



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION
P.O. BOX 2120
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November 25, 2024

The Honorable Glenn A. Youngkin
Governor of Virginia
Patrick Henry Building, Third Floor
1111 East Broad Street
Richmond, Virginia 23219

The Honorable L. Louise Lucas
Chair, Senate Finance and Appropriations
201 North 9th Street, Room 1404
Richmond, VA 23219

The Honorable Luke E. Torian
Chair, House Appropriations
201 North 9th Street, Room 123
Richmond, VA 23219

Dear Governor Youngkin, Chair Lucas, and Chair Torian:

Please accept the Virginia Board of Education's update on HB 1477 efforts, as required by Chapter 421, 2024 Acts of Assembly.

The 2024 General Assembly passed [House Bill 1477](#) that requires the Virginia Board of Education provide local school boards with maximum flexibility to waive existing instruction hour requirements by developing competency-based or alternative instructional time models. This report summarizes the progress of the work to date by the Virginia Department of Education and the oversight of the Board in this flexibility.

If you have additional questions, please contact Andy Armstrong, Associate Superintendent of Programs, at 804-750-8174 or andy.armstrong@doe.virginia.gov.

Sincerely,

A handwritten signature in cursive script that reads "Grace Turner Creasey".

Grace Turner Creasey, M.Ed., President

Enclosure

UPDATE ON THE PROGRESS OF HB1477 (CHAPTER 421 2024 ACTS OF ASSEMBLY)

NOVEMBER 1, 2024



UPDATE ON THE PROGRESS OF HB1477

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LEGISLATIVE DIRECTIVE

The 2024 General Assembly directed the Virginia Board of Education (the Board) to provide local school boards with maximum flexibility to waive existing instructional hour requirements by developing competency-based or alternative instructional time models. Code of Virginia § 22.1-200.3 states:

The Board shall provide local school boards maximum flexibility to waive existing instructional clock hour requirements by developing alternative instructional time models in accordance with regulations adopted by the Board and Board guidelines related to instructional time waivers.

Within this legislation, there are four key steps for the Board:

1. The Board shall provide local school boards maximum flexibility to waive existing instructional clock hour requirements by developing alternative instructional time models in accordance with regulations adopted by the Board and Board guidelines related to instructional time waivers.
2. That the Board of Education, when revising its regulations and adopting Standards of Accreditation, shall provide flexibility for local school boards to develop programs that provide for acceleration, remediation, and multiple pathways to graduation that permit students to demonstrate competency at different paces.
3. That the Board of Education shall, by December 1, 2024, update its Guidelines for Graduation Requirements: Local Alternative Paths to Standard Units of Credit (Alternatives to the 140-Clock-Hour Requirement) to include guidance regarding (i) waiver pathway options to allow students time within the school day to complete work-based learning opportunities such as internships, externships, youth registered apprenticeships, clinical experiences, service learning, and other career and workforce development opportunities; (ii) advanced learning opportunities focused on problem-solving, critical thinking, creative thinking, communication, collaboration, and citizenship skills; (iii) content that provides technical knowledge, skills, and competency-based applied learning; (iv) a method for approving alternative programs, including dual enrollment courses, for which course credit may be granted for the purpose of satisfying high school graduation requirements to any student who completes such course and masters the course content by demonstrating the competencies required by course standards, regardless of time, place, or pace; (v) other instructional time models adopted to meet instructional hour requirements through a variety of learning modalities such as project-based learning, mastery-based learning, weekend courses, and evening courses to allow a student to use flexible time options to accelerate demonstration of mastery; and (vi) offering instructional and learning opportunities including innovative, advanced, and enrichment programs for the full school year.
4. That the Board of Education shall submit to the Chairs of the Senate Committee on Education and Health and the House Committee on Education by November 1, 2024, a report on its progress in implementing the provisions of this act.

WHY "CLOCK HOUR OR SEAT TIME" FLEXIBILITY

Current Seat Time Challenges

“Seat time” often refers to a scheduling requirement that causes a student to “sit” for content in a structured, paced approach that does not reflect their personal learning needs. “Seat time” is most often a challenge in high school, because high schools use an inflexible scheduling model that is built around a 1906 concept called a “Carnegie Unit.” For more than a century, students’ progress toward academic degrees was broken into 140-hour increments that became the seat time equivalent of a credit or unit of study for a course. In this antiquated model, students have been awarded high school credit for a course based on how much time a student spends directly with a teacher in a classroom rather than allowing a student to demonstrate competency or mastery of the skills and course content. In Virginia, high school schedules are frequently built around the 140-clock hour of a Carnegie Unit, which often requires students to learn in a systematic, inflexible method that does not reflect the need of the learner.

