

Virginia Board of Education – September 2020 Meeting Update

On September 16th and 17th, the [Virginia Board of Education \(VBoE\)](#) met virtually for their scheduled special committee work session and regular business meeting. A video stream of the meetings 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 October 14th and 15th, 2020.

Special Committee Wednesday Work Session

On Wednesday, September 16, 2020, the [Special Committee to Review the Standards of Accreditation](#) (Special Committee) met to continue the work of reviewing the Standards of Accreditation. The first order of business was to hear from Virginia Department of Education (VDoE) staffers, Shelley Loving-Ryder, Assistant Superintendent for Student Assessment, Accountability and ESEA Programs and Julie Molique, Director of Accountability, who provided the committee a [presentation](#) on the [Comparison of the Federal Accountability System Requirements under the Every Student Succeeds Act \(ESSA\) and Virginia's School Accreditation System](#).

Following the presentation from VDoE staff, the committee proceeded to hear from a panel of school division and building administrators on the positive, negative and unintended consequences of the 2017 Revisions to the Standards of Accreditation. Panelists included Dr. Dennis Carter, Superintendent, Smyth County Public Schools, Mrs. Casey Conger, Principal, W.T. Cooke Elementary Schools, Virginia Beach City Public Schools, Dr. Greg Hutchings, Superintendent, Alexandria City Public Schools and Dr. Scott Kizner, Superintendent, Stafford County Public Schools. Each panelist provided an overview of the impact the current Standards of Accreditation (SOA) are having in their division and answered questions from Board members on possible improvements to the current SOAs.

At the conclusion of the panel discussion, Committee Chair, Dr. Keisha Pexton, thanked Board members, presenters, and panelists for their time and adjourned the meeting of the Special Committee.

To view the Special Committee meeting, please [click here](#).

Board Business Session

On Thursday, September 17, 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 July Board meeting. Due to the virtual nature of the meeting, the minutes were approved by a roll call vote.

With the July meeting minutes approved, the Board proceeded to adopt the Consent Agenda.

Consent Agenda Items: [Item A](#)- **Final Review of Proposed Board of Education Meeting Dates for 2021**. [Item B](#)- **Final Review of Nomination for Vacancy on the State Special Education Advisory Committee (SSEAC)**.

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

Item C- Final Review of Resolution Prescribing the Standards of Quality for Public Schools in Virginia. (Item C- Attachment C). Holly M. Coy, Assistant Superintendent for Policy, Equity and Communications, Virginia Department of Education (VDoE) presented Item C to the Board. 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 propose 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 were 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*.

Ms. Coy stated that the Superintendent of Public Instruction recommends that the Board of Education approve the *Resolution Prescribing the Standards of Quality* and directs VDoE staff to transmit the prescribed *Standards of Quality* to the Governor and General Assembly.

Gecker informed members and the public that the Board did prescribe the same standards in October 2019. Dr. Jamelle Wilson motioned to approve Final Review of Item C. The motion was properly seconded. Item C was approved for Final Review by a unanimous roll call vote.

Item D- Final Review of Proposed State Approved Textbooks for K-12 Science. Dr. Anne Petersen, Science Coordinator, VDoE, presented Item D for Final Review. The Virginia Department of Education (VDoE) began the process to review science textbooks following the Board of Education's approval to do so 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 conducted a 30-day public comment period. There were 27 comments sent to VDoE concerning textbooks, many of the comments identified preferences to books at different grade levels. There were no negative comments received on the content of any of the textbooks reviewed through public comment nor the alignment of these texts to the 2018 *Science Standards of Learning*.

An additional review of the textbooks was requested by the Board of Education on July 23, 2020. This review was conducted to allow stakeholders the opportunity to review the proposed textbooks through an equity lens. The initial review teams were asked to respond to five questions using a Likert scale and were given the opportunity to provide written feedback for each textbook reviewed. Additional reviewers were sought from divisions and institutes of higher education to also review the textbooks using these five questions. The VDoE science team received feedback from 23 people. Most of the feedback was favorable; however, comments from reviewers did indicate that in many textbooks at the secondary level the focus was primarily on content versus a reflection of cultural impacts in the development of scientific theories (the nature of science) or including opportunities for career exploration including the use of scientists from different cultures. The VDoE science team reviewed textbooks as well and determined the texts listed in the Proposed Science Textbook Review list did not yield anything that would prohibit books from being on the Approved Science Textbook list.

