# MINUTESCOMMONWEALTH OF VIRGINIABOARD OF EDUCATIONRICHMOND, VIRGINIA

# June 15, 2022

The Board of Education met at the Board Room, 22nd Floor, James Monroe Building, 101 North 14th Street, Richmond, VA 23219, with the following members present:

Mr. Dan Gecker, President Dr. Tammy Mann, Vice President

Dr. Francisco Durán Ms. Anne Holton

Dr. Pamela Davis-Vaught Mrs. Jillian Balow,

 Superintendent of Public Instruction

 President Gecker called the meeting to order at 9:00 a.m. and welcomed Board members, staff and visitors to the meeting. President Gecker noted that he approved Dr. Mann’s participation from Alexandria, VA in the meeting via electronic means due to a personal matter in accordance with § 2.2-3708.2 of the *Code of Virginia* and the Bylaws of the Virginia Board of Education.

## MOMENT OF SILENCE

 President Gecker asked for a moment of silence.

***PLEDGE OF ALLEGIANCE***

 The recitation of the Pledge of Allegiance followed the moment of silence.

## APPROVAL OF MINUTES

 Dr. Durán made a motion to adopt the April 20-21, 2022, meeting minutes of the Board as presented. The motion was seconded by Dr. Davis-Vaught and carried unanimously. Copies of the minutes were distributed in advance of the meeting.

## PUBLIC COMMENT

* Melissa Siddiqi spoke about concerns with Chesterfield County Public Schools providing the appropriate supports and services for her child.
* Dr. James Fedderman, President of the Virginia Education Association, addressed concerns with the Superintendent’s recent report to Governor Youngkin.
* Narissa Rahaman, Executive Director of Equality Virginia, thanked Board members for the allyship and shared a poem entitled “They/Them” from a Hanover County student.
* Kyleigh Hynes spoke in support for the VDOE *Model Policies for the Treatment of Transgender Students in Public Elementary and Secondary Schools*.
* Alex Judson shared their story in school as a transgender student, and offered their support for the VDOE *Model Policies for the Treatment of Transgender Students in Public Elementary and Secondary Schools.*
* Jay Salvatto spoke about their son’s experience as a transgender student in Virginia public schools and their support for the VDOE *Model Policies for the Treatment of Transgender Students in Public Elementary and Secondary Schools.*
* Bo Belotti spoke in support for the VDOE *Model Policies for the Treatment of Transgender Students in Public Elementary and Secondary Schools* and thanked the Board for their support.
* Shannon McKay spoke in support for the VDOE *Model Policies for the Treatment of Transgender Students in Public Elementary and Secondary Schools* and shared that support for trans students saves lives.
* Breanna Diaz with the ACLU spoke in support for the VDOE *Model Policies for the Treatment of Transgender Students in Public Elementary and Secondary Schools* and the need for local school board to adopt policies.
* Anne Taydus spoke on concerns related to the VDOE *Model Policies for the Treatment of Transgender Students in Public Elementary and Secondary Schools* and shared information for the World Professional Association for Transgender Health.
* Michelle Williams spoke about concerns with Richmond Public Schools related to special education student services and homebound.
* Major Mansfield spoke about concerns related to instruction being taught in schools that is trying to divide the community and shared a book of concern.
* Andrew Moorehead spoke on his concern for the safety of little girls and suggested that more school resource officers are needed in school to handle bullying.
* Paul Teal suggested that school should have separate bathrooms for males and females.

## CONSENT AGENDA

## Final Review of Guidelines for Practice Year 2 of the Early Childhood Unified Measurement and Improvement System (VQB5)

## Final 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

## Final Review of Nominations to Fill Vacancies on Board of Education Advisory Committees

Dr. Duran made a motion to approve the consent agenda. The motion was seconded by Dr. Davis-Vaught and carried unanimously.

## ACTION/DISCUSSION ITEMS

**D. Final Review to Certify a List of Qualified Persons for the Office of Division Superintendent of Schools**

Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, presented this item to the Board for final review.

The *Constitution of Virginia* requires the Board to certify to the school board of each division a list of qualified persons for the office of division superintendent of schools, one of whom shall be selected to fill the post by the division school board.

On November 19, 2020, the Board approved a process to certify the list of qualified persons for the office of division superintendent of schools:

* Upon receipt, new applications for the Division Superintendent License will be reviewed by the Office of Licensure and School Leadership to verify that the Board requirements have been met.
* The names of those individuals who have met Board requirements for the Division Superintendent License will be presented to the Board to certify.
* Upon Board certification, the individuals will be issued a Division Superintendent License.

The Superintendent of Public Instruction recommended that the Board approve the list of qualified persons for the Office of Division Superintendent of Schools.

President Gecker asked whether the individual applying and Ms. Holton asked if this list before the Board included an individual who was applying for a superintendent license under Option IV of the Licensure Regulations for School Personnel. Dr. Johnson responded that that was correct.

There was a Dr. Johnson noted that one individual on the list was applying for a division superintendent license under option IV of the *Licensure Regulations for School Personnel*. President Gecker asked whether the individual applying under Option IV would receive a full license without condition. Dr. Johnson responded yes. Mr. Holton asked for clarification that the superintendent’s recommendation was to approve the list without any conditions on any licenses. Dr. Johnson responded yes.

There was a discussion about the Fairfax City schools partnership with Fairfax County to manage the academic side of the division. President Gecker noted his concern that the individual applying under Option IV may not be appropriately qualified for the academic side of division leadership, although they would be the appropriate candidate for Fairfax City given the unique nature of the superintendency in that division. Dr. Johnson clarified that the selection process at the local level would help determine whether an individual is well-qualified to serve as the superintendent in other divisions. Dr. Duran stated that the candidate met the state-wide requirements until Option IV of the regulations, and he would support issuing the superintendent license without any restrictions.

Dr. Duran made a motion to approve the list of qualified persons for the Office of Division Superintendent of Schools. The motion was seconded by Dr. Davis-Vaught and carried unanimously.

**E. Final Review of Exempt Action to Update 8VAC20-490-30’s Length of School Day Requirement**

Mr. Jim Chapman, Regulatory and Legal Coordinator, presented this item to the Board for final review.

Chapter 582 of the 2020 Acts of the Assembly amended § 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 582 included a delayed enactment clause such that the amendments would become effective on July 1, 2022.

In order to comply with Chapter 582, the Board must make minor changes to 8VAC20-490-30 in order to change the length of school day requirements for local school boards.

This action is an exempt action because the Board is not exercising discretion in carrying out the requirements of Chapter 582 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 that the Board approved the exempt action to update 8VAC20-490-20’s length of school day requirement.

Ms. Holton made a motion to approve the exempt action. The motion was seconded by Dr. Mann and carried unanimously

**F. Final Review of Final Review of Exempt Action to Comport 8VAC20-23-100 with Chapter 546 of the 2022 Acts of the Assembly**

Mr. Jim Chapman, Regulatory and Legal Coordinator, presented this item to the Board for final review.

