

## **Virginia Board of Education – September 2019 Meeting Update**

On September 18<sup>th</sup> and 19<sup>th</sup>, the [Virginia Board of Education \(VBOE\)](#) met for their scheduled work session and regular business meeting. Video streams of the meetings can be found [here](#). While we do our best to give you a concise summary of the topics discussed during each 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](mailto: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 October 17, 2019.

### **Board Work Session**

The Board convened for their work session Wednesday afternoon at the James Monroe Building in Richmond for a meeting of the Committee on the Standards of Quality (SOQ). The purpose of this meeting was to review revisions to [Draft SOQ Proposals and Language \(September 2019\)](#) under consideration by the Board. Mr. Zach Robbins, Director of Policy, and Ms. Emily Webb, Director of Board Relations, Virginia Department of Education (VDoE), provided an update on progress since the Board's July 2019 meeting.

The Board began in earnest a review of the SOQs in the fall of 2018 and has continued to diligently examine their options while soliciting feedback from education stakeholders from across the Commonwealth. The Board conducted the following SOQ meetings, with public comment available at each:

- Board Work Session – November 14, 2018
- Board Work Session – January 23, 2019
- Committee on the Standards of Quality meeting – March 20, 2019
- Board Work Session – April 24, 2019
- Committee on the Standards of Quality meeting – June 19, 2019
- Committee on the Standards of Quality meeting – July 24, 2019
- First Review of the Standards of Quality at Board meeting – July 25, 2019

The Board also held meetings across the Commonwealth during May and June 2019 to hear feedback on the draft SOQ proposals from representatives of various stakeholder groups. These focus group hearings were held in Marion, Farmville, Manassas, and Yorktown. Members of the public were invited to address the Board at the conclusion of each focus group hearing. The following organizations were invited to participate in the focus groups:

- Virginia School Boards Association
- Virginia Association of Counties
- Virginia Association of School Superintendents
- Virginia Association of School Nurses
- Virginia Association of School Social Workers
- Virginia School Counselor Association
- Virginia Academy of School Psychologists
- Virginia Education Association
- Virginia Congress of Parents and Teachers (Virginia PTA)
- Virginia Association of Elementary School Principals

- Virginia Association of Secondary School Principals
- Virginia Association of School Curriculum Development
- Virginia Association of Colleges of Teacher Education

The Board hosted a meeting with various stakeholders on June 6, 2019 in Richmond. The following organizations were invited to participate Virginia Chamber of Commerce; Virginia NAACP; Virginia Hispanic Chamber; Virginia Business Council; Virginia Asian Chamber; Virginia ACLU; Virginia Association of Realtors; First Cities Coalition; Virginia Restaurant, Lodging, and Travel Association; Just Children; Voice's for Virginia's Children.

During the SOQ Committee hearing, Board members reviewed the latest proposals brought before them from the Department of Education. Mr. Robbins provided the Board with an overview of the Equity Fund proposal which consolidates the At-Risk Add-On and the SOQ Prevention, Intervention, and Remediation funds into a single, expanded At-Risk Add-On program provided in the SOQ, and provides \$131.0 million in additional funds. These two funds are recognized by school divisions as relatively flexible funding sources that can be used for a variety of programs to benefit at-risk students and students needing academic remediation services. This proposal moves the language authorizing the At-Risk Add-On program from the Appropriation Act, into the Standards of Quality, requiring school divisions to implement them, and making these funds less vulnerable to reduction in an economic downturn. The consolidated fund would distribute resources in the same manner as the current At-Risk Add-On program - based on the division-wide free lunch rate. This eliminates the academic outcome factor used in the Prevention, Intervention, and Remediation program, maximizing funding to those school divisions with the most concentrated poverty.

Following discussion of the Equity Fund proposal, Mr. Robbins presented the Board the proposal for K-3 Class Size Reduction. The K-3 Class Size Reduction provides \$128.0 million in FY2020 for school divisions to reduce class sizes in grades kindergarten through three in schools with high concentrations of poverty. The program provides the state share of funds for school divisions to participating school divisions to staff individual schools at these ratios:

Three-year average percent of free lunch eligible students per school	Maximum student to teacher ratio in grades K-3	Maximum Class Size
30%-44.9%	19:1	24
45%-54.9%	18:1	23
55%-64.9%	17:1	22
65%-69.9%	16:1	21
70%-74.9%	15:1	20
75% or more	14:1	19

This proposal would shift the program from the Appropriation Act into the Standards of Quality and require school divisions to comply with the reduced class sizes based on the free lunch rates in the school while allowing school divisions the flexibility to provide compensation adjustments to experienced teachers to teach larger class sizes in these schools.