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.

Dr. Petersen informed the Board that the Superintendent of Public Instruction recommends that the Board of Education approve the attached list of recommended textbooks for K-12 science.

A motion was made and properly seconded that the Board approve Final Review of Item D. Final Review of Item D was approved unanimously.

[Item E- Report from the Governor's Commission on African American History Education in Virginia. \(Item E- Attachment A\)](#). Dr. Rosa Atkins, Superintendent, Charlottesville City Schools, presented Item E to the Board. The Board also heard from Dr. Derrick Alridge, Professor of Education and Director of the Center for Race and Public Education in the South, Curry School of Education and Human Development, University of Virginia; Dr. Cassandra Newby-Alexander, Dean of the College of Liberal Arts and Professor of History, Norfolk State University, on their role with the Commission.

On August 24th, 2019 at Old Point Comfort, the site where the first enslaved Africans arrived on Virginia shores 400 years earlier, Governor Ralph Northam signed [Executive Order Thirty Nine](#)

and announced the establishment of the [Virginia African American History Education Commission](#). The Governor charged the Commission with thoroughly examining the Commonwealth's K-12 curricula, professional development practices, and instructional supports to make recommendations for improving the way African American history is taught in Virginia schools.

Dr. Alridge chaired the Professional Development Subcommittee; Dr. Newby-Alexander chaired the Standards Subcommittee and Dr. Atkins served as co-chair and Commission facilitator. The Commission was comprised of educators, historians, museum curators, school board members, faith leaders, school administrators, teachers, and citizens across the Commonwealth. Other key leadership included Virginia's Secretary of Education Atif Qarni and Superintendent of Public Instruction Dr. James Lane. A complete list of commission members is available here: <https://www.education.virginia.gov/initiatives/aahec/>.

The Superintendent of Public Instruction recommends that the Board of Education receive the report and recommendations from the African American History Education Commission.

Following discussion of the report by members, the Board received the report and recommendations from the African American History Education Commission.

[Item F- First Review of Recommendations for Technical Edits from the Governor's Commission on African American History Education in Virginia. \(Item F- Attachment A\) \(Item F- Attachment B\) \(Item F- Attachment C\)](#). Ms. Christonya Brown, History and Social Science Coordinator, VDoE, presented Item F for First Review. The Standards Subcommittee of the Governor's Commission on African American History Education in Virginia (the Commission) recommended in their [final report](#) to Governor Ralph Northam on Monday, August 31, 2020, technical edits to the Curriculum Frameworks for Kindergarten, Grade One, Grade Two, Virginia Studies, United States History to 1865, United States History: 1865 to the Present, and Virginia and United States History. These recommendations were for the purpose of "enriching the standards related to African American history."

The recommendations have been organized into two categories for Board consideration:

- **[Category One](#)**: Board Decision - Technical edits to the Curriculum Framework and Board Decision edits. (Attachment A)
- **[Category Two](#)**: Considerations for the Review and Revision Process in 2022 - Substantive changes to content or additions to the Standard of Learning. (Attachment B)

The Board of Education has made a commitment to maintain rigorous and relevant expectations for student learning that meet or exceed national and international benchmarks for college and career readiness. The Standards of Quality require the Board of Education to review the Standards of Learning on a regular schedule.

Ms. Brown stated it is the recommendation of the Superintendent of Public Instruction for the Board to accept Item F for First Review. After discussion, the Board accepted Item F for First Review.

[Item G- First Review of an Amendment to Virginia's Consolidated State Plan under the Every Student Succeeds Act of 2015 ESSA- Amendment 4](#). Julie Molique, Director, Office of Accountability and Dr. Lynn Sodat, Director, Office of ESEA Programs, VDoE, presented Item G

to the Board for First Review. A fourth amendment to Virginia’s consolidated state plan under the *Every Student Succeeds Act of 2015* (ESSA) is recommended to make three changes to the plan. A description of each proposed change follows.