Chapter 546 of the 2022 Acts of the Assembly amended § 22.1-298.1 of the Code to expand licensure reciprocity to spouses of reserve members of the Armed Forces of the United States or members of the Virginia National Guard who have obtained a valid out-of-state license. Chapter 546 further requires that the applicant-spouse include the military permanent assignment orders along with the application and that the VDOE determine and communicate the applicant-spouse’s eligibility for licensure by reciprocity within 15 business days of receipt of the complete application process. The Board must amend 8VAC20-23-100 to align with § 22.1-298.1.

The Superintendent of Public Instruction recommended that the Board approve the exempt action to amend 8VAC20-23-100 to comport with the Code.

Dr. Davis-Vaught made a motion to approve the exempt action. The motion was seconded by Dr. Duran and carried unanimously.

**G. First Review of Recommended Cut Scores for the New Virginia Alternate Assessment Program (VAAP) Tests in Mathematics, Reading, and Science**

Mrs. Shelley Loving-Ryder, Assistant Superintendent for Student Assessment, Accountability, and ESEA Programs, presented this item to the Board on first review.

Mrs. Loving-Ryder shared with the Board that Virginia Alternate Assessment Program (VAAP) tests are administered to students with significant cognitive disabilities who are unable to access the Standards of Learning tests and who have been found by their Individualized Education Program (IEP) committees to meet the criteria to participate in an alternate assessment. In February 2019, the United States Department of Education (USED) notified the VDOE that the portfolio-based VAAP that had been in use for a number of years did not meet the testing requirements of the federal Every Student Succeeds Act and would have to be replaced. Over the past few years, VDOE staff has worked with staff at the University of Oregon and the Oregon Department of Education to develop a new VAAP assessment.

The new VAAP is based on academic content standards derived from the Standards of Learning (SOL) in reading, mathematics, and science that have been reduced in depth, breadth, and complexity. The new VAAP tests are being administered for the first time in spring 2022. Since the tests are new, the Board must establish minimum scores (cut scores) for the performance levels of pass/proficient and pass/advanced. Committees of educators were convened in April and May 2022 to review the tests and to make recommendations to the Board regarding the cut scores.

The Superintendent of Public Instruction recommended that the Board waive first review and approve scaled scores of at least 740 for pass/proficient and at least 780 for pass/advanced for the grades 3-8 and high school VAAP tests in reading and mathematics and for the grades 5, 8, and high school science tests. The scaled scores shall be equivalent to the following number of items correct on the test forms reviewed by the educator committees convened for standard setting:

**Mathematics**

* Grade 3 mathematics: 12 out of 30 for pass/proficient and 23 out of 30 for pass/advanced
* Grade 4 mathematics: 12 out of 30 for pass/proficient and 24 out of 30 for pass/advanced
* Grade 5 mathematics: 13 out of 30 for pass/proficient and 24 out of 30 for pass/advanced
* Grade 6 mathematics: 12 out of 30 for pass/proficient and 23 out of 30 for pass/advanced
* Grade 7 mathematics: 14 out of 30 for pass/proficient and 24 out of 30 for pass/advanced
* Grade 8 mathematics: 13 out of 30 for pass/proficient and 24 out of 30 for pass/advanced
* High School mathematics: 13 out of 30 for pass/proficient and 22 out of 30 for pass/advanced

**Reading**

* Grade 3 reading: 10 out of 30 for pass/proficient and 22 out of 30 for pass/advanced
* Grade 4 reading: 12 out of 30 for pass/proficient and 20 out of 30 for pass/advanced
* Grade 5 reading: 12 out of 30 for pass/proficient and 23 out of 30 for pass/advanced
* Grade 6 reading: 12 out of 30 for pass/proficient and 21 out of 30 for pass/advanced
* Grade 7 reading: 12 out of 30 for pass/proficient and 21 out of 30 for pass/advanced
* Grade 8 reading: 14 out of 30 for pass/proficient and 23 out of 30 for pass/advanced
* High School reading: 14 out of 30 for pass/proficient and 21 out of 30 for pass/advanced

**Science**

* Grade 5 science: 13 out of 30 for pass/proficient and 23 out of 30 for pass/advanced
* Grade 8 science: 16 out of 30 for pass/proficient and 26 out of 30 for pass/advanced
* High School science: 14 out of 30 for pass/proficient and 24 out of 30 for pass/advanced

The Superintendent of Public Instruction further recommended that the Board re-evaluate the cut scores for the VAAP tests in spring 2023.

President Gecker asked for clarification on what it means to say that the changes to the cut scores are to “maintain consistency across similar grade levels.” Mrs. Loving-Ryder responded that the if 13 out of 30 is expected for grade 8, then the same expectation of 13 out of 30 should be expected for high school. President Gecker followed up and asked why the number of correct answers has to be the same when the tests are different. Mrs. Loving-Ryder responded that this is because it is impact data. President Gecker stated that he doesn’t understand the rationale behind requiring the same number of correct answers on different tests. He suggested similar pass rates should be looked at. The focus should be the ability to perform based on the rigor of the test, not the number of correct answers. Mrs. Loving-Ryder stated that the cut score does establish the rigor of what the expectation is. President Gecker asked what the articulation committee is attempting to establish. Mrs. Loving-Ryder responded that the articulation committee is trying to establish consistency of pass rate. President Gecker asked if the Board have any idea as to how the cut scores compare in terms of impact to the portfolio assessment system being used previously. Mrs. Loving-Ryder responded that she believed it will be consistent. She offered to delay the item to the end of the meeting to provide more information, but emphasized the need to approve the scores. Superintendent Balow stated the cut scores may be revisited in subsequent years, and emphasized that the number of correct answers bring consistent grade-to-grade is important.

Dr. Mann asked how the VDOE leveraged the work and expertise in Oregon to inform these assessments. Mrs. Loving-Ryder shared that VDOE did use Oregon items but the overlap is not great as Oregon is based on the Common Core, which Virginia did not adopt.

Dr. Duran noted that the Board, historically, has deferred to the articulation committee and followed the recommendations thereof. He stated that the Board has never arbitrarily raised or lowered cut scores in his time as a Board member, and there has been misinformation shared to the contrary.

President Gecker pondered the feasibility of future Board members next year being able to lower cut scores established this year, due to push back from the public. There may never be political will to lower what is established this year. The reason the Board doesn’t receive the impact data is to attempt to remove the politics from the process.

President Gecker asked Mrs. Loving-Ryder’s input on the Angoff method as the most appropriate vs. another standard setting method, such as the bookmark method. Mrs. Loving-Ryder responded that the Angoff method permits the establishment of cut scores before the administration of the test, which results in more quickly giving students results. Virginia did field test the bookmark method in 1998, when this process was established. President Gecker encouraged the examination of other methods, used by other states, to at least be considered in Virginia.

Ms. Holton made a motion to approve the Superintendent’s recommendation. The motion was seconded by Dr. Davis-Vaught and carried unanimously.