At the conclusion of discussion on class size reduction ratios, Mr. Robbins presented an overview of the remaining proposals. The Board thanked Mr. Robbins and Department staff for their work and adjourned the committee meeting. The entire set of SOQ Proposals to be considered by the Board can be viewed [here](#).

The Board returned from the SOQ Committee meeting to hear a Presentation on Rebenchmarking of Direct Aid to the Public Education Budget for the 2020-2022 Biennium. Mr. Ed Lanza, Director, Budget Office, provided context of the process for the Board. The cost projections presented in this item represent changes in state funding based on standard technical updates made to Direct Aid formulas for each year of the 2020-2022 biennium. These cost projections do not reflect any changes in policy or funding methodology. The projections are based strictly on currently approved methodologies or directives specifically approved and directed by the General Assembly and the Governor. The budget figures presented in this item represent the state cost of continuing the current Direct Aid programs in the 2020-2022 biennium with the required technical updates to input data used in the existing funding formulas. Over 30 Direct Aid accounts, both Standards of Quality (SOQ) and non-SOQ, are impacted by the technical updates of the rebenchmarking process.

President Gecker thanked Mr. Lanza for the information and the work session was adjourned. To review the presentation on rebenchmarking, please visit the following [link](#).

### **Thursday Business Session**

The following morning, the Board reconvened for their [main business session](#). Board President Dan Gecker called the business session to order and asked for approval of the minutes from the July Board meeting. Following approval of the July meeting minutes, the Board proceeded to recognize the retirements of Department of Education employees Dr. Gena Keller and Mrs. Beverly Rabil. Both employees retired from the Department at the beginning of September.

In addition to the recognition of employee retirements, the Board honored Madeline Michel, Theater Director, Monticello High School, Albemarle County for receiving the 2019 Tony Award for Excellence in Theater Education. Mrs. Michel received this award for working with students on theatrical productions following the 2017 Charlottesville riots which sought to showcase a positive image of the community by portraying support for diversity and equity.

At the conclusion of guest recognitions, the Board proceeded to the public comment portion of its agenda.

After hearing public comment, the Board approved the following Consent Agenda items: **Item A- Resolution to Commemorate September 15 - October 15, 2019, as Hispanic Heritage Month, [Item B](#)- Final Review of Proposed Amendments to the Licensure Regulations for School Personnel (8 VAC20-23) to Comport with Legislation Passed by the General Assembly Under the Fast Track Provisions of the Administrative Process Act, [Item C](#)- Final Review of the Proposed 2017 Computer Science Standards of Learning Curriculum Framework ([Item C: Attachment A](#)) and ([Item C: Attachment B](#)), [Item D](#)- Final Review of**

**Revised Guidelines for Providing Loan Interest Rate Subsidy Grant Payments for the Virginia Public School Authority Pooled Bond Program, [Item E](#)- Final Review of Request for Division-level Review for Prince Edward County Public Schools ([Item E: Attachment A](#)), [Item F](#)- Final Review of Request for Division-level Review for Danville City Public Schools ([Item F: Attachment A](#)), [Item G](#)- Final Review of Proposed 2020 Board of Education Meeting Schedule.**

After approval of the Consent Agenda, the Board proceeded to consideration to the following Action/Discussion items: [Item H](#)- **Second Review of Proposed Revisions to the Standards of Quality** ([Item H: Attachment](#)). The Constitution of Virginia ([Article VIII, § 2](#)) requires the Board of Education to prescribe 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. Every two years, as required by § [22.1-18.01](#) of the *Code*, the Board of Education reviews the SOQ and proposes amendments as necessary.

Following significant review and public engagement, proposed revisions to the Standards of Quality are attached for the Board's consideration.

The 2019 review of the SOQ addresses all three of the Board's priorities as identified in the [Virginia Board of Education Comprehensive Plan: 2018-2023](#). These SOQs promote educational equity (Priority 1) by establishing the resources required to fully support a system of quality education for all students, regardless of background, including wrap-around services and other programs to increase opportunities for all students to succeed. Additionally, these standards support educator recruitment, development and retention (Priority 2) by promoting the equitable allocation of resources and high-quality personnel and the implementation of teacher mentorship programs. Finally, the proposed revisions support the implementation of the *Profile of a Virginia Graduate* and the revised school accountability system (Priority 3) by deploying resources necessary to support continuous improvement and alignment with higher education and workforce needs.

Board President Dan Gecker provided a brief summary of the Wednesday's SOQ Committee meeting and the discussion that transpired regarding the proposals. Gecker stated he understood that some Board members have concerns but feels the proposals for consideration will benefit all students in public schools in Virginia. He stated the Board will have to make a decision at its October meeting as to whether they wish to recommend or issue the proposals to the General Assembly. Gecker thanked the Department of Education and members of the Board for the work they have done in the development of the SOQs. The Board will hear Final Review of the proposals at their October meeting.