Seat time has impacted middle school block and bell schedules and impacts every aspect of schooling: how schools are organized, staffing, budgeting, bell scheduling to transportation, assessments, transcripts, and grading or evaluation demonstrations. From elementary through high school, Virginia public school students largely “graduate” to the next grade level with their age-aligned peers. This rigid concept of time has also caused challenges for middle schools and elementary schools in designing competency-based models or offering personalized and flexible opportunities. Often middle school schedules have been created as a means to standardize education by using “time” as a proxy for learning to determine how students will organize their day to create a course of study or list of standards. The Aurora Institute argues, “time is one of the most valuable resources in our schools. We often think of time and schedules as fixed, but what happens when we shift our mindsets so that learning becomes the constant and time becomes the variable? Scheduling is an essential tool that, when used effectively, can break down traditional structures and improve learning outcomes for students” (1).

The original founders of the seat time concept at the Carnegie Foundation for the Advancement of Teaching have even recognized the importance of shifting to a flexible structure focused on competency-based teaching and learning. Timothy Knowles, the 10th president of the Carnegie Foundation, said recently “We’re at a key moment in human history that demands transformation, and transforming how we educate young people must be at the top of the list. If it takes us 30 years to catch up to where we were before the pandemic, the United States is arguably in not just serious educational trouble, but serious social and economic trouble as well.”

Twenty-seven states have moved towards a model that allows local school divisions to determine how students start and finish coursework at their own pace, while others offer year-round models, traditional seat time approaches and differentiated statewide options. The Education Commission of the States has created a [comprehensive analysis](#) of state policy. The shift from seat time to mastery-based learning helps every student succeed and facilitates educational flexibility and innovation.

On December 12, 2023, the Virginia Board of Education adopted one of 7 Standards of Quality Prescriptions focused on seat time flexibility:

“The Board of Education recommends that the General Assembly require high school students have the opportunity to pursue individualized academic and career-based experiences in high school. Upon graduation all students should earn an industry recognized credential (IRC) from among the current VDOE list of meaningful IRCs or participate in a meaningful work-based learning experience as well as experience college and military readiness learning experiences. High schools must use flexible scheduling and competency-based seat time flexibility in accordance with the Board’s regulations to ensure all students are able to engage in a credentialing program, work-based learning experience or a workbased learning seminar, dual enrollment/advanced learning opportunities.”

In the 2024 Regular Session, the Virginia General Assembly passed House Bill 1477 which directed the Board to provide local school boards maximum flexibility to waive existing instructional clock hour requirements and provide guidance related to instructional time notices. This opportunity allows Virginia to provide local schools and divisions maximum flexibility in designing schedules, measuring student mastery, and truly optimizing the valuable resource of time. Most importantly, this approach allows students to progress at a flexible pace so they can move on when they have mastered material.

School divisions are not required to utilize seat time flexibility. However, for those who choose to, they can redefine instructional hours around learning experiences, environments and timelines that are more engaging for students and less focused on when and how long they are physically present in the four walls of a classroom. Total instructional time remains the same but how learning occurs is modified.

This report will outline the current process the Board is taking to provide guidelines and clarity for local schools and division divisions with the flexibility to shift away from a seat time model and toward mastery-based learning can facilitate flexibility and innovation and help students succeed by providing individualized learning models.

National Models

First, the Board reviewed national models and best practices underway by leading states. Several states have embarked on competency-based and personalized learning, and at the core of this approach, is creating clock hour or seat time flexibility for students to demonstrate mastery or competency within their own pace.

In 2015, Idaho passed a law to create a mastery-based education incubator process and to help schools shift to a mastery-based system. Idaho’s approach provides a [mastery-based learning framework](#) and the Idaho Mastery Education Network that focuses on empowering students to invest in their own success, personalized instructional supports, allows for competency demonstrated mastery through rigorous real-world applications, and most importantly, has

created policies and systems that recognized mastery. There are currently 70 schools in Idaho formally participating in the Mastery Network.

In 2019, North Dakota passed legislation to move instructional time to a calculation of student engagement rather than solely hours spent in a physical classroom, setting minimum hour standards for both general education, CTE, and science courses. They partnered with KnowledgeWorks in 2018 to launch [a statewide personalized, competency-based learning initiative](#) which aims to create equitable outcomes for learners by transforming conventional education systems to personalized, competency-based learning, and WestEd [evaluated](#) the progress over five years showed that curriculum and instruction, learner supports, and educator professional development were critical to ensure impact of personalized, competency-based learning in all three grade bands: elementary, middle and high school. Initially there were four core school districts and a youth correctional center participating in the initiative. Five years later, 484 schools are participating in the competency-based learning initiative.