**H. First Review of a Proposal to Adopt Special Provisions Regarding Accreditation Indicators**

Ms. Amy Siepka, Director of Accountability, presented this item to the Board for first review.

The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA) allow the Board to adopt special provisions related to the measurement and use of a school quality indicator. The Board may also alter the inclusions and exclusions from the performance level calculations by providing adequate notice to local school boards.

VDOE recommended that the Board adopt special provisions to:

* temporarily alter the inclusion of Virginia Alternate Assessment Program (VAAP) failing test records from the determination of the performance level for the student group “students with disabilities” in the Achievement Gap-English and Achievement Gap-Mathematics indicators for accreditation year 2022-2023, when the performance level for that student group is a level three and the rating is based solely on failing VAAP test records; and
* alter the measurement of the College, Career, and Civic Readiness Index (CCCRI) by adding an additional qualifying criteria, beginning in accreditation year 2023-2024.

The VAAP is a statewide assessment designed to evaluate the achievement of students with significant cognitive disabilities, approximately one percent of the student population, in grades 3-8 and high school. A student with significant cognitive disabilities whose Individualized Education Program (IEP) team determines that he or she is eligible under the Individuals with Disabilities Education Act (IDEA), and who meets the VAAP participation criteria, may be assessed through the VAAP.

Previously, the VAAP was a portfolio-based assessment where students submitted work samples to be evaluated using a state-developed rubric. However, during the 2021-2022 school year, a new multiple-choice assessment replaced the portfolio assessment in the content areas of reading, mathematics, and science, as required by the United States Department of Education (USED).

In order to mitigate the impact of not being able to calculate growth on failing VAAP assessments in the “students with disabilities” student group, the VDOE proposed that special provisions be given, in a particular circumstance, when assigning the performance level to the “students with disabilities” group in the Achievement Gap-English and Achievement Gap-Mathematics indicators.

This proposal only applies to accreditation year 2022-2023. In accreditation year 2023-2024, year-over-year growth will be determined by comparing performance on the spring 2022 assessment to the spring 2023 assessment.

The CCCRI is one of nine indicators in Virginia’s school accreditation system. Calculation of the CCCRI is based on the unduplicated count of students who meet at least one qualifying criteria (the numerator) divided by the number of students in the on-time graduation cohort (the denominator).

The VDOE proposed an additional qualifying criteria to the CCCRI, beginning in accreditation year 2023-2024, that will include students who participate in a Junior Reserve Officers’ Training Corps (JROTC) program and earn an approved industry credential.

The Superintendent of Public Instruction recommended that the Board accept for first review the proposal to adopt special provisions.

The Board accepted this item for first review.

**I. First Review of Revisions to the Board’s Guidelines for the Use of Computer Science Courses to Satisfy Graduation Requirements**

Mrs. Keisha Tennessee, Computer Science Coordinator, presented this item for first review.

The *2015 Virginia Board of Education Guidelines for the Use of Computer Science Courses to Satisfy Graduation Requirements* currently allows for Advanced Placement Computer Science A to meet graduation requirements for students pursuing both standard and advanced diploma types as a mathematics, science, or Career and Technical Education (CTE) credit. At the request of stakeholders, including division school counselors and parents, the International Baccalaureate (IB) Computer Science course was reviewed by VDOE staff in the Office of STEM and Innovation and the Office of CTE for inclusion in the Guidelines. After review, VDOE staff recommend the addition of the IB Computer Science course to the current guidelines. The rigor of the IB Computer Science course coupled with the inquiry nature of the content and practices reflect best practices in mathematics, science, and CTE. The recommended addition would allow IB Computer Science to be used to satisfy mathematics, science, or Career and Technical Education (CTE) graduation requirements.

The Superintendent of Public Instruction recommended that the Board accept for first review the proposed addition to the Board Guidelines for the Use of Computer Science Courses to Satisfy Graduation Requirements.

The Board accepted this item for first review.

**J. First Review of Updates to the Board-Approved Courses to Satisfy Graduation Requirements for the Standard, Advanced Studies, and Modified Standard Diplomas in Virginia Public Schools**

Dr. Brendon Albon, Director of STEM and Innovation, presented this item for first review.

VDOE staff proposed updates to the *Board of Education Approved Courses to Satisfy Graduation Requirements for the Standard, Advanced Studies, and Modified Standard Diplomas in Virginia Public Schools* document. The proposed changes include:

* updating the title of the document and remove content that reflects the section(s) regarding the Modified Standard diploma that were effective for students with disabilities who entered the ninth grade prior to 2013-2014 and have since aged out;
* updating School Courses for the Exchange of Data (SCED) codes used to identify courses in which students are enrolled;
* adding courses to allow for a school division to award students course credit to satisfy graduation requirements;
* adding a section that addresses awarding of credit in the area of English, based on frequently asked questions by school divisions;
* clarifying and updating language regarding state/federal testing and state graduation requirements;
* deleting unnecessary or outdated content; and
* improving accuracy, readability, and consistency in formatting.

The proposed updates are necessary for appropriate notation of course enrollments in the Master Schedule Collection (MSC) by school divisions, to clarify common questions, and to ensure that appropriate credits to satisfy graduation requirements are awarded.

The Superintendent of Public Instruction recommended that the Board accept the proposed updates to the Board of Education Approved Courses to Satisfy Graduation Requirements for the Standard, Advanced Studies, and Modified Standard Diplomas in Virginia Public Schools for first review.

The Board accepted this item for first review.

**K. First Review of the Revision of the Career and Technical High–Quality Work-Based Learning (HQWBL) Guide**

Dr. David Eschelman, Director of Career, Technical and Adult Education, and Ms. Sharon Acuff, Work-Based Learning Coordinator, presented this item to the Board for first review.

The last revision of the *Career and Technical High–Quality Work-Based Learning (HQWBL) Guide* was reviewed and approved by the Board in November 2020. Since that time, it has become necessary to make technical content revisions and develop new program content in certain areas. This Guide provides local school divisions with consistent messaging regarding high-quality work-based learning experiences.

The proposed revisions to the Guide include:

Content Areas Revisions:

* Updated non-discrimination statement (p. 2)
* Revised HQWBL Opportunities chart to include information pertaining to CCCRI and graduation requirements (p. 23)
* Updated Supervised Agricultural Education section (p. 76-90) resources and links
* Deleted Pharmacy Technician in the clinical section (p. 91-104) to allow for revisions being made by the Virginia Department of Labor and Industry
* Updated Apprenticeship section (p. 105-112) with information submitted by the Virginia Department of Labor and Industry
* Created universal reporting forms across all experiences and promotional resources included a listing in the appendix sections A-E (p. 113-151)

New Content Revisions:

* Addition of new Guide cover, section break pages to distinguish this revised Guide from other editions
* Addition of an abbreviation list (p. 6-7)
* Explanation for coding the experience with the connected course (p. 9)
* Description of the 21st Century Workplace Readiness Skills for the Commonwealth, and the virtual network, VAVoyager (p. 11)
* Explanation of graduation requirements and CCCRI information (p. 11-12)
* Addition of Students with Disabilities in the general information section approved by VDOE Office of ESEA Programs (p. 11-15)
* Deleted paper time log and created an electronic wage calculator for hour and pay tracking for HQWBL experiences (available on the CTE Resource Center website and VAVoyager)
* Included insurance statement to include the completion of a student incident form as needed (p. 22)
* Created a work flow chart for procedures to be followed by HQWBL coordinator/teacher/point-of-contact (p. 22)

The Superintendent of Public Instruction recommended that the Board waive first review and approve the revisions to the *Career and Technical High–Quality Work-Based Learning (HQWBL) Guide*.

