

Virginia Literacy Act: Instructional Program Review Process

Introduction

The [Virginia Literacy Act](#) (VLA), passed by the Virginia Legislature in 2022, and expanded in 2023, focuses on improving literacy outcomes for all K-8 students in the Commonwealth. The VLA requires the Virginia Department of Education (VDOE) to recommend instructional programs – including K-5 core, K-8 supplemental, and K-8 supplemental and intervention materials – for approval by the Virginia Board of Education (VBOE). The VDOE has partnered with the Virginia Literacy Partnerships (VLP) in the School of Education and Human Development at University of Virginia to conduct reviews of instructional materials.

Cycle II includes review of **K-5 core, K-8 supplemental, and K-8 intervention instructional materials**. This process document details the timeline and milestones for core programs K-5, supplemental programs K-8 and intervention programs K-8. Through this process, instructional programs that implement evidence-based literacy instruction (EBLI) and align with science-based reading research (SBRR) as well as the Virginia Standards of Learning (SOL) will be included in a *Recommended Instructional Program Guide*. This guide will be submitted to the VDOE and the VBOE for final review and approval, at which point VDOE will release the *Approved Instructional Program Guide*.

The purpose of the *Approved Instructional Program Guide* is to support local decision-makers by providing them with the review results that help identify core instructional programs grounded in SBRR as well as Virginia’s SOLs submitted by participating providers. The VLA allows divisions to choose a program not in this guide, by submitting an Alternate Program Application and receiving VDOE approval.

Process Summary

VLP aims to develop a comprehensive and transparent process to review instructional programs resulting in a *Recommended Instructional Program Guide* to submit to the VDOE for VBOE approval, as required by the VLA. VLP has developed a two-phase process for core instructional review and a single-phase process for supplemental and intervention review, modeled on similar processes in other states, in which providers¹ will be able to submit their programs for review.

Core Phase I Initial Review: The Phase I review evaluates core instructional programs that implement EBLI and align with SBRR as well as Virginia’s SOLs. Providers submit a comprehensive application including instructional materials, a Phase I review rubric worksheet, and other supporting materials outlined in the Submission Checklist below.

Review teams composed of Virginia educators and experts in literacy (see Appendix for more information) will review submissions. All programs that receive a rating of “meets expectations” will receive an invitation to proceed to Phase II. Programs that do not receive a rating of “meets expectations” will receive a Notice of Denial and Eligibility for Appeal (see Appendix for more information). Programs that are rescored as “meets expectations” upon appeal will receive an invitation to proceed to Phase II.

Core Phase II: In-depth Program Review: The Phase II review is a grade-level specific, detailed evaluation of core instructional programs that implement EBLI and align with SBRR and Virginia’s SOLs. Providers submit

¹ Providers include both proprietary and [Open Educational Resources](#) content providers as well as Virginia schools divisions who have developed core instructional programs.

materials and information for review including the Phase II review rubric and additional materials as outlined in the Submission Checklist below.

Supplemental Review: The Supplemental Program review evaluates supplemental programs that implement EBLI and align with SBRR as well as Virginia’s SOLs. Providers submit a comprehensive application including instructional materials, a Supplemental Program Rubric Worksheet and other supporting materials outlined in the Submission Checklist below.

Intervention Review: The Intervention Program review evaluates intervention programs that implement EBLI and align with SBRR as well as Virginia’s SOLs. Providers submit a comprehensive application including instructional materials, an Intervention Program Rubric Worksheet, and other supporting materials outlined in the Submission Checklist below.

Review teams composed of Virginia educators and experts in literacy will review submissions. All programs that receive a rating of “meets expectations”, upon initial review or after appeal², in Phase II will be included on VLP’s *Recommended Instructional Program Guide*³, which will be submitted to the VDOE and the VBOE for final review and approval.

