

Virginia Board of Education – April 2022 Meeting Update

On April 20th and 21st, the [Virginia Board of Education](#) (Board) met for their regularly scheduled 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 April 20, 2022- Board Work Session

On [Wednesday April 20, 2022](#), the Board convened for its [April Work Session](#). Board Vice President, Tammy Mann, called the meeting to order and reviewed the agenda for the work session. The following Presentations were delivered to Board members in attendance.

- National Perspective on the Landscape of Virtual Learning. Presenter: Mr. John Watson, Digital Learning Collaborative.
- [Overview of Virtual Virginia](#). Presenter: Brian Mott, Executive Director, Virtual Virginia
- Perspective on State Digital Learning Programs Across the Country. Presenter: Cindy Hamblin, Director, Virtual Learning Leadership Alliance.
- [Proposal to Adopt Special Provisions Regarding the Use of the Chronic Absenteeism Indicator for Accreditation Year 2022-2023](#). Presenters: Amy Siepka, Director of Accountability, and Shelley Loving-Ryder, Assistant Superintendent for Student Assessment, Accountability and ESEA Programs, Virginia Department of Education (VDoE).
- [Strengthening Quality in Early Childhood Classrooms: Update on Practice Year 1](#). Presenter: Jenna Conway, Deputy Superintendent for Early Childhood Care and Education, VDoE.
- [Overview of the New Virginia Alternative Assessment Program and the Process Used to Establish Cut Scores](#). Presenter: Shelley Loving-Ryder, Assistant Superintendent for Student Assessment, Accountability and ESEA Programs, VDoE.

At the conclusion of presentations, the Board adjourned its April Work Session.

Thursday April 21, 2022- Business Meeting

On [Thursday April 21, 2022](#), the Board reconvened for its [regularly scheduled business meeting](#). Board Vice President Tammy Mann called the meeting to order. The first order of business was Approval of the Minutes from the March meeting of the Board. A motion was made and properly seconded to approve the March Board Meeting Minutes. The motion carried unanimously.

After hearing public comment, the Board proceeded to adopt 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 Quarterly Literary Fund Report**, [Item C](#)- **Final Review of the Advisory Board on Teacher Education and Licensure’s Recommendation for a Passing Score for the Praxis Reading Specialist (5302) Test**, [Item D](#)- **Final Review of the Advisory Board on Teacher Education and Licensure’s Recommendation for a Passing Score for the Praxis Teaching Reading: Elementary (5205) Test**, [Item E](#)- **Final Review of the Amendments to the Licensure Regulations for School Personnel to Comport with American Sign Language National Certifications (Fast-Track Action)**, [Item F](#)- **Final Review of Alternative Accreditation Plans**, ([Item F- Attachments B-H](#)).

Having accepted the items on its Consent Agenda, the Board proceeded to hear the following items for Action and Discussion:

[Item G](#)- **Final Review of Data Science Standards of Learning and Data Science Standards of Learning Curriculum Framework**. Tina Mazzacane, K-12 Mathematics Coordinator, VDoE, presented Item G and stated the proposed Data Science Standards of Learning (SOL) and proposed Data Science Standards of Learning Curriculum Framework were before the Board for Final Review.

On November 18, 2021, the Board of Education received for First Review the Proposed Data Science SOL and Curriculum Framework. On March 17, 2022, the Board of Education engaged in discussion regarding the proposed Data Science SOL and Curriculum Framework with action on the item being deferred until the April 21, 2022 Board meeting. A proposed Data Science Standards of Learning brief was developed to provide additional background information about the standards development process. The proposed Data Science Standards of Learning and proposed Data Science Standards of Learning Curriculum Framework would be an addition to the current 2016 Mathematics Standards of Learning. Virginia Mathematics Standards of Learning for Data Science do not currently exist.

At the conclusion of the presentation, it was stated that it was the recommendation of the Superintendent of Public Instruction to approve Final Review of the Data Science Standards of Learning, Data Science Standards of Learning Curriculum Framework, and implementation of a pilot during the 2022-2023 school year.

A motion was made and properly seconded to approve Item G for Final Review. The motion carried unanimously.

[Item H](#)- **Final Review of Exempt Action to Align the Regulations Establishing Standards for Accrediting Public Schools in Virginia with Chapter 552 of the 2020 Acts of the Assembly**. Jim Chapman, Regulatory and Legal Coordinator, VDoE, presented Item H to the Board for Final



Review. Chapter 552 of the 2020 Acts of the Assembly (“Chapter 552”) amended Va. Code § 22.1-79.1 to standardize the minimum instructional time requirement across grades K–12. Whereas kindergarten previously required a minimum of 540 hours of instructional time, Chapter 552 requires a minimum of 990 hours of instructional time.