Ms. Holton thanked VDOE staff for their hard work on updating the Guide. She requested an update on how work-based learning is working in school divisions given some the limitations due to the pandemic. She requested this update in the fall.

Ms. Holton made a motion to waive first review and approve the revisions to the *Career and Technical High–Quality Work-Based Learning (HQWBL) Guide*. The motion was seconded by Dr. Davis-Vaught and carried unanimously.

**L. First Review of the Proposed 2022 Physical Education Standards of Learning Curriculum Framework**

Ms. Vanessa Wigand, Physical Education Coordinator, and Dr. Dani Almarode, Health and Physical Education Specialist, presented this item to the Board for first review.

The 2022 *Physical Education Standards of Learning* describe the Commonwealth's expectations for student learning and achievement in grades K-12 physical education. Periodic revisions of the standards are necessary to update content, clarify important concepts, and reflect emerging public health issues, current academic research, and best practice.

The Board adopted the 2022 *Physical Education Standards of Learning* on March 17, 2022. The current standards may be viewed on the VDOE Physical Education Standards of Learning webpage.

The VDOE took the following steps to review the 2015 *Physical Education Standards of Learning Curriculum Framework* and create the proposed 2022 *Physical Education Standards of Learning Curriculum Framework*:

* changed the structure of the curriculum framework from four elements (i.e., VDOE Standard(s) Student Friendly Language; Suggested Sample Assessments; Terms (vocabulary) and Content Information; and Suggested/Sample Activities) to two elements (i.e., Essential Understandings and Essential Knowledge and Skills) in order to align with the 2020 Health Education Standards of Learning Curriculum Framework;
* convened meetings with steering and educator committees composed of teachers, curriculum supervisors, and higher education faculty;
* solicited additional feedback from teachers and other critical stakeholders; and
* reconvened the steering committee to reach consensus on the proposed 2022 *Physical Education Standards of Learning Curriculum Framework*.

The layout of the proposed *Physical Educational Standard of Learning Curriculum Framework* was reformatted to provide internal consistency with curriculum frameworks for other disciplines, such as the recently adopted 2022 *Health Education Standards of Learning Curriculum Framework*. Changing the layout of the proposed curriculum framework significantly changed the content. However, a dynamic technical assistance document that mirrors the format of the 2015 *Physical Educational Standard of Learning Curriculum Framework* will be maintained to bridge the transition to the new layout, broaden the scope of the proposed *Physical Education Standard of Learning Curriculum Framework*, and be periodically updated to include emerging best practice resources for the 2022 *Physical Educational Standard of Learning* within the seven-year review cycle.

The Superintendent of Public Instruction recommended that the Board receive for first review the proposed revisions to the 2015 *Physical Education Standards of Learning Curriculum Framework.*

Ms. Holton asked for clarified that this item was being received for first review.

Ms. Holton expressed concern that Board members have not adequate time for review. She expressed these concerns related to future standards review items, specifically the upcoming History and Social Science Standards review. She asked that Board members receive drafts of Standards of Learning and curriculum frameworks at least one month in advance.

Superintendent Balow stated that the July meeting agenda hasn’t been finalized yet, suggested flexibility with bringing the new History and Social Science Standards to the Board in July, and mentioned that there was a staff draft. Ms. Holton clarified that she opposed delaying the History and Social Science Standards that are slated to come to the Board in July for first review, and emphasized her request to receive the current draft of the History and Social Science Standards next week, to have a month for review prior to the July meeting.

President Gecker noted that there was a formalized timeline for review of the History and Social Science Standards, requiring the SOL to come to the Board in July for first review.

Ms. Holton suggested reviewing the current draft rather than a finalized document.

The Board accepted the proposed 2022 *Physical Education Standards of Learning Curriculum Framework* for first review.

**M. First Review of Guidelines for Policies on Sudden Cardiac Arrest Prevention in Student-Athletes**

Ms. Vanessa Wigand, Health and Physical Education Coordinator, presented this item to the Board for first review.

Pursuant to Senate Bill 463 (2020), the *Code of Virginia* was amended to include § 22.1-271.8 directing the Board to develop, biennially update, and distribute to school divisions guidelines on policies to inform and educate coaches, student-athletes, and student-athletes' parents or guardians about the nature and risk of sudden cardiac arrest (SCA). The guidelines include procedures for removal from and return to play, and the risks of not reporting symptoms.

The purpose of the Board’s *Guidelines for Policies on Sudden Cardiac Arrest Prevention in Student-Athletes* is to protect student-athletes by providing recommendations that support the development and implementation of effective sudden cardiac arrest (SCA) prevention policies in local school divisions through education, prompt recognition, and appropriate response.

The proposed *Guidelines for Policies on Sudden Cardiac Arrest Prevention in Student-Athletes* were developed in consultation with clinicians with subspecialties in pediatric sports medicine, pediatric cardiology, interventional cardiology, emergency medicine, family medicine, and numerous other education and health stakeholders.

The Superintendent of Public Instruction recommended that the Board receive for first review the *Guidelines for Policies on Sudden Cardiac Arrest Prevention in Student-Athletes.*

President Gecker asked what involvement medical professionals had with the development of these guidelines, and what points of contention were made by medical professionals during review. He also asked why the Board and VDOE was tasked with these guidelines, rather than the Virginia Department of Health. Ms. Wigand responded that the stakeholder group that assisted in the review of the guidelines included physicians, including cardiologists and pediatric cardiologists. This group reviewed the guidelines and provided feedback on the draft. The Virginia Department of Health was included in the review of the guidelines.

President Gecker asked if medical professionals participated in the original drafting or just in the review, and did they have substantive changes that were suggested. He also asked if other states have similar policies like these, and how do these guidelines compare to other states. Ms. Wigand responded that the medical professionals were included in the review of the guidelines. The proposed guidelines are more comprehensive than other states. President Gecker asked which states’ guidelines were used for comparison. Ms. Wigand responded that she would follow-up with additional information on guidelines in other states. President Gecker expressed his concern for the Board approving these guidelines rather than the Virginia Department of Health or Board of Health.

The Board accepted this item for first review.

**N. First Review of Revisions to the Licensure Regulations for School Personnel to Establish an Economics and Personal Finance Add-on Endorsement (final stage)**

Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, presented this item for first review.

