| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |
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# Agenda Item: I

## Date: January 28, 2021

### Title: First Review of Revisions to the Approval Process for Multidivision Online Providers in Virginia

#### Presenter: Mr. Michael Bolling, Assistant Superintendent, Department of Learning and Innovation

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## Purpose of Presentation:

Action required by state or federal law or regulation.

Executive Summary:
The Multidivision Online Provider (MOP) approval process, including criteria and application, were initially approved by the Board in November 2010 in order to offer virtual learning opportunities to students. In the ten years subsequent to approval, the virtual learning environment has changed dramatically, especially since March 2020. Therefore, proposed revisions to the MOP approval process (Attachment A), including the criteria (Attachment B), and application (Attachment C), are required to provide clear and appropriate expectations for providers and ensure quality instruction for virtual learners in Virginia.

Local school boards in Virginia may enter into contracts with private organizations, educational institutions, or nonprofit virtual school organizations to establish MOP agreements once the Superintendent of Public Instruction has established the private, nonprofit, or school division virtual school organization as an approved MOP.

The MOP program requirements address equity issues calling for diverse experiences and perspectives including, but not limited to racial, ethnic, language, religions, and gender groups and inclusion of content that represents, validates, and affirms diverse groups from different rings of culture.

Review and approval of the proposed MOP application, criteria, and process align with the [Board of Education’s *Comprehensive Plan: 2018-2023*](http://www.doe.virginia.gov/boe/plan/comprehensive-plan.pdf) Priority 1: Provide high-quality, effective learning environments for all students by providing a framework to ensure quality virtual learning experiences.

A summary of all proposed revisions can be found in Attachment D.

MOP approved in Spring 2018 or after will not need to apply for approval, but the criteria and requirements included in these proposed revisions will be effective for all approved MOP beginning with the 2020-2021 school year.

## Action Requested:

Action will be requested at a future meeting. Specify anticipated date below:

## March 18, 2021

## Superintendent’s Recommendation:

## The Superintendent of Public Instruction recommends that the Board of Education receive for first review proposed revisions to the Multidivision Online Provider approval process, including the criteria and application.

## Previous Review or Action:

No previous review or action.

Background Information and Statutory Authority:

The 2010 General Assembly directed the Board of Education to establish criteria for the approval of virtual school programs that provide instruction to students in multiple school divisions. The MOP criteria and processes, approved by the Board in November 2010, provide flexibility for diverse learners and ensure that instruction is aligned with state standards provided by highly qualified teachers.

The program allows school divisions to offer online instruction to students by contracting with a private company, public school division, or nonprofit virtual school organization that has received Board approval to operate as a MOP in Virginia. MOPs supply teachers that deliver virtual instruction to students. Providers may offer one course or a full array of courses as an online course or program provider contracted with a local school division.

As specified in [§ 22.1-212.24.A & B](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.24/), the Superintendent of Public Instruction will develop, and the Board of Education will approve the criteria and application process for approving a MOP, including those specified in these sections. Per [§ 22.1-212.26.A & B](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.26/), teachers and administrators for a MOP must meet specified requirements.

Section [§ 22.1-212.24](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.24/) of the *Code of Virginia* provides:

A. The Superintendent of Public Instruction shall develop, and the Board of Education shall approve, (i) the criteria and application process for approving multidivision online providers; (ii) a process for monitoring approved multidivision online providers; (iii) a process for revocation of the approval of a previously approved multidivision online provider; and (iv) an appeals process for a multidivision online provider whose approval was revoked or whose application was denied. The process developed under this subsection shall require approvals and revocations to be determined by the Superintendent of Public Instruction, and either the denial of an application or revocation of approval may be appealed to the Board of Education for review. The approval of a multidivision online provider under this section shall be effective until the approval is revoked, for cause, pursuant to the terms of this section. Any notice of revocation of approval of a multidivision online provider or rejection of an application by a multidivision online provider shall state the grounds for such action with reasonable specificity and give reasonable notice to the multidivision online provider to appeal. These criteria and processes shall be adopted by January 31, 2011.

B. In developing the criteria for approval pursuant to subsection A, the Superintendent of Public Instruction shall (i) require multidivision online providers to be accredited by a national, regional, or state accreditation program approved by the Board; (ii) require such courses or programs, pupil performance standards, and curriculum to meet or exceed any applicable Standards of Learning and Standards of Accreditation; (iii) require any educational objectives and assessments used to measure pupil progress toward achievement of the school's pupil performance standards to be in accordance with the Board's Standards of Accreditation and all applicable state and federal laws; (iv) require such courses or programs to maintain minimum staffing requirements appropriate for virtual school programs; and (v) publish the criteria for approval of multidivision online providers on its website, including any applicable deadlines, fees, and guidelines.

C. The Department of Education may charge a multidivision online provider applicant or a local school board requesting to offer a course through Virtual Virginia a fee not to exceed the costs required to ensure proper evaluation and approval of such requests. The Department shall establish and publish a fee schedule for purposes of this subsection.

D. Local school boards may enter into contracts, consistent with the criteria approved by the Board pursuant to this section, with approved private or nonprofit organizations to provide multidivision online courses and virtual school programs. Such contracts shall be exempt from the Virginia Public Procurement Act (§ [2.2-4300](http://law.lis.virginia.gov/vacode/2.2-4300/) et seq.).

