

Board of Education Agenda Item

Item: _____ H. _____

Date: November 17, 2009

Topic: Final Review of the Board of Education's 2009 Annual Report on the Condition and Needs of Public Schools in Virginia

Presenter: Dr. Margaret N. Roberts, Executive Assistant to the Board of Education

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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:

Previous Review/Action:

No previous board review/action

Previous review/action: First Review of the 2009 Annual Report on the Condition and Needs of Public Schools in Virginia

date: October 22, 2009

action: Approved draft for additional updates

Background Information: The Board of Education has submitted an annual report each year since 1971, when the requirement was initially adopted by the General Assembly. Section 22.1-18 of the *Code of Virginia* sets forth the requirement that the Board of Education shall submit an annual report on the condition and needs of the public schools in Virginia. This section of the *Code* reads as follows:

§ 22.1-18. Report on education and standards of quality for school divisions; when submitted and effective.

By November 15 of each year, 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 *Code* requires that the annual report contain the following information: a report on the condition and needs of the public schools as determined by the Board of Education; a listing of the school divisions and the specific schools that report noncompliance with any part of the Standards of Quality (SOQ); the full text of the current SOQ; a justification for amendments; the effective date of the current SOQ; and a listing of any amendments, if any, to the SOQ being prescribed by the Board of Education.

Summary of Major Elements: An initial draft of the *2009 Annual Report on the Condition and Needs of Public Schools in Virginia* was reviewed and discussed at the Board of Education's meeting on October 22, 2009. At that time, members requested two specific additions that they wished to be incorporated prior to the final review and adoption of the report.

Attached is a revised draft for the Board's final review. All data in the report have been verified and the information requested by Board members has been added. Also, a description and explanation of the Board's final actions regarding the Standards of Quality have been added to the text.

The contents of the report include the following major headings:

- Summary of the Academic Progress of Virginia's Students
- Critical Areas of Need for the Public Schools in Virginia
- The Board of Education's Plan of Action
- The Board's Performance Measures: Addressing the Needs of Public Schools
- Compliance with the Requirements of the Standards of Quality
- Compliance with the Standards of Accreditation
- Review of the Standards of Quality

The report also contains appendices directly addressing the information specified in § 22.1-18 of the *Code of Virginia*, as follows:

- Virginia Assessment Program Results: 2005-2009
- Demographics of Virginia's Public Schools
- List of School Divisions Reporting Full Compliance with the SOQ: 2008-2009
- School Divisions Reporting Noncompliance with SOQ: 2008-2009

- Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, and Schools Rated Accreditation Denied: 2008- 2009
- Standards of Quality: Board of Education Recommendations to the 2010 Session of the Virginia General Assembly

Please note that the Virginia Division of Legislative Services has been notified that the *2009 Annual Report on the Condition and Needs of Public Schools in Virginia* will be delivered to the Governor and members of the General Assembly on or before December 1, 2009. This is slightly later than November 15, which is the due date specified in § 22.1-18 of the *Code of Virginia*.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education adopt the *2009 Annual Report on the Condition and Needs of Public Schools in Virginia*, with the understanding that staff will make any necessary edits or technical updates prior to submission to the Governor and to the General Assembly.

Impact on Resources: Staff at the Department of Education prepared the attached draft; therefore, there is an administrative impact related to preparing the text of the report and the tables contained therein. In addition, there is a minimal administrative impact for preparing, photocopying, and mailing the report to the intended recipients. The fiscal impact of distributing the report is minimal because Legislative Services guidelines for submitting reports to the legislature require that the reports be submitted online rather than in hard copy.

Timetable for Further Review/Action: Following the Board's final adoption, the report will be transmitted to the Governor and the General Assembly as required by the *Code of Virginia*. It will also be made available to the public on the Board of Education's Web site.



DRAFT: For Review November 17

**2009
ANNUAL REPORT ON THE
CONDITION AND NEEDS
OF PUBLIC SCHOOLS IN VIRGINIA**

PRESENTED TO
THE GOVERNOR AND
THE GENERAL ASSEMBLY

DRAFT

(*DATE*)
VIRGINIA BOARD OF EDUCATION

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**COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
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(date)

The Honorable Timothy M. Kaine, Governor
Members of the Virginia General Assembly
Commonwealth of Virginia
Richmond, Virginia 23219

Dear Governor Kaine and Members of the Virginia General Assembly:

On behalf of the Board of Education, I am pleased to transmit the *2009 Annual Report on the Condition and Needs of Public Schools in Virginia*, submitted pursuant to § 22.1-18 of the *Code of Virginia*. The report contains information on Virginia's public schools, including an analysis of student academic performance and a report on the school divisions' compliance with the requirements of the Standards of Quality and the Standards of Accreditation.

The report contains compelling evidence that our schools and our students are achieving at higher levels. The report also points to evidence that persistent challenges remain to be tackled. The progress shown by our public schools is the result of ongoing collaboration, dedication, workable strategies, and wise use of resources, both human and financial. It is the result of the hard work of students, teachers, administrators, support staff, parents, and supporters throughout the Commonwealth.

We see a challenging year ahead as we face the economic headwinds that have developed in recent months; however, the Board of Education remains focused on the fundamentals of improving instruction for all students. Working together with the Governor, members of the General Assembly, school and community leaders, parents, and private partners, we can improve public education for all of Virginia's young people.

The Board of Education is grateful for the support the Governor and General Assembly continue to give to Virginia's school improvement efforts. As we look to the future, the members of the Board of Education pledge to remain focused on providing the best educational opportunities and the brightest future for the young people enrolled in Virginia's public schools.

Sincerely,

Mark E. Emblidge, Ph.D.
President, Board of Education

Statutory Requirement for the Annual Report

The *Code of Virginia*, § 22.1-18, states:

By November 15 of each year, 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.

For Additional Copies

Additional copies of the report are available by contacting Dr. Margaret Roberts, executive assistant to the Board of Education, P.O. Box 2120, Richmond, VA 23218; phone: 804/ 225-2924; or e-mail Margaret.Roberts@doe.virginia.gov.

The report may be viewed online at: <http://www.doe.virginia.gov/boe/reports/index.shtml>

Table of Contents

Members of the Board of Education as of July 1, 2009.....	Page 5
Letter of Transmittal.....	Page 6
Statutory Requirements Regarding the Board of Education’s Annual Report.....	Page 7
Executive Summary.....	Page 9
Summary of the Academic Progress of Virginia’s Students.....	Page 13
Critical Need of the Public Schools in Virginia.....	Page 18
The Board of Education’s Plan of Action.....	Page 22
The Board’s Performance Measures: Addressing the Needs of Public Schools.....	Page 22
Compliance with the Requirements of the Standards of Quality.....	Page 29
Compliance with the Standards of Accreditation.....	Page 29
Review of the Standards of Quality.....	Page 31
Closing Statement by the Board of Education.....	Page 34
Appendices.....	Page 35
Appendix A: Virginia Assessment Program Results: 2005-2009:	Page 36
Appendix B: Demographics of Virginia’s Public Schools:	Page 38
Appendix C: List of School Divisions Reporting Full Compliance with the SOQ: 2008-2009:	Page 45
Appendix D: School Divisions Reporting Noncompliance with SOQ:	Page 46
Appendix E: Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, Schools Rated Accreditation Denied: 2008- 2009:	Page 54
Appendix F: Standards of Quality: Board of Education Recommendations to the 2010 Session of the Virginia General Assembly:	Page 57

Board of Education
2009 Annual Report on the Condition and Needs of
Public Schools in Virginia