Currently, no specific endorsement has been established in the Licensure Regulations for School Personnel to teach courses in economics and personal finance. Teachers holding valid Virginia licenses with endorsements in specific areas of agricultural education, business and information technology, family and consumer sciences, history and social science, marketing, and mathematics may teach the courses. The final stage regulatory action (standard procedure) is to establish an add-on endorsement to teach economics and personal finance. The add-on endorsement will expand the number of teachers who may teach economics and personal finance.

To initiate this regulatory action, a workgroup was established, and proposed regulations were presented to the Advisory Board on Teacher Education and Licensure (ABTEL). The Notice of Intended Regulatory Action was approved by the Board in January 2019, and submitted for executive branch review. The proposed changes were approved by the Board in June 2020, submitted for executive branch review and published in Town Hall for a 30-day public comment period ending April 15, 2022. Public comments received were in support of establishing the Economics and Personal Finance (Add-on Endorsement), including a timeline to implement the add-on endorsement.

As recommended by ABTEL, the Board approved the following timeline for the transition period and grandfathering of teachers for the Economics and Personal Finance (Add-on Endorsement) during the proposed phase:

1. Teachers (Grandfathering)

Upon the effective date of the establishment of the Economics and Personal Finance (Add-on Endorsement), individuals who hold a teaching license (Collegiate Professional, Postgraduate Professional License, or a Provisional License leading to a Collegiate Professional or Postgraduate Professional License) may be eligible for the economics and personal finance add-on endorsement if the individual:

* completed one year of successful teaching experience [satisfactory performance rating on summative evaluation] in Virginia as the teacher of record in economics and personal finance prior to the effective date of this endorsement; and
* receives the recommendation from the Virginia school division superintendent where the individual is employed at the time of the request.
1. Current Teachers

Individuals who are teaching in Virginia public schools and meet grandfathering requirements will receive the Economics and Personal Finance (Add-on Endorsement) at no additional cost. The $50 fee to apply for an additional endorsement would be waived because these individuals currently may teach economics and personal finance with the endorsement(s) on their license.

1. Transition Period for the Endorsement

A transition period of two years should be implemented from the effective date of the Economics and Personal Finance (Add-on Endorsement) for individuals to complete the requirements to add the endorsement. As of the effective date of the Economics and Personal Finance (Add-on Endorsement), those currently teaching the course and those receiving the endorsement through “grandfathering,” will be endorsed to teach the course.

Following Board approval of the final stage, the VDOE will issue this guidance on the transition period and grandfathering of teachers for this endorsement.

The Superintendent of Public Instruction recommended that the Board waive first review and approve the revisions to the Licensure Regulations for School Personnel establishing an Economics and Personal Finance (Add-on Endorsement). Additionally, the VDOE will issue guidance on the transition period for the grandfathering of current teachers and transition period for endorsement as recommended by ABTEL.

Dr. Duran made a motion to waive first review and approve the revisions to the *Licensure Regulations for School Personnel* establishing an Economics and Personal Finance (Add-on Endorsement). The motion was seconded by Ms. Holton and carried unanimously.

**O. First Review of Revisions to the Licensure Regulations for School Personnel to Establish a Dual Language Endorsement and Add-on Endorsement (final stage)**

Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, presented this item to the Board for first review.

Currently, no specific endorsement has been established in the Licensure Regulations for School Personnel to teach courses in dual language. Specifically, there has been a need in the elementary grade levels for content curriculum to be taught in English and in a world language. The regulatory action (standard procedure) is to establish new and add-on endorsements in Dual Language (English) prek-6 and Dual Language (Target) prek-6, as well as corresponding professional studies requirements. The 2018 Virginia General Assembly passed House Bill 1156 requiring the establishment of an endorsement in dual language instruction prek-6 in the licensure regulations.

To begin the regulatory process, the Notice of Intended Regulatory Action (NOIRA) was approved by the Board in October 2018. A workgroup was established, and proposed regulations were presented to the Advisory Board on Teacher Education and Licensure (ABTEL) in the spring of 2019. The Board approved the proposed stage in November 2019, the regulations were submitted for executive branch review, and a 30-day public comment period closed on April 29, 2022. The public comment received was in support of establishing the Dual Language Endorsement and Add-on Endorsement.

The Superintendent of Public Instruction recommends that the Board waive first review and approve the regulations establishing dual language endorsements in preK-6 in the Licensure Regulations for School Personnel.

Dr. Duran made a motion to waive first review and approve the regulations establishing dual language endorsements in preK-6 in the Licensure Regulations for School Personnel. Dr. Davis-Vaught seconded the motion and it carried unanimously.

**P. First Review of Revisions to the Regulations Governing the Review and Approval of Education Programs in Virginia to Establish Dual Language and Economics and Personal Finance Endorsements (final stage)**

Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, presented this item to the Board for first review.

Currently, no specific endorsement is established in the *Regulations Governing the Review and Approval of Education Programs in Virginia* to teach courses in dual language or economics and personal finance. There is a need in the elementary grade levels for content curriculum to be taught in English and in a world language. For economics and personal finance, teachers holding valid Virginia licenses with endorsements in specific areas of agricultural education, business and information technology, family and consumer sciences, history and social science, marketing, and mathematics may teach the courses. The final stage regulatory action (standard procedure) is to establish new and add-on endorsements in Dual Language (English) prek-6, Dual Language (Target) prek-6, and Economics and Personal Finance for approved educator preparation programs at Virginia institutions of higher education. The add-on endorsement for economics and personal finance will expand the number of teachers who may teach economics and personal finance. The 2018 Virginia General Assembly passed House Bill 1156 requiring the establishment of an endorsement in dual language instruction prek-6 in the licensure regulations.

Workgroups were established for the Dual Language and the Economics and Personal Finance endorsements, and proposed regulations were presented to the Advisory Board on Teacher Education and Licensure (ABTEL). The Notice of Intended Regulatory Action was approved by the Board in October 2019. The subsequent proposed regulation changes were approved by the Board in June 2020 and submitted for executive branch review. A 30-day public comment period on the proposed stage closed on April 1, 2022. Public comments received were in support of establishing the endorsements. No changes were made to the regulatory text from the proposed stage.

The Superintendent of Public Instruction recommended that the Board waive first review and approve the proposed amendments to the *Regulations Governing the Review and Approval of Education Programs in Virginia* establishing the Dual Language and the Economics and Personal Finance endorsements.

Dr. Davis-Vaught made a motion to waive first review and approve the proposed amendments to the *Regulations Governing the Review and Approval of Education Programs in Virginia*. Dr. Duran seconded the motion and it carried unanimously.

**Q. First Review of the Revisions to the Licensure Regulations for School Personnel and Regulations Governing the Review and Approval of Education Programs in Virginia to Comport with Federal Guidelines Related to Accredited Institutions of Higher Education (fast-track)**

Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, presented this item to the Board for first review.

The *Licensure Regulations for School Personnel* (8VAC20-23) set standards for the licensure of teachers, principals, superintendents, and other professional personnel in Virginia. The *Regulations Governing the Review and Approval of Education Programs in Virginia* (8VAC20-543) set the requirements for institutions of higher education to offer state-approved teacher preparation programs that lead to licensure. These regulations are prescribed by the Board in alignment with regulations and guidelines issued by the United States Department of Education (USED).