Section [§ 22.1-212.26](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.26/) of the *Code of Virginia* provides:

A. Teachers who deliver instruction to students through online courses or virtual school programs shall be licensed by the Board of Education and shall be subject to the requirements of §§ [22.1-296.1](http://law.lis.virginia.gov/vacode/22.1-296.1/), [22.1-296.2](http://law.lis.virginia.gov/vacode/22.1-296.2/), and [22.1-296.4](http://law.lis.virginia.gov/vacode/22.1-296.4/) applicable to teachers employed by a local school board.

B. The administrator of a virtual school program shall hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering educational programs.

Timetable for Further Review/Action:
Final review and approval is anticipated at the March 18, 2021, Board meeting. Following Board approval and any technical or editorial edits by Department staff, the revised documents will be posted on the Virginia Department of Education website. Further, currently approved MOP contacts will be sent an email advising them of the availability of the 2021-2022 school year documents.

## Impact on Fiscal and Human Resources:

The agency’s existing resources can absorb this responsibility at this time.  If the agency is required to absorb additional responsibilities related to this process, other services will be impacted.

**Attachment A**

**Processes for Submission and Review of the Multidivision Online Provider Application**

# Application Process for Multidivision Online Providers

The application, appeals, monitoring, and revocation processes address the following section of the *Code of Virginia.*

*As specified in* [§ *22.1-212.24.A*](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.24/)*, the Superintendent of Public Instruction will develop, and the Board of Education will approve, the processes for approving and monitoring multidivision online providers, as well as a process for the revocation of a previously approved multidivision online provider and an appeal process for a multidivision online provider whose approval was revoked or for whom application was denied.*

Local school boards in Virginia may enter into contracts with private companies, educational institutions, or nonprofit virtual school organizations to establish multidivision online provider agreements once the Superintendent of Public Instruction has established the private, nonprofit, or school division virtual school organization as an approved multidivision online provider. The instruction in a virtual school is done primarily by a teacher who is in a different physical setting from the student, though local mentors may support this instruction.

A multidivision online provider is

* a private company or nonprofit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division
* a private company or nonprofit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in grades K through 12 through those school boards
* a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division

A multidivision online provider is not

* a local school board's online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division
* multiple local school boards that establish joint online courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school divisions
* local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education
* local school boards providing online courses or programs through a private company or nonprofit organization that has been approved as a multidivision online provider

Electronic applications for approval will be made available on the Virginia Department of Education (VDOE) website in the month of December. Applications will be accepted for a period of 30 calendar days beginning January 1. Completed applications must be received by 5 p.m. EST by the end of that period to be considered for the following academic year. The application will be accessible at Click here to access the application.

Applications will be reviewed by teams selected by VDOE and whose members have expertise in curriculum, instruction, online learning, counseling support, assessment and accountability, finance, staff quality, data collection and use, and technology and technical support. The applications will be reviewed based on the Criteria for Approval of Multidivision Online Providers. These teams will prepare a report with recommendations for the Superintendent of Public Instruction within 30 business days of the close of the application period.

The Superintendent of Public Instruction will make a decision regarding approval of multidivision online providers and official notification of approval or notification of denial will be communicated to the applicant within 45 business days of the close of the application period.

# Appeals Process for Denial of Initial Application for Approval as a Multidivision Online Provider

If the Superintendent of Public Instruction denies approval of an application, the applicant may submit a revised application within 30 business days of notification; the applicant is not required to submit a revised application. The Superintendent of Public Instruction will review any changes and either approve or deny the resubmitted application within 45 business days from the receipt of a resubmitted application.

An applicant whose application has been denied by the Superintendent of Public Instruction, either upon the original submission of the application or upon submission of a revised application, may appeal the decision of the Superintendent of Public Instruction to the Virginia Board of Education.

The appeal must be submitted to the Virginia Board of Education within 30 business days of the decision being appealed. The appeal must be in writing. The appeal shall contain: (1) a copy of the decision being appealed; (2) the applicant’s statement of the errors alleged in the decision of the Superintendent of Public Instruction; and (3) together with those portions of the application that bear on the issues on appeal.

The appeal to the Board is on the record, and the Board will not receive additional information, except for good cause shown. “Good cause” means: (1) there is significant, relevant information not previously available and not presented to the Superintendent of Public Instruction; (2) there have been significant changes in factors or circumstances relating to the application subsequent to the application being presented to the Superintendent; or (3) there is a substantial material mistake of fact or law in the application, and which could not have been avoided by diligence on the part of the applicant.

Upon receipt of the appeal, the Board will convene to hear the matter; the meeting may be either a regularly scheduled meeting of the Board, or upon a meeting called specially for the purpose. The Board delegates to the president the authority to issue such rulings and instructions as will ensure that the appeal is heard in a timely, efficient, and effective manner. The Board will render its decision in writing.

Denied applicants may also submit a new application in subsequent application periods.

1. **Monitoring Process for Multidivision Online Providers**

An oversight committee of the Virginia Department of Education will conduct selected reviews of approved providers and their approved courses each year. The intent of the monitoring process is to provide oversight through periodic review of previously approved programs and to intervene when programs no longer meet the Criteria for Approval of Multidivision Online Providers, including possible revocation of approved programs. Information from the reviews will be used in preparing a required annual report to the Governor and the General Assembly of Virginia.

The applicant must submit a Provider Monitoring Report annually that includes information required by the Virginia Department of Education; however, the Department of Education may request that a Provider Monitoring Report be completed and submitted at any time. Updates and changes to approved multidivision online provider programs will be submitted using the Provider Monitoring Report. The VDOE will evaluate the information about program changes as well as information collected from stakeholder surveys and statistical data related to course completion and student growth and achievement. The VDOE will make a recommendation within 30 business days. Based on the recommendation, a decision regarding the continued approval of multidivision online providers will be made by the Superintendent of Public Instruction within 15 business days of receipt of the monitoring report.

