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

## Date: April 2, 2020

### Title: Final Review of Emergency Guidelines for Locally Awarded Verified

### Credits Due to COVID-19

#### Presenter: Dr. Leslie Sale, Interim Director of Policy

#### Email: Leslie.Sale@doe.virginia.gov Phone: (804)786-0941

## Purpose of Presentation:

Action required by Board of Education regulation.

Executive Summary:  
On March 23, 2020, Governor Ralph Northam ordered that all K-12 schools close for the remainder of the 2019-2020 academic year in an effort to control the spread of COVID-19. As such, students currently enrolled in certain high school credit-bearing courses may be unable to earn the associated verified credit, if applicable.

The Board of Education’s *Regulations Establishing Standards for the Accreditation of Public Schools -* or Standards of Accreditation - establish multiple pathways for earning a verified credit, including a passing score on the associated Standards of Learning (SOL) assessment. Alternatively, students may use the locally-awarded verified credit process. Local school boards determine the process for administering locally-awarded verified credits which allows students to demonstrate achievement by alternate measures such as work samples, portfolios, etc. As established in the Standards of Accreditation, a prerequisite for a locally-awarded verified credit is that the student must have attempted, unsuccessfully, to pass the corresponding SOL. Additionally, students are only able to apply a certain number of locally-awarded verified credits towards their graduation requirements, based on the year he or she entered high school.

By adopting the *Emergency Guidelines: Locally-Awarded Verified Credits*, the Board seeks to provide relief to those students whose ability to earn a verified credit by passing an SOL is hindered by interrupted instruction and delayed testing as a result of the extended closure. The proposed guidelines are meant to supplement the *Guidance Document Governing Certain Provisions of the Regulations Establishing Standards For Accrediting Public Schools in Virginia.* The latter document as well as the Standards of Accreditationremain in effect for the purpose of awarding locally-awarded verified credits for students enrolled in high school credit-bearing courses prior to or following spring of 2020.

## Action Requested:

Final review: Action requested at this meeting.

Superintendent’s Recommendation:   
The Superintendent of Public Instruction recommends that the Board of Education approve the Emergency Guidelines for Locally Awarded Verified Credits.

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## Rationale for Action:

The proposed guidelines provide support and relief to those student in high school credit-bearing courses that are also eligible for a verified credit. The guidelines still promote student accountability but recognize that unprecedented circumstances may impede a student’s ability to earn a verified credit.

## Previous Review or Action:

No previous review or action.

Background Information and Statutory Authority:   
The *Code of Virginia* establishes the Board of Education’s authority to prescribe graduation requirements.

§ 22.1-253.13:4 of the *Code of Virginia*:

A. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who meet the requirements prescribed by the Board of Education and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. …

The Board’s Standards of Accreditation, at 8VAC20-131-50 and 8VAC20-131-51, set out the number of verified credits a high school student needs to earn for either a Standard or Advanced Diploma. For students entering high school prior to 2018-2019, students must earn either 6 or 9 verified credits, depending on diploma type. For student entering high school after 2018-2019, students must earn 5 verified credits for either diploma.

Verified credits can be earned through one of three pathways (or four pathways for writing). 8VAC20-131-110 states, in part:

B. A "verified unit of credit" or "verified credit" is a credit awarded for a course in which a student earns a standard unit of credit and completes one of the following:

1. Achieves a passing score on a corresponding end-of-course SOL test. In accordance with the provisions of the Standards of Quality, students may earn a standard and verified unit of credit for any elective course in which the core academic Standards of Learning course content has been integrated and the student passes the related end-of-course SOL test. Such course and test combinations must be approved by the board.

Upon waiver of the 140-clock-hour requirement according to board guidelines, qualified students who have received a standard unit of credit shall be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement.

2. Achieves a passing score on an additional test, as defined in 8VAC20-131-5, as a part of the Virginia Assessment Program.

3. Meets the criteria for the receipt of a locally awarded verified credit when the student has not passed a corresponding SOL test.

a. Students who enter the ninth grade for the first time prior to the 2018-2019 school year and do not pass SOL tests in science or history and social science may receive locally awarded verified credits from the local school board in accordance with criteria established in guidelines adopted by the board. Credit accommodations for students with disabilities may be used to confer locally awarded verified credits as provided in 8VAC20-131-50 B 3.

b. Students who enter the ninth grade for the first time in the 2018-2019 school year or thereafter and do not pass SOL tests in English, mathematics, laboratory science, or history and social science may receive locally awarded verified credits from the local school board in accordance with criteria established in guidelines adopted by the board. No more than one locally awarded verified credit may be used to satisfy graduation requirements, except as provided in 8VAC20-131-51 B 3 for students with disabilities seeking a standard diploma.

