



Virginia Board of Education – October 2022 Meeting Update

On October 19 and 20, 2022, the [Virginia Board of Education](#) (Board) met for its scheduled work session and business meeting. The proceedings were live streamed for viewers, and a recording 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 review this information to better understand how it will impact your school division.

Virginia Board of Education Work Session

On the afternoon of October 19, 2022, members of the [Virginia Board of Education convened for a work session](#) where they heard reports on the following items: [NAEP 101](#), Key Components of a High-Quality School Accountability and Accreditation System, [Overview of the Supports Provided to Local School Divisions by the Office of School Quality](#), [Update on the Process and Stakeholder Work Group for House Bill 938](#), and Discussion on the First Draft of the Board's *2022 Annual Report on the Condition and Needs of Public Schools in Virginia*.

Virginia Board of Education Business Meeting

Board President Dan Gecker called the meeting to order. The first order of business was Approval of the Minutes from the September meeting of the Board. A motion was made and seconded to approve the August Board Meeting Minutes. The motion carried unanimously.

After the public comment period, the Board reviewed items on its Consent Agenda. To view the items in the Consent Agenda, click on the link that corresponds with the item letter. [Item A- Final Review to Certify a List of Qualified Persons for the Office of Division Superintendent of Schools](#), [Item B- Final Review of Financial Report on Literary Fund and Updates to the First Priority Waiting List](#), [Item C- Final Review of Comprehensive Revisions to the General Procedures and Information for Licensure, and Background Check Regulations for Child Day Programs and Family Day Systems \(Proposed Stage\)](#), [Item D- Final Review of Proposed Addition to Board Guidance on the Applied Studies Diploma](#), [Item E- Final Review of Proposed Technical Revisions to the Bylaws of the Virginia Board of Education to Comply with Statutory Changes](#), and [Item F- Final Review of the Proposed 2023 Board of Education Meeting Dates](#).

A request was made to have Item D removed from the Consent Agenda by Board member Ms. Suparna Dutta. The Board accepted the request to have the Item removed for discussion and the Board approved all other items on its Consent Agenda. After discussion of Item D, the Board approved the item for Final Review and proceeded to hear the following items for Action and Discussion:

Item G- First Review of Guidelines for Implementing the School Construction Assistance Program in the 2022-2024 Biennium. Mr. Kent Dickey, Deputy Superintendent of Budget, Finance, and Operations, Virginia Department of Education (VDOE), presented Item G to the Board for First Review. The School Construction Assistance Program was created at the 2022 Special Session I of the General Assembly through the 2022 Appropriation Act (i.e., Chapter 2, Item 137, Paragraph C.43; “Item 137”). That appropriation act item provides fiscal year 2023 appropriations for the program of \$400,000,000 from the general fund and \$50,000,000 from the Literary Fund to be transferred into the School Construction Fund (Fund). The Board will award grants on a competitive basis from the Fund to local school boards that demonstrate poor building conditions, commitment, and need for such local school boards to be able to fund the construction, expansion, or modernization of public-school buildings.

The legislative intent of this program is to provide funding for major school construction, renovation, or additions projects, giving priority to high-need school divisions and localities. The intent is for planned projects or those being planned that lack sufficient funding and that are not yet in the construction phase to receive funding.

The Board is required to develop guidelines for the administration of the program to include certain minimum requirements, which include establishing the competitive scoring criteria and their associated point values used in evaluating school division applications for funding. The competitive criteria must reflect the categories of Commitment, Need, and Poor School Building Conditions, and a minimum qualifying criteria score established for a project to qualify for funding. The guidelines propose various criteria covering these three categories and their assigned point values. A minimum of 65 criteria points on a 100-point scale is proposed in the guidelines as the minimum qualifying score for a project to qualify for a grant award.

School divisions will apply to the VDOE for grant funding during a designated open application period. Awarded funding will be based on 10 to 30 percent of approved project costs, depending on the division composite index and the locality fiscal stress category. Any unobligated appropriation balance for this program on June 30, 2023, must be reappropriated for expenditure in fiscal year 2024 for the same purpose.

This item aligns with Priority 1 of the Board’s Comprehensive Plan: 2018-2023 to provide high quality, effective learning environments for all students.

Mr. Dickey informed the Board that it is the recommendation of the Superintendent of Public Instruction to approve Item G for First Review. The Board accepted Item G for First Review.