A multidivision online provider that no longer meets the Criteria for Approval of Multidivision Online Providers is placed on provisional status (they may continue to serve Virginia students currently enrolled in the multidivision online program but cannot enroll new students or enter into new multidivision online provider contracts) and must address the concerns of the VDOE and the Superintendent of Public Instruction within 40 business days of receipt of notification. If the provider does not address the concerns to the satisfaction of the Superintendent of Public Instruction, the approval status of the provider may be revoked at the end of the academic year or provisional status may be extended; however, provisional status will not be extended past the current school year.

# Revocation Process for Multidivision Online Providers

The approval of a multidivision online provider will remain in effect until the approval is revoked for cause, pursuant to section [§ *22.1-212.24*](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.24/) of the *Code of Virginia*. The decision regarding revocation of a previously approved multidivision online provider will be made by the Superintendent of Public Instruction based on the oversight committee’s report and recommendation during the monitoring process.

Revocation notices will be made by certified mail within five business days after the decision has been made.

If the Superintendent of Public Instruction has revoked a provider’s approval, the applicant may appeal, in writing, to the Virginia Board of Education within 30 business days of the date the revocation letter is mailed. The Board of Education will review the appeal within 60 business days of the date the appeal is received—or at the next public meeting if none takes place within 60 days of receiving the appeal. The final decision of the Board of Education will be sent by certified letter to the individual submitting the appeal. This decision of the Board of Education is intended to be a final “case decision” within the meaning of the Virginia Administrative Process Act (APA) [§ *2.2-4000 et seq.*](https://law.lis.virginia.gov/vacodepopularnames/administrative-process-act/) of the *Code of Virginia*, and subject to further review in accordance with the APA and Part 2A of the Supreme Court of Virginia. The APA details the authority of state agencies to make decisions based on regulations and explains the standard procedures to be used.

If a provider’s approval is revoked by the Superintendent of Public Instruction and upheld by the Board of Education, the applicant may submit a new application during the next application period.

**Attachment B**

APPLICATION FOR MULTIDIVISION ONLINE PROVIDER APPROVAL

*(This page of the application is to be printed, completed, signed, scanned, and submitted as a PDF document.)***Part I. Applicant Affidavit**

Applicant:

Primary Contact Person:

Address:       City/State/Zip:

Telephone:

Email Address:       Website:

Printed Name:       Signature:

Title:       Date Signed:

**Certification:**

The applicant acknowledges that federal and state laws and regulations prohibit certain forms of discrimination. The applicant further acknowledges that, by entering into a contract with a local school division for the provision of services, the applicant may become subject to such laws or regulations, either directly through the application of such laws or regulations to itself, or in the provision of services under the contract with the local school division. Like all school divisions, multidivision online providers are required to ensure representation of diverse experiences and perspectives including, but not limited to racial, ethnic, language, religions, and gender groups and inclusion of content that represents, validates, and affirms diverse groups from different rings of culture.

I,      , certify that the information contained in, and attached to, this application is true and correct to the best of my knowledge and that the multidivision online provider program

* conforms to the provisions of the *Code of Virginia* §[22.1-212.23](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.23/) through [22.1-212.27](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.27/).
* conforms to the requirements set forth in Virginia’s Standards of Quality (SOQ)§§22.1-253.13:1-4and Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA) [8VAC20-131-5-240](https://www.doe.virginia.gov/boe/accreditation/soa_2014.pdf)*.*

I further certify that if changes occur in the operation or ownership of the program, I will notify the Virginia Department of Education prior to or immediately following such changes.

I understand that providing false, misleading, or incomplete information or marketing strategy, or failing to notify the Department of related changes as they occur may result in the removal of the entity from the list of approved multidivision online providers as provided for in the above-referenced *Code*.

Signature of Authorized Official/Date

**Part II. Program Requirements and Descriptions**

The Program Requirements and Descriptions section addresses the following sections of the *Code of Virginia*.

*As specified in* [*§ 22.1-212.24.A & B*](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.24/)*, the Superintendent of Public Instruction will develop, and the Board of Education will approve the criteria and application process for approving multidivision online providers, including those specified in these sections. Per* [*§ 22.1-212.26.A & B*](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.26/)*, teachers and administrators for multidivision online providers must meet specified requirements.*

The following information will assist the Virginia Department of Education evaluation team in using the rubric in Appendix A to determine the quality of the potential provider.

## Accreditation

The multidivision online provider’s program must be accredited by one of the following accrediting organizations:

*(Please check one of the agencies listed below and attach an accreditation certificate with dates of validity.)*

Part I: Private providers (including private companies partnering with public school divisions)

☐ AdvancEd (formerly Commission on International and Trans-Regional Accreditation [CITA], North Central Association Commission on Accreditation and School Improvement [NCA CASI], and Southern Association of Colleges and Schools Council on Accreditation and School Improvement [SACS CASI])

☐ Middle States Association of Colleges and Schools Commission on Elementary Schools and Commission on Secondary Schools

☐ New England Association of Schools and Colleges (NEASC)

☐ Northwest Accreditation Commission (NWAC) (formerly Northwest Association of Accredited Schools)

☐ Western Association of Schools and Colleges (WASC)

☐ Virginia Council for Private Education (VCPE)

Part II: Virginia public school division providers

☐ Virginia public school divisions fully accredited by the Virginia Board of Education

## Organizational Stability and Strengths

The multidivision online provider has an effective and stable organizational management structure. The multidivision online provider is financially solvent. The legal status of the online program is clear with no ambiguities in ownership, control, or responsibility.

