

Virginia Board of Education – November 2020 Meeting Update

On November 18th and 19th, 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.

Special Committee Work Session

On Wednesday, November 18, 2020, the [Special Committee to Review the Standards of Accreditation](#) met to discuss the next steps of their work. Board members reviewed testimony and reports that were provided to them during the [September and October meetings](#) of the Special Committee.

The Special Committee will continue to review the Standards of Accreditation and provide recommendations to the Board in 2021 on any potential changes. The Special Committee is particularly interested in the recently released report on school boundaries that was researched at Virginia Commonwealth University. Members of the committee discussed the findings of this report and if there are ways the Standards of Accreditation can address school boundaries to encourage change.

Committee members stressed the importance of the report and the need for the full board to have a larger discussion on the issue.

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

Thursday Business Session

On Thursday November 19, 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 October Board meeting. President Gecker explained the need to conduct roll call votes on each item due to the protocols for virtual public meetings during the COVID-19 pandemic.

A motion was made and properly seconded to approve the minutes of the October Board meeting. A roll call vote was made, and the October Board meeting minutes were approved unanimously.

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

[Item A](#)- Final Review of Nomination to Fill a Vacancy on the State Special Education Advisory Committee, [Item B](#)- Final 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 B- Attachment A](#)) ([Item B- Attachment B](#)) ([Item B- Attachment C](#)), [Item C](#)- Final Review of Technical Updates to the Board of Education Approved Courses to Satisfy Graduation Requirements for the

Standard, Advanced Studies, and Modified Standard Diplomas in Virginia Public Schools ([Item C- Attachment A](#)), [Item D- Final Review of Revisions to the Work-Based Learning Guide as required by House Bill 1680 \(2020 General Assembly\)](#)).

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

[Item E- Final Review of a 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, Virginia Department of Education (VDoE), presented Item E to the Board for Final Review. The *Constitution of Virginia* requires the Board of Education (BoE) 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.

During the October 15, 2020, meeting, the Board of Education deferred action on this matter and requested the Department of Education staff and counsel meet with representatives from the Virginia School Boards Association (VSBA) to discuss the implementation of this requirement. After the meeting, the VSBA submitted the following suggestions for consideration:

1. Board of Education members who are employed by local school boards should not be given information about applicants from their own school divisions.

2. Names of applicants should be kept confidential until approved by the Board of Education.
3. The Board of Education should commit to an expedited process to approve applications within seven (7) days, when necessary for the school board to appoint its preferred candidate.
4. A change in the *Constitution of Virginia* that removes the process of requiring the Board of Education to certify a list of qualified individuals for local school boards to choose as applicants to hire as school superintendents.

Mrs. Pitts informed Board members that she reached out to VSBA to discuss concerns expressed about the approval process during the October meeting and that VSBA's recommendations were included in the Item's description.

After discussion, President Gecker asked for a motion to approve Item E. A motion was made and properly seconded. The Board approved Final Review of Item E via a unanimous roll call vote.

[Item F](#)- Final Review of the Board of Education's 2020 Annual Report on the Condition and Needs of Public Schools in Virginia. ([Item F- Attachment A](#)). Ms. Emily Webb, Director of Board Relations, VDoE, provided an overview of Item F to the Board. 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 of Education 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*. Upon Board approval, the report will be delivered to the Governor and members of the Virginia General Assembly.

Ms. Webb informed Board members that it is the recommendation of the Superintendent of Public Instruction to approve Final Review of Item F. After discussion by the Board, President Gecker asked for a motion to approve Final Review of Item F. A motion was made and properly seconded. The Board approved Final Review of Item F unanimously via a roll call vote.

[Item G](#)- Final Review of Revisions to the Emergency Guidelines for Locally Awarded Verified Credits Due to COVID-19. ([Item G- Attachment A-B](#)). Dr. James Lane, Superintendent of Public Instruction, presented Item G to the Board for consideration. Many of Virginia's local school divisions have begun their 2020-2021 academic year remotely, whether entirely or in part, to help maintain the health and safety of their school communities amid ongoing pandemic conditions. Regardless of modality, divisions are still responsible for providing new instruction to their students and many statutory and regulatory requirements, including assessments, remain in place for the 2020-2021 school year in order to maintain consistent and quality standards of education across the Commonwealth.