Mathematics Exemption

In 2018, Virginia applied and was approved for a waiver that would allow students below grade eight who are enrolled in advanced mathematics courses to take the end-of-course (EOC) test that is aligned with their mathematics course of study instead of the grade level mathematics test for the grade in which they are enrolled. This flexibility was already granted to students in 8th grade in ESSA. However, all students who take advantage of these flexibilities will be required to take a higher level end-of-course mathematics test while enrolled in high school to meet assessment requirements under ESSA.

Virginia’s current Consolidated State Plan under ESSA indicates that these students must pass the Algebra I Standards of Learning (SOL) test prior to 9th grade to be eligible to use a higher level end-of-course mathematics assessment, other than Algebra I, to meet federal assessment requirements in high school. This amendment proposes changing this language to use a student’s higher level math end-of-course assessment taken in high school to fulfill the high school federal accountability requirements if a student took the Algebra I SOL test prior to 9th grade.

The following is an example of the proposed change:

“...or an additional EOC mathematics test for students who took the Algebra I SOL test in 8th grade...”

Title I, Part C – Modify the objectives related to the Education of Migratory Children

The objectives for the Title I, Part C, program are updated periodically. The amendment directs the United States Department of Education (USED) to the Virginia Department of Education’s Title I, Part C, webpage as the current objectives are posted at this location.

Those objectives are:

- 1) By the end of the 2020-2021 school year and each year thereafter, proficiency in phonemic awareness skills in reading will increase by an average of 4 percent for migrant students targeted as below proficient in beginning reading skills as measured by state assessment results, teacher ratings and/or other assessments of student performance.
- 2) By the end of the 2020-2021 school year and each year thereafter, proficiency in writing will increase by an average of 4 percent for all migrant students as measured by state assessment results, teacher ratings and/or other assessments of student performance.
- 3) By the end of the 2020-2021 school year and each year thereafter, proficiency in reading vocabulary skills will increase by an average of 4 percent for migrant students targeted for reading instruction as measured by state assessment results, teacher ratings and/or other assessments of student performance.
- 4) By the end of the 2020-2021 school year and each year thereafter, proficiency in algebra readiness skills (patterns, functions, and algebra) will increase by an average of 3

percent for migrant students targeted for mathematics instruction as measured by state assessment results, teacher ratings and/or other assessments of student performance.

- 5) By the end of the 2020-2021 school year and each year thereafter, proficiency in number sense and computation will increase by an average of 3 percent for migrant students targeted for mathematics instruction as measured by state assessment results, teacher ratings and/or other assessments of student performance.
- 6) By the end of the 2020-2021 school year and each year thereafter, proficiency in the Virginia SOL process goals and standards (problem solving, communication, reasoning, connections, and representations) will increase by an average of 3 percent for migrant students targeted for mathematics instruction as measured by state assessment results or teacher ratings and/or other assessments of student performance.
- 7) By the end of the 2020-2021 school year and each year thereafter, proficiency in reading comprehension skills will increase by an average of 5 percent for secondary migrant students identified as less than proficient in reading as measured by state assessment results, teacher ratings and/or other assessments of student performance.
- 8) By the end of the 2020-2021 school year and each year thereafter, 75 percent of secondary migrant students and parents who participate in Migrant Education Program (MEP) sponsored family engagement activities targeting the importance of graduation will report increased understanding of the importance of school completion as measured by student and parent surveys.
- 9) By the end of the 2020-2021 school year and each year thereafter, 75 percent of staff who participate in trainings provided by the MEP program on how to assist migrant students with credit accrual and records transfer will report an increased ability to effectively assist students overcome these barriers to graduation as measured by staff surveys.
- 10) By the end of the 2020-2021 school year and each year thereafter, 100 percent of dropout students will receive information about educational services specific to their situation as measured by agendas and communication logs.

Title IV, Part A – Student Support and Academic Enrichment Grant Addition of Acceptable Use

The amendment expands the list of state-level activities supported by Title IV, Part A funds to include support for Local Education Agencies (LEAs) in identifying and addressing technology readiness needs, technology infrastructure and access, internet connectivity, data security, data privacy, and E-rate participation.

If approved, changes will be submitted to USED for approval.

It is the recommendation of the Superintendent of Public Instruction that the Board accept Item G for First Review. The Board accepted Item G for First Review.

