coy explained during the 2020 Session of the General Assembly, the legislature passed legislation requiring amendments to the Board of Education's *Regulations Establishing the Standards for Accrediting Public Schools in Virginia (8VAC20-131)* (i.e. *Standards of Accreditation* or SOA). This fast-track regulatory action addresses the following legislation, which took effect on July 1, 2020:

[HB 516](#) (Bulova) and [SB 112](#) (Suetterlein) require the Board of Education, in establishing high school graduation requirements, to include the options for students to complete a dual enrollment course or high-quality work-based learning experience; currently, students must complete an Advanced Placement Course or International Baccalaureate course or earn a career and technical education credential.

[SB 323](#) (Barker) requires the Board of Education, in establishing high school graduation requirements, to permit a student who is pursuing an advanced diploma and whose individualized education program specifies a credit accommodation for world language to substitute two standard units of credit in computer science for two standard units of credit in a world language. The bill provides that for any student electing to substitute a credit in computer science for credit in world language, his school counselor shall provide notice to the student and parent or guardian of possible impacts related to college entrance requirements.

The proposed amendments to the *Standards of Accreditation* incorporate these legislative changes and will follow the fast-track rulemaking requirements of the Administrative Process Act (APA). [Section 2.2-4012.1](#) of the *Code of Virginia* provides that the fast-track rulemaking process may be followed for rules that are expected to be noncontroversial.

The recommendation of the Superintendent of Public Instruction is to waive the first reading of Item C and approve the proposed revisions. A motion was made and properly seconded to waive first reading and approve the proposed revisions. The motion was approved unanimously via roll call vote.

[Item D- First Review of Resolution Prescribing the Standards of Quality for Public Schools in Virginia](#). Ms. Holly Coy, Assistant Superintendent of Policy, Equity, and Communications, VDOE. explained that the *Constitution of Virginia (Article VIII, § 2)* sets out the Board of Education's responsibility to determine and prescribe the standards of quality for the public schools of Virginia, subject to revision only by the General Assembly. These standards, found in the *Code of Virginia* at §§ [22.1-253.13:1](#) through [22.1-253.13:10](#), are known as the *Standards of Quality* (SOQ) and provide the foundational program for public education in

Virginia as well as serve as a primary driver of state educational funding. Section [22.1-18.01](#) of the *Code* further requires the Board of Education to biennially review the SOQ and proposes amendments as necessary.

Following a two-year process of research, feedback, and discussion, the Board of Education concluded a significant review of the SOQ in the fall of 2019. The Board prescribed eight new items, reinforced three of its recommendations from the 2016 SOQ review process, and provided two suggestions for legislative action in support of the SOQ. Each of these prescriptions was thoughtfully aligned with the Board's three priorities as provided in the [Virginia Board of Education Comprehensive Plan: 2018-2023](#), with a particular emphasis on recognizing the need for equity of resources and the importance of the role that teachers and school leaders play in our K-12 system. In prescribing the SOQ at its October 17, 2019 business meeting, the Board of Education also [resolved](#) to execute its constitutional and statutory authority to prescribe standards of quality rather than adopt recommendations. The resolution as well as the substance of the prescriptions were transmitted to the Governor's office and General Assembly on November 25, 2019, and included in the Board's *Annual Report on the Condition and Needs of Public Schools in Virginia*.

Since the October 17, 2019 resolution, Virginia's public education system and the Commonwealth have faced unprecedented challenges. A global pandemic has forced a broad reimagining of public safety and service delivery. Concurrently, communities are reeling from the consequences of persistent and unaddressed racial inequity. These past months have further highlighted the critical societal value of schools and educators, in providing quality education and opportunity; in their custodial role; and, in ensuring the overall well-being of students and children. Additionally, it has demonstrated the need for Virginia's public school system to serve as a leader in addressing racial inequity.

Recognizing these changes the Commonwealth has experienced in the past few months, this item allows the Board to review the 2019 SOQ to ensure these standards still reflect the condition and needs of Virginia's public schools. In approving a new resolution to prescribe the *Standards of Quality*, the Board cements an actionable framework for a stronger and more equitable public education system in Virginia. The resolution is also a reminder to the General Assembly of its responsibility to review, revise, as needed, and fund the SOQ in the upcoming legislative session.

The Superintendent of Public Instruction recommends that the Board of Education receive the Resolution Prescribing the *Standards of Quality* for first review.

Board President Gecker provided a rationale for prescribing the Standards of Quality again in 2020. Gecker reminded members that the SOQ legislation passed in the policy committees but failed to muster enough support to receive approval from the Appropriations Committees of the House and Senate. Gecker stated the Board would have a more thorough discussion of the SOQs during the September meeting.

At the conclusion of comments by Gecker, the Board accepted first review of Item D.

[Item E](#)- First Review of Proposed Amendment to the *Regulations Governing the Employment of Professional Personnel (8VAC20-441)* to Comport with Legislation Passed by the 2020 General Assembly (Exempt Action). Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure, VDOE, presented Item E to the Board.

Ms. Pitts explained to the Board that House Bill [365](#) and [Senate Bill 98](#) passed by the 2020 General Assembly amended the *Code of Virginia* to remove (i) the option for local school boards to extend the three-year probationary term of service for teachers by up to two additional years and (ii) the prohibition against school boards reemploying any teacher whose performance evaluation during the probationary term of service is unsatisfactory.

The Board of Education's *Regulations Governing the Employment of Professional Personnel* must be amended to comport with legislation passed by the 2020 General Assembly.