EXECUTIVE SUMMARY

Academic Progress of Virginia's Students

Virginia's public schools and our students continue to show overall academic gains and receive national recognition for achievement and innovation. Performance indicators illustrate the progress Virginia's public schools are making in an era when all students must be challenged to reach their highest potential. Highlights of the performance measures contained in this report include the following:

- Ninety-eight percent of Virginia's public schools are fully accredited and meeting state standards for achievement in English, mathematics, history and science based on 2008-2009 assessment results. This is the highest percentage of schools reaching full accreditation since the Commonwealth began accrediting schools based on student achievement ten years ago.
- Virginia fourth-grade and eighth-grade students outperformed their peers nationwide and in the South in mathematics on the 2009 National Assessment of Educational Progress (NAEP). Students in only five states performed at what the National Center for Education Statistics (NCES) considers a statistically higher level on the grade-4 test, and students in only eight states achieved at a higher level on the eighth-grade assessment.
- NAEP results for 2009 also show that African-American fourth graders in only two states—Massachusetts and Texas—achieved statistically higher average scores than those in Virginia. No other states were statistically higher than Virginia in grade 8. In Virginia, the percentage of African-American students in grade 4 meeting or exceeding the NAEP standard is significantly larger today than in 2000.
- Virginia's statewide assessment results also show that Virginia's African-American and Hispanic students continue to narrow achievement gaps with white students in reading and mathematics.
- Virginia ranks third in the nation in the percentage of high school seniors earning a grade of three or better on Advanced Placement (AP) exams. Students who earn scores of three or above are generally considered to be qualified to receive college credit and/or placement into advanced courses.

- Accurate graduation rates for the state, school divisions, and high schools were calculated for the first time in 2008 using the longitudinal student-data system funded by the General Assembly. Eighty-two percent of the students in the class of 2008 graduated on time with a diploma.
- In 2009, Virginia high school students continued to fare better than their national counterparts on the ACT college admissions exam, and our graduates increased their achievement in reading and mathematics on the SAT. African-American and Hispanic Virginia public school graduates again achieved at a higher level on all three SAT subsections than their counterparts nationwide.
- In 2008, 162 Virginia public schools earned the 2009 Governor’s Award for Educational Excellence. The award is the highest honor under the Virginia Index of Performance (VIP) incentive program created by the Board of Education to encourage advanced learning and achievement. Last year, 89 schools received the award.
- The percentage of schools making AYP fell as federal benchmarks rose to 81 percent in reading and 79 percent in mathematics. Nonetheless, the percentage of school divisions making AYP increased by six points to 60 percent. Virginia and 71 percent of the public schools met or exceeded all No Child Left Behind (NCLB) objectives based on statewide testing during the 2008-2009 school year as student achievement increased in reading, mathematics and other subjects.
- Industry certifications earned through CTE programs have nearly doubled since 2007. During 2008-2009, 40 percent of CTE completers graduated with an Advanced Studies Diploma.
- *Education Week*, a prominent education journal, ranks Virginia as a national leader in online learning and the use of technology to expand opportunities for students.
- The 2009 graduation rate is one point higher than the four-year rate of 82.2 percent for the class of 2008.

Critical Needs of the Public Schools in Virginia

The Board’s priorities for action—and the performance measures used to gauge our progress in meeting those priorities—focus on the most critical needs of the public schools. These needs include the following:

- Funding the Standards of Quality (SOQ) in the current fiscal and economic climate.

- Addressing student needs in light of a persistent poverty rate that exists for children and their families, which makes these children more likely to be sick as toddlers, unprepared for kindergarten, fall behind in grade school or drop out of high school, and are less likely to be economically successful as adults.
- Providing programs that address the increase in immigrant students—a large proportion of whom are also poor—who are more likely than others to drop out or leave school without the skills needed in a global marketplace.
- Eliminating gaps in graduation rates and student achievement, although improving, persist among Virginia’s African-American and Hispanic students and their white and Asian counterparts.
- Seeking new and efficient ways to use technology to reduce the testing burden on teachers and students, but to do so in a way that will not reduce accountability standards and that can be accomplished with available funding.
- Dealing effectively with the realities of schooling for some children who face difficult personal circumstances such as high poverty, high crime in their neighborhoods, high rates of unhealthy behaviors, poor nutrition, and other circumstances that obstruct their learning at school.
- Continuing the aggressive interventions by the Virginia Department of Education to assist divisions previously identified as low-performing.
- Finding new and effective ways to help colleges and universities and school divisions in the preparation, recruitment, and retention of teachers and other educational personnel.
- Making a concerted effort to develop and promote policies to help divisions recruit and maintain minority teachers and educational personnel.
- Maintaining emphasis on quality programs for at-risk four-year-olds across the state in an era of reduced resources.
- Finding and promoting new and effective ways to involve parents in their child’s education, a critical need that must be addressed if Virginia is to promote safe and healthy school environments, and eliminate achievement gaps.
- Helping teachers and administrators at all levels to gather, analyze, and use data to continuously improve teaching and learning—the data analysis work that can lead their schools to understand what needs to change to get better results. A further challenge is to create new resources for professional development that put usable information into the hands of those directly responsible for students’ learning.

Objectives of the Board of Education

The Board of Education's *Comprehensive Plan: 2007-2012* established priorities for action. Contained in this report are highlights of the Board of Education's recent actions to meet the priorities. The Board of Education's priorities are stated as *objectives* for our schools and the objectives directly address the imperative to improve student achievement. The objectives include the following:

- Reaching high quality standards for all schools;
- Eliminating achievement gaps;
- Maintaining public accountability;
- Cooperating with partners to help put preschool programs in place;
- Supporting attainment of literacy skills for all students;
- Ensuring students' access to expert, highly-qualified teachers;
- Implementing provisions of state and federal laws and regulations pertaining to our public schools; and
- Helping schools create and maintain safe and orderly environments for children and their teachers.

Compliance with the Standards of Quality

Eighty-two divisions reported full compliance with the provisions of the Standards of Quality (SOQ) in the 2008-2009 school year (Appendix C). Appendix D contains a list of school divisions that reported noncompliance with certain provisions of the SOQ.

Compliance with the Standards of Accreditation

Ninty-eight percent of Virginia's public schools are fully accredited and meeting state standards for achievement in English, mathematics, history and science based on 2008-2009 assessment results. Schools failing to meet the accreditation requirements are listed in Appendix E.

Review of the Standards of Quality

Between the spring and fall of 2009, the Board reviewed the Standards of Quality and solicited public comment. The Board began this important work through its Committee on the Standards of Quality. The committee held several forums with statewide professional organizations to hear comments and suggestions from key constituencies in the field. Additionally, the Department of Education, through the Request for Proposal process, commissioned a study of SOQ funding, which was completed by an outside vendor.

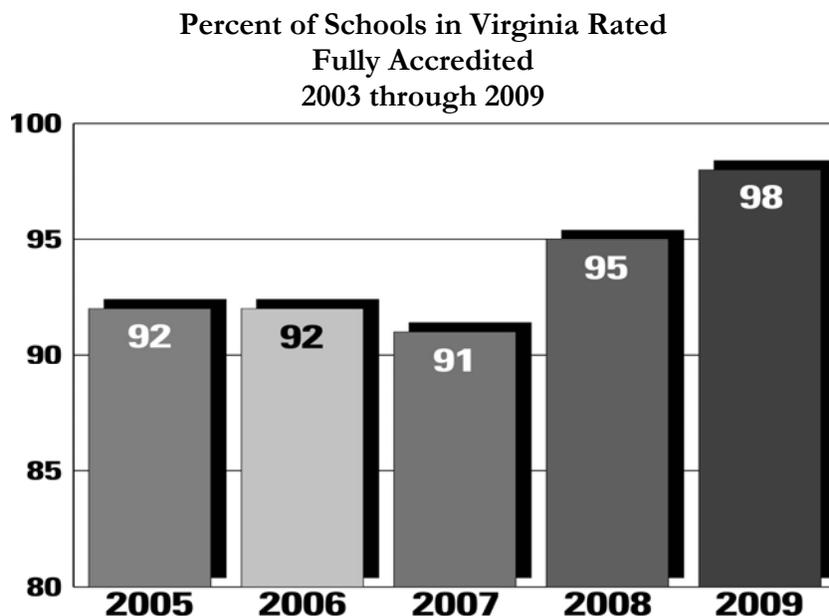
Through this statewide, interactive process, the Board of Education adopted policy directives and recommendations that will be submitted for consideration by the 2010 General Assembly. The details of the Board's policy directives and recommendations are contained in the body of this report and are shown in Appendix F.

