

## **Virginia Board of Education – October 2020 Meeting Update**

On October 14<sup>th</sup> and 15<sup>th</sup>, the [Virginia Board of Education \(Board\)](#) 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 Board meeting on November 18-19, 2020.

### **Special Committee Work Session**

On Wednesday, October 14, 2020, the [Special Committee to Review the Standards of Accreditation](#) met to hear from Virginia Department of Education (VDoE) staff and a select group of panelists representing education stakeholder associations regarding the positive, negative, and unintended consequences resulting from the 2017 Revisions to the Standards of Accreditation (SoA). VDoE staff members, Shelley Loving-Ryder, Assistant Superintendent for Student Assessment, Accountability and ESEA Programs, Julie Moliq, Director of Accountability, and Dr. Leslie Sale, Director of Policy, provided the Special Committee with presentation on [Certain Unintended Consequences Related to the 2017 Standards of Accreditation](#) and findings from their report of [Five-Year Trends in Student Achievement by Student Group](#).

After hearing from VDoE staff, the Special Committee invited the following panelists, Ms. Jenna Alexander, Vice President for Advocacy, Virginia PTA, Dr. James Fedderman, President, Virginia Education Association, Mr. J.T. Kessler, Government Relations Specialist, Virginia School Boards Association, Dr. Laurie McCullough, Executive Director, Virginia Association for Supervisions and Curriculum Development, Ms. Elizabeth Parker, Director of School Counseling, Henrico County Public Schools, and Dr. Alan Seibert, Co-Chair, Accreditation Task Force and Superintendent, Salem City Public Schools, to answer questions on how the 2017 SoA Revisions have impacted schools from the perspective of each represented association.

Following the panel discussion, Special Committee members thanked VDoE staff and members of the panel for their time in providing feedback for consideration. The Special Committee will continue to explore the positive, negative, and unintended consequences of the 2017 SoA Revisions and report to the Board later this year or early 2021 on their findings.

With no further business to come before the Special Committee, the meeting was adjourned.

### **Thursday Business Session**

On Thursday October 15, 2020, the Board reconvened for their [regularly scheduled business session](#). Board President Dan Gecker called the business session to order and asked for approval of the minutes from the September Board meeting. A motion was made and properly seconded to approve the minutes of the September Board meeting. President Gecker explained the need to conduct all votes via roll call due to the electronic proceedings. A roll call vote was made, and the September Board meeting minutes were approved unanimously.

Following approval of the September meeting minutes, the Board proceeded to accept the following Consent Agenda items:

**[Item A](#)- Resolution of Recognition to Commemorate November 2020 as Family Engagement in Education Month. [Item B](#)- Final Review of Financial Report on Literary Fund. ([Item B- Attachment A](#)). [Item C](#)- Final Review of an Amendment to Virginia’s Consolidated State Plan under the *Every Student Succeeds Act of 2015 (ESSA)* – Amendment 4. [Item D](#)- Final Review of the Proposed 2020 *Computer Technology Standards of Learning*. [Item E](#)- Final Review of the *Guidance and Model Policy for the Notification of Protective Orders in Public Elementary and Secondary Schools*. ([Item E- Attachment A](#)). [Item F](#)- Final Review of the Notice of Intended Regulatory Action to Revise the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*. ([Item F- Attachment A](#)). [Item G](#)- Final Review of the Advisory Board on Teacher Education and Licensure’s Recommendation to Approve New Education (Endorsement) Programs.**

Having accepted the above referenced items on the Consent Agenda, the Board proceeded to its items for Action and Discussion.

**[Item H](#)- Final Review of the Proposed Recommendations by the Governor’s Commission on African American History Education in Virginia. ([Item H- Attachment A](#)) ([Item H- Attachment B](#)) ([Item H- Attachment C](#)) ([Item H- Attachment D](#)) ([Item H- Attachment E](#)).** Item H was presented to the Board by Ms. Christonya Brown, History and Social Science Coordinator, Virginia Department of Education (VDoE) for Final Review. Ms. Brown stated 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.”

On September 17, 2020, Department staff presented the Commission’s recommendations to the Board for first review. Recommendations aligned to the Commission’s charge have been integrated into the Curriculum Framework for the Board’s final approval. Content recommendations extending beyond the Commission’s charge, will be considered as part of the 2022 History and Social Science Standards of Learning review and revision process.