Students continue to adapt to new and evolving instructional models but there remains concern about the impact this type of instructional change may have on Standards of Learning (SOL)

end-of-course assessment performance this fall. For high school students, assessment performance also becomes a potential impediment to earning a verified credit needed for graduation.

As currently in effect, the Board of Education's *Emergency Guidelines for Locally Awarded Verified Credits* remove some of the barriers to accessing a locally-awarded verified credit (LAVC) for those students directly impacted by the extended school closures in the spring and summer of 2020. The proposed *Emergency Guidelines*, presented below, extend some of the same flexibilities to certain students who continue to be impacted by ongoing pandemic conditions in the fall of 2020.

Further, the proposed *Emergency Guidelines* create an additional pathway to the award of LAVCs in history and social science for those school divisions with the capacity to administer local performance assessments. This option encourages school divisions to build and/or grow their capacity to administer performance assessments in history and social science, allows teachers to assess in dynamic ways, and creates a foundation for the use of this type of assessment model in the future.

The proposed *Emergency Guidelines* are a companion to the Board's *Regulations Establishing Standards for the Accreditation of Public Schools* – or Standards of Accreditation – and supplement the *Guidance Document Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia*. The latter document as well as the Standards of Accreditation remain in effect for the purpose of awarding locally-awarded verified credits for students who do not meet the exemption criteria.

Following discussion of Item G, a motion was made and properly seconded to approve the item for Final Review. The Board approved Final Review of Item G via a unanimous roll call vote.

Item H- **Final Review of Recommended Cut Scores for the Grades 3-8 and End-of-Course Standards of Learning Reading Tests Based on the 2017 English Standards.** Mrs. Shelley Loving-Ryder, Assistant Superintendent for Student Assessment, Accountability & ESEA Programs, VDoE, presented Item H to the Board for Final Review. Mrs. Loving-Ryder explained that in the spring of 2021, new Standards of Learning (SOL) reading tests measuring the 2017 *English Standards of Learning* will be administered. Because of the changes in the content measured by these tests, the Virginia Board of Education must adopt new “cut” scores. Consistent with the process used in 1998 and in 2012-2013, committees of educators were convened in December 2019 to recommend to the Board of Education (BoE) minimum cut scores for the achievement levels of *fail/basic*, *pass/proficient*, and *pass/advanced* for the grades 3-8 SOL reading tests and the achievement levels of *pass/proficient* and *pass/advanced* for the SOL end-of-course reading test.

It is the recommendation of the Superintendent of Public Instruction that the Board approve Final Review of Item H. Following a motion, the Board approved Final Review of Item H via a unanimous roll call vote.

Item I- **First Review of the Proposed Consolidation of the City of Covington and Alleghany County School Divisions.** ([Item I- Attachment A](#)) ([Item I- Presentation](#)). Dr. Leslie Sale, Director of Policy, VDoE, presented Item I to the Board for First Review. Section 22.1-25 of the *Code of Virginia* sets out how local school divisions are made in the Commonwealth as well as the Board of Education's role in the process. As part of its authority, the Board can

consider the division or consolidation of existing local school divisions and in doing so, shall evaluate certain criteria related to the appropriateness of the division or consolidation. These criteria include information about the student demographics, operational efficiencies, and the ability of the division(s) to facilitate the offering of a comprehensive program for kindergarten through grade 12 at the level of the established standards of quality, among others.

A local school board or boards may submit a proposal to the Board of Education for the division or consolidation of its division or divisions. Such proposals must detail those same criteria related to the appropriateness of the proposed action and include specifics of the division or consolidation plan, including timelines, the opportunity for cost savings, governance structures, and public support, in addition to other particulars.

Consistent with the process for consolidation set out in § 22.1-25, the Alleghany County School Board and the Covington City School Board, by way of their Joint Committee on School Consolidation, have submitted their *Joint Proposal for the Consolidation of the Alleghany County and Covington City School Divisions* (or Joint Proposal) requesting that the Board of Education consider the consolidation of their two local school divisions. The proposal, as attached, addresses each of the statutory criteria and requirements enumerated in § 22.1-25 and also provides context for the decision to pursue consolidation.

