

Board of Education Agenda Item

Item: _____ P. _____

Date: October 25, 2006

Topic: First Review of Proposed Revisions to the Standards of Quality

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Origin:

Topic presented for information only (no board action required)

Board review required by
 State or federal law or regulation
 Board of Education regulation
 Other: _____

Action requested at this meeting Action requested at future meeting: November 29, 2006

Previous Review/Action:

No previous board review/action
 Previous review/action
date _____
action _____

Background Information: Article VIII, § 2 of the Constitution of Virginia requires the Board of Education to determine and prescribe standards of quality for the public schools in Virginia. The Constitution states:

“Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly. The General Assembly shall determine the manner in which funds are to be provided for the cost of maintaining an educational program meeting the prescribed standards of quality....”

On August 7, 1971, the Board of Education adopted the first Standards of Quality (SOQ). They were revised by the General Assembly in 1972 and adopted as uncodified Acts of Assembly. In 1974, they were revised into eight standards. In 1984, they were codified by the General Assembly, and in 1988 they were arranged into their current format.

The Board of Education revised its bylaws in October 2001 to require the Board to “determine the need for a review of the SOQ from time to time but no less than once every two years.” In 2002, the General Assembly passed several bills regarding the Standards of Quality. Senate Bill 201 added § 22.1-18.01

to the Code and required that “To ensure the integrity of the standards of quality, the Board of Education shall, in odd-numbered years, exercise its constitutional authority to determine and prescribe the standards, subject only to revision by the General Assembly, by (i) reviewing the standards and (ii) either proposing amendments to the standards or (iii) making a determination that no changes are necessary.” House Bill 884 and Senate Bill 350 amended § 22.1-18 of the Code and required that the Board include in its annual report to the General Assembly, “a complete listing of the current standards of quality for the Commonwealth’s public schools, together with a justification for each particular standard, how long each such standard has been in current form, and whether the Board recommends any change or addition to the standards of quality.” Senate Joint Resolution 120 requests that the Board of Education “revise the Standards of Quality to ensure these statutory practices are realistic vis-à-vis the Commonwealth’s current educational needs and practices.”

The Standing Committee on the Standards of Quality was created by resolution of the Board of Education in November 2001 and held its first meeting in January 2002. The stated purpose of the committee was to determine the information to be reviewed to determine the condition and needs of public education and the process to be used to complete this comprehensive review. The committee created an inclusive public process, encouraged public comment from all education constituents and the public, and considered policy issues brought before it by superintendents, principals, teachers, local school board members, parents, and local government officials.

The Board made the following recommendations to the General Assembly in 2003:

- There shall be one full-time principal in each elementary school.
- There shall be one full-time assistant principal for each 400 students in each school.
- There shall be elementary resource teachers in art, music, and physical education.
- The secondary school pupil to teacher funding ratio shall be reduced from 25:1 to 21:1 to support scheduled planning time for secondary teachers.
- The state-required speech language pathologist caseload shall be reduced from 68 to 60 students.
- There shall be two technology positions per 1,000 students in grades K-12 divisionwide, one to provide technology support and one to serve as a resource teacher in instructional technology.
- The formula for the calculation of funding support for SOQ prevention, intervention, and remediation shall be revised.
- There shall be one full-time instructional position for each 1,000 students to serve as the reading specialist.

The 2004 General Assembly passed legislation and appropriated funding for the elementary resource teachers in art, music, and physical education; the planning period for secondary school teachers, the technology positions, and the revisions in the formula in support of SOQ prevention, intervention, and remediation.

In 2004, the Board recommended the four unfunded staffing recommendations, as well as a number of policy changes to the General Assembly. The policy changes included requiring the following:

Standard 1: Instructional programs supporting the Standards of Learning and other educational objectives

- The curriculum adopted by the local school board shall be aligned to the Standards of Learning.

- Local school boards shall develop and implement a program of instruction for grades K through 12 that corresponds to the Standards of Learning, and meets or exceeds requirements of the Board of Education.
- Local school boards shall implement a process of collecting and analyzing data, and using the results to evaluate and make decisions about the instructional program.

Standard 2. Instructional, administrative, and support personnel

- State funding, pursuant to the appropriation act, shall be provided to support 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.

Standard 3. Accreditation, other standards and evaluation

- Local school boards shall report the results of all school academic reviews and the required annual progress reports in public session, and the local school board shall implement any actions identified through the academic review and utilize them for improvement planning.
- Each local school board shall require the implementation of a data-driven decision making process to evaluate student progress and determine and recognize education performance.
- Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent of Public Instruction shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § 22.1-18.