2009 Annual Report on the Condition and Needs of Public Schools in Virginia

Academic Progress of Virginia's Students

Virginia's public schools and our students continue to show overall academic gains and receive national recognition for achievement and innovation. The high expectations of the Standards of Learning, effective accountability, and a statewide system of support for public education are creating new opportunities for advanced learning at every grade level. The following performance indicators illustrate the progress Virginia's public schools are making in an era when all students must be challenged to reach their highest potential.

High Percent of Schools are Fully Accredited



Ninety-eight percent of Virginia's public schools are fully accredited and meeting state standards for achievement in English, mathematics, history and science based on 2008-2009 assessment results. This is the highest percentage of schools reaching full accreditation since the Commonwealth began accrediting schools based on student achievement ten years ago.

Virginia Students Outperform Peers Across Nation in Reading, Mathematics

Virginia fourth-grade and eighth-grade students outperformed their peers nationwide and in the South in mathematics on the 2009 National Assessment of Educational Progress (NAEP). Students in only five states performed at what the National Center for Education Statistics (NCES) considers a statistically higher level on the grade-4 mathematics test, and students in only eight states achieved at a higher level on the eighth-grade mathematics assessment.

NAEP results in mathematics for 2009 also show that African-American fourth graders in only two states—Massachusetts and Texas—achieved statistically higher average scores than those in Virginia. No other states were statistically higher than Virginia in grade 8. In Virginia, the percentage of African-American students in grade 4 meeting or exceeding the NAEP standard is significantly larger today than in 2000.

NAEP results in previous years show that Virginia leads the nation in grade-4 science achievement. Virginia had the highest achieving girls in science on the 2007 NAEP and Virginia's fourth-grade boys came within one point of having the highest average score for males. Virginia students also outperform their peers in writing. On the 2007 NAEP writing test, Virginia students scored significantly higher than students in 20 other states and students in only seven states achieved significantly higher average scores.

Notable Progress in Eliminating Achievement Gaps

While achievement gaps persist, the evidence from Virginia's statewide assessment program shows that gaps are closing. African-American and Hispanic students continue to narrow achievement gaps with white students on state assessments in reading and mathematics. During the last three years achievement gaps have narrowed in:

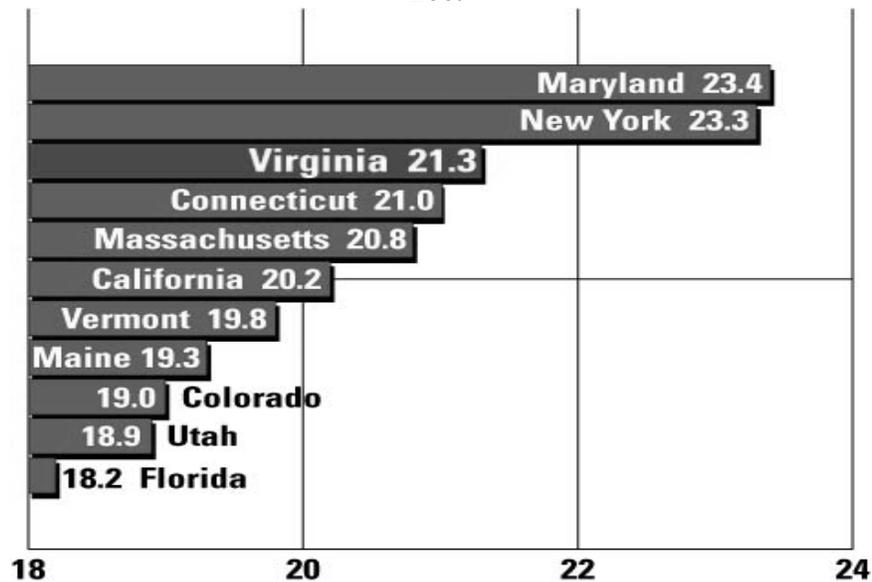
- Mathematics by 4 points for African-American students and 3 points for Hispanic students even though the performance of white students increased by 5 points.
- Reading by 2 points between African-American and white students, despite a 3-point increase for white students; and 10 points between Hispanic and white students.

Virginia Leads the Nation in Online Learning

A prominent education journal ranks Virginia as a national leader in online learning and the use of technology to expand opportunities for students. In ranking Virginia, *Education Week* cited Virginia's low student-to-computer ratios, expanding online assessment program, rigorous technology standards and innovative online learning programs, including Virtual Virginia, which has broadened access to Advanced Placement (AP) and other challenging courses for the state's middle and high school students.

Virginia is Third in the Nation on Advanced Placement (AP) Results

Advanced Placement (AP) Test Results: Virginia's Ranking Among Selected States 2009



Virginia ranks third in the nation in the percentage of high school seniors earning a grade of three or better on AP exams. In 2008, the number of Virginia public school students who took at least one AP test increased by 8.8 percent. Students who earn scores of 3 or above are generally considered to be qualified to receive college credit and/or placement into advanced courses.

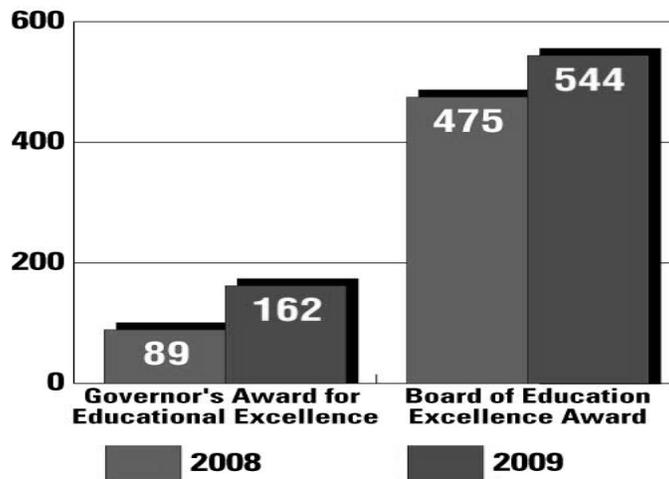
Students Outperform Peers on College Entrance Examination Results

ACT: Virginia high school students continued to fare better than their national counterparts on the ACT college admissions exam. Seventy-four percent of Virginia's students met college-readiness English benchmarks compared with 67 percent nationally. For mathematics, 49 percent of Virginia students met the mark, while 42 percent of students across the country did. For reading, Virginia students were at 59 percent compared to the national number of 53 percent. In science, Virginia had 33 percent reach the benchmark compared with 28 percent nationally.

SAT: Virginia public school graduates increased their achievement in reading and mathematics on the SAT in 2009 and outperformed their peers nationwide on all three subsections of the college-admissions test. African-American and Hispanic Virginia public school graduates again achieved at a higher level on all three SAT subsections than their counterparts nationwide.