Based on Virginia Department of Education staff review, the *Joint Proposal* meets the prerequisite conditions set out above and addresses each of the eleven statutory criteria required by § 22.1-25. The proposal's Executive Summary provides a succinct, high-level overview of each of the relevant variables with the subsequent proposal going into additional detail, where available. Per the proposal, if consolidation is approved by the Board of Education, the consolidation would take effect on July 1, 2022, with the merger of the student bodies to occur in advance of the 2023-2024 school year.

Board members heard presentations from the Alleghany County School Board and Covington City School Board regarding the consolidation process. These representatives answered questions posed by Board members and provided context to the plans for consolidation.

President Gecker voiced questions about the consolidation process and asked the Attorney General's office to work with all parties to address the topic and any potential issues around consolidation. Following discussion, President Gecker informed Board 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 Emergency Guidelines for the Use of Local Performance Assessment to Verify Credits in Writing for 2020-2021. Mrs. Shelley Loving-Ryder, Assistant Superintendent of Student Assessment, Accountability & ESEA Programs, VDoE, provided an overview of Item J to the Board. The 2017 Standards of Accreditation at 8VAC20-131-110 B4 permit local school divisions to award a verified credit in writing to a student who “meets the criteria for the receipt of a verified credit in English (writing) by demonstrating mastery of the content of the associated course on an authentic performance assessment, that complies with guidelines adopted by the board.” At its September 20, 2018 meeting, the Virginia Board of Education adopted *Guidelines for the Use of Local Performance Assessment to Verify Credits in Writing* to provide guidance to school divisions in implementing this option.

The intent of the proposed *Emergency Guidelines for the Use of Local Performance Assessments to Verify Credits in Writing for 2020-2021* is to provide flexibility to local school divisions during the pandemic by temporarily revising the guidelines to allow students to complete their writing samples in a virtual setting and to provide flexibility in the specific requirements regarding who may score a student's writing sample.

It is the recommendation of the Superintendent of Public Instruction that the Board waive First Review of Item J and approve the Emergency Guidelines. A motion was made and seconded to waive First Review of Item J. The waived First Review and approval of Item J passed via a unanimous roll call vote.

Item K- First Review of Emergency Guidelines for the Use of Local Alternative Assessments in Lieu of the Virginia Studies, Civics and Economics, and Grade 8 Writing Standards of Learning Tests for the 2020-2021 School Year. Mrs. Shelley Loving-Ryder, Assistant Superintendent of Student Assessment, Accountability & ESEA Programs, VDoE, presented Item K to the Board for First Review. In response to the challenges presented by the COVID-19 pandemic and in accordance with Governor Northam's Executive Order Fifty-One (EO51) issued on March 12, 2020, and Chapter 1283 of the 2020 Acts of Assembly (part of the Appropriation Act), as signed by Governor Northam on April 27, 2020, the Superintendent of Public Instruction pursued a state-level waiver allowing school divisions the flexibility to choose to administer local alternative assessments in lieu of administering the required Virginia Studies, Civics and Economics, and Grade 8 Writing Standards of Learning (SOL) tests in the 2020-2021 school year.

PLEASE NOTE: These *Emergency Guidelines*, as they specifically pertain to students impacted by ongoing pandemic conditions, are contingent upon a waiver allowing school divisions the flexibility to choose to administer local alternative assessments in lieu of administering the required Virginia Studies, Civics and Economics, and Grade 8 Writing SOL tests in the 2020-2021 school year. The *Emergency Guidelines* may only be implemented in totality should the relevant waivers be approved by the Secretary of Education. A final version of this document will be made available upon approval of such waivers.

For school divisions opting to exercise this waiver, should it be approved by the Secretary of Education, the waiver does not relieve the divisions of the requirements in [§ 22.1-253.13:3.C](#) of the Code of Virginia by which each local school board is to certify annually that it provided instruction and administered an alternative assessment, consistent with Virginia Board of Education guidelines, to students in grades three through eight in each SOL subject area in which the SOL assessment was not administered. Specifically, the Code states:

Each school board shall annually certify that it has provided instruction and administered an alternative assessment, consistent with Board guidelines, to students in grades three through eight in each Standards of Learning subject area in which a Standards of Learning assessment was not administered during the school year. Such guidelines shall (1) incorporate options for age-appropriate, authentic performance assessments and portfolios with rubrics and other methodologies designed to ensure that students are making adequate academic progress in the subject area and that the Standards of Learning content is being taught; (2) permit and encourage integrated assessments that include multiple subject areas; and (3) emphasize collaboration between teachers to administer and substantiate the assessments and the professional development of teachers to enable them to make the best use of alternative

assessments.