Item H- First Review of a Proposal to Adopt Special Provisions Regarding the Determination of the Performance Level for the Chronic Absenteeism Indicator in Accreditation Years 2023-2024 and 2024-2025. Ms. Amy Siepka, Director of Accountability, VDOE, presented Item H

to the Board for First Review. Ms. Siepka explained to the Board that Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA) at [8VAC20-131-380 F 3](#) states the following: 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.

In the school year 2021-2022 chronic absenteeism data was negatively impacted by several factors related to the pandemic and was not necessarily a representative indicator of the school's programs and efforts to engage students. Therefore, [the Board adopted special provisions](#) to remove it from the determination of accreditation status in 2022-2023. In doing so, the earned performance level and chronic absenteeism rate was still assigned to, and reported for schools, though it was not considered when assigning an accreditation status (Accredited or Accredited with Conditions). When the Board approved this special provision, Board members clarified that they were approving a temporary removal of the chronic absenteeism indicator from the determination of accreditation status in 2022-2023 but would later consider how the 2021-2022 school year data would be used in the determination of the performance level for chronic absenteeism in accountability year 2023-2024 and beyond.

Due to the continued impact of the pandemic on chronic absenteeism in the 2021-2022 school year, and the exclusion of this data in the determination of accreditation status in 2022-2023, the VDOE is proposing the exclusion of 2021-2022 school year data from accountability years 2023-2024 and 2024-2025.

This recommendation is also made with the understanding that the chronic absenteeism indicator may need to be revisited if there are changes to the accreditation system prior to accountability year 2023-2024 that would impact how chronic absenteeism performance is calculated and reported.

It is critical to reiterate the importance of proactively addressing chronic absenteeism at the school level, and to hold schools accountable for this indicator in the accreditation model. To support local school divisions, the Office of School Quality, in conjunction with the Department of Special Education and Student Services, began a year-long collaborative learning cohort for principals and members of their attendance team to engage in a three-part E-learning series facilitated by Attendance Works. Following the E-learning series, principals and attendance team members can participate in in-person sessions and follow-up support webinars. School leaders with level 3 and level 2 performance ratings in Chronic Absenteeism were invited to join the cohort. There was an overwhelming response and we reached capacity for the current cohort. This technical assistance activity is an example of operationalizing the guidance, support and resources provided by the VDOE to promote improved policies and practices around school attendance. These initiatives



seek to equip local school divisions with guidance and interventions via training to positively impact student attendance and performance.

The Superintendent of Public Instruction recommends that the Board of Education engage in a discussion about adopting special provisions regarding the determination of performance levels for the chronic absenteeism indicator in accreditation years 2023-2024 and 2024-2025. The Board accepted Item H for First Review.

Item I - First Review of James Blair Middle School Accreditation Indicator Appeal. Ms. Amy Siepka, Director of Accountability, VDOE, presented Item I for First Review by the Board. A local school board may appeal a performance level designation for a state accreditation indicator, as described in [8VAC20-131-380 F. 6](#) of the Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA). The specific language from the SOA is as follows: The board shall provide a process for a local school board to appeal the performance level designation for a specific school quality indicator for any school in the division. The board shall grant such appeals only in limited circumstances that warrant special consideration in designating performance levels. In order to appeal such designation, the local school board shall submit a request to the board, signed by the chairman of the school board and the school superintendent, explaining why the school board is appealing the designation and shall include documentation supporting the request to change the performance level designation.

The intent of this provision in the SOA is to provide potential relief to schools that have experienced a significant event impacting performance on an indicator. Such circumstances should be unusual, and appeals based on this section of the SOA should be rare.

Williamsburg-James City County (WJCC) Public Schools has presented an appeal for James Blair Middle School. If approved, the performance level change for the SWD group would result in the overall performance level for the Achievement Gap-Mathematics indicator changing from Level Three to Level Two. However, the change to the overall indicator would not result in a different accreditation status for the school. James Blair Middle School also has a Level Three rating in the Achievement Gap-English indicator and its status would remain Accredited with Conditions.

On September 13, 2022, an internal VDOE committee met to discuss the basis for the appeal. The committee members were representatives of various VDOE offices and consisted of the Directors from the Offices of Accountability; Test Development; Research; Data Services; Student Services; School Quality; Instructional Services; and the Assistant Superintendent of Student Assessment, Accountability, and ESEA Programs. Based on their review of the information provided by the school division, the committee unanimously recommended that the Virginia Board of Education (Board) not approve the appeal.

