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| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |

# Agenda Item: E

## Date: July 22, 2021

### Title: Final Review of Proposal to Establish a Joint-Operated School – Region VII Virtual Academy

#### Presenter: Michael Bolling, Assistant Superintendent for Learning and Innovation

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## Purpose of Presentation:

Action required by state or federal law or regulation.

**Executive Summary:**   
This item provides for final review of the formal request for consent to establish a joint-operated school in Virginia, as required by § [22.1-26](about:blank) of the *Code of Virginia*. Section [22.1-26](about:blank) requires the Virginia Board of Education’s consent when two or more school boards wish to establish a joint or regional school or program. Since first review, four additional school divisions in Superintendent’s Region VII have joined the original thirteen school division partners to create the Region VII Virtual Academy. The Region VII Virtual Academy is being established to alleviate the participating school division demands of providing both remote and in-person learning opportunities.

Updated details regarding the establishment of the Region VII Virtual Academy are included in Attachment A.

The Region VII Virtual Academy aims to improve student access, outcomes and achievement by providing students an opportunity to learn in a remote space. This high-quality virtual environment assists in providing equity of access to diverse content that may not be available through responsible school, offers instruction differentiated on a per student basis, and increases participation and interaction with Virginia-approved curriculum.

## Action Requested:

Final review: Action requested at this meeting.

## Superintendent’s Recommendation:

The Superintendent of Public Instruction recommends that the Board provide consent for the establishment of the joint-operated Region VII Virtual Academy.   
  
**Rationale for Action:**

Board of Education consent to approve the establishment of the joint-operated Region VII Virtual Academy is required by § [22.1-26](about:blank) of the *Code of Virginia*.

## Previous Review or Action:

Previous review and action. Specify date and action taken below:

**Date:** April 22, 2021

**Action:** First Review

**Background Information and Statutory Authority:**

[§ 22.1-26. Joint and regional schools; regional public charter schools](about:blank).

A. Two or more school boards may, with the consent of the State Board, establish joint or regional schools, including regional public charter schools as defined in § 22.1-212.5, comprehensive schools offering all-day academic programs and career and technical education, and regional residential charter schools for at-risk pupils, for the use of their respective school divisions and may jointly purchase, take, hold, lease, convey and condemn both real and personal property for such joint, regional, or regional public charter schools. The school boards, acting jointly, shall have the same power of condemnation as other school boards except that land so condemned shall not be in excess of 30 acres for the use of any one joint or regional school. The title to all property acquired for such purposes shall vest jointly in the school boards in such respective proportions as the school boards may determine, and the schools shall be managed and controlled by the school boards jointly, in accordance with such regulations as are promulgated by the State Board. With the approval of the participating school boards and the respective local governing bodies, title to property acquired for a joint school shall be vested in the governing body of such school. The school boards operating a regional public charter school shall determine the school division to which any regional public charter school is assigned for the purposes of any restrictions on the number of public charter schools imposed by § 22.1-212.11.

B. Effective July 1, 2008, joint, regional, or regional charter schools in operation prior to the promulgation of new regulations may request a waiver of the new regulation requirements. This waiver request shall be submitted to the Board of Education on a form and in a manner prescribed by the Board. If the Board of Education grants the waiver request, the approved school shall continue to operate under the previous regulations.

C. Consistent with the provisions of this section, two or more school boards may, with the consent of the State Board, establish joint or regional schools, including regional public charter schools, to serve as high schools offering (i) in addition to a comprehensive high school curriculum, specialized training to students desiring to pursue careers in law enforcement, fire fighting, emergency and rescue services, and other occupations addressing public safety and welfare; or (ii) a specialized curriculum leading to a high school diploma and a postsecondary credential, such as industry certification, career certificate, or degree; or (iii) both.

Such schools described in clause (i) may be designed to incorporate the instructional services of retired or disabled emergency, fire, rescue, and law-enforcement personnel and internships with local agencies and organizations providing such emergency, fire, rescue, and law-enforcement services.

The relevant school boards operating schools described in clause (ii) may, by agreement, establish alternative schedules for the delivery of instruction that may include alternatives to standard school day and year requirements, subject to the issuance of any necessary waivers by the Board of Education pursuant to § 22.1-79.1 and relevant Board regulations. Such school boards may contract with an accredited institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education, as the case may be, pursuant to Chapter 16 (§ 22.1-319 et seq.) of this title or Article 3 (§ 23.1-213 et seq.) of Chapter 2 of Title 23.1, to deliver such instruction, which may include specialized instruction and training for students who are eligible to enroll in public high schools, consistent with §§ 22.1-3, 22.1-5, and 22.1-213.

D. Joint or regional schools, such as academic year Governor's Schools, may set the school calendar so that the first day students are required to attend school shall comport with the calendar of any of the participating school divisions, including those granted a waiver, as prescribed in § 22.1-79.1. Such calendar must be approved by the governing board of the joint or regional school.

**Timetable for Further Review/Action:**  
Following Board approval, the Region VII Virtual Academy will begin support for virtual learning in participating school divisions.

## Impact on Fiscal and Human Resources:

Approval of this proposal will impact the local school divisions in Region VII. The VDOE will provide technical support, as needed.