Submission Checklist

- **Determine Eligibility for Review:** Before beginning the submission process, providers should do the following to ensure their products are eligible for review.
 - Ensure product is aligned to the review rubrics
 - Program offers high-quality, evidence-based literacy instruction aligned with science-based reading research
 - Program includes teacher’s manual
 - Program includes a phonics scope and sequence
 - Program does not require or encourage three-cueing; MSV cues, or visual memory for word recognition.
 - Ensure product meets the requirements of the review process
 - Available for review online or in digital format
 - Available for public review during the review window
 - Review Terms of Service: [Core Terms of Service](#), [Supplemental Terms of Service](#), [Intervention Terms of Service](#)
 - Review [Accessibility Assurances](#) and ensure product meets standards for accessibility
 - Review the [Publishers’ Submission Forms for Virginia’s Textbook Approval Process](#) (direct download)
- **Prepare for Submission:** Providers must complete the following steps to submit their program for review.
 - View Webinar for Providers
 - Review rubrics used to evaluate program submissions.

² Instructional Programs that do not receive a rating of “meets expectations” upon initial review will receive a Notice of Denial and Eligibility for Appeal. More information about the Appeal Process can be found in Appendix B.

³ Inclusion on the *Recommended Instructional Program Guide* does not guarantee final approval by VBOE.

Submission for Core Instructional Programs:

Complete Phase I Submission form through the website for each grade level. This includes:

- Provide initial submission information for the program, including indication of grade level and instructional focus
- Provide instructional materials (digital only) for each grade level for which you are applying, including:
 - Teacher’s manual
 - Phonics scope and sequence
 - Crosswalk of program content with the VA [Standards of Learning](#) for the corresponding grade level using the correlation documents for [Kindergarten](#), [Grade 1](#), [Grade 2](#), [Grade 3](#), [Grade 4](#), and/or [Grade 5](#)
- Sign [Terms of Service](#) document and submit through the website
- Complete and sign the [Publishers’ Submission Forms for Virginia’s Textbook Approval Process](#) (direct download) and submit through the website.
- Create a <20-minute webinar or screencast orienting Reviewers to the program

Submission for Supplemental Instructional Programs:

Complete submission form through the website for each grade level. This includes:

- Provide information for the program, including indication of grade level and instructional focus
- Provide instructional materials (digital only) for each grade level for which you are applying, including:
 - Teacher’s manual
 - Scope and sequence
 - Student materials
 - Assessments
 - Additional instructional materials not listed here
- Sign [Terms of Service](#) document and submit through the website
- Review [Accessibility Assurances](#) and ensure product meets standards for accessibility
- Complete and sign the [Publishers’ Submission Forms for Virginia’s Textbook Approval Process](#) (direct download) and submit through the website.
- Create a <20-minute webinar or screencast orienting Reviewers to the program

Submission for Intervention Instructional Programs:

Complete submission form through the website. This includes:

- Provide information for the program, including indication of instructional focus
- Provide instructional materials (digital only), including:
 - Teacher’s manual
 - Scope and sequence

- Student materials
- Assessments
- Additional instructional materials not listed here
- Sign [Terms of Service](#) document and submit through the website
- Review [Accessibility Assurances](#) and ensure product meets standards for accessibility
- Complete and sign the [Publishers' Submission Forms for Virginia's Textbook Approval Process](#) (direct download) and submit through the website.
- Create a <20-minute webinar or screencast orienting Reviewers to the program

After submission, providers will receive a confirmation email to acknowledge receipt of submission. Review teams composed of educators will evaluate each program according to the criteria outlined in review rubrics.

Appeal for Core Instructional Programs:

After the review process is complete, **providers whose programs do not receive a rating of “meets expectations”** will receive a *Notice of Denial and Eligibility for Appeal*. Providers will have 14 days to appeal Phase I scoring. This process is outlined in the *Notice of Denial and Eligibility for Appeal*. If an appeal is unsuccessful, providers will receive a *Phase I Notice of Denial of Appeal*.

Providers whose programs received a rating of “meets expectations” in Phase I, or after appeal, will receive a *Notice of Invitation to Proceed to Phase II: In-depth Program Review*. At this time, providers should follow the steps below.

- ⊘ **Prepare for Phase II Submission:** Providers must complete the following steps for a Phase II review:
 - ⊘ View Phase II submission process overview webinar (*coming soon*)
 - ⊘ Complete Phase II Submission form through our [website](#) for each grade level that has been invited to progress to Phase II. This application includes:
 - ⊘ Phase II worksheet (aligns to Phase II Core Review Rubric that will be used by Review Teams to evaluate all submissions)
 - ⊘ Login information to access the entire program (Digital access to both print and online materials) including all teacher and student materials as if the reviewers were a teacher with full access to the program.
 - ⊘ Instructional materials (*e.g., implementation guides, teacher's editions, sequence tools, student resources*) cited as evidence in the worksheet for each grade level for which you are applying should be included in the materials accessed above. Providers do not need to resubmit Phase I instructional materials.
 - ⊘ Prepare descriptions of Essential Program Components needed to implement evidence-based literacy instruction aligned with science-based reading research, including:
 - A bulleted list of the essential program components (program materials) necessary to ensure effective results and improve outcomes when implemented as demonstrated.

