

“To ensure the integrity of the standards of quality, the Board of Education shall, in even-numbered years, exercise its constitutional authority to determine and prescribe the standards, subject to revision only by the General Assembly, by reviewing the standards and either (i) proposing amendments to the standards or (ii) making a determination that no changes are necessary....”

The *Code* also requires that the Board’s annual report to the Governor and General Assembly include any recommendations for revisions to the Standards of Quality. Section 22.1-18 of the *Code* says, in part:

“...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 which have failed to establish and maintain schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include 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 its current form, and whether the Board recommends any change or addition to the standards of quality.”

The General Assembly added language in Item 140 of the 2009 Appropriation Act that says:

“The Board of Education shall review the current Standards of Quality to evaluate the appropriateness of the existing staffing standards for instructional positions and the appropriateness of establishing ratio standards for support positions, with the objective of maximizing resources devoted to the instructional program. The findings of this review, its associated costs, and its final recommendations for rebenchmarking shall be submitted to the Governor, the Chairmen of House Appropriations and Senate Finance Committees and the Joint Subcommittee on Elementary and Secondary Education Funding established pursuant to Item 1, paragraph H. of this Act no later than November 1, 2009.”

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. 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. It completed its work on its first set of recommendations in June 2003, for consideration by the 2004 General Assembly.

The Board’s policy changes adopted by the 2004 General Assembly:

- Established the academic review process, and sets the requirements for corrective action plans for any schools that have been rated Accredited with Warning;
- Strengthened provisions related to test security and unauthorized alteration of test materials and results;
- Clarified the expectation for performance standards and high quality professional development for teachers;
- Required professional development in interpreting test data for instructional purposes; and
- Required school boards to provide information about policies addressing parental concerns.

The Board's staffing changes adopted by the 2004 General Assembly:

- Required elementary resource teachers in art, music, and physical education;
- Established one planning period per day or the equivalent for all middle and high school teachers;
- Required positions for technology support and to integrate technology into classroom instruction; and
- Revised the funding formula for SOQ prevention, intervention, and remediation.

The Board's staffing changes that were not adopted by the 2004 General Assembly would have required:

- A full-time principal for each elementary school;
- A full-time assistant principal for every 400 students in the school;
- A reduction in the caseload of speech-language pathologists; and
- One reading specialist for every 1,000 students in the school division.

The Board's policy changes adopted by the 2005 General Assembly:

- Required the curriculum adopted by the local school board to be aligned to the Standards of Learning;
- Required full accreditation of all schools within a school division;
- Required local school boards to collect and analyze data, and use the results to evaluate and make decisions about the instructional program;
- Specified the requirements for teacher evaluations, including regular observation of the teacher in the classroom, determination that the instruction is aligned with the curriculum, and identification of appropriate professional development;
- Required all instructional personnel to participate each year in high quality professional development programs;
- Required each local school board to review its professional development program annually for quality, effectiveness, participation by instructional personnel, and relevancy;
- Required each local school board's comprehensive, long-range plan shall be based on data collection, analysis, and evaluation;
- Provided that the plan include, or be consistent with, all other division plans required by state and federal laws and regulations;
- Required the plan to include strategies for improving student achievement; and
- Required provisions for parent and family involvement to build successful school and parent partnerships.

The Board's policy changes adopted by the 2007 General Assembly:

- Required the program of instruction offered by local school divisions to include the knowledge and skills needed for gainful employment;
- Specified that programs of prevention, intervention, and remediation include components that are research-based;
- Required the early identification, diagnosis, and assistance for students with problems with mathematics, and the provision of instructional strategies and practices to benefit the development of mathematics skills for all students;
- Required the School Performance Report Card to include Standards of Learning test results disaggregated by student subgroups;
- Specified that provisions be made to facilitate the transfer and appropriate grade placement of students from other public schools, nonpublic schools, and home instruction;
- Required that parents of secondary students be notified of the number of standard and verified credits needed for graduation, as well as the subject area requirements;
- Required local school boards to provide teachers and principals with professional development in effective classroom management;
- Clarified that the strategies for improving student achievement focus attention on the achievement of educationally at-risk students;
- Specified that the Student Conduct Policy be made available to the public; and
- Required that school divisions' policies be posted on their Web sites.

The Board's staffing changes that were not adopted by the 2007 General Assembly would have required:

- One mathematics specialist for every 1,000 students in K-8;
- A data manager-test coordinator for every 1,000 students in K-12; and
- Instructional positions for students who are blind or vision impaired.

