



VIRGINIA BOARD OF EDUCATION

AGENDA ITEM

Agenda Item: B

Date: August 28, 2024

Title: First and Final Review of Consent Agenda Proposal for Executive Session
Licensure Hearings

Presenter: Angela L. Schneider, Director, Office of Professional Practices

Purpose of Presentation

Response to Board Request for Proposals to Streamline Executive Session.

Executive Summary

A consent agenda is a component of a Board meeting agenda enabling the Board to group items under one umbrella. As the name implies, there is a general agreement on the procedure. Issues on the consent agenda do not need any discussion before a vote. The Board consent agenda could be used to streamline the licensure hearing process.

Applications for licensure will be placed on the consent agenda only if the following conditions are met: a panel hearing has been held, the panel unanimously recommends that a license be issued, and the Superintendent of Public Instruction approves the panel recommendation. Any Board member may remove an application from the consent agenda after review of the case file. Applications on the consent agenda will either be removed from the consent agenda and continued to the next meeting, or the issuance of a license will be approved without discussion and without the applicant present.

The use of a consent agenda will streamline licensure hearings by eliminating duplication of the panel hearing process in cases where the record has been fully developed at the panel hearing and all Board members agree a license should be issued after review of the case file. The case file will be forwarded to members of the Board of Education to review before the meeting. After review of the case file, any Board member who wants to discuss the application or question the applicant will move to remove the application from the consent agenda before the vote. The use of a consent agenda allows the Board to vote on an application without bringing each applicant into the closed session. Each applicant is afforded due process because licenses will either be issued during the consent agenda or cases will be continued to allow the applicant

an opportunity to be present to present information and respond to any questions from Board members.

Action Requested

Final Review: action requested at this meeting.

Superintendent's Recommendation

The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the proposed use of a consent agenda to consider certain licensure matters during executive session.

Rationale for Action

The Board is being asked to approve the use of a consent agenda to streamline licensure hearings. The consent agenda will be used to avoid duplication of the hearing process for applicants whose licensure is noncontroversial, who have already appeared before the Superintendent's Investigative Panel and received a favorable recommendation, and whose application has been approved by the Superintendent of Public Instruction. Board members continue to review each applicant's case file and reserve the ability to remove an application from the consent agenda for further discussion.

Background Information and Statutory Authority

[Article VIII, Section 5](#) of the Constitution of Virginia authorizes the Board of Education to effectuate the Commonwealth's educational policy.

Sections [22.1-16](#) and [22.1-298.1](#) of the Code of Virginia authorize the Virginia Board of Education to promulgate such regulations as may be necessary to carry out its powers and duties and specifically to establish regulations for the denial, suspension, cancellation, revocation, and reinstatement of licenses and the written reprimand of license holders.

Part VII of the Licensure Regulations for School Personnel (8VAC20-23-720 *et seq.*) promulgated by the Virginia Board of Education are published online at

<https://law.lis.virginia.gov/admincodefull/title8/agency20/chapter23/partVII>.

Stakeholder Engagement

These procedural changes will affect a limited number of applicants who must first meet certain criteria. As there is no way to predetermine which applicants will meet the criteria, any affected individual will be asked to give written permission to be placed on the consent agenda. Any individual who prefers a full hearing will be afforded the opportunity for a hearing.

Implementation and Communication

If the process is approved, each applicant eligible for placement on the consent agenda will receive an individual communication and given the option to have their application placed on the consent agenda.

Impact on Fiscal and Human Resources

Virginia Department of Education personnel provide the human resources to prepare the cases for review by the Virginia Board of Education.