Number of High-Performing Schools Increases Significantly

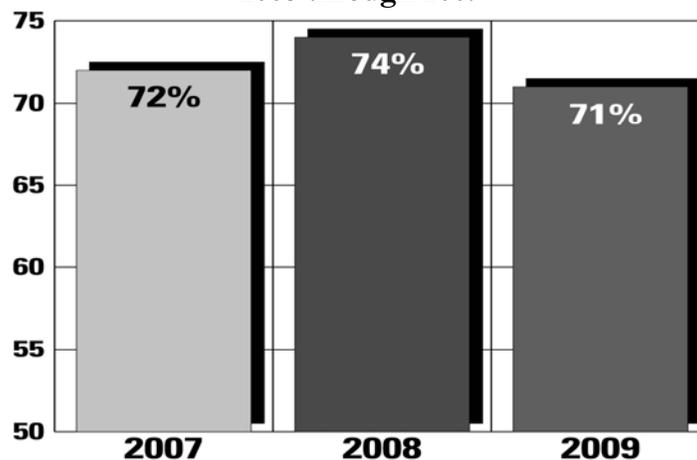
Number of Schools Earning Recognition:
Virginia Index of Performance (VIP)
2008 and 2009



In 2008, 162 Virginia public schools earned the 2009 Governor's Award for Educational Excellence. The award is the highest honor under the Virginia Index of Performance (VIP) incentive program created by the Board of Education to encourage advanced learning and achievement. Last year, 89 schools received the award.

Students Again Meet or Exceed Federal Benchmarks

Percentage of Virginia's Schools Meeting Federal
Adequate Yearly Progress (AYP) Benchmarks
2007 through 2009



The percentage of schools making AYP fell as federal benchmarks rose to 81 percent in reading and

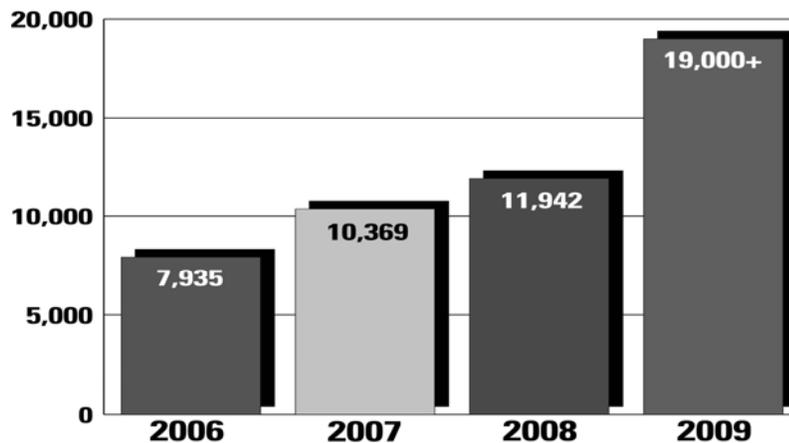
2009 Annual Report on Condition and Needs of Public Schools

79 percent in mathematics. Nonetheless, the percentage of school divisions making AYP increased by six points to 60 percent. Virginia and 71 percent of the Commonwealth’s public schools met or exceeded all No Child Left Behind (NCLB) objectives based on statewide testing during the 2008-2009 school year as student achievement increased in reading, mathematics and other subjects. It was the second consecutive year and the fourth time in the last five years that Virginia achieved what the federal law describes as “adequate yearly progress,” or AYP, toward 100-percent proficiency for all students in reading and mathematics, the two subjects that are the primary focus of the federal law.

Student achievement — especially among minority students — increased overall and in critical areas such as early reading and middle school mathematics. This continued progress (reflected also in the NAEP results shown above) reflects improvements in teaching and learning in formerly low-performing schools and a data-driven, student-by-student approach to raising achievement.

Impressive Growth in Number of Students Earning Industry Certifications

**Number of Industry Certifications
Earned by Virginia’s
Public School Students**



Industry certifications earned through CTE programs have nearly doubled since 2007. During 2008-2009, 40 percent of CTE completers graduated with an Advanced Studies Diploma.

On-Time Graduation Rate

Virginia is setting a national standard for accuracy in reporting graduation rates in a way that is easily understood by the public. More than 83 percent of the students in the class of 2009 graduated on time with a diploma. The 2009 “Virginia On-Time Graduation Rate” of 83.2 percent expresses the percentage of students who were first-time ninth graders during the 2005-2006 school year and earned a Board of Education-approved diploma within four years. The 2009 graduation rate is one point higher than the four-year rate of 82.2 percent for the class of 2008.

Critical Needs of the Public Schools in Virginia

The overarching need is to ensure that all of Virginia’s young people achieve high standards of excellence, no matter what community they reside in or what challenges they face. The Board of Education’s priorities for action acknowledge the challenges of living and working in our global economy now and in the foreseeable future—the rapid growth in technology, the changing demographics of our schools, and greater demands for higher-level skills for all citizens. Meeting the needs of our public schools calls for more political, financial, legislative, and programmatic will than ever before to ensure the success of all Virginia’s students.

The Board’s objectives—and the performance measures used to gauge our progress in meeting those objectives—focus on the most critical needs of the public schools. These needs include the following:

- Funding the Standards of Quality (SOQ)

There can be no doubt that a challenging year is ahead as Virginia’s public schools face the economic headwinds that have developed in recent months. In Virginia, Direct Aid to localities for public education is the single largest General Fund expenditure. The current fiscal climate at the state and federal levels challenges the stability of public education, social-services, and other supports for children and families. Resources are limited for students who require extra help, such as gifted students or students with disabilities who need special attention. The challenge requires that all educators remain focused on the fundamentals of making sure every student under our charge is successful and that we remain committed to delivering results.

- Persistent Poverty

One in ten Virginians lives in poverty, whether native-born or foreign-born. Children living in poverty are more likely to be sick as toddlers, unprepared for kindergarten, fall behind in grade school or drop out of high school, and are less likely to be economically successful as adults.

Since 2000, the poverty rate among Virginia’s school-age children has fallen, but not among children in some areas of the state. Poverty distribution is uneven across the state – rural counties and central cities have the highest percent of students eligible for free and reduced lunch. Slightly more than one-third of public school children are eligible for free and reduced-price lunch, up from less than 30 percent in 2000.

- Changing Demographics

In 1998, Virginia’s public schools enrolled fewer than 27,000 Limited English Proficient (LEP) students. A decade later (2008) the number had risen to more than 87,000. This growth is expected to continue for the foreseeable future, placing a significant need for resources for the public schools. Immigrant students—especially those that may also be poor—are more likely than others to drop out or leave school without the skills needed in a global marketplace.

- Persistent Achievement Gaps

This is one of the most pressing challenges that states across this nation face. Virginia is no exception. Gaps in graduation rates exist between Virginia's African-American and Hispanic students and their white and Asian counterparts. This is equally true for students who are economically disadvantaged. Although improving, gaps also persist on the statewide assessments among Virginia's African-American and Hispanic students and their white and Asian counterparts. Recent changes in federal education policy have put the spotlight on the achievement gap issue, and schools are struggling to bring all students' achievement up to high levels.

The good news is Virginia is making progress. For example, Virginia boasts one of the nation's smallest achievement gaps between whites and Hispanics. Here, eighth-grade Hispanic students had the highest NAEP writing scores for Hispanic students in any state. The persistent challenge is to accelerate this progress and raise the achievement of all students.