4. Meets the criteria for the receipt of a verified credit in English (writing) by demonstrating mastery of the content of the associated course on an authentic performance assessment, that complies with guidelines adopted by the board. Such students shall not also be required to take the corresponding SOL test in English (writing).

The Board and Virginia Department of Education (VDOE) are currently pursuing waivers from certain federal and state accountability requirements for the 2019-2020 year, part of which is the administration of SOL and alternative assessments. Assuming these waivers are granted by the federal government and General Assembly, students will not be able to test in the spring of 2020 for the purpose of earning a verified credit. VDOE intends to extend the spring 2020 testing administration window to give students the opportunity to use the SOL as a pathway to a verified credit. However, interrupted instruction may undermine a student’s ability to perform as well as he she might with a normal assessment timeline. If broadened, the locally-awarded verified credit process may provide needed reprieve and flexibility to these students.

As part of Governor Northam’s Executive Order Fifty-One (2020), which establishes the declared state of emergency, the Superintendent of Public Instruction is able to waive state regulatory requirements. Therefore, the Superintendent intends to waive the requirement that an attempt at the corresponding SOL is a prerequisite for a locally-award verified credit. The Superintendent will also waive the cap on locally-awarded verified credits in 8VAC20-131-110 (B)(3)(b) for students subject to graduation requirements in 8VAC20-131-51. Even with flexibility provided by Executive Order Fifty-One (2020), it is prudent for the Board to also create guidelines around the administration of locally-awarded verified credits to reinforce the change in process and to remove the cap on locally-awarded verified credits for students subject to graduation requirements set out in 8VAC20-131-50.

The proposed guidelines are meant to supplement the *Guidance Document Governing Certain Provisions of the Regulations Establishing Standards For Accrediting Public Schools in Virginia.* The latter document as well as the Standards of Accreditationremain in effect for the purpose of awarding locally-awarded verified credits for students enrolled in high school credit-bearing courses prior to or following spring of 2020.

Timetable for Further Review/Action:  
Upon Board approval, and any technical or editorial edits by Department staff, the *Emergency Guidelines* will be posted to Town Hall and become available to local school divisions for determining standard unit of credits for the spring of 2020.

## Impact on Fiscal and Human Resources:

There are no costs associated with the development and dissemination of the *Emergency Guidelines*.

**Attachment A**

Virginia Board of Education

**EMERGENCY GUIDELINES**

Locally-Awarded Verified Credits

Pursuant to *Code of Virginia* § 22.1-253.13:4

**Context**

On March 23, 2020, Governor Ralph Northam ordered that all K-12 schools close for the remainder of the 2019-2020 academic year in an effort to control the spread of COVID-19. This announcement was an extension of the earlier closure order issued by Governor Northam on March 13, 2020. Recognizing that the extended closure impacts students that were enrolled in a high school credit-bearing course in the spring of 2020, the Board of Education has put forth the below emergency guidelines on locally-awarded verified credits for high school credit bearing courses that students were enrolled in during the spring of 2020.

The below is based on the Board’s authority to promulgate requirements for graduation per § [22.1-253.13:4](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13:4/) in the *Code of Virginia* as well as its *Regulations Establishing Standards for the Accreditation of Public Schools*, or Standards of Accreditation.

These emergency guidelines are meant to supplement the *Guidance Document Governing Certain Provisions of the Regulations Establishing Standards For Accrediting Public Schools in Virginia* as revised by the Board of Education in May 2019 and are in effect only for courses students were enrolled in during spring 2020. The original [*Guidance Document Governing Certain Provisions of the Regulations Establishing Standards For Accrediting Public Schools in Virginia*](http://www.doe.virginia.gov/boe/accreditation/soa-guidance-document.docx) remains in effect for the purpose of awarding locally-awarded verified credits for students enrolled in high school credit-bearing courses prior to or following spring of 2020.

If a declared state or local state of emergency overlaps scheduled instruction for the summer 2020 term, these emergency guidelines will also apply to courses that students were enrolled in during the summer 2020 term.

**Locally-Awarded Verified Credit**

[8VAC20-131-110](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section110/)(B) of the Standards of Accreditation states:

B. A "verified unit of credit" or "verified credit" is a credit awarded for a course in which a student earns a standard unit of credit, and meets one of the following:

1. Achieves a passing score on a corresponding end-of-course SOL test. In accordance with the provisions of the Standards of Quality, students may earn a standard and verified unit of credit for any elective course in which the core academic Standards of Learning course content has been integrated and the student passes the related end-of-course SOL test. Such course and test combinations must be approved by the board.