The Superintendent of Public Instruction agrees with the recommendation of the VDOE staff committee which did not approve WJCC's appeal of the performance level for the students with disabilities group in the Achievement Gap-Mathematics indicator for James Blair Middle School and asks the Board to accept Item I for First Review. The Board accepted Item I for First Review.

Item J- First Review of the Advisory Board on Teacher Education and Licensure's Recommendation for a Passing Score for the Praxis® Chemistry (5246) Test for the Science – Chemistry Endorsement. Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, VDOE, presented Item J to the Board for First Review. Dr. Johnson reported to the Board that the proposed recommendation from the Advisory Board on Teacher Education and Licensure (ABTEL) is to set a passing score for the Praxis® Chemistry (5246) Test for the Chemistry endorsement. The Praxis® Chemistry (5246) test will replace the Praxis® Chemistry: Content Knowledge (5245) test. This new assessment was designed and developed through work with practicing chemistry teachers, teacher educators, and higher education chemistry specialists to reflect the science knowledge teachers need to teach the chemistry curriculum and to reflect state and national standards, including the National Science Teacher Association Preparation Standards for chemistry. This test will be required for individuals seeking initial licensure unless exempted by holding a full, clear out-of-state license with no deficiencies and can be taken and passed to add an endorsement in Chemistry by individuals holding a valid renewable teaching license.

Educational Testing Service (ETS) provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Chemistry test, the recommended passing score is 56 out of a possible 100 raw-score points. The scale score associated with a raw score of 56 is 146 on a 100–200 scale.

The current Praxis® Chemistry: Content Knowledge (5245) Test has a Board prescribed passing score of 153 on a 100-200 scale. The Praxis® Chemistry (5246) test is a new assessment, and the previous passing score was not a consideration of ETS or ABTEL when establishing this test's passing score. Because this is a new assessment, ABTEL is also recommending that a data review be conducted after one year to determine if the passing score is providing for the greatest opportunity of teachers entering the profession while maintaining rigor.

On September 19, 2022, information regarding the multistate standard-setting process was presented to ABTEL members by Malik K. McKinley, Sr., Director of Client Relations, Professional Educator Programs, Office for Teacher Licensure and Certification, Student and Teacher Assessment Division, Educational Testing Service. ABTEL members reviewed the standard-setting report and recommended that the Board approve the passing score of 146 (the standard setting panel's recommendation).

Dr. Johnson informed members that the Superintendent of Public Instruction recommends that the Board receive for First Review the recommendation of the Advisory Board on Teacher Education

and Licensure to establish a passing score of 146 for the Praxis® Chemistry (5246) Test. The Board accepted Item J for First Review.

Item K- First Review of the Advisory Board on Teacher Education and Licensure’s Recommendation for a Passing Score for the Praxis® Physics (5266) Test for the Science – Physics Endorsement. Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, VDOE, presented Item K to the Board for First Review. Dr. Johnson stated that the proposed recommendation from ABTEL is to set a passing score for the Praxis® Physics (5266) Test for the Physics endorsement. The Praxis® Physics (5266) test will replace the Praxis® Physics: Content Knowledge (5265) test. This new assessment was designed and developed through work with practicing physics teachers, teacher educators, and higher education physics specialists to reflect the science knowledge teachers need to teach the physics curriculum and to reflect state and national standards, including the National Science Teaching Association Preparation Standards for physics. This test will be required for individuals seeking initial licensure unless exempted by holding a full, clear out-of-state license with no deficiencies and can be taken and passed to add an endorsement in Physics by individuals holding a valid renewable teaching license.

ETS provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Physics test, the recommended passing score is 56 out of a possible 100 raw-score points. The scale score associated with a raw score of 56 is 145 on a 100–200 scale. The current Praxis® Physics: Content Knowledge (5265) Test has a Board prescribed passing score of 147 on a 100-200 scale. The Praxis® Physics (5266) test is a new assessment, and the previous passing score was not a consideration of ETS or ABTEL when establishing this test’s passing score. Because this is a new assessment, ABTEL is also recommending that a data review be conducted after one year to determine if the passing score is providing for the greatest opportunity of teachers entering the profession while maintaining rigor.