The USED has amended regulations ([34 CFR 600](https://ecfr.federalregister.gov/current/title-34/subtitle-B/chapter-VI/part-600)) related to post-secondary institution accreditation. Effective July 1, 2020, USED no longer categorizes accrediting agencies as "regional" or "national" but instead, includes them under a combined umbrella identified as "institutional" or "nationally recognized.” State agencies were notified by USED of these changes to the federal regulations via a letter dated February 26, 2020. The Board’s *Licensure Regulations for School Personnel* and *Regulations Governing the Review and Approval of Education Programs in Virginia* require accreditation for institutions of higher education by a regional accrediting agency and include the following definitions:

"Accredited institution" means an institution of higher education accredited by a regional accrediting agency recognized by the United States Department of Education.

"Regional accrediting agency" means one of the six accrediting associations recognized by the United States Department of Education as follows: New England Association of Schools and Colleges, Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges. [Note: This definition appears only in *Regulations Governing the Review and Approval of Education Programs in Virginia*].

While the amendments to the federal regulations do not explicitly require states to amend their laws/policies/regulations, the Board is no longer permitted to distinguish between regional and national accreditation in its requirements for teacher licensure or approval of education programs at Virginia institutions of higher education based on changes to34 CFR 600.

The proposed amendments to the *Licensure Regulations for School Personnel* and *Regulations Governing the Review and Approval of Education Programs in Virginia* reflect the changes that were made to the federal regulations.

The Superintendent of Public Instruction recommends that the Board approve amendments to the *Licensure Regulations for School Personnel* and *Regulations Governing the Review and Approval of Education Programs in Virginia* to comport with federal regulations.

Ms. Holton made a motion to waive first review and approve the proposed amendments. Dr. Davis-Vaught seconded the motion and it carried unanimously.

***PRESENTATIONS***

**R. Annual Report and Presentation from the State Special Education Advisory Committee**

Dr. Samantha Hollins, Assistant Superintendent for Special Education and Student Services, along with Brian Summo, Chair of the State Special Education Advisory Committee, and Margarete Jeffer, Vice Chair of the State Special Education Advisory Committee, presented the State Special Education Advisory Committee (SSEAC) Annual Report to the Board. A copy of the report is available online at <https://doe.virginia.gov/boe/meetings/2022/06-jun/item-r.pdf>.

Following the presentation, several Board members thanked Mr. Summo and Ms. Jeffer for their service on SSEAC and the presentation.

Ms. Holton asked if the committee was composed largely of parents of children with disabilities. Yes, there are eight parent representatives (one from each region), but also other stakeholders, such as school administrators, foster care workers, and student representatives.

Ms. Holton asked about teacher recruitment and retention, the challenges associated with that issue, and potential solutions. Special education teachers are leaving for better paying jobs, even though they don’t want to leave the profession. Funding for salaries in rural communities is particularly challenging. Ms. Jeffers shared a story about an experience with a teacher who couldn’t teach anymore due to the low salary. While a 10 percent salary increase is good, it is not enough to keep teachers from leaving the classroom. More must be done to increase compensation. Mr. Summo shared that permitting state reciprocity with licensure, and making that process easier, would assist with recruitment and retention efforts. Additionally, making the route to SPED licensure easier and having student teachers serve as substitute teachers as part of their student teaching could help with this issue.

Ms. Holton asked if SSEAC is receiving the support they need from VDOE staff. Mr. Summo and Ms. Jeffer responded that yes, VDOE staff, particularly Dr. Sam Hollins, has been very supportive and helpful.

Dr. Mann asked about the recommendation to make advisory committee meetings available for live public stream. Dr. Hollins stated that this is a desire of SSEAC to increase communication and accessibility. This is also driven by the lack of strong special education support in some localities and the hope to provide information to local SEAC committees in those areas.

Dr. Mann also asked about a concern referenced about early intervention evaluations. Is there a capacity issue with ChildFind? Dr. Hollins stated that the concern is mostly around coming out of the pandemic and the effects of that on SPED students, particularly young children. There has been a decrease in children identified for services. Ensuring early childhood staff is properly training to identify the needs is a priority. Dr. Mann advocated for support for early childhood staff to become better trained in such evaluation and identification.

Dr. Duran gave a shout out to the Arlington County SEAC as they regularly provide very detailed feedback on policy proposal. He encouraged using the Arlington County SEAC as an exemplar of good locality interaction.

***WRITTEN REPORTS***

**S. Update on the Commonwealth of Virginia’s Critical Shortage Teaching Endorsement Areas for the 2022-2023 School year**

Dr. Joan Johnson, Assistant Superintendent for Teacher Education and Licensure, provided a written report to update the Board on the Commonwealth’s critical short teaching endorsement areas for the 2022-2023 school year. A copy of the report can be found online at <https://doe.virginia.gov/boe/meetings/2022/06-jun/item-s.pdf>.

***DISCUSSION ON CURRENT ISSUES by Board of Education Members and the Superintendent of Public Instruction***

**Superintendent’s Update**

President Gecker addressed the recent Superintendent’s report and refuted several statements in the report. A copy of his prepared remarks is provided below:

Let me begin by saying that the Superintendent’s report is wrong in suggesting that this Board has ignored achievement gap problems, in suggesting we have done nothing about them, and in suggesting we’ve done anything to lower expectations or exacerbate the gaps. In fact we’ve been almost single-mindedly focused on reducing achievement gaps since we adopted our latest comprehensive plan in 2017. The Board has specifically been calling out the National Assessment of Educational Progress (NAEP) declines since at least 2019 when NAEP data was first published. Had the Superintendent of Public Instruction included me and other board members amongst the stakeholders she consulted, we could have illuminated her on these topics. We have not yet achieved the outcomes we and the superintendent desire. The Accreditation model is still too new, and resources aren’t where they need to be yet. But progress on early childhood and literacy are some steps in the right direction on fully funding our schools, giving us reason to be hopeful. I welcome the Superintendent joining us in this work but let’s not look to lay blame unfairly but rather to find solutions together.

Since I have been on the Board, the one question that pervades every discussion is, how can we better the outcomes for our children. To that end, in 2017 the Board adopted a comprehensive work program that focused on improving outcomes for all our learners. Further, as required by the Virginia Constitution, we issued an “Annual Report on the Conditions and Need of Public Schools in Virginia.” In this report we highlight items that are of concern to the Board and, where possible, suggest action to change course.

In 2019, our annual report included a section on the NAEP scores. It is worth repeating what we said at that time.