Standard 5. Teacher quality and educational leadership

- Teacher evaluations shall be based on regular observation of the teacher in the classroom. The evaluations shall be based, in part, on evidence that instruction is aligned with the school division's written curriculum, and shall include identification of appropriate professional development tailored to each individual teacher's instructional needs.
- Each local school board shall require its members to participate annually in high-quality professional development programs on governance, including but not limited to personnel policies and practices: curriculum and instruction; use of data in planning and decision making; and current issues in education.
- Local school boards shall provide teachers and principals with high-quality professional development programs each year in instructional content.
- Each school board shall require all instructional personnel to participate each year in these high quality professional development programs.
- Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

Standard 6. Planning and public involvement

- The Board of Education's statewide comprehensive, unified, long-range plan shall be based on data collection, analysis, and evaluation.
- The Board's plan shall include the objectives related to the improvement and sustainability of student achievement.
- Each local school board's divisionwide comprehensive, unified, long-range plan shall be based on data collection, analysis, and evaluation.
- The local school board's plan shall include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations.
- The local school board's plan shall include the objectives related to the improvement and sustainability of student achievement.
- The local school board's plan shall include provisions for parent and family involvement to include building successful school and parent partnerships.

Standard 8. Compliance

- Each local school board shall report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance shall be submitted to the Board of Education by the chairman of the local school board and the division superintendent.
- Noncompliance with the Standards of Quality shall be included in the Board of Education's annual report to the Governor and the General Assembly.

The 2005 General Assembly passed legislation containing the policy changes recommended by the Board, but did not appropriate the funding for the four unfunded positions. In 2005, the Board again proposed the four unfunded staffing recommendations, but the 2006 General Assembly did not appropriate funding for the positions.

In 2006, the Board began considering further changes to the Standards of Quality. At the April 27, 2006, planning session department staff presented an overview of the statutory provisions contained in §§ 22.1-253.13:1 through 22.1-253.13:8 of the *Code of Virginia*.

On May 23, 2006, the Standards of Quality Committee held a forum to hear comments from various organizations on potential changes to the Standards of Quality. Groups invited included the: Virginia Association of School Superintendents, Virginia School Boards Association and the VSBA Limited English Proficiency Caucus, Virginia Education Association, Virginia Association of Elementary School Principals, Virginia Association of Secondary School Principals, Virginia Association of Supervision and Curriculum Development, Virginia Municipal League, and Virginia PTA.

On June 27, department staff presented the committee with an overview of Standards of Quality funding, covering:

- An overview of direct aid to public education funding that covered federal, state, and local funds;
- A summary of how state and local shares of funding are calculated using the composite index of local ability-to-pay;

- An overview of SOQ funding for public education which included the different SOQ accounts such as Basic Aid, Sales Tax, and Special Education; and
- General descriptive information concerning account descriptions, calculations, and funding formulas.

On July 25, 2006, staff presented the committee an overview of the four unfunded recommendations, as well as staffing considerations regarding mathematics specialists, library-media specialists, and using data to improve student achievement. The committee also heard a presentation about new Standards of Quality requirements in the 2006 Appropriation Act, including a request that the Board develop a staffing recommendation for students who are blind and visually impaired.

Between September 11 and September 27, 2006, the Board held ten public hearings throughout Virginia on the Standards of Quality and heard from 123 speakers. The most frequent recommendations made by the speakers were for:

- One reading specialist for every 1,000 students.
- Additional librarians: In elementary schools, an additional full-time librarian for every 500 students over 300; in middle and secondary schools, an additional full-time librarian for every 500 students over 1,000.
- Clerical support for librarians: One full-time clerk at 350 students, and an additional clerk for every additional 600 students.
- One full-time mathematics teacher specialist for each school.
- One testing coordinator for each school.
- A minimum of ten current print material titles per student in each school library, with copyrights averaging within the last ten years.

Summary of Major Elements: Attached are the proposed changes to the Standards of Quality. These changes include the four unfunded staffing positions:

1. Require one full-time principal in each elementary school.

The SOQ currently requires a half-time principal for elementary schools with fewer than 300 students. The responsibilities of the principal are demanding and present significant challenges for all schools and especially those elementary schools that do not have full-time principals. In those school buildings without a full-time principal, a common practice is to assign a designee, often a resource teacher, who must stop instructional lessons with students to deal with the many situations that arise on a daily basis. This change will provide elementary schools with the same staffing levels for principals as is required for middle and high schools.

