

1. Availability of In-person and Virtual Learning to All Students

SOE.DOE179

Each school board shall offer in-person instruction to each student enrolled in the local school division in a public elementary and secondary school for at least the minimum number of required instructional hours and to each student enrolled in the local school division in a public school-based early childhood care and education program for the entirety of the instructional time provided pursuant to such program. For the purposes of this act, each school board shall (i) adopt, implement, and, when appropriate, update specific parameters for the provision of in-person instruction and (ii) provide such in-person instruction in a manner in which it adheres, to the maximum extent practicable, to any currently applicable mitigation strategies for early childhood care and education programs and elementary and secondary schools to reduce the transmission of COVID-19 that have been provided by the federal Centers for Disease Control and Prevention. If a local school board determines, in collaboration with the local health department and in strict adherence to "Step 2: Determine the Level of School Impact" in the Department of Health's Interim Guidance to K-12 School Reopening or any similar provision in any successor guidance document published by the Department of Health, that the transmission of COVID-19 within a school building is at a high level, the local school board may provide fully remote virtual instruction or a combination of in-person instruction and remote virtual instruction to the at-risk groups of students indicated as the result of such collaboration or, if needed, the whole student population in the school building, but in each instance only for as long as it is necessary to address and ameliorate the level of transmission of COVID-19 in the school building. Any local school board may, for any period during which the Governor's declaration of a state of emergency due to the COVID-19 pandemic is in effect, provide fully remote virtual instruction to any enrolled student upon the request of such student's parent, guardian, or legal custodian. Any local school board may permit any teacher who is required to isolate as the result of a COVID-19 infection and any teacher who is required to quarantine as the result of exposure to another individual with a COVID-19 infection to teach from a remote location and in a fully virtual manner for the duration of such period of isolation or quarantine, consistent with the mitigation strategies as set forth in § 2 of this act. Any teacher or other school staff member who is permitted to perform any job function from a remote location or in a fully virtual manner as a reasonable accommodation pursuant to Title I of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12111 et seq.) shall be permitted to continue to perform any such job function in such a manner. All teachers and school staff shall be offered access to receive an approved COVID-19 vaccination through their relevant local health district. The provisions of these requirements shall expire on August 1, 2022.

Type: Compulsory Order

Authority: Chapter 456, 2021 Special Session I Acts of Assembly

2. Seizure Management and Action Plans

SOE.DOE180

Each local school division shall require all school nurses employed by the division to complete, on a biennial basis, a Board of Education-approved online course of instruction for school nurses regarding treating students with seizures and seizure disorders that includes information about seizure recognition and related first aid. Approved training programs shall be fully consistent with training programs and guidelines developed by the Epilepsy Foundation of America and any successor organization. Each local school division shall require all employees whose duties include regular contact with students to complete, on a biennial basis, a Board of Education-approved online course of instruction for school employees regarding treating students with seizures and seizure disorders that includes information about seizure recognition and related first aid. Approved training programs shall be fully consistent with training programs and guidelines developed by the Epilepsy Foundation of America and any successor organization.

Type: Compulsory Order

Authority: Code of Virginia §§ 22.1--274.6

3. COVID-19 Mitigation Plan on School Board Website

SOE.DOE181

Each school board shall post in a publicly accessible and conspicuous location on its website the plan outlining its strategies for mitigating the spread and public health risk of the COVID-19 virus, consistent with the Centers for Disease Control and Prevention and Virginia Department of Health mitigation recommendations, that the school board is required to submit to the Department of Education before reopening schools in accordance with Phase II and III guidelines pursuant to the June 8, 2020, order of the State Health Commissioner.

Type: Compulsory Order
Authority: Chapter 9, 2020 Special Session I Acts of Assembly

4. Teacher License Required

SOE.DOE004

School divisions may only employ as teachers those persons who hold licenses or provisional licenses issued by the State Board of Education. Teachers employed under federal Title I programs must be fully licensed and teaching in their areas of endorsement. Teachers seeking initial licensure or renewal of a license must have training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators. In addition, any individual licensed and endorsed to teach middle school civics or economics, or high school government or history who is seeking renewal of such license must demonstrate knowledge of Virginia history or state and local government. This requirement applies to the individual's next or initial renewal occurring after July 1, 2014.

Type: Compulsory Order
Authority: Code of Virginia §§ 22.1-298.1, 22.1-299 et seq.; Chapter 726, 2013 Acts of Assembly; State Board of Education Regulations 8 VAC 20-22-10 et seq., 8 VAC 20-440-10 et seq.; P.L. 89-10 (Fed.); P.L. 114-95 (Every Student Succeeds Act 2015) (Fed.)

5. Possession and Self-Administration of Inhaled Asthma Medications and Epinephrine

SOE.DOE112

School divisions must develop and implement a policy permitting a student with a diagnosis of asthma or anaphylaxis, or both, to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, while at school, at school-sponsored activities, or on a school bus or other school property. Each policy shall include the development of an individualized student health care plan. In addition, school boards shall have written policies for the possession and administration of epinephrine in every school, to be administered by certain employees who are authorized by a prescriber and trained in the administration of epinephrine to any student believed to be having an anaphylactic reaction.

Type: Compulsory Order
Authority: Code of Virginia § 22.1-274.2; State Board of Education Regulation 8 VAC 20-131-260