The Board's recommendations for intermediate implementation options were adopted by the 2009 General Assembly:

- For the recommendation to require one data coordinator for each 1,000 students in grades kindergarten through 12 to support data management and the utilization and administration of state assessments, provide flexibility to school divisions to use the instructional technology resource teacher funding currently in the Standards of Quality to hire a data coordinator position, an instructional technology resource teacher position or a data coordinator/instructional resource teacher blended position.
- For the recommendation to require one reading specialist for each 1,000 students in grades kindergarten through 12, provide flexibility to school divisions to use Early Intervention Reading Initiative (EIRI) funding to hire reading specialists to provide the required intervention.
- For the recommendation to require one mathematics teacher specialist for each 1,000 students in grades kindergarten through eight, provide flexibility to school divisions to use Algebra Readiness Intervention (ARI) initiative funding to hire mathematics teacher specialists to provide the required intervention.
- To supplement the instructional services provided by the current Standards of Quality staffing standard of 17 teachers per 1,000 students who are English Language Learners (ELL), allow school divisions the flexibility to use funds from the Standards of Quality Prevention, Intervention, and Remediation account to hire additional teachers to provide instruction to identified ELL students.

The Board has made recommendations to the Governor and the General Assembly, or has reaffirmed previous unfunded recommendations to the Governor and the General Assembly, on June 25, 2003, November 17, 2004, October 26, 2005, November 29, 2006, November 29, 2007, and November 20, 2008.

Summary of Major Elements: The proposed plan to review the Standards of Quality would include the following actions:

April 29 and 30, 2009

Standards of Quality Committee meeting and Board of Education meeting:

- Review background information and the charge from the General Assembly.
- Approve the work plan.
- Set two public comment periods.

The first public comment period could be set for May 1 through July 31, 2009, during which time there would be three public hearings at the three SOQ committee meetings. The second public comment period could be set for September 14, 2009 through October 2, 2009, during which time there could be four public hearings.

The Department of Education staff will create a Web page to provide information to the public about the SOQ review process and an e-mail mailbox for public comment (SOQComments@doe.virginia.gov).

Department of Education staff will contract for a consultant to conduct research and collect data from all Virginia school divisions during the summer.

May 27, 2009

Standards of Quality Committee meeting:

- Invite specified stakeholders to give their recommendations.
- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

June 24, 2009

Standards of Quality Committee meeting:

- Invite specified stakeholders to give their recommendations.
- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

July 22, 2009

Standards of Quality Committee meeting:

- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

September 17, 2009

Board of Education meeting:

- Review proposed recommendations, including statutory language and the fiscal impact.
- Set the public hearing dates and locations.

The second public comment period could be set for September 14, 2009 through October 2, 2009, during which time there could be four public hearings.

October 22, 2009

Board of Education meeting:

- Approve the recommendations.
- Submit the proposal to the Governor and the General Assembly.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board waive first review and approve the plan to review the Standards of Quality.

Impact on Resources: The impact on state funds for the review of the Standards of Quality is not expected to be significant and can be absorbed within current resources.

Timetable for Further Review/Action: The Standing Committee on the Standards of Quality will meet in May, June, and July. The first review of the proposed revisions to the Standards of Quality is planned for the September 17, 2009 meeting, and the final review and approval is planned for the October 22, 2009 meeting.

ESTABLISHING A PLAN TO CONDUCT THE 2009 REVIEW OF THE STANDARDS OF QUALITY

WHEREAS, Article VIII, Section 2, *Constitution of Virginia*, states in part, "*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.*"

WHEREAS, the General Assembly has directed the Board of Education to "...review the current Standards of Quality to evaluate the appropriateness of the existing staffing standards for instructional positions and the appropriateness of establishing ratio standards for support positions, with the objective of maximizing resources devoted to the instructional program...."

WHEREAS, the Standards of Quality prescribe broad policies to ensure that each public school in the Commonwealth is a school of quality and that each child in the Commonwealth has access to a school that will offer a quality education;

WHEREAS, the Board of Education believes that public education is of the highest priority in the state budget, and that the SOQ is the foundation program for public education in the Commonwealth; and

WHEREAS, the Standards of Quality define the minimum foundation the Commonwealth must provide to meet its constitutional obligation to maintain "an educational program of high quality" for the children of Virginia;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education plans to conduct the 2009 review of the Standards of Quality as follows:

April 29 and 30, 2009

Standards of Quality Committee meeting and Board of Education meeting:

- Review background information and the charge from the General Assembly.
- Approve the work plan.
- First public comment period May 1 through July 31.

May 27, 2009

Standards of Quality Committee meeting:

- Invite specified stakeholders to give their recommendations.
- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

June 24, 2009

Standards of Quality Committee meeting:

- Invite specified stakeholders to give their recommendations.
- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

July 22, 2009

Standards of Quality Committee meeting:

- Invite the public to give their recommendations.
- Department of Education staff or the consultant will report on the research and data collection efforts.

September 17, 2009

Board of Education meeting:

- Review proposed recommendations, including statutory language and the fiscal impact.
- Second public comment period September 14 through October 2.

October 22, 2009

Board of Education meeting:

- Approve the recommendations.
- Submit the proposal to the Governor and the General Assembly.