2. Require one full-time assistant principal for each 400 students in each school.

The SOQ currently requires one half-time assistant principal at an elementary school with between 600 and 899 students and one full-time assistant principal at an elementary school with 900 or more students. No assistant principal is provided through the SOQ in elementary schools with enrollments of fewer than 600 students. The current middle and secondary assistant principal standard in the SOQ is for one full-time assistant principal per 600 students in a school. The demands and responsibilities of assistant principals have intensified based on the increasing

complexity of the principal's role. Changing the SOQ requirement from one full-time assistant principal for each 600 students to one full-time assistant principal for each 400 students addresses the discrepancy between SOQ requirements and actual staffing practices in middle and high schools. It would also provide elementary schools with the same staffing levels for assistant principals as middle and high schools.

3. Require one full-time instructional position for each 1,000 students to serve as the reading specialist.

The Standards of Quality allow, but do not require, one full-time reading specialist in each elementary school, at the discretion of the local school board. Many school divisions already have reading specialists to provide additional resources to assist classroom teachers in instruction of reading skills and to permit individualized attention for students needing additional time and help. Research indicates that reading deficiencies in many students can be prevented or ameliorated with appropriate intervention.

4. Reduce the state required speech language pathologist caseload from 68 to 60 students.

Currently, the caseload for speech-language pathologists is mandated by the Board's *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*, 8 VAC 20-80-45, at 68 students. Speech-language pathologists provide services to students with communication disorders and are valuable assets to schools striving to address the phonology awareness and language skills that support literacy. The high caseloads carried by many speech-language pathologists limit their ability to support improved literacy for children with communication disorders and to serve as resources to teachers. The current statewide average caseload as of December 1, 2005, was 53 students.

In addition, the Board may wish to consider the following options:

Standard 1: Instructional programs supporting the Standards of Learning and other educational objectives

- Clarify that the program of instruction offered by local school divisions includes the knowledge and skills needed for gainful employment to prepare students to achieve economic self-sufficiency.
- Add a requirement that the programs of prevention, intervention, and remediation offered by the school division include components with a demonstrated record of effectiveness.
- Clarify that remediation is required if a student fails to achieve a passing score on all Standards of Learning tests in the grade, or who fails an end-of-course Standards of Learning test required for the award of a verified credit. Remediation may be required if the student fails to achieve a passing score on one or more, but not all, Standards of Learning tests in grades three through eight.
- Add a requirement for the early identification, diagnosis, and assistance for students with problems with mathematics, and provision of instructional strategies and practices that benefit the development of mathematics skills for all students.

Standard 2. Instructional, administrative, and support personnel.

- Require local school boards to employ one mathematics teacher specialist per 1,000 students in grades kindergarten through eight.
- Require local school boards to employ one data analyst/assessment coordinator per 1,000 students.
- Require local school boards to maintain pupil-teacher ratios for students who are blind or vision-impaired at not less than the following levels: Level I, resource teacher, 24 to one; Level II, self-contained with an aide, 10 to one; self-contained without an aide, eight to one, or Level II, self-contained student weight of 2.5.

(Item 128.C of Chapter 3, 2006 Acts of Assembly, states, “The Board of Education shall consider the inclusion of instructional positions needed for blind and vision impaired students enrolled in public schools and shall consider developing a caseload requirement for those instructional positions as part of its review of the Standards of Quality....”)

Standard 3. Accreditation, other standards and evaluation

- Add language specifying that the cumulative eighth grade history and social science Standards of Learning test will be eliminated after the 2007-2008 school year. Instead, all school divisions must administer the United States History to 1877, United States History: 1877 to the Present, and Civics and Economics Standards of Learning tests.
- Clarify that the School Performance Report Card must include Standards of Learning test results disaggregated by student subgroups.

Standard 4. Student achievement and graduation requirements

- Clarify that provisions be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, and from home instruction.
- Require that school divisions notify parents of secondary students of not just the number of standard and verified credits needed for graduation, but also the subject area requirements.

Standard 5. Teacher quality and educational leadership

- Add a requirement that the local school board provide teachers and principals with professional development programs in effective classroom management.

Standard 6. Planning and public involvement

- Clarify that the strategies for improving student achievement in the Board of Education’s comprehensive plan, as well as the local school board’s comprehensive plan, focus attention on the achievement of educationally at-risk students.

Standard 7. School board policies

- Clarify that the current school division policies made available to the public include the Student Conduct Policy.

- Require that the school division policies be posted on the school division's Web site, in addition to hard copies being made available to the public.