1. Provide narrative information about the leadership, organizational, and management structure of the multidivision online provider, including: (limit 600 characters)
* *Mission statement*
* *Functions, organization, responsibilities, and membership of the governance organization*
* *Stability of management structures*
* *Financials—Independent audit findings or other financial information that document financial stability from the previous three years*
1. Provide written documentation to support items listed in the narrative which ensures provider compliance.

## Staffing Requirements and Quality Assurance

1. All teachers hired by the multidivision online provider who provide instruction to students meet the requirements set forth in section [§ 22.1-296.1](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.1/)and[22.1-296.2](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.2/)of the *Code of Virginia* and will be highly qualified, licensed by the Virginia Board of Education, and endorsed in their course content area.
2. All administrators hired by the multidivision online provider meet the requirements set forth in section [§22.1-212.26.B](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.26/)of the *Code of Virginia*. The *Code of Virginia* states: “The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering education programs.”
3. The provider’s staffing must conform to the staffing requirements set forth in Virginia’s Standards of Quality [§ 22.1-253.13:2c](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13%3A2/) and Standards of Accreditation [8VAC20-131-210-240](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section240/).
4. Provide narrative information on teacher and administrator quality within the virtual program, indicating the proficiency of teachers—including descriptions of measures—in the following areas: (limit 600 characters)
* *Content area knowledge*
* *Multimedia applications and tools*
* *Developmentally appropriate technologies*
* *Assessment*
* *Internet safety policies and practices*
1. Provide narrative information about administrator quality within the virtual school program, including information about: (limit 600 characters)
* *Requirements for previous experience with administering educational programs*
* *Number of teachers supervised*
* *Ongoing professional development requirements*
1. Please include evidence to support provider compliance:
* *Evidence that the multidivision online provider will hire only highly qualified teachers and administrators licensed by the Virginia Board of Education and endorsed in the content area they will teach; a current list of all teachers; teacher license number; and dates of background, fingerprint, and convictions check*
* *Qualifications required by the provider for administrators and current list of administrators*
* *Willingness and ability to provide other evidence necessary to verify compliance for maintaining approval*

## Data and Reporting

1. Multidivision online providers must provide data to each division in which students are enrolled for the purposes of monitoring student participation and progress to ensure that students meet division participation requirements and make progress toward successful completion of the course. Data and data management must meet state and federal reporting requirements, to include, but not limited to FERPA.

Please include evidence to support provider compliance including the following:

* *Written policies and procedures for recording, monitoring, and reporting student participation and progress*
* *Written grading and reporting policies*
* *Ability to deliver data to meet state and federal requirements*
* *Ability to transmit data electronically to each division*
1. Multidivision online providers must provide data to the Virginia Department of Education for the purposes of reporting information to the Governor and the General Assembly regarding multidivision online learning during the previous school year.

Provide information about the use of data for management and instruction and how data is protected and include the following:

* *How data integrity is ensured*
* *Data security policy and implementation plan, as well as verification that data management and reporting practices are in compliance with federal and state privacy laws, including the Family Educational Rights and Privacy Act (FERPA) and Virginia’s Government Data Dissemination and Practices Act, known as the Privacy Act*
* *Protection from security threats such as viruses and hackers*
* *Reporting and data transmission policies and measures to ensure compliance with state and federal privacy laws*

## Accountability

1. The pupil performance standards for online courses or virtual school programs meet or exceed any applicable Virginia Board of Education Standards of Accreditation. Any educational objectives and assessments used to measure pupil progress toward achieving pupil performance standards are in accordance with the Board’s Standards of Accreditation and all applicable state and federal laws.

Please provide written documentation to support provider compliance:

* *Evidence that the multidivision online provider has the ability to work with divisions to meet the applicable Virginia Board of Education Standards of Accreditation, and all applicable state and federal laws*
1. Provide narrative information documenting student assessment and program accountability (for the initial application only, this may include examples from comparable states if currently not a provider in Virginia)—including the ability to provide electronic data to the Virginia Department of Education, school divisions, and other stakeholders—and how the following are tracked*.* (limit 600 characters)

 Please provide written documentation to support provider compliance:

* *Student participation rates in the Virginia Standards of Learning tests, early literacy assessments, or other types of standardized tests, including the names and types of assessments, grade levels, and participation rates*
* *Student, school, and program performance results, including nationally recognized standardized test results; Standards of Learning assessments; results from end-of-course exams; college entrance and readiness exams, including the SAT, ACT, and Advanced Placement tests, where applicable; rates of promotion to the next grade; high school graduation rates; postsecondary enrollment rates and the need for remediation/developmental coursework upon enrollment in postsecondary education programs; professional licenses and credentials earned; successful completion rates; student mobility rates; and dropout rates*
* *Summary data on non-completers or dropouts related to the timing of and primary reasons for withdrawal*

**While not included in the initial application for MOP approval, ongoing monitoring processes will require the reporting of student assessment and achievement data, in addition to data requested from school divisions.**

## Curriculum and Instruction

1. Curriculum and instruction reflect both scientifically based research and best practices for online courses.

Please provide written documentation to support provider compliance:

* *Descriptions of basis for curriculum used and/or developed*
* *Descriptions of basis for instructional methodologies used*
1. Differentiation in content, delivery of content, and assessments, including remediation and intervention, meet the needs of a variety of learners.