The Superintendent of Public Instruction requests the Board waive first review and approve the proposed amendment to the *Regulations Governing the Employment of Professional Personnel* (8VAC20-441) to comport with legislation passed by the 2020 General Assembly.

With no Board members having questions or comments on the matter, a motion to waive first review and approve the proposed amendment described in Item E was made and properly seconded. The Board approved the motion unanimously.

[Item F](#) - First Review of Guidance and Model Policy for the Notification of Protective Orders in Public Elementary and Secondary Schools. ([Item F- Attachment A](#)). Dr. Samantha Hollins, Assistant Superintendent of Special Education and Student Services, VDOE, presented Item F to the Board for review. In 2019, the Virginia General Assembly, through [House Bill 1997](#), amended the *Code of Virginia* by adding a section numbered § [22.1-279.3:2](#) relating to the notification of protective orders in elementary and secondary schools and enacted that: *The Board of Education shall establish guidelines and develop model policies to aid local school boards in the implementation of § [22.1-279.3:2](#) of the Code of Virginia, as created by this act.*

As a response to this bill, the ***Guidance and Model Policy for the Notification of Protective orders in Public Elementary and Secondary Schools*** was developed with input from stakeholders that included school-based personnel representing diverse Superintendent regions, the Virginia Department of Criminal Justice Services, parent representative, and specialists from the Virginia Department of Education. The *Guidance and Model Policy* offers recommendations, a model local policy, and resources to assist school divisions in responding to the notification of a protective order for a student. Recommendations include processes for the notification of essential school personnel of the protective order and a support plan for the protected student as well as sample forms to facilitate these processes. Other considerations relating to confidentiality, the *Family Educational Rights and Privacy Act* (FERPA), school personnel training, and collaboration with other agencies are also included.

The *Guidance and Model Policy* meets the Board of Education's Comprehensive Plan to actively foster equitable, supportive, and safe academic, disciplinary, and physical environments and support and promote wrap-around services and mental and physical wellness and intervention programs to increase opportunities for all students to achieve (Goal 1).

Dr. Hollins stated the Superintendent of Public Instruction recommends that the Board receive for first review the *Guidance and Model Policy for the Notification of Protective Orders in Public Elementary and Secondary Schools*.

The Board accepted Item F for first review.

[Item G](#) - First Review of Proposed State Approved Textbooks for K-12 Science. Anne

Petersen, Science Coordinator with DOE explained to the Board the process that was used to review science textbooks following the Board of Education's review on July 25, 2019. The Department followed the [Timeline for State Approval Process for Science](#) and the [Textbook Criteria for Science](#) to conduct the textbook review. In November 2019, publishers of the reviewed science textbooks submitted a Publisher's Certification and Agreement form for each textbook being considered for approval by the Board of Education. VDOE staff members have reviewed the information included in each submitted [Publisher's Certification and Agreement form](#).

In January 2020, committees of Virginia educators received the science textbook samples along with K-12 *Science Standards of Learning* textbook correlations from publishers. Between January 2020 and March 2020, members of these committees conducted individual analyses of the materials using evaluation criteria for Standards of Learning (SOL) correlation, content, bias, and design for instructional planning and support. In March 2020, VDOE staff then aggregated the analyses of committee members and shared consensus evaluations with publishers. Publishers were given an opportunity to respond to the committees' reviews and recommendations in June 2020. Requests by publishers for reconsideration were examined carefully by VDOE staff, and staff members began preparing the list of proposed approved science textbooks for presentation to the Board.

Following the Board's first review of the proposed textbooks, the VDOE will conduct a 30-day public comment period with the intent to bring to the Board a final list of proposed approved textbooks for K-12 science in September 2020.

Review and approval of K-12 science textbooks that are aligned to the 2018 *Science Standards of Learning* aligns with Priority 1: Provide high-quality, effective learning environments for all students of the [Board of Education Comprehensive Plan: 2018-2023](#) through having resources that support a system of quality education.

The recommendation of the Superintendent of Public Instruction is to accept Item G for first review. Following discussion of the textbook approval process, the Board accepted first review of Item G.

With the Action Item portion of the agenda concluded, the Board accepted [Item H- Update on Early Childhood Education in Virginia \(Item H- Attachment A\)](#). This Item was received as a written report to the Board.

The final matter for discussion by the Board dealt with the reopening of schools. President Gecker invited Superintendent of Public Instruction, Dr. James Lane, VDOE, to update members on actions the Department has taken and how the school divisions across the Commonwealth are implementing reopening plans. Dr. Lane shared with the Board that each school board and division leadership team are approaching school reopening with plans that meet the needs of their communities. Lane said this is a difficult time for school board members and superintendents as they weigh health data and how best to keep students, staff, and families safe as the virus continues to be present in communities in Virginia.

Board members thanked Dr. Lane for the work the Department is doing and expressed their gratitude to local school boards and superintendents as they navigate the school reopening process. The Board will continue to consider ways they can assist divisions during the 2020-

2021 school year. Gecker stated the Board would have further discussion on these matters at the September 2020 meeting.

With no further discussion by Board members, Gecker adjourned the July 2020 meeting of the Virginia Board of Education. The next meeting of the Board will be September 16th and 17th.

I thank you for your support as advocates for public education. The full agenda and supporting documents can be found by visiting the following [link](#). If you have any questions, please do not hesitate to contact me.

Kind Regards,

J.T.