Superintendent's Recommendation: N/A

Impact on Resources: The impact on state funds for the four unfunded staffing recommendations is estimated to be \$100.3 million in Fiscal Year 2007 and \$103.8 million in Fiscal Year 2008, based on Chapter 3, the 2006 Appropriation Act:

Recommendation	FY 2008 Estimated Cost
Elementary principal – One full-time principal in every elementary school	\$7.3 million
Assistant principal – One full-time assistant principal per 400 students	\$53.0 million
Reading specialist – One position for every 1,000 students in K-12	\$39.3 million
Speech-language pathologist – Reduce caseload from 68 to 60	\$4.2 million
Total	\$103.8 million

Timetable for Further Review/Action: Final review and approval will be requested at the November 29, 2006 Board meeting. Upon approval, the recommendations will be submitted to the 2007 General Assembly for its consideration.

2006 STANDARDS OF QUALITY

§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

A. The General Assembly and the Board of Education believe that the fundamental goal of the public schools of this Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board of Education find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, Section 1 of the Constitution of Virginia.

B. The Board of Education shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § [2.2-4001](#).

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning including problem solving and decision making; proficiency in the use of computers and related technology; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade three shall be based on components of effective reading instruction, to include, at a minimum, phonemic awareness, phonics, fluency, vocabulary development, and text comprehension.

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board of Education shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board of Education shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department of Education shall make available and maintain a ~~website~~ Web site, either separately or through an existing ~~website-Web site~~ utilized by the Department of Education, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such ~~website~~ Web site shall facilitate the submission of recommendations by educators.

School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

The Board of Education shall include in the Standards of Learning for history and social science the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" shall include consideration of disability, ethnicity, race, and gender.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, ~~gainful and~~ employment, or training in a career or technical field ~~to qualify for appropriate training~~; and

development of the ability to apply such skills and knowledge in preparation for eventual employment, and lifelong learning and to achieve economic self-sufficiency.¹

Local school boards shall also develop and implement programs of prevention, intervention, or remediation with a demonstrated record of effectiveness² for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit ~~required for the student's graduation~~.³

Any student who ~~passes~~ achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails ~~all four~~ to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit⁴ shall be required to attend a ~~summer school~~ remediation program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § [22.1-254](#) and § [22.1-254.01](#).

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit ~~required for the student's graduation~~.⁵ Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

¹ Public comment.

² Public comment.

³ Public comment.

⁴ Public comment.

⁵ Public comment.

The Board of Education shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § [22.1-199.2](#).

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.
2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school. Such programs shall include components that have a demonstrated record of effectiveness.⁶
3. Career and technical education programs incorporated into the K through 12 curricula that include:
 - a. Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;
 - b. Career exploration opportunities in the middle school grades; and
 - c. Competency-based career and technical education programs that integrate academic outcomes, career guidance and job-seeking skills for all secondary students. Programs must be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.
4. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.
5. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.

⁶Public comment.

6. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board of Education.

7. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.

8. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.

9. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations.

10. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs.

11. Early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students.⁷

12. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

13. A program of student services for grades kindergarten through 12 that shall be designed to aid students in their educational, social, and career development.

14. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also

⁷ Comment from the Virginia Mathematics and Science Coalition and several individual commenters.

provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the *relevant* subject areas in which they are teaching.⁸

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with mental retardation that do not exceed the pupil/teacher ratios for self contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act. Calculations of kindergarten positions shall be based on full-day kindergarten programs. Beginning with the March 31 report of average daily membership, those school divisions offering half-day kindergarten with pupil/teacher ratios that exceed 30 to one shall adjust their average daily membership for kindergarten to reflect 85 percent of the total kindergarten average daily memberships, as provided in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

⁸ Public comment.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to support 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ ~~the following one full-time equivalent instructional position for each 1,000 students in Average Daily Membership to serve as reading specialists in elementary schools, one full-time in each elementary school at the discretion of the local school board for the school division.~~⁹

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to the type of school and student enrollment:

1. Principals in elementary schools, ~~one half-time to 299 students, one full-time at 300 students; principals in~~ middle schools, ~~one full-time, to be employed on a 12-month basis; principals in and~~ high schools, one full-time, to be employed on a 12-month basis;¹⁰

2. Assistant principals in elementary schools, ~~one half-time at 600 students, one full-time at 900 students; assistant principals in~~ middle schools, ~~one full-time for each 600 students; assistant principals in and~~ high schools, one full-time for each ~~600 400~~ students;¹¹

3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students.

4. Guidance counselors in elementary schools, one hour per day per 100 students, one full-time at 500 students, one hour per day additional time per 100 students or major fraction thereof; guidance counselors in middle schools, one period per 80 students, one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance counselors in high schools, one period per 70 students, one full-time at 350 students, one additional period per 70 students or major fraction thereof; and

5. Clerical personnel in elementary schools, part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students.

⁹ Language previously recommended by the Board.