Item H- First Review of Process to Certify a List of Qualified Persons for the Office of Division Superintendents of Schools. Mrs. Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure, VDoE, provided an overview of Item H to the Board. The *Constitution of Virginia* requires the Board of Education to certify to the school board of each

division a list of qualified persons for the office of division superintendent of schools, one of whom shall be selected to fill the post by the division school board.

Prior to 1993, the Virginia Board of Education did not issue a Division Superintendent License. The names of individuals who met requirements for appointment as a division superintendent were placed on a "List of Eligible Superintendents." Individuals submitted an Application for the "List of Eligible Superintendents." The application, transcripts, and letters of recommendation were required. If individuals met the requirements, their names were presented to the Board of Education for certification and added to the list. Periodically, a "Status Report" was sent to individuals whose names were on the list to request information, such as updated addresses, additional college preparation and professional experience completed, and whether they wanted their names to remain on the list.

The process of the Board of Education certifying a list of qualified persons for the office of division superintendent during Board meetings was discontinued when the Board established the Division Superintendent License, effective July 1, 1993. On behalf of the Board of Education, the Department of Education issued Division Superintendent Licenses, and the "List of Eligible Superintendents" was comprised of the names of individuals who held an active Division Superintendent License. Licenses were issued for a five-year period, and individuals were required to meet Board of Education renewal requirements. On July 1, 2018, the licenses were changed to ten-year licenses.

Currently, individuals applying for the Division Superintendent License must submit a complete application packet. Virginia school boards or individuals may request that applications for the Division Superintendent License be expedited because a school board may wish to announce the appointment of a division superintendent. These requests are honored, and the issuance of licenses is given priority. When the Division Superintendent License is issued and the person's name is automatically added to the "List of Eligible Superintendents," the person has been considered eligible for appointment.

The proposed Board of Education procedure to certify the list of qualified persons for the office of division superintendent of schools is as follows:

- Initially, the Board of Education will certify a list of the names of individuals who currently hold an active Division Superintendent License.
- Upon receipt, new applications for the Division Superintendent License will be reviewed to verify that the Board of Education requirements have been met.
- The names of those individuals who have met Board of Education requirements for the Division Superintendent License will be presented to the Board of Education to certify.
- Upon Board certification, the individuals will be issued a Division Superintendent License.

The timeline for the certification and issuance of Division Superintendent Licenses will depend on the receipt of a complete application packet and the Board of Education meeting dates.

Mrs. Pitts informed the Board that it is the recommendation of the Superintendent of Public Instruction to accept Item H for First Review.

Dr. Jamelle Wilson questioned the new process of issuing licenses by the Board. Mrs. Pitts informed Dr. Wilson that the Board would approve all licenses for Superintendents. Dr. Duran questioned the change and potential difficulties school boards would have in hiring someone because the Board was not meeting and could not issue a license. Board member Holton expressed concerns that this could be burdensome for local school boards attempting to hire the candidate of their choice. She asked that VDoE staff seek suggestions and comments from the Virginia School Boards Association and the Virginia Association of School Superintendents prior to Final Review of the item in October.

At the conclusion of discussion, the Board accepted First Review of Item H.

Item I- First Review of Proposed Revisions to the *Regulations Governing Educational Services for Gifted Students*. Michael Bolling, Assistant Superintendent, Department of Learning and Innovation, VDoE, presented Item I for First Review. In 2010, the last comprehensive review of the *Regulations Governing Educational Services for Gifted Students* occurred, with the changes requiring implementation in 2012. In 2018, the Virginia Board of Education (Board) charged the Virginia Advisory Committee for the Education of the Gifted (VACEG) with reviewing policies and programming practices that supported equitable access to gifted programs. In July 2019, the VACEG presented their report to the Board. Following their report, the VACEG began to review the regulations and propose changes that aligned with their report. In addition, House Bill 1139 passed the 2020 General Assembly that requires the Board to review the regulations and make changes for more equitable screening and identification of gifted students. The proposed changes align with the requirements of HB1139.

