

Virginia Board of Education – June 2021 Meeting Update

On June 16th & 17th, 2021, the [Virginia Board of Education](#) (Board) met for their regularly scheduled June work session and business meeting. The meetings were live streamed for viewers, and recordings of those 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.

Wednesday June 16, 2021- Committee on the Standards of Quality

On Wednesday June 16, 2021, the Board convened for a meeting of the [Committee on the Standards of Quality](#). Board President Dan Gecker called the meeting to order and welcomed members and the public to the first in-person meeting of the Board since January 2020. At the conclusion of opening remarks, Dr. Leslie Sale, Director of Policy, Virginia Department of Education (VDOE), provided the Board with the following presentation, [2021 Biennial Review of the Standards of Quality: Revisiting the 2019 Prescriptions and Evaluating Progress](#).

At the conclusion of the presentation, Board members discussed potential SOQ prescriptions that would be made in the fall of 2021. President Gecker stressed the importance of the Board fulfilling its constitutional duties while recognizing the constitution provides other jurisdictions with responsibilities for public education. Specifically, President Gecker stated that some would like the Board to be more active in drawing school division boundaries to achieve equity in education, but the General Assembly and local school boards/boards of supervisors/city councils must consent to such changes. President Gecker urged the Board to focus on matters within their lane and to work with its partners to provide greater impact on the lives of the Commonwealth's public-school children.

Following discussion, the meeting of the Committee on the Standards of Quality was adjourned.

Wednesday June 16, 2021- Special Committee to Review the Standards of Accreditation

The [Special Committee to Review the Standards of Quality](#) met to discuss legislation passed during the 2021 session of the Virginia General Assembly. Special Committee Chair, Dr. Keisha Pexton, called the meeting to order and asked Shelley Loving-Ryder, Assistant Superintendent for Student Assessment Accountability and ESEA Programs, VDOE, to provide the Special Committee with an [Overview of Growth Assessments Required by 2021 Legislative Action](#).

Special Committee members questioned DoE staff on the implementation of the legislation that was presented to them. Members wanted to know how the new legislation would affect school accreditation and student achievement. Department staff provided answers to these questions and committed to provide further updates to the Board at future meetings.

With no further discussion, the Special Committee meeting was adjourned.

Thursday June 17, 2021- Business Meeting

On [Thursday June 17, 2021](#), the Board reconvened for their [regularly scheduled business session](#). Board President Dan Gecker called the June meeting to order and welcomed Virginia

Secretary of Education, Atif Qarni, to the meeting. President Gecker invited Mr. Qarni to address Board members. Following the Secretary's remarks, President Gecker announced Item I would be deferred to the July agenda of the Board. President Gecker then asked for a motion to approve the minutes of the April meeting of the Board. A motion was made and properly seconded to approve the minutes of the April Board meeting. The April Board meeting minutes were approved unanimously.

With approval of the April meeting minutes, the Board proceeded to recognize the retirement of VDOE staff member, Patty Pitts, Assistant Superintendent of Teacher Education and Licensure.

After recognition of Mrs. Pitts, the Board accept the following Consent Agenda items:

[Item A](#)- Final Review to Certify a List of Qualified Persons for the Office of Division Superintendent of Schools, [Item B](#)- Final Review of the Proposed Curriculum Guidelines for Instruction on the Safe Use of and Risks of Abuse of Prescription Drugs, [Item C](#)- Final Review of Nominations to Fill Vacancies on Board of Education Advisory Committees, [Item D](#)- Final Review of the Implementation Timeline for the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers.

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

[Item E](#)- Final Review Final Review of Guidelines for Practice Year 1 of the Early Childhood Unified Measurement and Improvement System ([Item E- Attachment A](#)). Ms. Jenna Conway, Chief School Readiness Officer, Office of the Governor of Virginia, presented Item E to the Board for Final Review. Section §22.1-289.05 of the *Code of Virginia* directs the Board of Education to establish a unified quality rating and improvement system for all publicly funded early childhood providers to improve school readiness in the Commonwealth. To provide all Virginia children with equitable opportunity, Virginia should establish a measurement and improvement system that ensures all children have access to quality teaching and learning experiences that meet their unique needs.