Chapter 552 included a delayed enactment clause such that the amendments would become effective on July 1, 2022, and further required that the Board adopt regulations establishing standards for accreditation that include a requirement that the standard school day for students in kindergarten average at least 5.5 instructional hours to qualify for full accreditation.

To comply with Chapter 552, the Board must make minor edits to 8VAC20-131-80 C and 8VAC20-131-150 A and B of the Regulations Establishing Standards for Accrediting Public Schools in Virginia in order to include kindergarten in the minimum requirement of 990 hours of instructional time. This action is being presented as an exempt action because the Board is not exercising discretion in carrying out the requirements of Chapter 552 and because the shortened regulatory process that attends the exempt action will allow for the Board to meet the deadlines as required.

The Superintendent of Public Instruction recommended approving Final Review of Item H. A motion was made and properly seconded. The motion passed unanimously.

Item I- Final Review of Fast-Track Action to Align the Regulations Establishing Standards for Accrediting Public Schools in Virginia with Chapter 26 of the 2021 Acts of the Assembly.

Jim Chapman, Regulatory and Legal Coordinator, VDoE presented Item I to the Board for Final Review. Chapter 26 of the 2021 Acts of the Assembly (“Chapter 26”) amended Va. Code § 22.1-137.2 to require that every public school conduct a lock-down drill at least once during the first 20 days of each school session. Section 22.1-137.2 previously required that public schools conduct lock-down drills at least twice during the first 20 days of each school session.

Chapter 26 requires the Board to amend 8VAC20-131-260 B 3 of the Regulations Establishing Standards for Accrediting Public Schools in Virginia. The proposed amendment will make the regulatory requirement more durable by stating that lock-down drills must be conducted in accordance with the statute instead of citing specific requirements. This action is being presented to the Board as a fast-track regulatory action.

It was the recommendation of the Superintendent of Public Instruction to approve Item I for Final Review.

A motion was made and properly seconded to approve Final Review of Item I. The motion passed unanimously.

[Item J](#)- First Review of a Proposal to Adopt Special Provisions Regarding the Use of the Chronic Absenteeism Indicator for Accreditation Year 2022-2023, ([Item J- Presentation](#)). Amy Siepka, Director of Accountability, VDoE, presented Item J to the Board. Chronic absenteeism is one of nine indicators in Virginia’s School Accreditation Model. Based in part on the relationship between school attendance and student achievement, chronic absenteeism was selected as a measure of student engagement in the 2017 revision to the Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA). Chronically absent students are defined as those who are absent 10% or more of their enrolled school days, typically 18 or more days.

The performance level a school earns on the chronic absenteeism indicator is used in conjunction with the performance levels of the other indicators to determine a school’s accreditation status. Schools can earn one of three performance levels for an indicator: Level One (at or above the state benchmark); Level Two (near the state benchmark) and Level Three (well below the state benchmark). If all indicators receive a Level One or Level Two performance level, the school is Accredited. If one or more indicators receive a Level Three performance level, the school is Accredited with Conditions. A school that fails to adopt or fully implement required corrective actions to address Level Three school-quality indicators will receive a status of Accreditation Denied.

The Chronic Absenteeism rate, used to determine a performance level, is calculated by dividing the number of students who are absent 10% or more days by all students whose end-of-year membership is greater than or equal to 50%. Excused and unexcused absences are counted in the rate. Due to the extraordinary circumstances created by the COVID-19 pandemic, school division leaders have reported increased absenteeism in schools during school year 2021-2022 due to recommended quarantine guidelines for “close-contacts” (someone exposed to a person infected with COVID-19), isolation guidelines for those with illness, and students being kept at home because of symptoms that could not be easily distinguished from COVID-19.

Through the beginning of January 2022, quarantine and isolation periods were up to 10 days, and currently remain at 5 days in some situations. Under normal circumstances, school divisions have control of the programs, school-level policies, processes, and practices they put in place to engage students in school. However, student absences due to COVID-19 were not necessarily a result of the lack of school-level policies and procedures put in place to engage students and curb absenteeism, and as such, the chronic absenteeism data for 2021-2022 may not accurately reflect school efforts to engage students.