[Item I](#)- **First Review of Proposed Revisions to the Regulations Governing the Testing of Sight and Hearing of Pupils (8 VAC-20-250) (Fast-Track)**. Samantha Hollins, Ph.D., Assistant Superintendent, Department of Special Education and Student Services with the Virginia Department of Education presented Item I to the Board for first review. The purpose of this fast-track regulatory action is to address legislation that was approved by the General Assembly during the 2017 Session. [HB 1408](#) (Wade) amended § [22.1-273](#) of the *Code of Virginia*, related to the timeline and scheduling of vision screenings. The amendment to § [22.1-273](#) of the *Code of Virginia* allows school divisions sixty administrative working days to schedule vision

screenings and defines the required grade levels in which vision screenings are to occur to include: kindergarten, second or third grade, seventh grade, and tenth grade.

The proposed revisions to [8VAC-20-250-10](#) align the regulations with [§ 22.1-273](#) of the *Code of Virginia*. Additionally, the revisions offered an opportunity for the Virginia Department of Education (VDOE) to incorporate feedback from stakeholders that align the hearing screening schedule to the required changes to the vision schedule as per [§ 22.1-273](#). The proposed revisions allow schools to conduct vision and hearing screenings at any time of the school year if the scheduling of such screenings is completed no later than the sixtieth administrative working day of the school year. It also provides schools with the option and flexibility to conduct vision and hearing screenings in second or third grade.

The proposed revisions to [8VAC-20-250-10](#) align with the Board of Education Goals from the *Comprehensive Plan* as the timely implementation of vision and hearing screening of students ensures that all students have access to effective learning environments as outlined in Priority 1 of the *Comprehensive Plan*.

At the conclusion of the presentation, Hollins asked the Board to adopt the Superintendent of Public Instruction's recommendation to waive first review and approve the proposed revisions to the *Regulations Governing the Testing of Sight and Hearing of Pupils*. A motion was made and seconded to waive first hearing and approve the proposed revisions. Following discussion, the Board approved the motion to waive first review and adopted the proposed revisions.

**[Item J](#) - First Review of a Proposal to Adopt Special Provisions Related to the Use of School Quality Indicators.** Mrs. Shelley Loving-Ryder, Assistant Superintendent for Student Assessment, Accountability, and ESEA Programs, Virginia Department of Education presented Item J to the Board for discussion and review. Under the 2017 revision to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, the accreditation ratings for schools are based on the performance levels the school earns on various school quality indicators. A school's performance level on a particular indicator may be raised based on improvements to the indicator's rate from the previous year. Specifically, indicators evaluated as Level Three based on current data can move to Level Two under the following conditions:

1. on the academic indicators if the current year's combined rate in English and mathematics or pass rate in science was at least 50% and the failure rate was decreased by 10% from the previous year,
2. on the chronic absenteeism indicator if the chronic absenteeism rate was decreased by 10% from the previous year,
3. on the dropout indicator if the dropout rate was decreased by 10% from the previous year, or
4. on the Graduation and Completion Index if the index increased by 2.5% over the previous year.

However, schools that were determined by the Virginia Department of Education (VDOE) to be new in the 2018-2019 school year have no prior year data and are unable to benefit from

improvements in the indicators over the previous year. Instead, their performance on the accreditation indicators is based on the current year data only.

*The Standards for Accrediting Public Schools in Virginia* at 8VAC20-131-380-F3 provide the Virginia Board of Education with the authority to adopt special provisions related to the use of a school quality indicator in determining the accreditation status of schools. Specifically, the language states: “The board may adopt special provisions related to the measurement and use of a school quality indicator as prescribed by the board. The board may also alter the inclusions and exclusions from the performance level calculations by providing adequate notice to local school boards.”

Mrs. Loving-Ryder asked the Board to act on the recommendation of the Superintendent of Public Instruction to waive first review of the proposal and adopt the special provisions for school quality indicators. A motion was made and seconded to waive first review and adopt the provisions. Following discussion, the Board approved the motion to waive first review and adopted the provisions for school quality indicators.

**[Item K](#)**- **First Review of the Senior Capstone Guidelines as required by HB 2662 (2019 General Assembly ([Item K: Presentation](#)))**. Dr. Tina Manglicmot, Interim Assistant Superintendent of Learning and Innovation, and Dr. Dave Eshelman, Director, Workforce Development and Initiatives, Virginia Department of Education provided the Board with a presentation on Senior Capstone Guidelines. In 2019, the Virginia General Assembly through [House Bill 2662](#) (Landes) amended and reenacted [§22.1- 253.13:4](#) of the *Code of Virginia* allowing the Board to require students to complete a senior capstone project, portfolio, performance-based assessment, or structured experiment that relates to a work-based learning, service-learning, or community engagement activity. Through the legislative process, the bill language was amended to direct the Board of Education to develop and submit to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2019, guidelines for local school boards to develop and implement a senior capstone project, portfolio, performance-based assessment, or structured experiment. For the bill to become law, it must be passed and reenacted by the 2020 General Assembly.