On September 19, 2022, information regarding the multistate standard-setting process was presented to ABTEL members by Malik K. McKinley, Sr., Director of Client Relations, Professional Educator Programs, Office for Teacher Licensure and Certification, Student and Teacher Assessment Division, Educational Testing Service. ABTEL members reviewed the standard-setting report and recommended that the Board approve the passing score of 145 (the standard setting panel’s recommendation).

Dr. Johnson informed members that the Superintendent of Public Instruction recommends that the Board receive for First Review the recommendation of the Advisory Board on Teacher Education and Licensure to establish a passing score of 145 for the Praxis® Physics (5266) Test. The Board accepted Item K for First Review.

Item L- First Review of the Advisory Board on Teacher Education and Licensure’s Recommendation for a Passing Score for the Praxis® Biology (5236) Test for the Science – Biology Endorsement. Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, VDOE, presented Item L to the Board for First Review. Dr. Johnson stated that the proposed recommendation from ABTEL is to set a passing score for the Praxis® Biology (5236) Test for the Biology endorsement. The Praxis® Biology (5236) test will replace the Praxis® Biology: Content Knowledge (5235) test. This new assessment was designed and developed through work with practicing biology teachers, teacher educators, and higher education biology specialists to reflect the science knowledge teachers need to teach the biology curriculum and to reflect state and national standards, including the National Science Teaching Association Preparation Standards for biology. This test will be required for individuals seeking initial licensure unless exempted by holding a full, clear out-of-state license with no deficiencies and can be taken and passed to add an endorsement in Biology by individuals holding a valid renewable teaching license.

ETS provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Biology test, the recommended passing score is 75 out of a possible 120 raw-score points. The scale score associated with a raw score of 75 is 154 on a 100–200 scale. The current Praxis® Biology: Content Knowledge (5235) Test has a Board prescribed passing score of 155 on a 100-200 scale. The Praxis® Biology (5236) test is a new assessment, and the previous passing score was not a consideration of ETS or ABTEL when establishing this test’s passing score. Because this is a new assessment, ABTEL is also recommending that a data review be conducted after one year to determine if the passing score is providing for the greatest opportunity of teachers entering the profession while maintaining rigor.

On September 19, 2022, information regarding the multistate standard-setting process was presented to ABTEL members by Malik K. McKinley, Sr., Director of Client Relations, Professional Educator Programs, Office for Teacher Licensure and Certification, Student and Teacher Assessment Division, Educational Testing Service. ABTEL members reviewed the standard-setting report and recommended that the Board approve the passing score of 154 (the standard setting panel’s recommendation).

Dr. Johnson stated that the Superintendent of Public Instruction recommends that the Board receive for First Review the recommendation of the Advisory Board on Teacher Education and Licensure to establish a passing score of 154 for the Praxis® Biology (5236) Test. The Board accepted Item L for First Review.

Item M- First Review of the Advisory Board on Teacher Education and Licensure’s Recommendation to Approve New Education (Endorsement) Programs. Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, VDOE, presented Item M to the

Board for First Review. The Regulations Governing the Review and Approval of Education Programs in Virginia ([8VAC20-543](#)) requires that the Board approve requests from Virginia institutions of higher education to add new endorsement programs. Requests for new programs must be submitted annually by March 31.

Board regulation ([8VAC20-543-30](#)) 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.

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 includes evidence of written documentation of school divisions' demand data, as well as institutional and school division support for the requested programs.

On September 19, 2022, ABTEL recommended that the Board grant approval for the new endorsement programs.

Dr. Johnson stated the Superintendent of Public Instruction recommends that the Board of Education accept for First Review, ABTEL's recommendation to approve New Education (Endorsement) Programs. The Board accepted Item M for First Review.

Item N- First Review of Biennial Approval of Education Endorsement Programs as Required by the Regulations Governing the Review and Approval of Education Programs in Virginia.

Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, VDOE, presented Item N to the Board for First Review. Dr. Johnson stated that The Regulations Governing the Review and Approval of Education Programs in Virginia ([8VAC20-543](#)) require institutions of higher education (IHEs) to meet and report on Standards for Biennial Approval of Education Endorsement Programs. Programs are reviewed biennially and must demonstrate achievement of the accountability measures set forth in the Virginia Board of Education's Regulations Governing the Review and Approval of Education Programs in Virginia ([8VAC20-543](#)).