*The average reading scores of Virginia fourth- and eighth-grade students on the 2019 National Assessment of Educational Progress (NAEP) tests fell by four and six points, respectively. Thirty-eight percent of Virginia fourth graders met or exceeded the benchmark for reading proficiency on the 2019 test, compared with 43 percent in 2017. The percentage of eighth graders meeting or exceeding the benchmark also declined, with 33 percent performing at the proficient or advanced level in 2019, compared with 37 percent in 2017. Virginia is one of 17 states that saw declines in performance in fourth-grade reading and one of 31 states that saw declines in eighth-grade. Reading performance nationwide was also down in both grades.*

*Virginia’s disappointing results on the national tests — which are taken every two years by representative samples of fourth- and eighth-grade students — were foreshadowed by declines over the last several years on annual SOL reading tests, especially in the critical elementary grades.*

*The Board believes in setting high expectations for all students, regardless of who they are or where they live. But as the latest reading scores make clear, Virginia must do more to help young learners attain grade-level proficiency in reading, especially in schools where teachers are challenged by increasing numbers of students whose learning is impacted by poverty, hunger and trauma.*

It should be noted that, compared to 2017 results, for eighth graders reading scores declined significantly in half the states and for fourth graders we saw material decline in 17 states. As noted in the New York Times in 2019, “overall student progress in reading has stalled in the last decade, with the highest performers stagnating and the lowest-achieving students falling farther behind.”

In response to Executive Order 1, the Superintendent released a report in May entitled “Our Commitment to Virginians, High Expectations and Excellence for All Students.” A summary of the content of the report would be 1) Virginia has an issue to address; 2) the issue has been created by lowering expectations in both accreditation and SOL testing; and 3) there is a lack of transparency in the system and evidence of issues is not widely shared.

The report suggests a causal link between changes in the accreditation system and alleged changes in cut scores and the decline in academic achievement as measured by NAEP. Other than increasing cut scores, there is no mention of a path forward to achieve optimal results for our children.

I agree with the Superintendent that we have an issue in public education in Virginia. The language I quoted from the 2019 report makes it clear that the Board understands that we have an issue in public education that needs to be addressed. But I do not believe that the Board has been anything other than forthright in acknowledging the issue and in proposing solutions.

Transparency may be the easiest to deal with. I acknowledge that the number of people who read the annual reports of the Board of Education is limited. But, the Department’s press releases get a much wider circulation.

On October 30, 2019, the Department issued a press release, the title of which was “2019 NAEP Results Underscore the Importance of Boosting Reading Instruction and Equity.” The release sets out, both in text and very clear graphs, the decline in NAEP reading scores between 2017 and 2019. The release notes that the State Board of Education proposed new Standards of Quality that included the addition of funding for reading specialists. There were no statistically significant changes in our math scores between those two years.

We need to be clear-headed about the causes of these declines – what they were and what they were not. What they were not was a decline in expectations or accountability. Reading the report, one would think that we are promoting children from grade to grade without regard to their academic achievement. In this regard, the report does a disservice when it conflates performing on grade level -that is, having enough competency to move to the next grade – and NAEP proficiency. NAEP proficiency is the second of three NAEP levels – the first is basic, then proficient and finally advanced. SOL cut scores are calculated to be the point of sufficient competence to move to the next grade. On its website, the definition of NAEP proficient includes the following: It should be noted that the NAEP Proficient achievement level does not represent grade level proficiency as determined by other assessment standards (e.g., state or district assessments).

If Virginia alone saw performance drop in 2019, then this report might make more sense. But the drops were widespread across the states. But, as previously noted, Virginia was one of a number of states that had statistically significant declines, and, to the best as I can determine, none of the other states that had declines made changes to their systems comparable to what we did in Virginia. In fact, Wyoming was one of a handful of states that had statistically significant declines in 3 of the 4 tests. I don’t believe that Wyoming made changes in its accreditation system during that time.

So, let’s think about what the cause was of a national failure to perform well. The best explanation I have seen is from the President of the Thomas B. Fordham Institute, a conservative think tank. Michael Petrilli stated: “ What’s causing these trends is no mystery. It’s almost surely the spending cuts that happened in the wake of the Great Recession. The 13-year-olds who did so poorly in 2019 would have been in grades K-2 during the worst of the cuts, from 2011 – 2014. Those early years matter!”

An important fact. A closer look at the NAEP data shows that the largest decline in scores occurred predominantly in the lower-socio economic group. There is sufficient evidence of the link between socioeconomic status and academic achievement. I will not discuss all of those studies now. Although the report focuses on the level reaching NAEP proficiency (which, interestingly enough was either up or stable between 2009 and 2019), perhaps the more relevant issue is the number of students performing below NAEP basic. For 4th grade reading, from 2009 to 2019, the number of students below NAEP basic increased from 26% to 31%. For 8th graders, the percentage increased from 22% to 29%.

About 60% of those changes can be attributed to the composition of the public-school student body. The percentage of students who were eligible for reduced/free lunch increased from 32% in 2009 to 40% in 2019. During the same period, as reported by the Joint Legislative Audit and Review Committee (JLARC) in their report Virginia Compared to Other States: 2019 Edition, Virginia ranks 26th in the category of state and local per pupil funding for Pre K-12 education and 42nd for state per pupil funding. Adjusted for inflation, state direct aid fell 8% from 2009 to 2019.

The reduction in funding has foreseeable and grave consequences. We already have a high turnover rate among current teachers, and an increasing shortage of teacher candidates in the pipeline. Based on the 2017-2018 salary data, Virginia ranked 32nd for average salary of public K-12 teachers.

We cannot expect to change outcomes (or maintain previous levels of achievement) while starving the system of resources. And we cannot expect to attract and retain a high-quality cadre of teachers if we continually underpay the profession relative to other college graduates. In 2019, the Economic Policy Institute found that the “teacher wage penalty” went from a low of 2% in Wyoming to a high of 32.7% in Virginia. i In other words, teachers in Virginia are paid 67.3 cents for every dollar paid to their college educated peers.

Research has shown that investments in instruction, especially quality teachers and school leaders, leverage the largest gains in student achievement. In Virginia, a child in an unaccredited school is twice as likely to have a first-year teacher or a teacher teaching outside their endorsement area as a child in an accredited school. The Superintendent is aware of the impact of having quality teachers in front of all of our children – in 2015, she submitted the “Wyoming Plan to Ensure Equitable Access to Excellent Educators.” In 2019, 2020 and 2021, the Board prescribed Standards of Quality which were targeted at supporting teachers and school leaders through mentorship and coaching programs. In addition, we called for an increased number of reading specialists to help address literacy issues. Finally, the prescribed Standards of Quality provided the funding to allow local school divisions with a high percentage of economically disadvantaged students to either 1) reduce class size; or 2) increase compensation to attract more experienced teachers. The enabling legislation for these Standards of Quality passed the policy committees in both houses of the General Assembly; however, they failed to make it into the state budget. We know changes need to be made; we lack the political will to do it. When we invest and improve the effectiveness of our teachers and school leaders, we will improve outcomes.

I wish the issue were as simple and inexpensively resolved by changing standards. But we are dealing with a much more significant issue than just raising expectations. We would like to work with the Superintendent, the Secretary of Education and the Governor as we seek to make changes that will have material, positive impacts on student outcomes.