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 to review the Standards of Learning on a regular schedule.

Ms. Brown informed the Board that the Superintendent of Public Instruction recommends that the Board receive for approval the recommendations from the Governor’s Commission on African American History Education in Virginia.

After a robust discussion of the recommendations and the process that VDoE staff will use to implement the Curriculum Framework, a motion was made and properly seconded to accept Final Review of Item H. The motion passed unanimously via roll call vote.

**Item I- Final Review of a Process to Certify a List of Qualified Persons for the Office of Division Superintendents of Schools.** VDoE staff member, Mrs. Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure, presented Item I for the Board to consider for Final Review. Ms. Pitts stated the *Constitution of Virginia* requires the Board to certify school boards 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 Board 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 applied 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 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, 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 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.

At the conclusion of the presentation, Ms. Pitts informed Board members it is the recommendation of the Superintendent of Public Instruction that the Board approve Final Review of the process to certify a list of qualified persons for the office of division superintendents of schools.

Board member Ms. Anne Holton raised concerns over the change in the process and how it could present obstacles for school boards in the search process. Ms. Holton stated the time and confidentiality present challenges in the search process and asked representatives from the Attorney General’s office if all avenues have been exhausted to comply with the Constitution but provide the necessary flexibility in the search process for school boards. Ms. Holton stated her wishes that this item be passed by for further review and discussion between the VDoE, the Virginia School Boards Association (VSBA), and the Virginia Association of School Superintendents (VASS) time to discuss further options in the process. Board members Dr. Francisco Duran and Dr. Jamelle Wilson expressed similar concerns as Ms. Holton.

Board President Gecker and Board member Dr. Tammy Mann raised concerns regarding the recruitment of talented individuals for the position of superintendent and the confidentiality of qualified applicants.

With no further discussion on the matter, the Board deferred action on Item I and directed Department staff to coordinate further discussion with VSBA, VASS, and representatives from the Attorney General's office.

**Item J- Final Review of Proposed Revisions to the *Regulations Governing Educational Services for Gifted Students (Proposed Stage)***. ([Item J- Presentation](#)). Michael Bolling, Assistant Superintendent, Department of Learning and Innovation, VDoE, presented to the Board Item J for Final Review. Mr. Bolling explained that 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 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 during the 2020 session of the Virginia General Assembly 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. Following first review on September 17, 2020 and Board suggestions, the regulations were modified to incorporate more accountability for addressing inequities and underrepresentation student groups in the goals and objectives section of the local plan.

In addition, the regulations require divisions participating in an Academic Year Governor's School (AYGS) to address diversity goals, objectives, and strategies associated with the AYGS program. Finally, VDoE staff has initiated steps to increase the transparency of gifted identification data by race/ethnicity, gender, and socioeconomic status for each school. In the future, these data will be reported in each school's School Quality Profile.

Mr. Bolling concluded his presentation by stating that the Superintendent of Public Instruction recommends the Board of Education accept for final review the proposed revisions to the *Regulations Governing Educational Services for Gifted Students (Proposed Stage)*.

Dr. Wilson thanked department staff for incorporating feedback into Item J that was expressed during the September Board meeting. President Gecker reiterated the comments from Dr. Wilson.

With no further discussion, a motion was made and properly seconded for approval of Final Review of Item J. The Board approved Final Review of Item J unanimously via roll call vote.

**Item K- Final Review of Addition to the State Approved Textbooks for K-12 Science**. Dr. Anne Petersen, Science Coordinator, VDoE, presented Item K for Final Review by the Board. Dr. Petersen explained that VDoE began the process to review science textbooks following the Board'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. VDoE staff members have reviewed the information included in each submitted [Publisher's Certification and Agreement form](#).

On September 17, 2020, the Board approved the State Approved Textbooks for K-12 Science except for one textbook (Virginia Elevate Science Grade 6). This text was not approved due to a lack diversity that was ascertained through an additional equity review of the proposed textbooks. This additional review was done at the request of the Board during the July 23, 2020 Board meeting. Since the proposed textbook aligned to the 2018 Science Standards of Learning, the publisher was allowed to update images to reflect a greater level of diversity and resubmitted the text for inclusion on the State Approved Textbooks for K-12 Science. The updated images were reviewed by the VDoE science team and it was determined that these revised images reflect a higher level of diversity thus allowing students the opportunity to see themselves, their community, and their culture within the texts.