Dr. Johnson informed the Board that the Superintendent of Public Instruction recommends that the Board accept for First Review ABTEL's recommendation to grant:

1. "Approved" status to all Virginia college and university education (endorsement) programs listed in the attached 2019-2021 Biennial Report except for the Randolph-Macon College's Elementary PK-6 program and Sweet Briar College's Elementary PK-6 program.

2. “Approval with Stipulations” status to the Randolph-Macon College’s Elementary PK-6 fell below the minimum prescribed candidate passing rate of 80 percent with a pass rate of 78% percent for the Praxis Subject Assessment; and the Sweet Briar College’s Elementary PK-6 fell below the minimum prescribed candidate pass rate of 80 percent with a pass rate of 50% percent for the Praxis Subject Assessment and the Reading for Virginia Educators (RVE) or Virginia Reading Assessment (VRA).

Item O- First Review of Technical Revision to the Guidelines for Alternate Routes to Licensure in Response to House Bill 2486 (2019 General Assembly). Mr. Jim Chapman, Regulatory and Legal Coordinator, VDOE, presented Item O to the Board for First Review. Chapter 409 of the 2019 Acts of the Assembly added subsection N to § [22.1-298.1](#) of the Code of Virginia, which requires the Board to “develop guidelines that establish a process to permit a school board or any organization sponsored by a school board to petition the Board for approval for an alternate route to licensure that may be used to meet the requirements for a provisional or renewable license or any endorsement.”

In November 2019, the Board approved the Guidelines for Alternate Routes to Licensure in order to fulfill the requirements of § [22.1-298.1 N.1](#).

In the process of reviewing applications submitted pursuant to the Guidelines, members of the Board and VDOE staff raised questions about the process set forth in the Guidelines. Of specific concern was the last line of the Guidelines, which states that “[t]he Virginia Board of Education must approve the alternate routes to licensure program.” The statement raised concerns whether the Guidelines created a process whereby the approval of petitions for alternate routes to licensure had been improperly delegated to the panel convened by VDOE. Whereas § [22.1-298.1 N](#) permits for a school board or organization sponsored by a school board “to petition the Board for approval,” the Guidelines appear to require the Board to approve the results of the panel.

After consultation with the Office of the Attorney General, VDOE staff is presenting a minor technical revision to the Guidelines in order to align the document with legal advice and preserve the Board’s final authority in deciding to approve alternate routes to licensure under § [22.1-298.1 N](#).

The only revisions are to Part VI regarding Program Review and Approval. Specifically, the revisions strike the problematic phrase and specify that the panel will make a recommendation regarding the proposed alternate route to the Board. The revisions also make clear that the Board will consider the recommendation at a meeting and, in accordance with the statute, may impose conditions in conjunction with its approval. The Board has not yet approved an alternate route under § [22.1-298.1 N](#) according to the Guidelines and it is of paramount importance that the Board



preserve the authority delegated to it by the General Assembly in order to ensure that alternate routes are approved in accordance with Virginia law.

The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve this item on first and final review. The Board waived First Review and approved Item O for Final Review.

[Item P](#)- **First Review of the Board of Education’s 2022 Annual Report on the Conditions and Needs of Public Schools in Virginia.** Ms. Emily Webb, Director of Board Relations, VDOE, presented Item P to the Board for First Review. Ms. Webb stated that the 2022 Annual Report on the Condition and Needs of Public Schools in Virginia (Annual Report) provides an overview of the needs of public education, an update on student achievement, and highlights the Board’s work over the past year. Additionally, the Annual Report outlines the condition of public education including education funding as compared to other states, student enrollment trends, staff vacancies, 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, a completed list of Board accomplishments, and the required reports outlined in the Code. These items will be added for the Board’s consideration between first and final review, along with updated data points and any necessary edits based on Board discussion.

Ms. Webb stated that the Superintendent of Public Instruction recommends that the Board of Education receive for First Review the 2022 Annual Report on the Condition and Needs of Public Schools in Virginia. The Board accepted First Review of Item P.

With all action items resolved, the Board accepted the following written report submitted for review:

[Item Q](#)- **Annual Education Preparation Program Profiles.** ([Item Q- Attachment A](#)).

Following the presentation of Item Q, the Board engaged in discussion of Current Issues which included an update from Superintendent Jillian Balow. Following this discussion, the September Board meeting was adjourned.

The next meeting of the Virginia Board of Education will be **November 16 and 17, 2022.**