Representatives of VACEG contributed to the proposed revised regulations over a two-year timeframe. Members consisted of parents, superintendents, gifted education coordinators, teachers, and college faculty. The diverse stakeholders provided suggestions regarding the implementation and development of gifted education programs with respect to equitable access for underrepresented populations and programs that support increased identification of diverse students. Additionally, a study of current literature and practice from the field of gifted education informed the process.

The proposed revised regulations include:

1. Additions to and revisions of definitions for critical terms;
2. Realignment of aspects of the screening, referral, identification, and placement components of the regulations to support best practices aligning with equitable access for gifted students, especially students from underrepresented populations;
3. Revision of components of the local plan for the education of the gifted;
4. Revision of the role and function of the local advisory committee for the education of the gifted; and
5. Addition of annual report expectations.

The proposed revisions to the regulations will allow the Board to update and guide school division identification procedures and services for gifted education.

Mr. Bolling informed members that it is the recommendation of the Superintendent of Public Instruction that the Board accept Item I for First Review. The Board accepted Item I for First Review.

Item J- First Review of Recommendations for School Divisions of Innovation (SDI)

Designation. Michael Bolling, Assistant Superintendent for Learning and Innovation, VDoE, provided an overview of Item J for the Board. The 2017 Virginia General Assembly approved House Bill 1981, directing the Virginia Board of Education to develop regulations for the designation of School Division of Innovation (SDI). To be eligible for designation, a local school board would submit a plan of innovation according to Board criteria as presented in the regulations. The legislation defined “innovation” as a new or creative alternative to existing instructional or innovative practices or school structures that evidence-based practice suggests will be effective in improving student learning and educational performance. A SDI is defined as a school division in which the local school board has developed and for which the Board has approved a plan of innovation to improve student learning; educational performance; and college, career, and citizenship readiness skills in one or more schools for the benefit of all schools in the school division.

Per this directive, the Board initiated the regulatory review process beginning on September 28, 2017. The proposed regulations went through a two-year regulatory process and the *Regulations Governing the Designation of School Divisions of Innovation*, [8VAC20-760](#), went into effect on September 19, 2019.

The regulations established the procedure and criteria for the designation of a SDI and provided that the Superintendent of Public Instruction establish a format and timelines for local school boards to submit plans of innovation. The regulations included provisions to evaluate the performance of a SDI including revocation in the event that performance expectations, as included in the Goals and Performance Measures and Timeline sections, are not met.

The intent of the SDI designation is to encourage public school divisions to develop a division wide plan of action to challenge current methods and strategies in order to support the academic success of all students and educators. The plan for transformation may be small steps leading to larger changes or may be a complete overhaul of current structures and practices.

The following 15 school divisions are recommended for designation as a School Division of Innovation:

- Buchanan County Public Schools
- Goochland County Public Schools
- Hampton City Public Schools
- Henrico County Public Schools
- Hopewell City Public Schools
- Loudoun County Public Schools
- Middlesex County Public Schools
- Montgomery County Public Schools
- Poquoson City Public Schools
- Roanoke County Public Schools
- Salem City Public Schools

- Staunton City Public Schools
- Virginia Beach City Public Schools
- West Point Public Schools
- York County Public Schools

It is the recommendation of the Superintendent of Public Instruction to waive First Review and accept Item J for Final Review. A motion was made and properly seconded to waive First Review and accept Item J for Final Review. The motion carried unanimously.

At the conclusion of all Action/Discussion items, the Board received and accepted the following Presentations and Reports:

[Item K- State Special Education Advisory Committee \(SSEAC\) Annual Report. \(Item K- Attachment A\) \(Item K- Presentation\)](#).

[Item L- Written Report on Drive 2025, the Virginia Department of Education's Strategic Plan.](#)

[Item M- Update on Early Childhood Education in Virginia.](#)

The final order of business before the Board at the September meeting was a discussion of current issues by members and the Superintendent of Public Instruction. Dr. James Lane, Superintendent of Public Instruction, VDoE, provided an update on the reopening of Virginia's public schools. Dr. Lane reported that roughly 50% of the schools are providing instruction virtually with the other 50% of schools in an in-person or hybrid model.

With no further discussion by Board members, Gecker adjourned the September 2020 meeting of the Virginia Board of Education. The next meeting of the Board will be October 14th and 15th.

To view the September 17, 2020 meeting in its entirety, please [click here](#).

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.