In 2021, Arizona passed a law allowing public schools or school districts to adopt Instructional Time Model, enabling schools to meet the required number of instructional hours for students through a variety of methods including project-based learning, personalized and competency-based learning, weekend and evening instruction, and some remote instruction as well as traditional direct classroom instruction. Prior to the law, students had to be physically present in a classroom for a certain number of hours to count towards instructional time and to earn course credits. To help with implementation, Arizona created a [personalized learning network](#) to foster and adopt innovative practices around time, instruction, and personalized, competency-based learning. The focus of their learning network is “Personalized, competency-based learning addresses these needs by moving away from the ‘one-size-fits-all’ approach and aligning education today with the needs of tomorrow,” and therefore, Arizona focuses on redesigning classroom and K-12 public schools around time flexibility course flexibility depending on a student’s post-secondary plan. To date, the network has provided competency-based learning to over 85,000 students.

Finally, Utah in 2021 passed a seat time law allowing local school districts to create schools of innovation that are fully exempt from seat time requirements with the goal of strengthening personalized, competency-based learning. This new system allowed students to learn at their own pace and through a variety of methods. To support with implementation, Utah launched a [Flexible Learning Guide](#) that creates a framework for personalized, competency-based learning that ensure students are empowered to learn flexibly and demonstrate mastery, be assessed through student’s flexible demonstration of mastery with flexible pacing and learning supports and is rooted in rigorous, common expectations for learning. Within this guide, Utah has created extensive tools for teacher including a focus on special education to ensure equitable access at all grade levels. Their guide also outlines specific opportunities for innovation and guardrails for flexibility allowable by statute.

These successful strategies and approaches with school system leadership, principals, and teachers have informed the Board’s implementation plan and priorities with the Virginia Department of Education (VDOE).

Virginia Models

The July 2024, [Bridging the Gap Report](#) produced by the College of William & Mary School of Education, the Advanced Learning Partnerships organization, and VDOE studied Virginia pilots that occurred in elementary, middle, and high schools across the Commonwealth to create personalized learning plans. Seventeen school divisions focused on personalized learning pilots occurring in elementary, middle and high schools. Through this pilot, school divisions demonstrated the potential for personalized and competency-based learning for students in Virginia beginning with our youngest learners. Future recommendations focused on data-focused approaches, strong family engagement and communication, and the importance of creating a school wide culture on personalized goal setting and learning mastery.

PRELIMINARY INPUT

In June, round table discussions on seat time flexibility were held with secondary principals at the Virginia Association of Secondary School Principals (VASSP) Summer Learning Conference. At these round tables, principals provided feedback around interests in flexibility and current barriers to implementation. Over the summer, the VDOE and Secretary of Education teams held several listening and feedback sessions with regional superintendents to hear their interest and challenges with seat time flexibility. A virtual listening Lunch and Learn session was held in August with the Virginia Association of Elementary School Principals (VAESP) and VASSP to get additional feedback as well as individual feedback opportunities. Following the virtual listening session, a survey was sent out to participants and interested parties to seek further input on questions asked during the listening session and on different waiver pathway options made available by the legislation.

Through these preliminary listening opportunities, four key themes were represented.

Simplicity in Process

Principals and superintendents cautioned the Board and VDOE from creating cumbersome and complicated waiver or application processes. Stakeholders want the opportunity to have flexible and seamless processes that allow both school leaders and division leaders to submit seat time flexibility notice forms that allow for everything from elementary classroom flexibilities to whole high school competency-based models.

Showcase Exemplars

Virginia educators have also asked for models of implementation at the elementary, middle, and high school levels. Many educators want to explore personalized learning and provide more expansive opportunities for students; however, they want to learn from successful pilots. Both the Bridging the Gap pilot and [state models](#) in Idaho, North Dakota, Arizona, and Utah provide a wealth of resources for those schools and school divisions beginning to innovate around time, instruction, and mastery.

Create a Learning Network

Not only do school leaders and division leaders want to learn from models and exemplars, but they also want the opportunity to share practices, discuss implementation, and collaboratively work to remove barriers.

Reducing Assessment Barriers

Stakeholders also expressed concerns and challenges with current assessment windows. Several principals flagged that having only two testing windows (December and April) limits the flexibility for a student to complete one course and move on to the next. Several have asked for more fluid windows and assessment models that allow students to demonstrate competency as they work through a course or as they finish the course as well as self-directed learners being able to be assessed to demonstrate mastery ahead of taking a semester-long course.