- Availability and Use of Latest Technology

At the state level, Virginia is seeking new and efficient ways to use technology to reduce the testing burden on teachers and students, but to do so in a way that will not reduce accountability standards. The infrastructure for such powerful tools is expensive to develop and maintain. Moreover, technology and connectivity have made changes possible by allowing access by essentially everyone to very large data sets or specialized information at any location and at any time. Students in the future will have grown up with these technological changes and will have experienced a wider variety of learning styles than students in the past. This change in teaching/learning approaches has been underway for some time, but it is accelerating and changing the character of the learning experience for students, and will continue to do so for classroom teachers, many of whom require training in the appropriate and efficient use of the technology.

- Safe and Healthy Environments for Students and Teachers:

A high priority for the Board is dealing effectively with the realities of schooling for some children who face difficult personal circumstances such as high poverty, high crime in their neighborhoods, high rates of unhealthy behaviors, poor nutrition, and other circumstances that obstruct their learning at school. The Board of Education must help school divisions by providing solid, workable guidelines and policies to assist those who are responsible for the health and safety of students and staff while they are at school, on school grounds, on their way to or from school, and involved in school-sponsored activities. The Virginia Department of Education's work to provide information and resources about H1N1 is a good example. The Board must continue to stress the importance of successful, communitywide partnerships in the development of procedures and policies that most effectively support healthy, safe, orderly and disciplined school environments.

- The Need to Assist Chronically Low-Performing Schools

What to do about chronically low-performing schools is a central issue in the Board of Education's school improvement efforts and accountability system. Its urgency is underscored by the federal *No Child Left Behind Act of 2001*, which mandates an aggressive system of corrective measures for schools receiving federal assistance that fail to meet progress goals.

- Preparation, Recruitment, and Retention of Educational Personnel

The current economic down-turn for the state and the localities will impact teacher recruitment and retention. Due to budget limitations, many localities are proceeding with slimmed-down teacher recruitment and hiring. For some divisions, teacher and staff layoffs may be unavoidable. At least in part a result of economic hard times, many teachers will likely stay put by holding on to their current teaching job or by deferring retirement.

For the next several years, the reality for teacher supply and demand is two-fold: available teaching positions will become scarce except for some chronic shortage areas, and divisions will struggle to close looming budget gaps, making teacher and staff layoffs unavoidable for some.

Digging deeper for the long term, additional underlying demographics will impact teacher recruitment and retention. Finding and retaining qualified teachers in chronic shortage areas have been persistent problems for local divisions. Shortage areas include special education, mathematics, some foreign languages, and teachers of English as a Second Language. We also see that the number of completers of Virginia's teacher preparation programs is around 3,200 each year, far short of the 5,100 new and beginning teachers hired in 2008. Moreover, Virginia's annual teacher turnover rate is slightly more than nine percent. For principals and assistant principals, the annual turnover rate is higher, at 10 percent. Approximately one-fifth of our teaching force and one-fourth of the principals and assistant principals are aged 55 or older—a significant number of teachers and principals now at or nearing full retirement age. When considered as a whole, these demographics mean challenging times ahead, both short-term and long-term.

- Recruiting Minority Teachers

Boosting the diversity of Virginia's teaching staff is crucial at a time when educators are worrying about eliminating achievement gaps. The gap between the diversity of students in the schools and the ethnic characteristics of the teaching force poses a key question: will teachers reflect the tremendous diversity of the students they will serve? Not without a concerted effort. In Virginia, 13 percent of teachers are African-American and 2 percent are Hispanic, compared with approximately 26 and 9 percent of students, respectively.

- High-Quality Preschool Programs

The number of school divisions participating in the Virginia Preschool Initiative has grown from 75 in the 2001-2002 school year, to 114 in the 2008-2009 school year. Also, the number of children served has grown from 5,966 in 2001-2002 to 15,657 children in 2008-2009. Despite this growth, the number of at-risk four-year-olds in Virginia continues to be a concern. Without providing high quality preschool to all at-risk four-year-olds, many at-risk five-year-old children will continue to enter kindergarten without adequate preparation to be fully ready to learn.

- Promoting Parental and Family Involvement

The family and the home are both critical education institutions where children begin learning long before they start school, and where they spend much of their time after they start school. It stands to reason that involving parents in their child's education is conducive to learning. Such involvement is critical if we are to improve the educational achievement of Virginia's students, promote safe and healthy school environments, and eliminate achievement gaps. To do this, schools need to promote and enhance cooperative partnerships in which families are allies in the efforts of teachers and schools.

- Using Information and Research to Improve Student Learning

The members of the Board of Education understand the need to take a leadership role to strengthen the bridge that connects research to the practice of teaching and learning. Dr. Victoria Bernhardt, a nationally recognized authority in the use of research to improve student learning, asserts: "The more all staff are involved in collecting and analyzing data, the more they will get involved in implementing the changes demanded by the results." We agree. Finding ways to help teachers and administrators know how to properly interpret and use data will go a long way in ensuring that each child succeeds in the classroom.

At the state level, we must use information and research to guide policy decisions that support improvements in teaching and learning. At the division and school level, classroom teachers and school personnel have lots of information on student academic performance and classroom methods and practices. The challenge is to help teachers and administrators at all levels to gather, analyze, and use data to continuously improve teaching and learning—the data analysis work that can lead their schools to understand what needs to change to get better results. A further challenge is to create new resources for professional development that put usable information into the hands of those directly responsible for students' learning.

The Board of Education's Plan of Action

The Board of Education's objectives for our schools directly address the imperative to improve student achievement. The objectives include the following:

- Reaching high quality standards for all schools;
- Eliminating achievement gaps;
- Maintaining public accountability;
- Cooperating with partners to help put preschool programs in place;
- Supporting attainment of literacy skills for all students;
- Ensuring students' access to expert, highly-qualified teachers;
- Implementing provisions of state and federal laws and regulations pertaining to our public schools; and
- Helping schools create and maintain safe and orderly environments for children and their teachers.

The Board of Education has adopted a comprehensive plan of action for the coming years. More details for the plan of action may be found in the Board of Education's *Comprehensive Plan: 2007-2012*, which may be viewed on the Board of Education's Web site at the following address: http://www.doe.virginia.gov/VDOE/VA_Board/comprehensiveplan.pdf. It outlines eight objectives (discussed in more detail below), along with strategies and activities that will provide the framework for the Board of Education's focus for the near future.

The Board's Performance Measures: Addressing the Needs of Virginia's Public Schools

The following objectives were set by the Board to address the complex challenges that impact our schools and our young people.

Objective 1: The Board of Education will continue to enhance the quality standards for all public schools in Virginia.

Within the past two years, the Board of Education revised Virginia's accreditation standards to require high schools to meet an annual benchmark for graduation. The "graduation and completion index" requires schools to meet a minimum benchmark to be fully accredited. The new accountability requirement—and others approved as part of a revision of the Standards of Accreditation—will be phased in, beginning with accreditation ratings for the 2011-2012 school year. Other important changes include the following:

- Requiring schools to develop an Academic and Career Plan for every middle and high school student, beginning with students entering the seventh grade during the 2010-2011 school year.

- Requiring students, beginning with students entering the ninth grade in 2010, to successfully complete a one-credit course in economics and personal finance to earn the Standard, Advanced Studies, Standard Technical or Advanced Technical Diploma.
- Prescribing rigorous requirements for the new Standard Technical Diploma and the new Advanced Technical Diploma.

Objective 2: The Board of Education will provide leadership to help schools and school divisions eliminate the achievement gap between groups of students and increase the academic success of all students.

While progress is encouraging, there is still work to be done to eliminate achievement gaps. In 2008, Virginia's African-American and Hispanic student graduation rates were 12 and 15 percentage points lower than their white counterparts, and 20 or more percentage points below their Asian counterparts.