- A description of how components (program materials) are sold (e.g. as an all-inclusive kit, a la carte/individually, etc.)
- Information about the PD materials for teacher implementation.
- Complete and sign [Accessibility Assurances](#)

After submission, reviewers will receive a confirmation email to acknowledge receipt of submission. Review teams composed of Virginia educators and early literacy experts will evaluate each program according to the criteria outlined in the Phase II review rubric.

After the review process is complete, **providers whose programs do not receive a rating of “meets expectations”** in the Phase II review will receive a *Notice of Denial and Eligibility for Appeal*. From this time, providers will have 14 days to appeal the Phase II rating. This process is outlined in the *Notice of Denial and Eligibility for Appeal*. If an appeal does not result in a rating of “meets expectations,” providers will receive a *Phase II Notice of Denial of Appeal*.

Providers whose programs receive a rating of “meets expectations” in Phase II, or after appeal, will receive a *Phase II: Notice of Inclusion on the Recommended Instructional Program Guide*. This guide will be submitted to the VDOE and VBOE for review and approval. Inclusion in VLP’s *Recommended Core Instructional Program Guide* does not guarantee final approval by VBOE.

Appeal for Supplemental and Intervention Instructional Programs:

After the review process is complete, **providers whose programs do not receive a rating of “meets expectations”** will receive a *Notice of Denial and Eligibility for Appeal*. Providers will have 14 days to appeal the rubric scoring. This process is outlined in the *Notice of Denial and Eligibility for Appeal*. If an appeal is unsuccessful, providers will receive a *Notice of Denial of Appeal*.

Providers whose programs receive a rating of “meets expectations” in the initial review or after appeal will receive a *Notice of Inclusion on the Recommended Supplemental Program Guide* or *Notice of Inclusion on the Recommended Intervention Program Guide*. This guide will be submitted to the VDOE and VBOE for review and approval. Inclusion in VLP’s *Recommended Supplemental Program Guide* or *Recommended Intervention Program Guide* does not guarantee final approval by VBOE.

Appendix A: Tentative Timeline of Key Milestones⁴

Phase I: Initial Program Review

Tentative Dates	Milestones
May 19, 2023	VLP releases call for providers to submit for <i>Phase I Initial Review</i> for inclusion on VLP’s <i>Recommended Core Instructional Program Guide</i>
	VLP posts provider webinar to provide information about and assistance with Phase I submission process
Deadline: June 2, 2023 at noon	Providers submit Phase I application by noon
June 2023	VLP and Virginia educator review teams conduct Phase I Initial Reviews
Late June – Mid July 2023	VLP sends initial results of Phase I review to providers
	Providers who did not receive a rating of “meets expectations” may submit Phase I appeal
July 2023	VLP and Virginia educator review teams conduct Phase I appeal reviews and send final decisions to providers
August 2022	Providers who receive a score of “meets expectations” move to Phase II review

Phase II: In-Depth Program Review

Tentative Dates	Milestones
July 2023	VLP posts provider webinar to provide information about and assistance with the Phase II submission process
Late July 2023	VLP opens application period for <i>Phase II: In-depth Program Review</i> for inclusion on the <i>Recommended Core Instructional Program Guide</i>
Deadline: Early August 2023	Providers submit Phase II application
August-October 2023	VLP and Virginia educator review teams conduct Phase II In-depth Program Reviews
October 2023	VLP sends initial results of Phase II review to providers
	Providers who did not receive a rating of “meets expectations” may submit Phase II appeal

⁴ Please note: The timeline for review and approval of programs is subject to change during the review period.