Please provide written documentation to support provider compliance:

* *Description of means used to differentiate course content*
* *Description of how delivery of content is differentiated for different learners*
* *Description of various assessments used throughout the course*
1. Provide information documenting your curriculum’s design and effectiveness. Include the following:
* *Source or origin of your course content*
* *Strengths of teaching pedagogy followed and supported*
* *Basis for and frequency of revisions*
* *Progress monitoring used to frequently assess students’ growth toward meeting specific learning objectives with a description of how students who are not meeting objectives receive additional assistance*
* *How course requirements and expectations are communicated to parents, students, and other stakeholders*
* *What type of orientation and other supporting services for students are provided*
* *Steps taken to ensure content is SCORM compliant and in accessible digital formats*
	+ *Protection from online bullies and potential predators*
	+ *Resources to promote Internet safety and positive digital citizenship*

## Equity and Student Services

MOP are required to ensure representation of diverse experiences and perspectives including, but not limited to racial, ethnic, language, religions, and gender groups and inclusion of content that represents, validates, and affirms diverse groups from different rings of culture.

MOP must comply with all federal laws and state regulations governing the education of all public school students. While the responsible school division is required to provide services and counseling for special populations, including students with disabilities, English Learners, gifted, minorities, and/or economically disadvantaged, the provider must work collaboratively with the school division in order to provide these services, and provision of services for these and all students must be clearly stated in the contract between the MOP and the contracting school division. Students shall not be excluded from participating in courses provided by the MOP. The provider must ensure equity-related policies and practices in the Commonwealth of Virginia for providing access to all students.

1. Provide a narrative on how each of the following will be addressed. (limit 600 characters)
* *Child study*
	+ *Evaluation of students for special education and/or interventions*
	+ *Eligibility*
		- *IEP*
		- *504 plan*
		- *Academic support and/or related services*
* *Child study English Learner support services*
* *Services for students identified as gifted*
* *School counseling services*
	+ *Academic & career plans*
	+ *Social-emotional services*

Please provide written documentation to support provider compliance:

* *Evidence that no students are excluded based on services required for special populations*
* *Evidence that materials used in courses are in accessible digital formats for use by assistive technology devices or programs and that content is SCORM compliant*
* *Evidence that the multidivision online provider has the ability to work with LEA to meet the applicable state and federal regulations specific to students with disabilities and to implement specific student IEP*

## Technology

1. The system used to support course delivery and management is effective and reliable.

Please provide written documentation including:

* *Description of the chosen course delivery and management system*
* *Statistical information on system availability, downtime, and back-up procedures*
* *Off-site back-up frequency for student data and other critical information*
* *Hours/days technical support is available and how support can be accessed*
* *Staffing levels for technical support*
* *Average response time*
1. Technical support is consistently available on a timely basis for students, parents, and school divisions.

Please provide written documentation that describes technology infrastructure that supports the delivery of virtual courses, including the following:

* *Technical requirements for end users*
* *Description of technical support mechanisms in place*
* *Alternative means of delivery for content if the system is down*
* *Training provided for stakeholders*
* *Typical procedures for students when encountering problems*

**Upon request, the applicant will provide course access to the Virginia Department of Education during the review phase of the application process.**

## Course Submission (if applicable)

1. The following information applies to providers submitting courses for approval with this initial application. The content of each online course is rigorous and meets or exceeds the content of courses taught in traditional school environments. Courses should meet or exceed the Virginia Standards of Learning, competencies, and the Standards of Accreditation.

Please provide written documentation to support provider compliance:

* *Submit a complete list of courses (SOL, CTE, electives) to be offered in Virginia on the spreadsheets provided. Courses must be aligned with the* [*DOE-approved SCED codes*](https://www.doe.virginia.gov/info_management/data_collection/master_schedule_collection/20-21/2020-2021-va-approved-sced.xlsx) *to include the VA course name and MOP course name.*
	+ *SOL courses: Courses are subject to a correlation review by a qualified agency ensuring that courses meet the Standards of Learning at 90% or above on all strands, objectives, concepts, and skills. The Correlation Report must be submitted to VDOE for each course.*
	+ *CTE courses: Courses are subject to a correlation review by the VDOE ensuring that courses meet the Workplace Readiness Skills and competencies for CTE courses at a level of 90% or above on all strands, objectives, concepts, and skills.*
	+ *Elective courses: Courses are evaluated at the local educational agency level to ensure correlation with the Standards of Learning.*
* *Courses submitted for approval must align with the newest revisions to Standards of Learning. As the Standards of Learning are revised, MOP are responsible for re-submitting courses or new courses that correlate to the newly revised standards.*
* *Written policies and procedures related to supporting state achievement testing*

# Part III. Program Profile

The program profile information will be available on the VDOE website for review by interested parties. The Application: Program Profile addresses the following section in the *Code of Virginia*.

*As specified in* [§ *22.1-212.25*](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.25/)*, the Virginia Department of Education will develop and maintain a Web site that provides objective information for students, parents, and educators regarding online courses and virtual programs offered through local school boards by approved multidivision online providers. Some of this information must be provided by multidivision online providers as a condition of maintaining Board approval.*

Please respond to each of the following, limiting the number of characters when noted:

1. Type of program:

☐ Full-time (more than 4 courses)

☐ Supplemental

☐ Fully-online

☐ Blended (online instruction by a teacher in a different physical location from the student but with local mentors)

☐ Computer-based instruction

☐ Other (please describe below)

1. URL for provider’s website where contact information for division personnel, parents, and students may be found:
2. URL for provider’s webpage that will list Virginia-approved courses with links to each course syllabus:
3. Grade levels served:

☐ Kindergarten

☐ First Grade

☐ Second Grade

☐ Third Grade

☐ Fourth Grade

☐ Fifth Grade

☐ Sixth Grade

☐ Seventh Grade

☐ Eighth Grade

☐ Ninth Grade

☐ Tenth Grade

☐ Eleventh Grade

☐ Twelfth Grade

1. Target population:

☐ Full-time

☐ Credit recovery

☐ Expanded options

☐ Advanced Placement

☐ Other (please describe below)

1. Capacity—total number of students that can be served during the school in compliance with the staffing requirements for elementary classrooms and middle and high school teachers set forth in Virginia’s Standards of Quality [§ *22.1-253.13:2c*](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13%3A2/) and Standards of Accreditation [8VAC20-131-240](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section240/):
2. URL for provider’s webpage that provides information about enrollment schedule and course calendar, including course withdrawal dates, cohort information, and grading periods:
3. The learning management system used, including Shareable Content Object Reference Model (SCORM) compliance (300 characters):
4. Third-party providers used and their interactions with stakeholders, including how this interaction is monitored (300 characters):
5. In general, online teacher qualifications, including academic credentials, licensure, certifications, experience, and the teacher review process (600 characters):
6. In general, type and frequency of synchronous and asynchronous methods of student-teacher interaction, including the monitoring process (300 characters):
7. Teacher availability (hours of support) for students and parents, including communication methods (300 characters):
8. Technical support availability for students, parents, and school personnel and methods for providing timely support (300 characters):
9. How student progress is monitored and reported, including verification of authenticity of student work (300 characters):
10. Course completion rates and graduation rates, where applicable (300 characters):
11. Information on student test scores, including Virginia’s Standards of Learning assessment outcomes; English language proficiency; the SAT, ACT, International Baccalaureate, and Advanced Placement test outcomes; and outcomes on other standardized assessments as applicable (600 characters):
12. Specific special education supports and services for students with disabilities who have an individualized education program (IEP) or a 504 Plan (600 characters):
13. Information on support services, including career explanation and counseling, academic advising and placement, assistance for students with limited English proficiency, mental health and social services, gifted education, high school/college dual-enrollment credits, etc. (600 characters):
14. Information on Internet safety policies, procedures, and monitoring (600 characters):
15. Information on disaster recovery plans and strategies for addressing short- and long-term service interruptions (300 characters):
16. Program experience in providing online or virtual instruction programs (300 characters):

# Appendix A

# Multidivision Online Provider Application Review Rubric:

|  |  |  |  |
| --- | --- | --- | --- |
| CATEGORY | CRITERIA | MEETS | DOES NOT MEET |
| REQUIREMENTS |  |  |
| Accreditation | The multidivision online provider’s program is accredited by one of the following accrediting agencies:Part I: Private providers (including private companies partnering with public school divisions)* AdvancEd (formerly Commission on International and Trans-Regional Accreditation [CITA], North Central Association Commission on Accreditation and School Improvement [NCA CASI], and Southern Association of Colleges and Schools Council on Accreditation and School Improvement [SACS CASI])
* Middle States Association of Colleges and Schools Commission on Elementary Schools and Commission on Secondary Schools
* New England Association of Schools and Colleges (NEASC)
* Northwest Accreditation Commission (NWAC) (formerly Northwest Association of Accredited Schools)
* Western Association of Schools and Colleges (WASC)
* Virginia Council for Private Education (VCPE)

Part II: Virginia public school division providers* Virginia public school divisions fully accredited by the Virginia Board of Education
 |  |  |
| Organizational Stability | The multidivision online provider has an effective and stable organizational and management structure. The multidivision online provider is financially solvent. The legal status of the online program is clear with no ambiguities in ownership, control, or responsibility. |  |  |
| Reviewer’s Comments: |
| STAFFING |  |
| Staffing | 1. All teachers hired by the multidivision online provider who provide instruction to students meet the requirements set forth in section [§ *22.1-296.1*](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.1/)and[*22.1-296.2*](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.2/)of the *Code of Virginia* and will be highly qualified, licensed by the Virginia Board of Education, and properly endorsed.
2. All administrators hired by the multidivision online provider meet the requirements set forth in section [§ *22.1-212.26.B*](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.26/)of the *Code of Virginia*. The *Code of Virginia* states: “The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering education programs.” If administrators have not yet been hired, policies and procedures in place ensure they that will be hired to meet the above requirements.
3. The provider’s staffing must conform to the staffing requirements set forth in Virginia’s Standards of Quality (SOQ) [§ *22.1-253.13:2c*](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13%3A2/) and Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA) [*8VAC20-131-240*](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section240/). The multidivision online provider must provide full-time equivalent (FTE) teachers at the ratios outlined in the *Code of Virginia*, Standards of Quality, and Standards of Accreditation for each level appropriately—elementary, middle, and high school.
 |  |  |
| Reviewer’s Comments: |
| DATA |  |
| Data and Reporting | Multidivision online providers must provide data to each division in which students are enrolled for the purposes of monitoring student participation, attendance, and progress to ensure that students meet division participation requirements and make progress toward successful completion of the course. Data and data management meet state and federal reporting requirements. Data management and reporting must meet state and federal reporting requirements, to include, but not limited to FERPA. |  |  |
| Multidivision online providers must provide data to the Virginia Department of Education for the purposes of reporting information to the Governor and the General Assembly regarding multidivision online learning during the previous school year. Data and data management meet state and federal reporting requirements. |  |  |
| Reviewer’s Comments: |
| ACCOUNTABILITY |  |
| StudentPerformance  | The pupil performance standards for virtual courses or virtual school programs meet or exceed any applicable Virginia Board of Education Standards of Accreditation. Any educational objectives and assessments used to measure pupil progress toward achieving pupil performance standards are in accordance with the Board’s Standards of Accreditation and all applicable state and federal laws.*(While not included in the initial application for MOP approval, for transparency, ongoing monitoring processes will require the reporting of student assessment and achievement data, in addition to data requested from school divisions.)* |  |  |
| Content | The content of each virtual course is rigorous and meets or exceeds the content of courses taught in traditional school environments. Standards meet or exceed the Virginia Standards of Learning, competencies, and the Standards of Accreditation. |  |  |
| Reviewer’s Comments: |
| CURRICULUM AND INSTRUCTION |  |
| Research-based | Curriculum and instruction reflect both scientifically-based research and effective practices for virtual learning. |  |  |
| Differentiation | Differentiation in content, delivery of content, and assessments, including remediation and intervention, meet the needs of a variety of learners.  |  |  |
| Reviewer’s Comments: |
| EQUITY AND STUDENT SERVICES |  |
| Equity | MOP are required to ensure representation of diverse experiences and perspectives including, but not limited to racial, ethnic, language, religions, and gender groups and inclusion of content that represents, validates, and affirms diverse groups from different rings of culture. |  |  |
| Student Services | MOP must comply with all federal laws and state regulations governing the education of all public school students. While the responsible school division is required to provide services and counseling for special populations, including students with disabilities, English Learners, gifted, minorities and/or economically disadvantaged, the provider must work collaboratively with the school division in order to provide these services, and provision of services for these and all students must be clearly stated in the contract between the MOP and the contracting school division. Students shall not be excluded from participating in courses provided by the multidivision online provider. The provider must ensure equity-related policies and practices in the Commonwealth of Virginia for providing access to all students. |  |  |
| Reviewer’s Comments: |
| TECHNOLOGY |  |
| Reliability | The system used to support course delivery and management is effective and reliable.*(Upon request, the applicant will provide course access to the Virginia Department of Education during the review phase of the application process.)* |  |  |
| Support | Timely and consistent technical support, at a minimum of regular business hours, is available for students, parents/guardians, and school divisions and contact information shall be communicated to stakeholders and posted publicly. |  |  |
| Reviewer’s Comments: |