Upon waiver of the 140-clock-hour requirement according to board guidelines, qualified students who have received a standard unit of credit shall be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement.

* 1. Achieves a passing score on an additional test, as defined in [8VAC20-131-5](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section5/), as a part of the Virginia Assessment Program.
  2. Meets the criteria for the receipt of a locally awarded verified credit when the student has not passed a corresponding SOL test.
     1. Students who enter the ninth grade for the first time prior to the 2018-2019 school year and do not pass SOL tests in English, mathematics, science or history and social science may receive locally awarded verified credits from the local school board in accordance with criteria established in guidelines adopted by the board. Credit accommodations for students with disabilities may be used to confer locally awarded verified credits as provided in 8VAC20-131-50 B 3.
     2. Students who enter the ninth grade for the first time in the 2018-2019 school year or thereafter and do not pass SOL tests in English, mathematics, laboratory science, or history and social science may receive locally awarded verified credits from the local school board in accordance with criteria established in guidelines adopted by the board. No more than one locally awarded verified credit may be used to satisfy graduation requirements, except as provided in 8VAC20-131-51 B 3 for students with disabilities seeking a standard diploma.

Please note that students are still able to earn a verified credit by passing the corresponding end-of-course test or another substitute test approved by the Virginia Board of Education. Students may also use a performance assessment to earn a verified credit in writing. The spring 2020 testing window will be extended for students who wish to earn a verified credit by taking the associated SOL end-of-course assessment.

**Guidance**

To be eligible to earn locally awarded verified credits in reading, writing, mathematics, science, or history/social science under this guidance, a student must:

1. Pass the corresponding high school course; **AND**
2. Demonstrate mastery of the standards, competencies, and objectives of the entire course through a locally-determined verification process.

There is no requirement that a student must have also taken the associated Standards of Learning assessment in order to be eligible for a locally-awarded verified credit under the emergency guidelines.

The Board still requires local school boards to adopt policies to govern procedures used to confer locally-awarded verified credit under these emergency guidelines. The verification process shall include:

* The appointment by the local school board of a local review panel comprised of at least three educators. Different panels may be appointed for individual schools or groups of schools, at the local school board’s discretion.
* The local review panel will review information that provides evidence of the student’s mastery of the standards, competencies, and objectives. The panel shall have discretion in determining the information to be considered and may include, but not be limited to: results of classroom assignments, division-wide exams, course grades, and additional academic assignments (e.g., papers, projects, essays, or written questions) as deemed appropriate.
* Per these emergency guidelines, local review panels are able to consider whether a locally-awarded verified credit may be awarded to all students in a particular course, rather than on a student-by-student basis, based on:
  + - their successful completion of a locally-developed or nationally-normed summative assessment; OR
    - the student’s grade in the course. If schools choose to award locally-awarded verified credits in this limited instance based solely on a student’s grades in the course, then the local review panel may review the teacher’s course expectations and award verified credit to all students in the course with passing grades;
* School divisions choosing to award locally-awarded verified credits based solely on samples of student work or portfolios must review those samples on a student-by-student basis.
* Based on the evidence reviewed, the local review panel may award the verified credit, deny the verified credit, suggest participation in a remedial program and retesting, or make additional academic assignments as deemed appropriate prior to determining whether to award the verified credit.

**Impact on Cap of Locally-Awarded Verified Credits for 2019-2020**

Any locally-awarded verified credit awarded to students affected by the 2019-2020 extended school closures **will not count toward the cap on locally-awarded verified credits**. The Superintendent of Public Instruction will exercise the authority granted to him in Executive Order Fifty-One (2020) to ensure that locally-awarded verified credits for courses students were enrolled in during spring 2020 do not count toward the cap on locally awarded verified credits included in the Standards of Accreditation, as provided in 8VAC20-131-110.

**Additional Considerations**

Students eligible for a special permission credit accommodation should continue to use the IEP/504 process.

For those local school boards that have an existing policy on the administration of locally-awarded verified credits, the school board may suspend their policy for the 2019-2020 school year if a disclaimer is added to the written policy. The disclaimer should note that the above emergency guidelines continue to apply to any high school credit-bearing course eligible for verified credit in which a student was enrolled in spring 2020. This disclaimer should remain as part of the local school board policy for the duration of its impact on any affected student’s graduation.