There is, however, evidence that Virginia's efforts to eliminate achievement gaps are showing results. Virginia fourth-grade and eighth-grade students outperformed their peers nationwide and in the South in mathematics on the 2009 National Assessment of Educational Progress (NAEP). Also known as *The Nation's Report Card*, NAEP is a national measure of student achievement. Students in only five states performed at what the National Center for Education Statistics (NCES) considers a statistically higher level on the grade-4 test, and students in only eight states achieved at a higher level on the eighth-grade assessment.

The average scores of Virginia students were significantly higher than the average scores of their national and regional peers. NCES considers the increase in mathematics achievement of Virginia students in both grades since 2003 as statistically significant.

African-American fourth graders in only two states—Massachusetts and Texas—achieved statistically higher average scores than those in Virginia. No states were statistically higher in grade 8. The percentage of African-American students in grade 4 meeting or exceeding the NAEP standard is significantly larger today than in 2000.

Only Hispanic fourth graders in Montana achieved a statistically higher average score than those in Virginia, while no states were statistically higher in grade 8. The percentage of Hispanic Virginia fourth graders meeting or exceeding the NAEP standard is significantly larger today than in 2000, when only 16 percent met or exceeded the standard.

There is additional evidence that Virginia's efforts to eliminate achievement gaps are showing results. A U.S. Department of Education report recognizes Virginia for narrowing achievement gaps between African-American and white students in reading and mathematics. The report, *Achievement Gaps: How African-American and White Students in Public Schools Perform in Mathematics and Reading on the National Assessment of Education Progress*, compares student achievement in 2007 with performance in previous years. The report found that Virginia is one of only five states with achievement gaps in reading smaller than the nation's in both grades.

Objective 3: The Board of Education will support accountability for all schools, focusing on assisting chronically low-performing schools and school divisions while recognizing all schools and school divisions as they move towards excellence.

There is no question that aggressive interventions by the Virginia Department of Education and well-defined partnerships between the Board of Education and local school boards have produced positive results in divisions previously identified as low-performing.

The Department of Education promotes student learning and achievement by assisting schools and school divisions in the implementation of effective instructional strategies and best practices. Programs include school-level and division-level academic reviews, school improvement planning, and innovative programs such as the Partnership for Achieving Successful Schools (PASS).

Virginia has fewer chronically low-performing schools, defined as schools that were accredited with warning for three consecutive years. The number of chronically low-performing schools dropped significantly for the 2009-2010 accreditation year. Moreover, the number of schools accredited with warning in 2009 fell to 17, compared with 54 last year. Forty-eight schools that were on academic warning last year achieved full accreditation.

School accreditation year	Number of chronically low-performing schools
2009-2010	11
2008-2009	33
2007-2008	42
2006-2007	58

Objective 4: The Board of Education will work cooperatively with partners to help ensure that all young children are ready to enter kindergarten with the skills they need for success.

The Board of Education has supported efforts to provide high quality early learning experiences for preschool-age children. Virginia's Office of Early Childhood Development was launched in July 2008. The purpose of the new office is to maximize opportunities for Virginia's children to reach kindergarten healthy and prepared for school success.

This is a unique, interagency effort spanning the Departments of Education and Social Services and will link to the Department of Health, and incorporates existing staff, functions, programs, and funding streams. Through this office, Virginia's early childhood initiatives are coordinated: Smart Beginnings, the Governor's Working Group on Early Childhood Initiatives, Virginia's Star Quality Initiative, the School Readiness Task Force, and others.

In 2008, to jump start programs for young children the Board of Education adopted a standard definition of school readiness, which describes the concept of children's readiness for school at kindergarten entry in the context of ready families, schools, and communities. It describes the capabilities of children, their families, schools, and communities that will best promote student success in kindergarten and beyond.

Students who participate in public preschool programs, including the Virginia Preschool Initiative program continue to have fewer needs for extra support in learning how to read when they enter kindergarten compared to the entire kindergarten class. As well, the data suggest that Virginia’s collaborative and multi-year effort to increase student preparedness for kindergarten is having an impact. Virginia saw a 3 percentage point drop (see table below) in the percent of kindergarten students who enter school requiring extra support to be on track to learn to read.

Student group	Percent requiring extra support to stay on track to learn to read			
	Fall 2005	Fall 2006	Fall 2007	Fall 2008
Attended any type of public preschool the year before kindergarten	13%	13%	11%	12%
Attended VPI programs the year before kindergarten	13%	11%	10%	9%
All kindergarten students participating in pre-literacy screening in kindergarten	18%	17%	17%	14%

Objective 5: The Board of Education will establish policies that support the attainment of literacy skills of all students, kindergarten through grade 12.

The Governor and the General Assembly have supported the Board of Education’s efforts to provide sound support for students who are at-risk of not meeting the state’s high academic expectations. Funding for programs and technical assistance are now in place to help students who may be struggling because:

- They have not had opportunities comparable to those of other students;
- They have a history of poor performance in certain content areas that warrants intervention to prevent further decline;
- They have struggled unsuccessfully to meet higher graduation requirements;
- They come from non-English speaking homes; or
- Their life circumstances make it difficult to succeed.

To help students who are struggling academically, programs such as the following are in place: Virginia Preschool Initiative, the K-3 Class Size Reduction, the At-Risk Add-on, and the SOQ English as a Second Language programs. Additional programs include the Early Intervention Reading Initiative; the Algebra Readiness Initiative; Project Graduation; Remedial Summer School; SOQ Prevention, Intervention, and Remediation; and the Regional Alternative Education Programs.

There is a wealth of data available to show the positive impact of each of these programs. Funds made available through these programs are used for early identification and support of all students in all content areas based on their poor performance on Standards of Learning assessments. Student subgroups have shown improvement on all Standards of Learning tests since 2002-2003. Increases have been greatest for African-American students, economically disadvantaged students, English language learners, and students with disabilities, thus helping to narrow the achievement gap.

Objective 6: The Board of Education will establish policies and standards that enhance the preparation, recruitment, and retention of educational personnel, including their meaningful, ongoing professional development.

Highly qualified teachers and educational personnel are essential. In 2008-2009, 98 percent of teachers in core academic classes were considered highly qualified. However, these teachers are not distributed evenly, as 3 percent of classes in high-poverty schools are taught by teachers who are not highly qualified, compared to only 1 percent in low-poverty schools. This is an improvement from 2006-2007, when 5 percent of core academic classes in high-poverty schools were taught by teachers who were not highly qualified, compared to 2 percent of core classes in low-poverty schools.

Another dimension of this challenge is the finding that our teacher work force as a whole does not reflect the tremendous diversity of our student population in that 13 percent of Virginia's teachers are African-American and 2 percent are Hispanic, compared with approximately 26 and 9 percent of students, respectively.

To address these and other issues related to teacher preparation, recruitment, and retention, the Board of Education tries to take full advantage of research-based information that improves our understanding of factors related to teacher preparation, recruiting, and retention, especially the role that the Board plays in system-wide policies promoting the teaching profession. It is felt that the initiatives and programs briefly described below can help boost the ranks of minority teachers. These and other programs address the need to maintain competitive salaries and incentives, student-teacher ratio, caring and supportive work environments and the overall value of the teaching profession.

Programs underway in the Department of Education include strategies that target diverse and talented middle and high school students as potential teaching candidates. These initiatives also stress the importance of providing support for teachers in the critical first years and offering ongoing professional development opportunities. Simply put, the strategies support the teaching career as a continuum, not a series of disconnected steps stacked on top of each other. Examples of partnerships and collaborations include programs such as the Career Switcher Program, alternative certification regulations, Troops to Teachers Program, National Board Certification grants, Teaching Scholarship Loan program, technical assistance for teacher mentoring, and higher education teacher preparation programs.