**Attachment C**

**Criteria for Approval of Multidivision Online Providers**

|  |  |
| --- | --- |
| CATEGORY | CRITERIA |
| **ORGANIZATION REQUIREMENTS** |
| **Accreditation** | The multidivision online provider’s program is accredited by one of the following accrediting organizations:Part I: Private providers (including private companies partnering with public school divisions)* AdvancEd (formerly Commission on International and Trans-Regional Accreditation [CITA], North Central Association Commission on Accreditation and School Improvement [NCA CASI], and Southern Association of Colleges and Schools Council on Accreditation and School Improvement [SACS CASI])
* Middle States Association of Colleges and Schools Commission on Elementary Schools and Commission on Secondary Schools
* New England Association of Schools and Colleges (NEASC)
* Northwest Accreditation Commission (NWAC) (formerly Northwest Association of Accredited Schools)
* Western Association of Schools and Colleges (WASC)
* Virginia Council for Private Education (VCPE)

Part II: Virginia public school division providers* Virginia public school divisions fully accredited by the Virginia Board of Education
 |
| **Organizational Stability** | The multidivision online provider has an effective and stable organizational and management structure. The multidivision online provider is financially solvent. The legal status of the online program is clear with no ambiguities in ownership, control, or responsibility. |

|  |
| --- |
| **STAFFING** |
| **Staffing** | 1. All teachers hired by the multidivision online provider who provide instruction to students meet the requirements set forth in section [§ *22.1-296.1*](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.1/)and[*22.1-296.2*](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-296.2/)of the *Code of Virginia* and will be highly qualified, licensed by the Virginia Board of Education, and properly endorsed.
2. All administrators hired by the multidivision online provider meet the requirements set forth in section [§ *22.1-212.26.B*](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.26/)of the *Code of Virginia*. The *Code of Virginia* states: “The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering education programs.” If administrators have not yet been hired, policies and procedures in place ensure that they will be hired to meet the above requirements.
3. The provider’s staffing must conform to the staffing requirements set forth in Virginia’s Standards of Quality (SOQ) [§ *22.1-253.13:2c*](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13%3A2/) and Regulations Establishing Standards for Accrediting Public Schools in Virginia Accreditation (SOA) [*8VAC20-131-240*](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section240/). The multidivision online provider must provide full-time equivalent (FTE) teachers at the ratios outlined in the *Code of Virginia*, Standards of Quality, and Standards of Accreditation for each level appropriately—elementary, middle, and high school.
 |
| **DATA AND REPORTING** |
| **Data and Reporting** | Multidivision online providers must provide data to: * each division in which students are enrolled for the purposes of monitoring student participation, attendance, and progress to ensure that students meet division participation requirements and make progress toward successful completion of the course; and
* the Virginia Department of Education for the purposes of reporting information to the Governor and the Virginia General Assembly regarding multidivision online learning during the previous school year.