Therefore, for the 2020-2021 year, school divisions that choose not to administer the Virginia Studies, Civics and Economics, and Grade 8 Writing SOL tests must administer local alternative assessments consistent with these emergency guidelines. For school divisions not opting to exercise the flexibility of the state-level waiver, the SOL tests will continue to be available for administration.

Additionally, school divisions exercising this waiver will be required to report on the outcomes of the local alternative assessments administered in lieu of these SOL tests in the periodic reports required by the Board of Education, per [Superintendent's Memo #230-20](#).

The intent of the proposed *Emergency Guidelines for the Use of Local Alternative Assessments in Lieu of the Virginia Studies, Civics and Economics, and Grade 8 Writing Standards of Learning Tests for the 2020-2021 School Year* is to detail the requirements of the flexibility provided by the state-level waiver that allows school divisions to choose to administer local alternative assessments in lieu of the required administration of the Virginia Studies, Civics and Economics, and Grade 8 Writing SOL tests in the 2020-2021 school year.

It is the recommendation of the Superintendent of Public Instruction that the Board waive First Review of Item K and approve the Emergency Guidelines. A motion was made and seconded to waive First Review of Item K. The waived First Review and approved Item J via a unanimous roll call vote.

[Item L - First Review of Revised Foundation Blocks for Learning.](#) ([Item L- Attachment A](#)) ([Item L- Presentation](#)). Ms. Jenna Conway, Chief School Readiness Officer, Office of the Governor, provided the Board with a presentation of the Revised Foundation Blocks for Learning. The proposed item for First Review will replace the current *Foundation Blocks for Learning* with the new learning guidelines: *Virginia's Birth-to-Five Early Learning and Development Standards* last revised in 2013. This new document will also replace the Virginia Department of Social Service (VDSS) document *Virginia Milestones of Early Childhood Development*.

Early learning guidelines are distinct in that they provide guidance across a range of developmental and learning areas, focusing on describing a set of behaviors across a continuum. *Virginia's Birth-to-Five Early Learning and Development Standards* describe behavior indicators across six areas of development, *Approaches to Play and Learning, Social and Emotional Development, Communication, Language and Literacy Development, Health and Physical Development, and Cognitive Development*, including science, social science, mathematics and fine arts. For each domain of learning, these guidelines reflect typical development patterns for young children across six overlapping age bands. While not intended to be used in place of a curriculum, early learning guidelines are a critical tool for teachers in child care, family day homes, and preschool programs to support progression across the critical skills outlined in this document.

A focus on equity for all learners is central to *Virginia's Birth-to-Five Early Learning and Development Standards*, both in terms of process and content. The VDoE led a lengthy and inclusive process, including:

- Ensuring a diverse set of stakeholders participating in the workgroup and feedback processes;
- Establishing a workgroup at the outset that focused on equity when constructing the draft; and
- Conducting a second public comment period in fall 2020 to collect additional feedback on 1) cultural competency and responsiveness, 2) inclusivity and 3) how pragmatic and accessible the document is to diverse audiences.

Establishing a culturally-responsive and inclusive set of foundational standards is critical to ensuring their use and applicability to all early learners and their caretakers. By this design, these standards will help eradicate inequities and disparities in child outcomes by equipping teachers and caregivers to provide individualized care and instruction that addresses the needs of all learners.

The development of *Virginia's Birth-to-Five Early Learning and Development Standards* began in August 2019 with leadership from a diverse team of content experts and researchers from Virginia Commonwealth University (VCU) and James Madison University (JMU). VCU coordinated 7 workgroups with over 75 collaborators who helped develop the structure and the content for the document. VCU completed their leadership of the document with a public comment posting in spring 2020, where over 250 individuals or groups read and provided feedback on the draft document. Overall, when including the fall 2020 public comment, VDoE was able to incorporate input from more than 300 experts and stakeholders.