The *Code* requires the Board to establish the new system by July 1, 2021, with initial results to be published in fall 2024. The first two years of the new system will be practice-only so that educators - including those in all school-based preschool, Head Start/Early Head Start, and publicly funded childcare and family day homes - can learn the new system.

The *Guidelines for Practice Year 1 of the Early Childhood Unified Measurement and Improvement System* describes the guidelines and protocols for Practice Year 1 (2021-2022) of the Unified Measurement and Improvement System. The Board completed the first review of the *Guidelines* on April 22, 2021.

Virginia's Unified Measurement and Improvement System will support continuous quality improvement in all publicly funded early childhood programs, which generally prioritize underserved children, including children in low-income households, children with disabilities, children who are Dual Language Learners and children who face other challenges. Programs that do not receive public funding will have the option to participate.

In Practice Year 1, the Unified Measurement and Improvement System will utilize two nationally recognized quality standards to strengthen the quality of teaching and learning in publicly funded birth-to-five programs.

- Through measurement of the quality of teacher-child interactions, using a nationally recognized and verified tool, educators will receive frequent feedback on strategies to support learning and growth for all children.
- Using a quality curriculum, educators in early childhood programs will be supported to access quality instructional materials as a foundational step in developing a comprehensive, culturally responsive, learning environment.

Through measurement and frequent feedback, the unified system will identify and intervene where needed, dedicating targeted culturally responsive supports, intervention, and state resources to support improvement in programs and classrooms where it is most critical. Improvement resources will be targeted toward programs with fewer resources, including a focus on childcare and family day homes.

The proposal was developed in consultation with early childhood educators, researchers, educational leaders, and subject matter experts. Since the April Board meeting, the VDOE has continued to conduct extensive stakeholder engagement, including 18 presentations, and listening sessions with educators and leaders from around the state. Educators and leaders from around the state expressed appreciation for the consistent and equitable expectations for all birth to five programs, the opportunity to practice before the requirement goes into effect and have been very positive about the measures selected. Building on existing partnerships and focusing on the needs of family day home providers and other small childcare programs was also a common sentiment expressed by the field. The VDOE has received feedback and questions about providing additional communication and resources regarding implementation and training. In response, an implementation guidebook, webinar series, and VDOE sponsored observation trainings have been initiated to prepare leaders and educators for Practice Year 1.

On May 19th, 2021, the VDOE received an endorsement from the Early Childhood Advisory Committee for the guidelines and implementation.

This item supports Priority 1 of the Board’s Comprehensive Plan to provide high-quality learning environments for all students by providing a framework to measure and improve the quality of early learning experiences.

It is the recommendation of the Superintendent of Public Instruction that the Board approve Item E for Final Review. A motion was made and properly seconded to accept Item E for Final Review. The motion carried unanimously.

[Item F](#)- First Review of a Notice of Intended Regulatory Action (NOIRA) of Proposed Amendments to the Regulations Establishing the Standards for Accrediting Public Schools in Virginia (8 VAC 20-131) to Include Standards for the Accreditation of Full-Time Virtual Education ([Item F- Attachment A](#)). Dr. Brendon Albon, Director of STEM & Innovation, VDOE, presented Item F for First Review by the Board. In 2012, the Virginia General Assembly passed [HB 1215](#), amending [§22.1-253.13:3.A](#) of the *Code of Virginia*, requiring the Board to promulgate regulations establishing standards for the accreditation of virtual public schools that enroll students full-time. The intent of this legislation was to address situations where local school boards could establish a virtual public program or school, with all students taking coursework virtually, rather than in a traditional “brick and mortar” environment. The Board’s *Regulations Establishing the Standards for Accrediting Public Schools in Virginia* (SOA) are designed to ensure that an effective educational program is established and maintained in

Virginia's public schools. The current regulations are applicable to all public schools in Virginia and are geared to the traditional “brick and mortar” public school. Consequently, the regulations do not specifically address differences in service delivery that exist between a “brick and mortar” public school and virtual schools or programs that enroll students.