Virginia supports a "grow your own" approach where divisions can identify potential teachers within their own schools. The Virginia Teachers for Tomorrow Program is an excellent long-term recruitment strategy to increase the pool of candidates who will be able to fill critical shortage vacancies, increase the diversity of teacher applicants, and promote the hiring of local candidates who are more likely to remain within their school divisions. The Special Education Endorsement Program is another important component that provides awards to institutions of higher education to offer endorsement programs and tuition assistance to persons holding provisional licenses pursuing a full license with an endorsement in special education-general curriculum.

Another statewide program is the Virginia Middle School Mathematics Teacher Corps. This initiative addresses middle school mathematics, one of the top 10 areas of critical teacher shortage in 2008-2009. This program provides powerful incentives in the form of annual salary differentials for the Teacher Corps member. Participating schools have made significant gains on the mathematics SOL assessments since the program began in 2005. For example, in grade 6 in participating schools: from 48 percent to 67 percent passing; in grade 7, from 34 percent to 66 percent passing; in grade 8, from 73 percent to 83 percent passing.

The TeachVirginia program continues to include comprehensive resources to recruit school personnel, specifically in the critical shortage teaching areas, to Virginia schools and to encourage individuals to pursue a career in education. The recruitment initiative includes a membership to Teachers-Teachers.com for all school divisions. This allows school divisions to post an unlimited number of positions in all endorsement areas; conduct searches for candidates in all areas; and hire teachers, administrators, and related service providers. As part of the continuation of TeachVirginia, the *Teachers Rock* Educator Recruitment Campaign is a dynamic approach designed to encourage individuals, including students in high school and at two-year or four-year institutions, to consider pursuing a career in education.

To address the teacher turn-over rate, the Mentor Teacher program has had a positive impact. Eighty-five percent of beginning teachers participating in the 2007-2008 program remained in the same school in 2008-2009, an improvement of 5 points over the previous year.

Objective 7: The Board of Education will provide leadership in implementing the provisions of state and federal laws and regulations.

During the past two years, the Board of Education has been actively engaged in revising its *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*. The revision was necessary to make a number of updates and to bring the state's regulations in line with the recent reauthorization of the federal law and related federal regulations. By ensuring that Virginia's state special education regulations are aligned with federal requirements, the Board ensures that students with disabilities in the Commonwealth have available a free appropriate public education and are afforded the procedural safeguards guaranteed by federal law.

Another important area that has huge impact on school divisions is the Virginia Department of Education's role in assisting localities to receive and appropriately utilize the funding flowing from the American Reinvestment and Recovery Act (ARRA) of 2009, which provides millions of dollars of support for Virginia's schools. While the Board of Education's role is limited, the technical assistance provided by the department is critical in implementing the provisions of this program.

In using ARRA funds, the state and school divisions must advance core reforms which have long been a key part of our key objectives: implementation of college- and career-ready standards and assessments for all students; establishment of preschool to postsecondary and career longitudinal data systems; improvement in teacher quality—especially for students most at risk of academic failure; and improvement of low-performing schools through effective interventions.

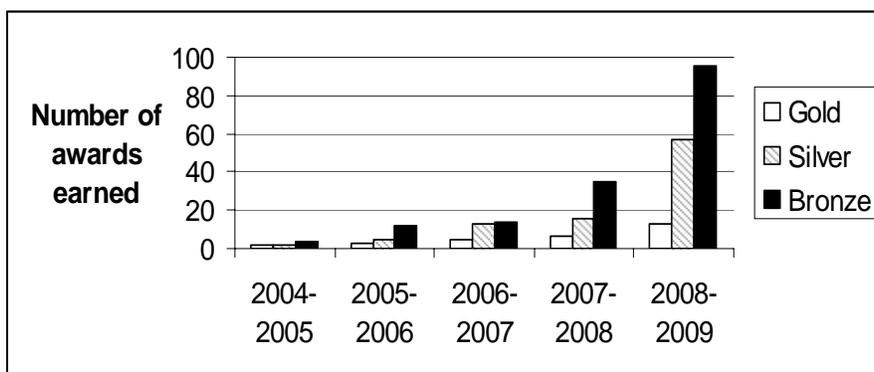
Objective 8: The Board of Education will provide leadership to help schools and school divisions ensure a safe and secure environment conducive to facilitating the teaching and learning process.

In 2005, Virginia established the Governor’s Nutrition and Physical Activity program to drive best practices and policy changes at the school and division levels, enhance student health, and improve academic achievement. The Board of Education provided further incentive for schools and school divisions to participate by incorporating the program into Virginia’s recognition program for educational excellence, the Virginia Index of Performance (VIP). Under the VIP program, school divisions earn bonus points for increasing the number of schools participating in the program, and schools earn points for earning bronze, silver, and gold awards. Virginia has seen a steady increase in program participation since 2005, and even greater increases awards earned since it was included in VIP. In school year 2008-2009, the number of schools earning awards increased nearly 300 percent as compared to the prior year. More information about the program is available at: <http://www.virginia.gov/doe/login.html>.

Number of Schools and School Divisions Participating in the Governor’s Nutrition and Physical Activity Awards Program

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Participating School Divisions	67	98	100	107	112
Participating Schools	248	449	551	735	845

Number of Schools Earning Awards through the Governor’s Nutrition and Physical Activity Awards Program



Another major area of concern for the health of schoolchildren has been the recent H1N1 outbreak. To illustrate how the Board of Education and the Department of Education must respond quickly to evolving critical needs and concerns across the state, the Virginia Department of Education provided leadership, guidance, and resources to school division personnel in meeting the challenges

posed by the H1N1 influenza pandemic. During 2009, the department initiated and maintained an H1N1 influenza Web site dedicated to providing resources specific to the education community. The *Pandemic Influenza Plan Guidelines for Virginia Public Schools* and the *Pandemic Influenza Planning for Schools: Social Distancing Strategies by Pandemic Phase* guidance documents, developed by the department to assist school division personnel in developing their division specific plans, have been reviewed and made available to school division leadership.

In addition, the department collaborated with Virginia Department of Health and the Virginia Department of Treasury to ensure that school nurses giving H1N1 flu vaccinations as part of school immunization clinics are covered under a medical liability insurance policy. As of October 2009, 123 school divisions have committed to hold school based immunization clinics utilizing either health department personnel or school nurses to administer the vaccinations.

Compliance with the Requirements of the Standards of Quality

Section 22.1-18 of the *Code of Virginia* requires the Board of Education to “identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality.”

Eighty-two divisions reported full compliance with the provisions of the Standards of Quality (SOQ) in the 2008-2009 school year. Appendix C contains a list of school divisions that have reported noncompliance with any of the provisions of the SOQ. The appendix also provides additional information on the status of compliance over the last two years for these divisions. Each year, staff members of the Department of Education collect self-assessment data from school divisions on their compliance with the provisions of §§ 22.1-253.13:1 through 22.1-253.13:8 of the *Code of Virginia* (SOQ). The chairman of the school board and division superintendent certify the level of compliance with the standards and the individual indicators within each standard to the Department of Education via an electronic data collection system.

It is important to note that where divisions indicate less than full compliance with the standards, corrective action plans for the noncompliance items are required. Of the divisions that were not in full compliance, all have filed a corrective action plan. The data are for the 2008-2009 school year and for the SOQ that were in effect as of July 1, 2008.

Compliance with the Requirements of the Standards of Accreditation

Ninety-eight percent of Virginia’s public schools are fully accredited and meeting state standards for achievement in English, mathematics, history and science based on 2008-2009 assessment results. This is the highest percentage of schools reaching full accreditation since the Commonwealth began accrediting schools based on student achievement ten years ago.