Dr. Petersen informed the Board it is the recommendation of the Superintendent of Public Instruction that the Board approve Item K for Final Review.

Board members extended personal thanks to VDoE staff for making changes to include reflect diversity and equity in pictures in the textbook.

After all Board members were heard, a motion was made and properly seconded to approve Final Review of Item K. Following a roll call vote, Item K was approved for Final Review unanimously by the Board.

**Item L**- **First Review of Amendments to the *Licensure Regulations for School Personnel, Procedural Guidelines for Conducting Licensure Hearings, and the Regulations Governing the Review and Approval of Education Programs in Virginia to Comport with Legislation from the General Assembly*. ([Item L- Attachment A](#)) ([Item L- Attachment B](#)) ([Item L- Attachment C](#))**. Mrs. Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure, and Ms. Nancy Walsh, Director of Professional Practices, VDoE, presented Item L to the Board for First Review. This action is to amend the *Licensure Regulations for School Personnel, Procedural Guidelines for Conducting Licensure Hearings, and the Regulations Governing the Review and Approval of Education Programs in Virginia* to comport with Virginia General Assembly legislation in the 2019 and 2020 sessions. The regulations are to be revised under the fast-track rulemaking requirements of the Administrative Process Act (APA).

The proposed amendments to the regulations and guidelines align with the Board's Comprehensive Plan, specifically, Priority 2: Advance policies that increase the number of candidates entering the teaching profession and encourage and support the recruitment, development, and retention of well-prepared and skilled teachers and school leaders.

The presenters informed the Board that the Superintendent of Public Instruction recommends that the Board receive for first review amendments to the *Licensure Regulations for School Personnel, Procedural Guidelines for Conducting Licensure Hearings, and the Regulations Governing the Review and Approval of Education Programs in Virginia* to comport with legislation from the General Assembly.

Following discussion of Item L, the Board accepted the item for First Review.

**[Item M- First Review of the Board of Education’s Annual Report on the Condition and Needs of Public Schools in Virginia. \(Item M- Attachment A\)](#)**. Ms. Emily V. Webb, Director of Board Relations, VDoE, presented Item M for First Review by the Board. Ms. Webb stated the *2020 Annual Report on the Condition and Needs of Public Schools in Virginia* provides an overview of the Board’s work and commitment to equity, the needs of public education, the achievement of students and schools, and the priorities and goals of the Board as outlined in the *Comprehensive Plan: 2018-2023*. Additionally, the Annual Report outlines the condition of public education including education funding as compared to other states, student demographics and enrollment trends, teacher vacancies and turnover, and graduation and dropout rates.

The Annual Report is required by Article VIII, Section 5 of the *Constitution of Virginia* and §22.1-18 of the *Code of Virginia*.

The current draft does not include an executive summary and the required reports outlined in the Code of Virginia. In between first and final review, these items will be added for the Board’s consideration.

Ms. Webb informed the Board it is the recommendation of the Superintendent of Public Instruction to accept Item M on First Review.

Board members discussed the importance of this report and asked that it reflect the current state of affairs with public schools as the tackle reopening during the COVID-19 pandemic and the challenges this is presenting school divisions across the Commonwealth.

After discussion of Item M by the Board, the item was accepted for First Review.

After hearing all agenda items for Action and Discussion, the Board acknowledged receiving the following written reports:

**[Item N- Interim Update on a New Process for the Approval of Textbooks and High Quality Instructional Materials. \(Item N- Written Report\)](#)**.

**[Item O- Update on Early Childhood Education in Virginia. \(Item O- Written Report Presentation\)](#)**.

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 stated that many school divisions across that opened the school year in a virtual setting are making plans to transition to a hybrid model for students and staff.

Board members thanked VDoE staff for the work they have done assisting school divisions.

At the conclusion of current events topics, President Gecker adjourned the October 15, 2020 meeting of the Virginia State Board of Education.

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

Kind Regards,

J.T.