Previous Board’s took some steps towards promulgating these regulations. On May 24, 2021, the Board approved the NOIRA of this regulatory action, and it was submitted to Town Hall for executive branch review on June 14, 2012. The original proposed stage of this regulatory action was approved by the Board on April 25, 2013, was approved by the Governor on June 30, 2015, and submitted for publication and public comment on July 2, 2015. For reasons unknown to VDOE staff, this regulatory action did not proceed following the proposed stage.

Pursuant to [§2.2-4016](#) of the *Code of Virginia*, the Board approved the withdrawal of the 2013 proposed stage of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* to comport with legislative changes from HB 1215 at its April 22, 2021 business meeting. This action provides time to enable the VDOE staff, along with the Virtual Learning Advisory Committee to develop recommended regulatory language to the Board that will address requirements relating to program categorizations, teacher/student workload, staff licensure requirements, and other complementary issues relating to the virtual learning environment.

While HB 1215 required the Board to promulgate regulations governing “virtual public schools,” this NOIRA seeks to broaden the scope of regulations to include all virtual education in Virginia public schools. As the options available to Virginia’s public-school students through virtual learning programs continue to expand and evolve, students enrolled in public schools may be provided a variety of options to take coursework virtually. Proposed regulations governing virtual education would expand opportunities to learn by setting forth the expectations for virtual education in Virginia school divisions, for Multidivisional Online Providers, and Virtual Virginia. In promulgating these regulations, the Board would establish the policies and standards necessary to ensure accountability of student learning in public virtual education. Finally, the regulations would provide the Board with the opportunity to develop and implement sound policies for student success in a virtual setting, including students in kindergarten through twelfth grade.

It is the recommendation of the Superintendent of Public Instruction that the Board waive First Review of Item F and approve the item for Final Review. A motion was made and properly seconded to waive First Review of Item F and to approve the item for Final Review. The motion carried unanimously.

[Introductory Presentation for Items G and H](#)

[Item G](#)- **First Review of a Notice of Intended Regulatory Action (NOIRA) to Amend the Licensure Regulations for School Personnel (8 VAC20-23) to Include Instruction in Cultural Competency for Initial Licensure and Renewal of a License ([Item G- Attachment A](#))**. Ms. Maggie Clemmons, Director of Licensure and School Leadership, VDOE, presented Item G to the Board for First Review. The notice of intended regulatory action is to amend the *Licensure Regulations for School Personnel* to comport with legislation passed in the 2021

General Assembly. The *Licensure Regulations for School Personnel* set out licensure requirements for Virginia's public-school personnel. The 2021 Virginia General Assembly approved [HB 1904](#) and [SB 1196](#) , which partially amends [§22.1-298.1](#) of the *Code of Virginia*.

[HB 1904](#) and [SB 1196](#) were companion bills that support a culturally competent educator workforce in the Commonwealth. Specifically, this legislation requires that any person seeking initial licensure or renewal of a license shall complete instruction or training in cultural competency as prescribed by the Board.

To reflect these changes, amendments to the *Licensure Regulations for School Personnel* ([8VAC20-23-40](#)) are required. This initiative supports the Board of Education's Comprehensive Plan to recruit, develop, and retain well-prepared and skilled teachers.

It is the recommendation of the Superintendent of Public Instruction that the Board waive First Review of Item G and approve the item for Final Review. A motion was made and properly seconded to waive First Review of Item G and approve the item for Final Review. The motion carried unanimously.

[Item H](#) - First Review of Fast-Track Regulatory Action to Amend the Licensure Regulations for School Personnel and Regulations Governing the Review and Approval of Education Programs in Virginia (8VAC20-23 and 8VAC20-543) to Comport with Legislation from the 2021 Session of the General Assembly ([Item H- Attachment A](#)) ([Item H- Attachment B](#)). Dr. Leslie Sale, Director of Policy, VDOE, presented Item H for First Review by the Board. During its 2021 Special Session I, the General Assembly passed several bills pertaining to requirements for teacher licensure and endorsements as well as educator preparation programs in Virginia. [HB1904](#) and [SB 1196](#) require, in part, that every person seeking initial licensure or renewal of a license with an endorsement in history and social sciences shall complete instruction in African American history, as prescribed by the Board. [HB 2299](#) and [SB 1288](#) include several provisions that ensure educators are equipped to serve students with disabilities, including the requirement that every person seeking renewal of a license as a teacher shall complete training in the instruction of students with disabilities, with details on training content set out in the bills. Additionally, the Board of Education is directed to amend its regulations for teacher and administrator preparation programs to ensure graduates demonstrate comprehension and proficiency in several knowledge and skill areas, according to their respective roles, that support the needs of students with disabilities. [HB 2316](#) also establishes the requirement that the Board amend its teacher preparation program regulations to guarantee that each graduate in a K-12 general education endorsement area demonstrates proficiency in understanding the role of general education teachers on the IEP team.