In August 2021, guidance was sent to school divisions through Superintendent’s Memo #230-21, which in part stated: “...divisions should also be prepared to transition individual students in and out of in-person learning for quarantine related to COVID19. In cases of quarantine, a student who is not ill and is able to participate in remote instruction should be offered meaningful opportunities to do so. Students should be counted as present or absent per that division’s policy on attendance

tracking and monitoring for any remote learning day. If a division does not offer remote learning to a quarantined student, the student should be counted as absent. This circumstance should be extremely rare, as divisions should be prepared to support students who are healthy enough to participate in remote learning during quarantine.” While these guidelines were communicated in August 2021, they may not have been implemented with fidelity across the state due to staffing shortages, numbers of students being quarantined at one time, lack of reliable internet connectivity, and/or lack of understanding of the flexibilities afforded to schools. In addition, due to this unprecedented situation, student records may not accurately represent the status of students who were indeed absent or receiving remote instruction.

Because of the circumstances surrounding chronic absenteeism in 2021-2022, the Department is asking the Board to exercise its authority under 8VAC20-131-380 F3 of the Standards for Accrediting Public Schools in Virginia (SOA) to adopt special provisions related to the use of a school quality indicator in determining the accreditation status of schools. Specifically, the SOA states: “The board may adopt special provisions related to the measurement and use of a school quality indicator as prescribed by the board. The board may also alter the inclusions and exclusions from the performance level calculations by providing adequate notice to local school boards.”

The Board is asked to consider the adoption of special provisions to remove the chronic absenteeism indicator from the determination of school accreditation status for 2022-2023 only. In doing so, the earned performance level and chronic absenteeism rate will still be assigned to, and reported for schools, according to provisions in the SOA. Data will be available to school divisions as they prepare for the 2022-2023 school year and will be available publicly to ensure transparency to all stakeholders in the community.

The Superintendent of Public Instruction recommended Waiving First Review and approving Item J for Final Review.

A motion was made and properly seconded to Waive First Review and approve Item J for Final Review. The motion carried unanimously.

[Item K- First Review of Guidelines for Practice Year 2 of the Early Childhood Unified Measurement and Improvement System \(VQB5\), \(Item K- Presentation\)](#). Jenna Conway, Deputy Superintendent, Division of Early Childhood Care and Education presented Item K to the Board. Va. Code § 22.1-289.03 directs the Virginia Board of Education (Board) to establish a unified quality rating and improvement system for all publicly funded birth-to-five providers as of July 1, 2021. In June 2021, the Board fulfilled this requirement by approving the Guidelines for Practice Year 1 of the Unified Measurement and Improvement System, which has since been formally named VQB5.

The Code further requires that this system will expand over time, with all publicly funded providers required to participate in VQB5 starting in the fall of 2023. VQB5 is currently being implemented through two practice years which provide every publicly funded birth-to-five program (school-based preschool, Head Start/Early Head Start, and childcare subsidy participating child care and family day home) the opportunity to practice being measured before results are shared publicly. 2021-2022 marked the first Practice Year (Practice Year 1) of VQB5 with Practice Year 2 set to take place from 2022-2023.

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

Item L- First Review of Amendments to the Licensure Regulations for School Personnel (8VAC20-23) to Include New Statutory Requirements for Initial Licensure and Renewal of a License. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, VDoE, presented Item L to the Board. During the 2021 Session, the Virginia General Assembly passed legislation requiring every person seeking initial licensure or renewal of a license to complete instruction or training in cultural competency, as prescribed by the Board. To meet this statutory requirement, amendments to the Board's Licensure Regulations for School Personnel (8VAC20-23) are required. The Licensure Regulations for School Personnel set out licensure requirements for Virginia's public school personnel.

The Board approved the Notice of Intended Regulatory Action (NOIRA) for this regulatory change at the June 17, 2021, meeting. The NOIRA was submitted for executive branch review and the public comment period closed on February 16, 2022.

This legislation also requires each local school board to adopt and implement policies that require each teacher and any other school board employee holding a license issued by the Board to complete cultural competency training, in accordance with guidance issued by the Board, at least every two years. Pursuant to the requirements of this legislation, the Board approved the Guidance on Cultural Competency Training for Teachers and Other Licensed School Board Employees in Virginia Public Schools at the November 18, 2021, meeting. Following a 30-day public comment period, the guidance became effective January 6, 2022.

The Superintendent of Public Instruction recommended that Item L be accepted for First Review. The Board accepted Item L for First Review.

