



VIRGINIA BOARD OF EDUCATION

AGENDA ITEM

Agenda Item: H

Date: July 25, 2024

Title: First and Final Review of Guidance Document for Reduction

Presenter: Jim Chapman, Director of Board Relations

Purpose of Presentation

Action required by state or federal law or regulation.

Executive Summary

Virginia Department of Education (“VDOE”) staff have identified documents currently on Town Hall that fall outside the definition of a “guidance document.”

This action will remove two documents from the list of guidance documents that the agency certifies as currently operative and makes available for public inspection on the Virginia Town Hall. By doing so, the agency will better serve stakeholders—including students, parents, teachers, and schools. This will ensure that the Board's guidance is accurate and up-to-date and will also avoid confusion about how statutes and regulations are interpreted and implemented.

VDOE staff have engaged in a thorough review of the documents identified for removal in consultation with the Office of the Attorney General (“OAG”) in order to ensure that the documents may be removed. By removing these documents from the list of guidance documents, the agency will eliminate 46,293 words, which will count toward the agency’s regulatory reduction goals as outlined in Executive Order 19.

Action Requested

Final action.

Superintendent’s Recommendation

The Superintendent of Public Instruction recommends that the Board approve this item and remove the guidance documents identified from Town Hall.

Previous Review or Action

Date: [April 25, 2024](#)

Action: [Item T First and Final Review of the Revisions to the Career and Technical Education \(CTE\) High-Quality Work-Based Learning \(HQWBL\) Guide](#)

Date: [January 25, 2024](#)

Action: [Item E Final Review of Regular Review of Board of Education Guidance Documents](#)

Background Information and Statutory Authority

Section [2.2-4101](#) defines a guidance document as “any document developed by a state agency that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations, excluding agency minutes or documents that pertain only to the internal management of agencies.”

To ensure consistency with the Code of Virginia, VDOE staff, in consultation with the Office of the Attorney General, is recommending the following documents for removal from the list previously certified as operative guidance documents:

1. [Career and Technical Education Work-Based Learning Guide](#). Otherwise known as the High-Quality Work-Based Learning Guide was most recently revised by the Board on [April 25, 2024](#). After submitting the document to the Virginia Regulatory Town Hall for a 30-day public comment forum in accordance with the Administrative Process Act, the document was flagged by the Governor’s Office of Regulatory Management as potentially not meeting the definition of a guidance document under § [2.2-4101](#) as it does not interpret or implement statutes or the agency’s rules or regulations. The agency reviewed the document in coordination with the Office of the Attorney General and agreed with the assessment. The document will continue to be updated by the Board and will be maintained [on the CTE High-Quality Work-Based Learning page of the VDOE website](#).
2. [Virginia Community School Framework](#). This document was developed in response to Item 135 (I)(2) of the Appropriation Act enacted by the 2019 Virginia General Assembly, which required VDOE to provide local school divisions with best practices to transition existing schools to community schools. In accordance with the Appropriation Act, the document includes best practices for removing nonacademic barriers to learning as a means to enhance student success in public elementary and secondary schools. The document does not meet the definition of a guidance document under § [2.2-4101](#) as it does not interpret or implement statutes or the

agency's rules or regulations. The document will continue to be updated by VDOE and will be maintained on [the Virginia Community School Framework page of the VDOE website](#).

Stakeholder Engagement

VDOE staff has consulted with the OAG to ensure that documents may be removed.

Implementation and Communication

Once approved by this Board, the documents in this item will be removed from the list of guidance documents on the Virginia Town Hall. The documents will remain on the VDOE website.

Impact on Fiscal and Human Resources

There is no fiscal impact of this action. Existing VDOE staff will remove the guidance documents from the Virginia Town Hall in accordance with the Administrative Process Act.