These legislative mandates impact two regulatory chapters under the purview of the Virginia Board of Education (Board): (1) *Licensure Regulations for School Personnel* (8VAC20-23); and (2) *Regulations Governing the Review and Approval of Education Programs in Virginia* (8VAC20-543). The Board's *Licensure Regulations for School Personnel* set out the criteria for an initial license or renewal of a license for school personnel in Virginia. Among the provisions in the Board's *Regulations Governing the Review and Approval of Education Programs in Virginia* are expectations for the types of instruction and content provided to aspiring educators in Board-approved educator preparation programs in Virginia.

This proposal initiates a fast-track regulatory action to align its existing regulations with the new statutory requirements and to provide additional clarity on the expectations for teachers and educator preparation program providers in meeting these mandates.

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

Item I- First Review of Proposed Guidelines for Using State-Developed Performance Tasks to Verify Credit in History and Social Science. Mrs. Shelley Loving-Ryder, Assistant Superintendent for Assessment, Accountability, and ESEA Programs, VDOE, and Mr. Michael Bolling, Assistant Superintendent for Learning and Innovation, VDOE, presented Item I to the Board for First Review. The proposed *Guidelines for Using State-Developed Performance Tasks to Verify Credit in History and Social Science* provide guidance for local school divisions that exercise the option of using state-developed performance tasks, in conjunction with other local assessments, to verify credit in history and social science.

These guidelines will assist the Board of Education (Board) in meeting Priority 1 of the Virginia Board of Education Comprehensive Plan: 2018-2023, to “provide high-quality, effective learning environments for all students” and Priority 3, to “ensure successful implementation of the *Profile of a Virginia Graduate* and the accountability system for school quality as embodied in the revisions to the *Standards of Accreditation*.”

This item was deferred to the July meeting of the Board.

Item J- First Review of Proposed Guidelines for Local Alternative Assessments: 2021-2022 and Beyond. Mrs. Shelley Loving-Ryder, Assistant Superintendent for Assessment, Accountability, and ESEA Programs, VDOE, and Mr. Michael Bolling, Assistant Superintendent for Learning and Innovation, VDOE, presented Item I to the Board for First Review. The proposed *Guidelines for Local Alternative Assessments: 2021-2022 and Beyond* replace the *Guidelines for Local Alternative Assessments for 2018-2019 through 2019-2020* and provide guidance for local alternative assessments required in Grade 3 History, Grade 3 Science, Grade 5 Writing, United States History to 1865, and United States History: 1865 to the Present. The updated guidelines extend the expectation that school divisions continue to progress toward implementation of performance assessments as part of a balanced assessment system and continue to emphasize the use of the *Virginia Quality Criteria Tool for Performance Assessments*.

These guidelines will assist the Board of Education in meeting Priority 1 of the Virginia Board of Education Comprehensive Plan: 2018-2023, which is to “provide high-quality, effective learning environments for all students,” and align with Priority 3, to “ensure successful implementation of the *Profile of a Virginia Graduate* and the accountability system for school quality as embodied in the revisions to the *Standards of Accreditation*.”

While previous guidelines encouraged the use of draft common rubrics developed by the Virginia Department of Education VDOE, the updated guidelines require the use of the finalized common rubrics to provide consistent achievement expectations for all Virginia students. Feedback received from Virginia educators using the draft common rubrics to score student responses to formative performance tasks and summative performance assessments was considered by VDOE, with input on final decisions from teachers having experience and expertise in the specific content area, as part of the vetting process. External partners

representing the Stanford Center for Assessment, Learning and Equity (SCALE) provided feedback for consideration before each draft common rubric was finalized.