The senior capstone should align with and further develop the knowledge and skills attained through such work-based learning, service-learning, or community engagement activity. The bill further requires local school boards to develop and implement the capstone in accordance with Board guidelines. The guidelines should be informed by stakeholders including local school divisions, industries and educational organizations. They should consider the diversity among school divisions, the need for local flexibility, and the individualized needs of the communalities and industries across the Commonwealth.

On August 14, 2019, the Virginia Department of Education convened a group of educators from various professional organizations, school divisions, and the agency to begin drafting guidelines for a senior capstone. Best practices from other states, Virginia Governor Schools programs,

current Virginia Department of Education capstone courses and other senior capstone projects from local school divisions were compiled and analyzed.

At the conclusion of the presentation, Dr. Eshelman asked the Board to accept first review of Item K. A motion was made and seconded to accept first review of the guidelines as required by [House Bill 2662](#). Following discussion, the Board approved first review of the guidelines.

Following the conclusion of the action and discussion period of the meeting, the Board received the following reports:

**[Item L](#)**- **Annual Report from the State Special Education Advisory Committee** ([Item L: Presentation](#)). Christine Germeyer, Chair, State Special Education Advisory Committee, and Jill Becker, Vice Chair, State Special Education Advisory Committee, presented the annual report for Board review. The State Special Education Advisory Committee (SSEAC) is organized and functions in accordance with state and federal requirements. The Committee's functions include the following:

- defining plans for identifying children with disabilities;
- formulating and developing long-range plans that will provide services for children with disabilities;
- determining the unmet needs of children with disabilities within the state;
- developing priorities and strategies for meeting identified needs of children with disabilities;
- reviewing and making public comment on the State Systemic Improvement Plan, the procedures for the distribution of funds under Part B of the Individuals with Disabilities Education Act (IDEA), and any rules or regulations proposed by the state regarding the education of children with disabilities;
- review findings and decisions regarding due process procedures for parents and children;
- advise the state in developing corrective action plans to address findings identified in Federal monitoring reports; and
- prepare and submit an annual report to the Virginia Board of Education.

The SSEAC is composed of representatives of stakeholder groups as prescribed by IDEA. A majority of the members must be individuals with a disability or parents of children with a disability eligible to receive services under IDEA. Members are appointed by the Virginia Board of Education.

The SSEAC meets in regular session four times a year. Each regular session generally consists of one full day meeting followed by a half-day meeting the next day. Subcommittees and the executive committee meet as necessary to fulfill their responsibilities. The SSEAC provides opportunities for public comment at each of its meetings, for each SSEAC member to report on his/her constituency group and invited special guests to present on initiatives and programs pertaining to students with disabilities. The subcommittees addressed student achievement and student outcomes, policy and regulations, and family engagement and community outreach initiatives.

Based on the work of these subcommittees, constituency reports, presentations, and public comments, the SSEAC report includes recommendations that support the Virginia Board of Education's priority to provide high-quality, effective learning environments for all students; specifically targeted to students with disabilities. The report recommends that the Board of Education (BOE) continue its efforts to address the teacher, staff, and other professional support staff shortages. The report also recommends that support and adequate training for school division personnel and families once the *Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia* are implemented. The SSEAC approved its annual report at its July 2019, meeting for submission, and presentation to the BOE.

**Item M- Written Report on the Timeline for the Review of the Computer Technology Standards of Learning.** The *Computer Technology Standards of Learning* provide a framework for the technology-related knowledge and skills needed by students to succeed in post-secondary education and the workforce. The standards also provide guidance on the knowledge and skills that teachers in Virginia are expected to integrate into their classrooms so that students are proficient in technology use.

In many ways, the *Computer Technology Standards of Learning* compliment some concepts and skills covered with the *Computer Science Standards of Learning*. However, there are distinct differences between computer technology and computer science. Computer technology applies computer literacy to school subjects. For example, students in an English class can use a web-based application to collaboratively create, edit, and store an essay online. Computer science builds upon the concepts of computer literacy, computer technology, digital citizenship, and information technology.

This item aligns with Priority 1 from the Board of Education's Comprehensive Plan: 2018-2023, to provide high-quality, effective learning environments for all students.

Having heard the presentation from the State Special Education Advisory Committee and accepting the written report found in Item M, President Gecker asked if any Board members had current event topics to bring for discussion. Hearing none, the Board adjourned the September meeting.

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.