Data management and reporting must meet state and federal reporting requirements, to include, but not limited to FERPA. |
| **ACCOUNTABILITY** |
| **Student****Performance**  | The pupil performance standards for virtual courses or virtual school programs meet or exceed any applicable Virginia Board of Education Standards of Accreditation. Any educational objectives and assessments used to measure pupil progress toward achieving pupil performance standards are in accordance with the Board’s Standards of Accreditation and all applicable state and federal laws.*(While not included in the initial application for MOP approval, for transparency, ongoing monitoring processes will require the reporting of student assessment and achievement data, in addition to data requested from school divisions.)* |
| **CURRICULUM AND INSTRUCTION** |
| **Content** | The content of each virtual course is rigorous and meets or exceeds the content of courses taught in traditional school environments. Courses should meet or exceed the Virginia Standards of Learning, competencies, and the Standards of Accreditation.  |
| **Research-based** | Curriculum and instruction reflect both scientifically-based research and effective practices for virtual learning. |
| **Differentiation** | Differentiation in content, delivery of content, and assessments, including remediation and intervention, meet the needs of a variety of learners.  |
| **EQUITY AND STUDENT SERVICES** |
| **Equity** | MOP are required to ensure representation of diverse experiences and perspectives including, but not limited to racial, ethnic, language, religions, and gender groups and inclusion of content that represents, validates, and affirms diverse groups from different rings of culture. |
| **Student Services** | MOP must comply with all federal laws and state regulations governing the education of all public school students. While the responsible school division is required to provide services and counseling for special populations, including students with disabilities, English Learners, gifted, minorities, and/or economically disadvantaged, the provider must work collaboratively with the school division in order to provide these services, and provision of services for these and all students must be clearly stated in the contract between the MOP and the contracting school division. Students shall not be excluded from participating in courses provided by the MOP. The provider must ensure equity-related policies and practices in the Commonwealth of Virginia for providing access to all students. |
| **TECHNOLOGY** |
| **Reliability** | The system used to support course delivery and management is effective and reliable.*(Upon request, the applicant will provide course access to the Virginia Department of Education during the review phase of the application process.)* |
| **Support** | Timely and consistent technical support, at a minimum of regular business hours, is available for students, parents/guardians, and school divisions and contact information shall be communicated to stakeholders and posted publicly. |

**Attachment D**

**Summary of Revisions to the Approval Process for Multidivision Online Providers in Virginia**

| **Topic** | **Original**  | **Recommended Change** | **Document Referenced** |
| --- | --- | --- | --- |
| **Processes** | Requirement of Multidivision Online Providers (MOP) to have a Full Review every 3 years for approval. | MOP will be reviewed annually using the Monitoring Report and other documentation for approval. | * Processes for Submission and Review of the MOP Application
 |
| **Staffing** | Provide at least one FTE teacher at a reasonable ratio to students based on grade and subject being taught, but not exceeding 150 students per FTE teacher (secondary focus).  | Staffing has been expanded to include elementary, middle and high school and must conform to the staffing requirements set forth in Virginia’s Standards of Quality [§ 22.1-253.13:2c](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13%3A2/) and Standards of Accreditation (SOA) [8VAC20-131-210-240](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section240/). | * Application for MOP Approval
* Monitoring Report for MOP
 |
| **Data and Reporting** | MOP must provide data to each division in which students are enrolled for the purposes of monitoring student participation and progress. | Expanded language to clarify data and class enrollment:* Data and data management must meet state and federal testing and reporting requirements, to include, but not limited to FERPA.
* Annual monitoring will require MOP to report student assessment and achievement data, in addition to data requested from school divisions.
 | * Application for MOP Approval
* Criteria for Approval of MOP
* Monitoring Report for MOP
 |
| **Accountability** | MOP must ensure that students meet division participation requirements and make progress toward successful completion of the course. | Requiring MOP to provide evidence of student performance.* Written policies and procedures for recording, monitoring, and reporting student participation and progress
* Written grading and reporting policies
* Ability to deliver data to meet state and federal requirements
* Ability to transmit data electronically to each division
 | * Application for MOP Approval
* Monitoring Report for MOP
 |
| **Equity and Student Services** | Original documents did not include language addressing equity.Students with special needs, including students with disabilities, students with limited English proficiency, students with financial limitations, students from traditionally underrepresented groups, and others, are not excluded from participating in courses provided by the multidivision online provider. | New language related to equity: MOP are required to ensure representation of diverse experiences and perspectives including, but not limited to racial, ethnic, language, religions, and gender groups and inclusion of content that represents, validates, and affirms diverse groups from different rings of culture.Expanded language related to student services:While the responsible school division is required to provide services and counseling for special populations, including students with disabilities, English Learners, gifted, minorities, and/or economically disadvantaged, the provider must work collaboratively with the school division in order to provide these services. Provision of services for these and all students must be clearly stated in the contract between the MOP and the contracting school division. Students shall not be excluded from participating in courses provided by the MOP. The provider must ensure equity-related policies and practices in the Commonwealth of Virginia for providing access to all students. | * Application for MOP Approval
* Monitoring Report for MOP
 |
| **Technology** | Technology is used to support course delivery and management. | MOP will provide written documentation to support provider compliance related to course delivery, management, system data and reporting, response time, and staffing.Timely and consistent technical support, at a minimum of regular business hours, is available for students, parents/guardians, and school divisions and contact information shall be communicated to stakeholders and posted publicly. | * Application for MOP Approval
* Criteria for Approval of MOP
 |
| **Course Submission and Alignment** | Course alignment with Virginia Standards of Learning (SOL) and competencies | Courses should meet or exceed current Virginia SOL, competencies, and the SOA.SOL courses: Courses are subject to a correlation review by a qualified agency ensuring that courses meet the SOL at 90% or above on all strands, objectives, concepts, and skills. CTE courses: Courses are subject to a correlation review by the VDOE ensuring that courses meet the Workplace Readiness Skills and competencies for CTE courses at a level of 90% or above on all strands, objectives, concepts, and skills.  | * Application for MOP Approval
* Monitoring Report for MOP
 |