Item M- First Review of Revisions to the List of 2022-2023 Board of Education Approved Industry Credentials, Occupational Competency Assessments, and Professional Licenses. David S. Eshelman, Director, Office of Career, Technical, and Adult Education, and Jane Brown, CTE Industry Credential Specialist, VDoE presented Item M to the Board. The process for reviewing and validating industry credentials for the purpose of awarding verified credit for

graduation is based on the following criteria: 1) the test must be standardized and graded independently of the school or school division in which the test is given; 2) the test must be knowledge based; 3) the test must be administered on a statewide, multistate or international basis, or administered as part of another state's accountability assessment program; and 4) to be counted in a specific academic area, the test must measure content that incorporates or exceeds the Standards of Learning content in the course for which verified credit is given. Important to this process is ensuring that the credential is relevant and recognized in the workplace.

The 38 recommended industry or trade association certification examinations, professional licenses, and occupational competency assessments meet the Virginia Board of Education's graduation requirements as identified for the Standard and Advanced Studies Diplomas in 8VAC20-131-51 (effective with the students who enter the ninth grade in the 2018-2019 school year). Students shall earn the required standard and verified units of credit described in subdivision two of the appropriate subsection.

Industry or trade association certification examinations, professional licenses, and occupational competency assessments are continually being revised or discontinued to stay current with technology and new techniques. Industry Credentialing providers have discontinued 41 previously approved certification examinations. Currently, there are 449 Board Approved industry or trade association certification examinations, professional licenses, and occupational competency assessments.

These changes may be such that individual certifications are no longer available or no longer meet the Board's criteria for the student-selected verified credit or the academic specific verified credit, the Standard Diploma's Career and Technical Education credential or the additional requirements for graduation in accordance with the Standards of Quality, and the diploma seals awards for exemplary student performance in Career and Technical Education and STEM.

The Superintendent of Public Instruction recommended to Waive First Review and approve Item M for Final Review.

A motion was made and properly seconded to Waive First Review and approve Item M for Final Review. The motion passed unanimously.

Item N- First Review of Recommendations to Approve New Education (Endorsement) Programs at Institutions of Higher Education. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, VDoE, presented Item N to the Board. The Regulations Governing the Review and Approval of Education Programs in Virginia requires the Board to approve requests from Virginia institutions of higher education to add new endorsement programs. Requests for new programs must be submitted annually by March 31.

VDoE staff have verified program endorsement competencies through the review of course descriptions and syllabi to determine alignment with regulatory criteria, including supervised classroom instruction. A review of the Request for New Endorsement Program application submitted by the institution evidenced written documentation of school divisions' demand data, as well as institutional and school division support for the requested programs.

Section 8VAC20-543-30 of the Regulations Governing the Review and Approval of Education Programs in Virginia requires institutions seeking education program approval to establish partnerships and collaborations based on PreK-12 school needs. All institutions of higher education provided a copy of the Virginia Department of Education – Standards for Biennial Approval of Education Programs Accountability Measurement of Partnerships and 3 Collaborations Based on PreK-12 School Needs Education Programs form for the requested program endorsement area.

The Superintendent of Public Instruction recommended the Board Waive First Review and approve Item N on Final Review.

A motion was made and properly seconded to Waive First Review and approve Item N on Final Review. The motion carried unanimously.

Item O- First Review of Recommendations for School Division of Innovation (SDI)

Designation. Brendon Albon, Director of Office of STEM & Innovation, VDoE presented Item O to the Board. Legislation passed in 2017 by the Virginia General Assembly directed the Board 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. An 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 Division of Innovation, 8VAC20-760, went into effect on September 19, 2019.

The regulations established the procedure and criteria for the designation of an 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 if 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 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 list highlights selected initiatives from the school division recommended for designation as a School Division of Innovation.

Radford City Public Schools

Delivery of education to prepare students to be “life ready” by focusing on Science, Technology, Engineering, Mathematics, plus Computational Thinking (STEM +C). The primary goals of STEM+C are:

- building well-defined career pathways, K-12, and showcasing student work through exhibitions.
- Creating integrated curriculums (core + technology + STEM) to support whole school skills and topics.
- Partnering with universities to enhance teacher pedagogies and enrich student learning.

As established in the regulations, SDI are required to submit to the VDOE an annual report that provides information demonstrating progress toward meeting the goals and performance targets included in the approved plan of innovation. SDI will maintain their designation for three years.

It was the recommendation of the Superintendent of Public Instruction to Waive First Review and approve Item O on Final Review.

A motion was made and properly seconded to Waive First Review and approve Item O on Final Review. The motion carried unanimously.

After completing all Action and Discussion Items, the Board engaged in discussion of Current Issues.

With no additional items on the Board’s agenda, Vice President Mann adjourned the April meeting of the Virginia Board of Education.

The next meeting of the Virginia Board of Education will be **June 15th and 16th, 2022.**