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

Item K- First Review of Proposed Changes to Certain Accreditation Indicators. (Item K-Presentation). Mrs. Shelley Loving-Ryder, Assistant Superintendent for Assessment, Accountability, and ESEA Programs, VDOE, presented Item K for the Board's First Review. In March 2020, the Superintendent of Public Instruction exercised emergency authority granted by the Virginia General Assembly to waive accreditation ratings for the 2020-2021 accreditation year. Similarly, in September 2020, the Superintendent exercised the same authority to waive accreditation for the 2021-2022 accreditation year.

The calculation of school accreditation will resume with the 2022-2023 ratings based on data from 2021-2022. To mitigate the impacts of the COVID-19 pandemic on the accreditation ratings for 2022-2023 and beyond, the VDOE recommends the Board delay the implementation of the College, Career, and Civic Readiness Indicator (CCCRI) currently scheduled for full implementation with the 2022-2023 accreditation ratings until the 2023-2024 accreditation year. Additionally, with incomplete data in the 2019-2020 school year due to school closures and the potential for atypical results from the 2020-2021 school year due to the pandemic, the VDOE plans to modify several cross-year accreditation calculations to exclude data from the 2019-2020 and 2020-2021 school year.

In addition to changes needed as a response to the COVID pandemic, the Board is requested to modify the previously approved methodology for measuring year-to-year growth on the SOL tests. During the 2021 session, the Virginia General Assembly passed [HB 2027](#) that requires the implementation of "through year" growth assessments in reading and mathematics for grades 3-8. These assessments will be administered beginning in fall 2021 with a winter assessment added to the fall assessment in 2022-2023. This legislation also modifies how growth on the SOL test is determined by allowing for the calculation of growth within a school year. Growth is a component of the combined rate used in the Academic Achievement Indicators for mathematics and English as well as the Academic Achievement Gap Indicators.

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

Item L- First Review of Revisions to the Model Guidance for Positive Behavior and Preventative Code of Student Conduct Policy and Alternatives to Suspension. Dr. Samantha Hollins, Assistant Superintendent, Department of Special Education and Student Services, VDOE, presented to the Board for First Review, Item L. In 2020 and 2021, the Virginia General Assembly passed several pieces of legislation that necessitate revisions to *Model Guidance for Positive and Preventative Code of Student Conduct policy and Alternatives to Suspension* to align with the *Code of Virginia*. A stakeholder group comprised of school and school division leaders, students, parents, and advocacy groups was convened to create and revise the *Standards for Dress and Grooming* and the *Standards for Reducing Bias in the Enforcement of Student Code of Conduct Policy* as part of the *Model Guidance*. The Virginia Tiered Systems of Supports Research and Implementation Center (VTSS-RIC), the Virginia

School Board Association, and the Virginia Student Support and Conduct Committee also suggested revisions to organization and language, as did the Office of Data Services and the Office of Equity and Communications within the Virginia Department of Education (VDOE).

The proposed revisions to the *Model Guidance for Positive and Preventative Code of Student Conduct Policy and Alternatives to Suspension* support the priorities and goals of the Board of Education of “*providing high quality, effective learning environments for all students,*” as outlined in Priority 1 of the [Board of Education Comprehensive Plan](#).

It is the recommendation of the Superintendent of Public Instruction for the Board to waive First Review of Item L and approve the item for Final Review.

Following discussion, the Board decided to not adopt the recommendation of the Superintendent of Public Instruction to waive First Review of Item L and approve the item for Final Review. The Board accepted Item L for First Review.

After hearing each Action/Discussion Item, the State Special Education Advisory Committee (SSEAC) presented to the Board, [Item M](#), its required [Annual Report](#). ([Item M-Presentation](#)).

With no additional items on the Board’s agenda, President Gecker adjourned the June 2021 meeting of the Virginia Board of Education.

The next meeting of the Virginia Board of Education will be **July 21-22, 2021**.