¹⁰ Language previously recommended by the Board.

¹¹ Language previously recommended by the Board.

I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher.

K. Local school boards shall employ speech-language pathologists in sufficient numbers to ensure a caseload that does not exceed 60 students per position.¹²

L. Local school boards shall employ one full-time equivalent position per 1,000 students in grades kindergarten through eight to serve as a mathematics teacher specialist.¹³

M. Local school boards shall employ one full-time equivalent position per 1,000 students in grades kindergarten through 12 to serve as a data analyst/assessment coordinator.¹⁴

N. Local school boards shall employ instructional and paraprofessional staff to ensure the following maximum pupil-teacher ratios for students who are blind or vision impaired: Level I, resource teacher, 24 to one; Level II, self-contained with an aide, 10 to one; self-contained without an aide, eight to one, or Level II, self-contained, student weight of 2.5.¹⁵

~~K O.~~ Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

~~L P.~~ A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for guidance counselors, and shall be based on the school's total enrollment; guidance counselor staff requirements shall, however, be based on the enrollment at the various school organization levels, i.e., elementary, middle, or high school. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

~~M Q.~~ School boards shall, however, annually, on or before January 1, report to the public the actual pupil/teacher ratios in elementary school classrooms by school for the current school year. Such actual ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes

¹² Language previously recommended by the Board.

¹³ Mathematics specialists recommended by the Virginia Mathematics and Science Coalition.

¹⁴ Assessment coordinators recommended by the Virginia School Counselors Association and others.

¹⁵ Item 128.C of Chapter 3, 2006 Acts of Assembly, states, "The Board of Education shall consider the inclusion of instructional positions needed for blind and vision impaired students enrolled in public schools and shall consider developing a caseload requirement for those instructional positions as part of its review of the Standards of Quality...."

funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N.R. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § [22.1-254.1](#), and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O.S. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services" shall include services provided by the school board members; the superintendent; assistant superintendents; student services (including guidance counselors, social workers, and homebound, improvement, principal's office, and library-media positions); attendance and health positions; administrative, technical, and clerical positions; operation and maintenance positions; educational technology positions; school nurses; and pupil transportation positions.

Pursuant to the appropriation act, support services shall be funded from basic school aid on the basis of prevailing statewide costs.

§ 22.1-253.13:3. Standard 3. Accreditation, other standards and evaluation.

A. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ [2.2-4000](#) et seq.), which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, student services, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.

The Board shall review annually the accreditation status of all schools in the Commonwealth.

Each local school board shall maintain schools that are fully accredited pursuant to the standards ~~of~~ **for** accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the standards as approved by the Board.

When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § [22.1-253.13:6](#).

With such funds as are appropriated or otherwise received for this purpose, the Board shall adopt and implement an academic review process, to be conducted by the Department of Education, to assist schools that are accredited with warning. The Department shall forward a report of each academic review to the relevant local school board, and such school board shall report the results of such academic review and the required annual progress reports in public session. The local school board shall implement any actions identified through the academic review and utilize them for improvement planning.

B. The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements. The Superintendent of Public Instruction shall annually identify to the Board those school divisions and schools that exceed or do not meet the approved

criteria. Such identification shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent of Public Instruction shall assist local school boards in the implementation of action plans for increasing educational performance in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent of Public Instruction shall monitor the implementation of and report to the Board of Education on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board of Education shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall (i) in consultation with the chairpersons of the eight regional superintendents' study groups, establish a timetable for administering the Standards of Learning assessments to ensure genuine end-of-course and end-of-grade testing and (ii) with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments.

In prescribing such Standards of Learning assessments, the Board shall provide local school boards the option of administering tests for United States History to 1877, United States History: 1877 to the Present, and Civics and Economics. The last administration of the cumulative grade eight history test will be the 2007-2008 school year. Beginning with the 2008-2009 school year, all school divisions shall administer the United States History to 1877, United States History: 1877 to the Present, and Civics and Economics tests.¹⁶ The Board of Education shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, or limit the ability to test students on demand and provide immediate results in the ~~web-based~~ Web-based assessment system.

The Board shall include in the student outcome measures that are required by the Standards ~~of for~~ Accreditation end-of-course or end-of-grade tests for various grade levels and classes, as determined by the Board, in accordance with the Standards of Learning. These Standards of Learning assessments shall include, but need not be limited to, end-of-course or end-of-grade tests for English, mathematics, science, and history and social science.

¹⁶ The cumulative grade eight history test is being phased out.