November 2023	VLP and Virginia educator review teams conduct Phase II appeal reviews and send final decisions to providers
November 2023	VLP submits <i>Recommended Core Instructional Program Guide</i> to VDOE and VBOE for review and approval ⁵

Supplemental and Intervention Program Review

Tentative Dates	Milestones
May 19, 2023	VLP releases call for providers to submit for inclusion on VLP’s <i>Recommended Program Guides</i>
	VLP posts provider webinar to provide information about and assistance with submission process
Deadline: June 2, 2023 at noon	Providers submit applications by noon
June-August 2023	VLP and Virginia educator review teams conduct Supplemental & Intervention Reviews
September 2023	VLP sends initial results of review to providers
	Providers who did not receive a rating of “meets expectations” may submit appeal
October 2023	VLP and Virginia educator review teams conduct appeal reviews and send final decisions to providers
November 2023	VLP submits <i>Recommended Intervention Program Guide</i> and <i>Recommended Supplemental Program Guide</i> to VDOE and VBOE for review and approval

⁵ After VBOE’s first review, providers must provide online access to materials for public review and comment.

Appendix B: Additional Information

Appeal Processes

A provider may submit an appeal within 14 days of receiving a *Notice of Denial and Eligibility for Appeal* that states that its program will not be included in VLP's *Recommended Program Guide*. The only ground for appeal is that the program, as submitted for review, has sufficient evidence for a "meets requirement" rating. Providers may not submit additional materials but will have an opportunity to indicate what the Review Teams should reconsider in making their decision.

Review Teams

VLP will establish Review Teams to review instructional programs for inclusion in the *Recommended Program Guides*. Each Review Team will include four people, including one VLP team facilitator. The Review Teams will be composed of educators from various geographical regions of Virginia and represent the diversity of Virginia's schools. Every attempt will be made to include the following members on each review team: teachers, division-level content specialists, and subject matter experts. Each person who wishes to serve on a Review Team will complete an application and seek permission from their school division. VLP will screen applicants to ensure that they have no affiliation with any provider products and will review applicants' knowledge of EBLI/SBRR.

All reviews are conducted by Review Teams composed of Virginia educators and experts in literacy who receive training and ongoing support. To ensure the entire Review Team considers the full program, all Review Team members look at the full provider application and submission and evaluate every grade and indicator. Final results reflect multiple quality control measures including team training and norming, analyzing every indicator by all Reviewers, calibrating all findings, and reaching a consensus.

Ongoing Program Review

The VDOE will engage in a review of new instructional programs every two years. Approved programs do not need to be re-reviewed unless the publisher has updated the previously approved program, or the Standards of Learning have changed. School divisions that adopt programs from the VDOE's *Approved Program Guides* can continue to use the approved programs without purchasing updated editions.

Definitions

The VLA defines "science-based reading research" as research that (i) applies rigorous, systematic, and objective observational or experimental procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading and writing difficulties and (ii) explains how proficient reading and writing develop, why some children have difficulties developing key literacy skills, and how schools can best assess and instruct early literacy, including the use of evidence-based literacy instruction practices to promote reading and writing achievement.

The VLA also defines "evidence-based literacy instruction" as structured instructional practices, including sequential, systematic, explicit, and cumulative teaching, that (i) are based on reliable, trustworthy, and valid evidence consistent with science-based reading research; (ii) are used in core or general instruction, supplemental instruction, intervention services, and intensive intervention services; (iii) have a demonstrated record of success in adequately increasing students' reading competency, vocabulary, oral language, and

comprehension and in building mastery of the foundational reading skills of phonological and phonemic awareness, alphabetic principle, phonics, spelling, and text reading fluency; and (iv) are able to be differentiated in order to meet the individual needs of students.

Research Process

To determine which states to look to for process models, two main criteria were considered: 1) has the state passed comprehensive literacy legislation, aligned with science-based reading research, in the last 10 years, and 2) has the state followed a process aligned with science-based reading research to review core curricula, supplemental instruction, and/or intervention programs?

Laws recently passed in Arkansas, Colorado, Mississippi, Rhode Island, and Tennessee require certain aspects of early literacy instruction to align with science-based reading research, consistent with the VLA. In addition, the legislation passed by Arkansas, Colorado, and Tennessee specifically requires early reading instructional programs to align with science-based reading research. Finally, Mississippi and Rhode Island have enacted legislation that more broadly requires the use of science-based reading research in early literacy education. Each of these states, both those with specific curricular requirements and those with a broader mandate, curate approved programs by, in part, determining whether the instructional programs align with science-based reading research.