The VDoE received and incorporated additional feedback from interdisciplinary representatives (STEM, ECSE, Literacy/ELL, and Social Science disciplines) within the agency and expert guidance regarding literacy, mathematics self-regulation and social skills from the Virginia Kindergarten Readiness Program (VKRP) team. These reviews were initiated to ensure alignment with Virginia's kindergarten readiness assessments (the Phonological Awareness Literacy Screening or PALS for literacy; the Early Mathematics Assessment or EMAS for mathematics; and the Child Behavior Rating Scale of CBRS for self-regulation and social skills) and kindergarten standards of learning (SOLs).

Early childhood programs will begin using the proposed *Virginia's Birth-to-Five Early Learning and Development Standards* during the 2021-2022 academic year. The Office of Early Childhood will continue to work to develop tools and resources that support the diverse universe of early childhood educators with implementation, and especially how to best serve Virginia's most vulnerable children.

After discussion and questions of Ms. Conway, the Board accepted First Review of Item L.

[Item M- First Review of Proposed Revisions to the World Language Standards of Learning.](#) ([Item M- Attachment A](#)) ([Item M- Attachment B](#)) ([Item M- Presentation](#)). Dr. Lisa A. Harris, Specialist for World Languages and International Education, VDoE, presented Item M to the Board for First Review. On January 23, 2020, the Board of Education approved the timeline for reviewing the current standards. Upon approval of the timetable, the following actions occurred:

- Received public comment on the 2014 *World Language Standards of Learning*;

- Identified World Language Standards of Learning Revision team members;
- Met virtually for four days on July 20-July 23, 2020 with members of the review teams that consisted of recommended individuals solicited from school divisions, to review the public comments and to consider recommendations and reports from stakeholder groups;
- Developed a draft of the proposed revised *World Language Standards of Learning*; and
- Convened an external review team comprised of stakeholders from across the K-20 education field and representatives from state language organizations to solicit feedback on the proposed revisions.

The proposed revisions to the *World Language Standards of Learning* were drafted in consultation with a wide variety of constituents. The various concerns and priorities of those constituents have been incorporated whenever possible within the proposed draft of the 2021 *World Language Standards of Learning*.

During the initial public comment period on the 2014 standards, 31 comments were received electronically. No comments were received via U.S. Mail. The main themes that emerged in a review of the public comments included recommendations to:

- align the standards to the American Council on the Teaching of Foreign Languages (ACTFL) proficiency bands instead of aligning to course levels;
- group the standards by language families instead of individual languages;
- create standards for American Sign Language (ASL), elementary, Dual Language/Immersion (DL/I) and heritage speaker programs;
- expand language targets; and
- add more resources and guidance for implementation.

Public comment was carefully considered and suggestions were incorporated into the draft standards as appropriate.

Summary of the Proposed Revised *World Language Standards of Learning*

The major elements of the attached proposed revised *World Language Standards of Learning* include:

- Alignment with proficiency bands for novice, intermediate, and advanced with sub-levels of low, mid, and high within each major level.
- Inclusive standards for all languages within three major language families:
 - Modern World Languages,
 - Classical Languages (Latin, Ancient Greek), and
 - Visual Languages (American Sign Language).
- Standards organized in strands by the three modes of communication with an added strand for communicative literacy.

- Progress indicators for the three major language families, as well as elementary, dual language, and heritage language programs.
- Correlations of the world language progress indicators to the Virginia 5 Cs and explicit connections to the Profile of a Graduate.
- Sample exit proficiency levels at various time points.

The Committee has also made recommendations for the development of supporting documents to address other concerns raised by the field and to supplement the *World Language Standards of Learning*.

Following the presentation by Dr. Harris the Board accepted Item M for First Review.

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

[Item N](#)- **Written Report on State-level Waivers and Relief Measures.**

[Item O](#)- **Written Report on the Statewide Annual Performance Report for Career and Technical Education and the Virginia Community College System as a Sub-recipient of Perkins Funds from the Department of Education for School Year 2018-2019.**

The final order of business on the agenda was for Board members to receive an update from Superintendent of Public Instruction, Dr. James Lane, on the pandemic and how divisions are providing instruction. Board members thanked VDoE staff for the work they are doing during the pandemic.

At the conclusion of this report, President Gecker adjourned the November 19, 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.