In addition, to assess the educational progress of students, the Board of Education shall (i) develop appropriate assessments, which may include criterion-referenced tests and alternative assessment instruments that may be used by classroom teachers and (ii) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels.

The Standard of Learning requirements, including all related assessments, shall be waived for any student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to § [30-231.2](#), who is enrolled in a preparation program for the General Education Development (GED) certificate or in an adult basic education program to obtain the high school diploma.

The Board of Education may adopt special provisions related to the administration and use of any SOL test or tests in a content area as applied to accreditation ratings for any period during which the SOL content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board of Education shall provide notice to local school boards regarding such provisions.

D. The Board of Education may pursue all available civil remedies pursuant to § 22.1-19.1 or administrative action pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of test materials or test results.

The Board may initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests.

Records and any other information furnished to or prepared by the Board during the conduct of a review or investigation may be withheld pursuant to subdivision 12 of § 22.1-2705.3. However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.

Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

E. With such funds as may be appropriated, the Board of Education may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i)

~~web-based~~ Web-based computerized tests and assessments for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

F. To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments and other relevant data to evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to all students for grade levels and courses identified by the Board of Education, which may include criterion-referenced tests, teacher-made tests and alternative assessment instruments and shall include the Standards of Learning Assessments and the National Assessment of Educational Progress state-by-state assessment. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board of Education, the results from the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, if administered, industry certification examinations, and the Standards of Learning Assessments to the public.

The Board of Education shall not require administration of the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, except as may be selected to facilitate compliance with the requirements for home instruction pursuant to § [22.1-254.1](#).

The Board shall include requirements for the reporting of the Standards of Learning assessment scores and averages for each year as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by ~~gender and by race or ethnicity~~ student subgroups on the Virginia assessment program as appropriate¹⁷, and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department of Education's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

G. Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent of Public Instruction shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § [22.1-18](#).

¹⁷ Changed to match Standards for Accreditation language.

§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.

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 earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. Provisions shall be made ~~for students who to facilitate the transfer and appropriate grade placement of students from between other public~~¹⁸ secondary schools, ~~and~~ from nonpublic schools or from home instruction as outlined in the standards for accreditation. Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

In addition, each local school board may devise, vis-à-vis the award of diplomas to secondary school students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade for such required class expunged.

Each local school board shall notify the ~~parent~~ parents of rising eleventh and twelfth grade students of (i) the number and subject area requirements¹⁹ of standard and verified units of credit required for graduation pursuant to the standards ~~of for~~ accreditation and (ii) the remaining number and subject area requirements²⁰ of such units of credit the individual student requires for graduation.

B. Students identified as disabled who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards.

Each local school board shall notify the parent of such students with disabilities who have an individualized education program and who fail to meet the requirements for ~~graduation a standard or advanced studies diploma~~²¹ of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13 of this title.

C. Students who have completed a prescribed course of study as defined by the local school board shall be awarded certificates of program completion by local school boards if they are not eligible to receive a standard, advanced studies, modified standard, special²² or general achievement diploma.

Each local school board shall provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ 22.1-1 et seq.) of this title, to the parent of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation as provided in the standards ~~of for~~ accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom

¹⁸ To ensure that transfer students are enrolled and appropriately placed.

¹⁹ Public comment.

²⁰ Public comment.

²¹ Public comment.

²² Public comment.

English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § [22.1-5](#).

D. In establishing course and credit requirements for a high school diploma, the Board shall:

1. Provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation credit requirements, which shall include Standards of Learning testing, as necessary;
2. Establish the requirements for a standard, modified standard, or advanced studies high school diploma, which shall include one credit in fine-~~or~~ performing ~~arts~~, or ~~practical arts~~ [career and technical education](#)²³ and one credit in United States and Virginia history. The requirements for a standard high school diploma shall, however, include at least two sequential electives chosen from a concentration of courses selected from a variety of options that may be planned to ensure the completion of a focused sequence of elective courses. Students may take such focused sequence of elective courses in consecutive years or any two years of high school. Such focused sequence of elective courses shall provide a foundation for further education or training or preparation for employment and shall be developed by the school division, consistent with Board of Education guidelines and as approved by the local school board;
3. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or advanced studies diploma, that students completing elective classes into which the Standards of Learning for any required course have been integrated may take the relevant Standards of Learning test for the relevant required course and receive, upon achieving a satisfactory score on the specific Standards of Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the Board's requirement for verified credit for the required course;
4. Establish a procedure to facilitate the acceleration of students that allows qualified students, with the recommendation of the division superintendent, without completing the 140-hour class, to obtain credit for such class upon demonstration of mastery of the course content and objectives. Having received credit for the course, the student shall be permitted to sit for the relevant Standards of Learning assessment and, upon receiving a passing score, shall earn a verified credit. Nothing in this section shall preclude relevant school division personnel from enforcing compulsory attendance in public schools; and
5. Provide for the award of verified units of credit for passing scores on industry certifications, state licensure examinations, and national occupational competency assessments approved by the Board of Education.