A brief word on the accreditation system changes. The Board changed a system that failed to provide any incentive for a school division to focus adequate resources on the bottom 20% of students. The Board believes that all students should be focused on – there is no way to close the achievement gap without this focus. One of the things we have learned over the past 20 years is that labeling a school as failing often has an impact contrary to that which was originally intended. The contemplation of accreditation and accountability was that once you identified schools with issues, resources would flow to that school to help them achieve success. The label has consequences, but not the consequences that were foreseen. Instead of receiving additional resources and being encouraged to improve, the flight from schools that were perceived to be of lesser quality had the impact of segregating the system along socio-economic lines. People would move to the best school they could afford. And, since there were no rewards for improvement, staffing became difficult in these schools.

The new accreditation system provides more information than the previous system. In addition to academic achievement, we provide information on achievement gaps as the school’s ability to engage with its students as measured by chronic absenteeism, dropout rate and graduation and completion. Will it make a difference? I believe in the adage that what gets measured gets done. At the same time, I also know that without a change in resource level and allocation we will not realize our goals for student achievement.

The Board is committed to reviewing the system and making changes to accentuate any positive impacts and mitigate any unintended negative impacts. We have already been through one round of discussion with regard to changes; there will be more. But at this time, because of the intervention of COVID and the suspension of many of our measurement tools, there is insufficient data to reach any conclusions.

Ms. Holton cited two instances of inaccuracy in the Superintendent’s May report: the impact of the accreditation changes, and the issue of transparency raised in the report. Ms. Holton also noted that no Board members were consulted on the report, and could have provided factual information on both points, had they been consulted. Ms. Holton also noted that changes to accreditation and testing were in response to parent demands, and keeping in mind the capacity of VDOE to provide support.

Ms. Holton disputed the association between 2019 NAEP scores and the changes to accreditation and the SOA made in 2017, which went into effect as of the 2018-2019 school year. She also stated that the School Quality Profiles, implemented by the Board, significantly increased transparency with the public. Ms. Holton emphasized the need to allocate resources to schools that are struggling, which the legislature has been unwilling to do.

Dr. Mann noted that today’s comments are what happen when the Board doesn’t have an opportunity to review a report like this one prior to distribution. She emphasized the need to approach the challenges of public education in a politically bipartisan manner, and stated that it is not helping the public understand the complexity of the challenges facing public education or the solutions to the problem. She hoped that today’s conversation would bring folks together and set a better path forward – to truly fight for things that can make it better. She echoed the importance of resource allocation and funding.

Dr. Duran echoed the comments from his Board colleagues and expressed disappointment in the factual inaccuracies of the Superintendent’s report. Dr. Duran emphasized the increased transparency that the Board has enacted, such as the identification and reporting of SLIFE students. He asked the Superintendent to be honest about the data – to share when we are performing well and when we aren’t performing well. Dr. Duran noted that high-quality teachers and high-quality principals are the most important factors to closing achievement gaps and they are crying out for help. Dr. Duran praised the Board for adding the achievement gap indicator, which drew attention to this issue, which was previously not known. He thanked Superintendent Balow for her leadership on the Virginia Literacy Act. He noted that the Superintendent’s report is a morale issue for all educators reading it. There are plenty of issues to work on but they must be worked on together to support students and teachers in the classroom.

Dr. Davis-Vaught emphasized and expressed agreement with the comments of the other Board members. She noted that it’s important to put students first. She shared that being an educators has been the crowning glory of her life. This report put a damper on the spirits of some many educators in a time when they have already been through so much with COVID and are trying to build up students. She stated that together, united, we can make the Commonwealth the pinnacle for education.

Superintendent Balow stated that the report was meant to raise awareness and urgency about issues impacting public education. She noted that in everyone’s comments today, common ground has been found, and she hoped that local school boards can find common ground too – to improve education for all students. She agreed with President Gecker that what gets measureds, matters.

Superintendent Balow shared that she hoped the Board had heard about the new office of parental engagement. The role of this office is to build a bridge between parents and teachers. The relationships between parents and teachers should be meaningful, and she wants every parent and teacher to have those meaningful conversations. She agreed that it is important to put politics aside and that resource allocation is important.

President Gecker thanked Dr. Duran for his service to the Board. He stated that it had been an honor to serve with him, and that he had made it possible for the Board to make better decisions because of his perspective.

President Gecker noted to Superintendent Balow that the Board wants to be an active partner with her in tackling the challenges of public education.

**Final Legislative Report from the 2022 General Assembly**

Ms. Holton asked Dr. Leslie Sale, Director of Policy, which SOQ prescriptions haven’t made progress towards being funded by the General Assembly. Dr. Sale provided a brief update of the Board’s SOQ prescriptions:

* The teacher leader/teacher mentor program prescription has not been funded, along with the principal mentorship program.
* Progress has been made on the Equity Fund (At-Risk Add-On) but not in the way the Board prescribed.
* Progress has also been made on the ratio for English Learner teachers but not to the level the Board prescribed.
* Progress has been made on the school counselor ratio and professional support position ratio but not fully funded to the Board’s prescription.
* No progress has been made on the assistant principal prescription.

Ms. Holton has about the support staff cap in the budget. Dr. Sale responded that the General Assembly increased it to 20 positions per 1000 students in FY23 and 21 per 1000 in FY24. The Board had recommended removing the cap.

***EXECUTIVE SESSION***

Ms. Holton made a motion to go into executive session under § 2.2-3711(A)(40) of the *Code of Virginia* for the purpose of discussion and consideration of records relating to denial, suspension, or revocation of teacher licenses and that Mike Melis, legal counsel to the Virginia Board of Education, as well as staff members Jillian Balow, Amanda Blount, Joan Johnson, Steven Burkarth, and Kevin Foster, whose presence would aid in this matter, participate in the closed meeting. The motion was seconded by Dr. Duran and carried unanimously. It should be noted that Dr. Mann did not participate in the executive session.

The Board went into executive session at 2:35p.m. Ms. Holton made a motion that the Board reconvene in open session at 3:43p.m.

President Gecker made a motion that the Board certify by roll-call vote that, to the best of each member’s knowledge, (i) only public business matters lawfully exempt from open meeting requirements under Chapter 32 of Title 2.2 of the *Code of Virginia* and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered.

Board roll call:

* Mr. Gecker - aye
* Dr. Durán - aye
* Ms. Holton - aye
* Dr. Davis-Vaught - aye

The Board made the following motions:

Ms. Holton made a motion to deny a license to Robert Allen. The motion was seconded by Dr. Davis-Vaught and carried unanimously.

Dr. Duran made a motion to issue a license in Case #2. The motion was seconded by Dr. Davis-Vaught and carried unanimously.

Dr. Davis-Vaught made a motion to revoke the postgraduate professional license and provisional special education license of Stephanie Nadine Slover. The motion was seconded by Dr. Duran and carried unanimously.

## ADJOURNMENT OF THE BUSINESS SESSION

There being no further business of the Board, President Gecker adjourned the business meeting at 3:45p.m.

Mr. Dan Gecker, President