STATE BOARD ACTIONS

Overview

In July, VDOE presented an overview of the legislation, existing seat-time flexibility regulations, and best practices across the nation to the Board and presented the plan of action alongside a timeline for implementation. The Board will receive another status update and opportunity to provide feedback on HB 1477 implementation at the December 2 and 3 Board of Education meetings.

Development of Instructional Time Notice Form Template

Most urgently, the Board will be reviewing a clear and simple instructional time notice form for local school boards to use as well as guidelines on how to complete the form and engage their local community, including parents and educators, in whether to opt in towards competency-based learning models. This will be under first review at the December 2-3 Board meetings and up for final review in the February 2025 Board meeting.

Feedback from the field has been a strong consensus around keeping the notice form simple and clear, avoiding time-restricted application processes through VDOE, and ensuring that members of the public can hear from local governing boards on why they want to utilize seat time flexibility at a single school, group of schools, or division wide.

Winter Listening Sessions

A series of in-person listening sessions will be held throughout winter 2024/2025 in four major areas of Virginia: Richmond, Roanoke, Chesapeake, and in Northern Virginia. All of these

listening sessions will be conducted to gather information and feedback from all levels within localities. Parents, students, teachers, principals, and superintendents will be invited to better inform what types of guidance and resources are needed to maximize personalized learning opportunities for students. Additional virtual in-put sessions will also be made available to gather feedback.

Board Guidance and Updates to the Standards of Accreditation

In February, the Board will review draft updated regulatory [guidance](#) for first review. Draft guidance and updates to the Standards of Accreditation (SOA) have been designed based on the [Bridging the Gap models](#) listening sessions, and national models and will further be informed from the December Board meeting, feedback on the first draft of the instructional time notice form, and general input from the field.

The Board will conduct final review of the draft guidance and updates to the Standards of Accreditation no later than March 2025.

Virginia Department of Education Implementation and Support

Learning from the successes of the four leading states on competency-based learning and from feedback from teachers, principals, and superintendents in Virginia, state implementation support is critical. Namely building capacity, cultivating systems change, empowering student learning, and ensuring learning is high-quality.

The Board recognizes professional development and technical assistance are necessary to build capacity for teachers, staff, principals, and school division leaders to understand and be able to implement the work. Leadership structures and governing board education to support the work is critical. Virginia will leverage several of the national best practices for building capacity including convenings to provide opportunities for professional development, collaboration, and networking; ongoing coaching; cross-division collaboration; technical assistance; and design team support, including trainings in design thinking and staffing.

The Board also knows supports must vary from an individual teacher/classroom level, school level, and division wide. Following the December Board Meeting, the VDOE will launch a waiver portal for school divisions to submit their instructional time notices, a Seat Time Flexibility Hub, and a learning network series for interested school divisions. These resources—including national best practices, toolkits, and customized technical support for specific areas of the work—will be shared broadly with superintendents, school leaders, school counselors, and teachers to ensure that resources are available for multiple stakeholders. The Seat Time Flexibility Hub will provide coaching, professional development, communities of practice, and targeted supports for school or division design teams and a space for peer-to-peer networks of educators to support each other in adopting, implementing and scaling personalized learning.

VDOE will also provide weekly technical assistance office hours to support schools in engaging in innovation and personalized/competency learning for students. The questions, feedback, and

inquiries from these office hours will further inform the Board’s guidance and Standards of Accreditation modifications.

As Virginia develops more competency-based models, the VDOE will visit sites to highlight their work, offering valuable examples for others to learn from. These visits will be shared with the Board for them to spotlight at meetings how personalized learning and seat time flexibility are being implemented across the Commonwealth.

Assessment Monitoring

VDOE has finalized an RFI process to better understand whether K-12 assessment vendors currently have the ability to provide competency-based assessments. The preliminary results of the RFI presentation given to the Board in October 2024 report indicated that there are multiple vendors who have the capacity to work collaboratively with the VDOE to remove statewide assessment windows as a barrier to mastery-based learning.

VDOE is also reviewing internal protocols and processes with a plan to provide divisions with guidance this spring about additional optional testing windows and best practices where students are ready to demonstrate mastery on skills and content prior to the annual SOL testing window. This is the top barrier school divisions named from moving forward with competency-based models and must be addressed in 2025.

Ongoing Board Agenda Item

The Board will continue to have at least quarterly updates from VDOE staff on progress to date for implementation efforts and supports around competency-based learning. As more schools begin to utilize seat time flexibility, the Board will showcase exemplar models for others to learn from at Board of Education working session meetings.