School boards shall report annually to the Board of Education the number of industry certifications obtained and state licensure examinations passed, and the number shall be reported as a category on the School Performance Report Card.

In addition, the Board may:

²³ Clarification.

- a. For the purpose of awarding verified units of credit, approve the use of additional or substitute tests for the correlated Standards of Learning assessment, such as academic achievement tests, industry certifications or state licensure examinations; and
- b. Permit students completing career and technical education programs designed to enable such students to pass such industry certification examinations or state licensure examinations to be awarded, upon obtaining satisfactory scores on such industry certification or licensure examinations, the appropriate verified units of credit for one or more career and technical education classes into which relevant Standards of Learning for various classes taught at the same level have been integrated. Such industry certification and state licensure examinations may cover relevant Standards of Learning for various required classes and may, at the discretion of the Board, address some Standards of Learning for several required classes.

E. In the exercise of its authority to recognize exemplary academic performance by providing for diploma seals, the Board of Education shall develop criteria for recognizing exemplary performance in career and technical education programs by students who have completed the requirements for a standard or advanced studies diploma and shall award seals on the diplomas of students meeting such criteria.

In addition, the Board shall establish criteria for awarding a diploma seal for advanced mathematics and technology for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) technology courses; (ii) technical writing, reading, and oral communication skills; (iii) technology-related ~~practical arts~~²⁴ training; and (iv) industry, professional, and trade association national certifications.

The Board shall also establish criteria for awarding a diploma seal for excellence in civics education and understanding of our state and federal constitutions and the democratic model of government for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) successful completion of history, government, and civics courses, including courses that incorporate character education; (ii) voluntary participation in community service or extracurricular activities; and (iii) related requirements as it deems appropriate.

F. The Board shall establish, by regulation, requirements for the award of a general achievement diploma for those persons who have (i) achieved a passing score on the GED examination; (ii) successfully completed an education and training program designated by the Board of Education; and (iii) satisfied other requirements as may be established by the Board for the award of such diploma.

G. To ensure the uniform assessment of high school graduation rates, the Board shall collect, analyze, and report high school graduation and dropout data using a formula prescribed by the Board

The Board may promulgate such regulations as may be necessary and appropriation for the collection, analysis, and reporting of such data.

²⁴ Clarification.

§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.

A. Each member of the Board of Education shall participate in high-quality professional development programs on personnel, curriculum and current issues in education as part of his or her service on the Board.

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, teacher, administrator, and superintendent evaluations shall be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators, and Superintendents. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities.

C. The Board of Education shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents and other school staff; (ii) administrative and supervisory personnel in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on personnel, curriculum and current issues in education; and (iv) programs in Braille for teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired.

The Board shall also provide technical assistance on high-quality professional development to local school boards designed to ensure that all instructional personnel are proficient in the use of educational technology consistent with its comprehensive plan for educational technology.

D. Each local school board shall require (i) its members to participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel policies and practices; curriculum and instruction; use of data in planning and decision making; and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state or national levels.

E. Each local school board shall provide a program of high-quality professional development (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education; (iii) in educational

technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula, and (iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel.

In addition, each local school board shall also provide teachers and principals with high-quality professional development programs each year in (i) instructional content; (ii) the preparation of tests and other assessment measures; (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (iv) instruction and remediation techniques in English, mathematics, science, and history and social science; (v) interpreting test data for instructional purposes; ~~and~~ (vi) technology applications to implement the Standards of Learning; and (vii) effective classroom management.²⁵

F. Schools and school divisions shall include as an integral component of their comprehensive plans required by § [22.1-253.13:6](#), high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals. Each school board shall require all instructional personnel to participate each year in these professional development programs.

G. Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

²⁵Public comment.

§ 22.1-253.13:6. Standard 6. Planning and public involvement.

A. The Board of Education shall adopt a statewide comprehensive, unified, long-range plan based on data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review the plan biennially and adopt any necessary revisions. The Board shall post the plan on the Department of Education's [website Web site](#) if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying.

This plan shall include the objectives of public education in Virginia, including strategies for improving student achievement, [particularly the achievement of educationally at-risk students](#),²⁶ then maintaining high levels of student achievement; an assessment of the extent to which these objectives are being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent to which these Standards of Quality have been achieved and the objectives of the statewide comprehensive plan have been met. The Board shall also develop, consistent with, or as a part of, its comprehensive plan, a detailed comprehensive, long-range plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the comprehensive plan for educational technology and may require the revision of such plan as it deems necessary.

B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan shall be developed with staff and community involvement and shall include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations. Each local school board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of any divisionwide comprehensive plan or revisions thereto, each local school board shall post such plan or revisions on the division's Internet [website Web site](#) if practicable, and, in any case, shall make a hard copy of the plan or revisions available for public inspection and copying and shall conduct at least one public hearing to solicit public comment on the divisionwide plan or revisions.

The divisionwide comprehensive plan shall include, but shall not be limited to, (i) the objectives of the school division, including strategies for improving student achievement, [particularly the achievement of educationally at-risk students](#),²⁷ then maintaining high levels of student achievement; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations; (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan for implementing such regional programs and services when

²⁶ Public comment.

²⁷ Public comment.

appropriate; (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the school division's career and technical education programs, consistent with, or as a part of, the comprehensive technology plan for Virginia adopted by the Board of Education; (viii) an assessment of the needs of the school division and evidence of community participation, including parental participation, in the development of the plan; (ix) any corrective action plan required pursuant to § [22.1-253.13:3](#); and (x) a plan for parent and family involvement to include building successful school and parent partnerships that shall be developed with staff and community involvement, including participation by parents.

A report shall be presented by each school board to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide comprehensive plan have been met during the previous two school years.

C. Each public school shall also prepare a comprehensive, unified, long-range plan, which the relevant school board shall consider in the development of its divisionwide comprehensive plan.

D. The Board of Education shall, in a timely manner, make available to local school boards information about where current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the Attorney General of Virginia may be located online.

§ 22.1-253.13:7. Standard 7. School board policies.

A. Each local school board shall maintain and follow up-to-date policies. All school board policies shall be reviewed at least every five years and revised as needed.

B. Each local school board shall ensure that policies are developed giving consideration to the views of teachers, parents, and other concerned citizens and addressing the following:

1. A system of two-way communication between employees and the local school board and its administrative staff whereby matters of concern can be discussed in an orderly and constructive manner;
2. The selection and evaluation of all instructional materials purchased by the school division, with clear procedures for handling challenged controversial materials;
3. The standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights;
4. School-community communications and community involvement;
5. Guidelines to encourage parents to provide instructional assistance to their children in the home, which may include voluntary training for the parents of children in grades K through three;
6. Information about procedures for addressing concerns with the school division and recourse available to parents pursuant to § [22.1-87](#);
7. A cooperatively developed procedure for personnel evaluation appropriate to tasks performed by those being evaluated; and
8. Grievances, dismissals, etc., of teachers, and the implementation procedure prescribed by the General Assembly and the Board of Education, as provided in Article 3 (§ [22.1-306](#) et seq.) of Chapter 15 of this title, and the maintenance of copies of such procedures.

A current copy of the school division policies, including the Student Conduct Policy, shall be posted on the division's Internet Web site and²⁸ kept in the library of each school and in any public library in that division and shall be available to employees and to the public. If such policies are maintained online, school boards shall ensure that printed copies of such policies are available to citizens who do not have online access.

C. An annual announcement shall be made in each division at the beginning of the school year and, for parents of students enrolling later in the academic year, at the time of enrollment, advising the public that the policies are available in such places.

²⁸To ensure that parents have adequate access to all of the school division policies, including via the Internet.

§ 22.1-253.13:8. Compliance.

The Standards of Quality prescribed in this chapter shall be the only standards of quality required by Article VIII, Section 2 of the Constitution of Virginia.

Each local school board shall provide, as a minimum, the programs and services, as provided in the Standards of Quality prescribed above, with state and local funds as apportioned by the General Assembly in the appropriation act and to the extent funding is provided by the General Assembly.

Each local school board shall report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance shall be submitted to the Board of Education by the chairman of the local school board and the division superintendent.

Noncompliance with the Standards of Quality shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § [22.1-18](#).

As required by § [22.1-18](#), the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein that have failed to establish and maintain schools meeting the existing prescribed Standards of Quality.

The Board of Education shall have authority to seek school division compliance with the foregoing Standards of Quality. When the Board of Education determines that a school division has failed or refused, and continues to fail or refuse, to comply with any such Standard, the Board may petition the circuit court having jurisdiction in the school division to mandate or otherwise enforce compliance with such standard, including the development or implementation of any required corrective action plan that a local school board has failed or refused to develop or implement in a timely manner.