Students in 98 percent, or 1,826, of Virginia's 1,867 schools met or exceeded state objectives on Standards of Learning (SOL) tests and other statewide assessments in the four core academic areas last year. Virginia's public schools have accomplished what many ten years ago thought was impossible. With the sustained support of governors, legislators and policy-makers from both parties, teachers and other educators have met the challenge of higher standards and students are achieving at significantly higher levels in nearly every school in the Commonwealth.

The percentage of middle schools achieving full accreditation increased again as the performance of students on rigorous grade-level mathematics tests introduced four years ago continued to improve. Ninety-six percent, or 299, of Virginia's 312 middle schools are now fully accredited compared with 87 percent last year and 69 percent two years ago.

All but a handful of schools are now meeting or exceeding state standards even though the rigor of the Commonwealth's SOL accountability system has increased. The Board of Education will maintain its focus on raising achievement in schools that have yet to earn and maintain full accreditation.

Appendix E shows the listing of divisions with all schools rated Fully Accredited, schools granted Conditional Accreditation, schools rated Accredited with Warning, and schools rated Accreditation Denied.

The accreditation ratings are based on the achievement of students on SOL assessments and approved substitute tests in English, mathematics, history and science administered during the summer and fall of 2008 and the spring of 2009, or on overall achievement during the three most recent academic years. The results of tests administered in each subject area are combined to produce overall school passing percentages in English, mathematics, history and science.

In middle schools and high schools, a pass rate of at least 70 percent in all four subject areas is required for full accreditation. In elementary schools, a combined pass rate of at least 75 percent on English tests in grades 3-5 is required for full accreditation. Elementary schools also must achieve pass rates of at least 70 percent in mathematics, grade-5 science and grade-5 history, and pass rates of at least 50 percent in grade-3 science and grade-3 history.

Accreditation ratings may reflect adjustments made for schools that successfully remediate students who failed reading or mathematics tests during the previous year. Adjustments also may be made for students with limited-English proficiency and for students who have recently transferred into a Virginia public school.

Review of the Standards of Quality

The 2009 General Assembly added language to Item 140 of the Appropriation Act requiring the Board of Education to review the SOQ and submit a report by November 1, 2009. Specifically, Item 140 states:

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.

Between the spring and fall of 2009, the Board reviewed the Standards of Quality and solicited public comment. The Board began this important work through its Committee on the Standards of Quality. The committee set to work immediately by holding several forums with statewide professional organizations to hear comments and suggestions from key constituencies in the field. Additionally, the Department of Education, through the Request for Proposal process, commissioned a study of SOQ funding, which was completed by an outside vendor.

Through its statewide, interactive process, the Board of Education adopted policy directions and recommendations that will be submitted for consideration by the 2010 General Assembly. The Board of Education's policy directions for the recommended changes to the SOQ are detailed below. The Board also felt that further study was warranted, especially in the area of staffing standards in the "support services" category. The topics for further study are listed below. The recommended revisions to the SOQ are shown in Appendix F.

Policy Directions

- Enhance the Standards of Quality so that the Commonwealth's basic foundation program for K-12 public education reflects a comprehensive educational program of the highest quality.
- Provide clarity and greater transparency in SOQ funding with the goal of maintaining the Commonwealth's commitment to public education funding at the state and local levels and encouraging a continued emphasis on school-based instructional services.
- Provide greater flexibility to school divisions in using noninstructional personnel funding for instructional support services.
- Support the appropriateness of establishing ratio standards for individual categories of "support service" positions as is the current practice used for instructional personnel.
- Advocate against permanent structural changes to the Standards of Quality that result in decreased funding for K-12 public education.

- Begin building a more comprehensive basic foundation program by including in the SOQ gifted, special education, and career and technical staffing ratios and certain incentive programs that have become core components of K-12 educational programs statewide and currently funded in the appropriation act.
- Set priorities for the Board's unfunded SOQ recommendations from previous years so that these instructional staffing standards can be fully implemented in future years.
- Begin to address the Board's school leadership priorities of requiring a principal in every school and increasing the number of assistant principals in schools with the greatest need.
- Mitigate the perverse incentive of reducing a school division's special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RtI) and/or other instructional supports to reduce the number of students identified as needing special education services.
- Provide additional policy guidance and direction to school divisions offering alternative or nontraditional educational programs, such as the Individual Student Alternative Education Plan (ISAEP).

Summary of SOQ Language Revisions to Address Policy Directions

- Codify the Board of Education's recommendations that were included in the 2009 Appropriation Act providing flexibility in the use of existing funds for hiring reading specialists, mathematics specialists, data coordinators, and instruction of English language learners.
- Codify the provisions of the Early Intervention Reading Initiative and the Algebra Readiness program by including them in the Standards of Quality and requiring all school divisions to provide these interventions with funding currently appropriated for these incentive programs.
- Codify the appropriation act provision that the Standards of Quality includes a minimum of 58 licensed, full-time instructional positions per 1,000 students, including instructional positions for special education, gifted education, and career and technical education.
- Codify the staffing standards for special education (currently in regulations), gifted education (currently in the appropriation act), and career and technical education (currently in regulations).
- Provide school divisions the flexibility to deploy assistant principals to the schools with the greatest needs, so long as they employ a sufficient number of assistant principals divisionwide to meet the total number required in the current SOQ staffing requirement.
- Define the categories of personnel who make up "support services," specify how those positions are funded, and require transparency in the use of funds by mandating divisions publicly report the state and local amounts budgeted and expended for each category.
- Permit school divisions to use funds for support services to provide additional instructional services and include instructional services as a separate category to be reported publicly.

Issues for Further Study

As resources become available, conduct a comprehensive study of the following complex funding issues and report the findings to the Governor and General Assembly for consideration as part of the 2010 review of the SOQ.

- The feasibility of converting the prevailing costs for each major category of the “support services” positions into ratios (for example, based on positions per 1,000 students), and including ratios for some or all of the categories in the appropriation act.
- The feasibility of establishing alternative staffing approaches to provide school divisions with additional instructional resources to address identified needs. This could include ratios based on positions per 1,000 students for assistant principals, school counselors, and library-media specialists that would reduce funding “cliffs.” It could also include assigning weights for students who may be at-risk and require additional support, including special education services, services to English language learners, and services to disadvantaged students.
- The feasibility of creating a special education incentive fund or other funding methodologies to mitigate the perverse incentive of reducing a school division’s special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RtI) and/or other instructional supports to reduce the number of students identified as needing special education services.
- The feasibility of updating technology staffing ratios, taking into consideration the increased role of technology in instruction, assessment, and operations since staffing standards were first established in the SOQ.
- The feasibility of updating career and technical education staffing ratios, taking into consideration the (i.) implementation of new curricular pathways that require high-tech equipment and specialized instruction and (ii.) anticipated increased enrollments in CTE courses given the newly created standard technical and advanced technical diplomas.

Closing Statement by the Virginia Board of Education

The Board of Education's priorities for action may be summed up as this: Our priorities are based upon a sincere expectation that every child will learn academic content at a high and challenging level, that any traditional excuses for failure will be swept off the table, and that assessments will be used to guide the next lesson as well as evaluate the previous one.

In uncovering key components of successfully run schools, research points to strong instructional leadership, a clear focus on academics, regular measures of academic progress, high-quality teaching, and good community and parent relations. The Board's priorities for action clearly address each of these factors.

The world in which we live—and certainly the one in which our children will live and work in the future—is constantly changing, constantly shifting. New technologies, higher level skills, and new ways of working emerge every day, and our schools must provide an education that promotes not just competence but *excellence*. Keeping our system of public schools on a steady course and continuing to deliver solid results despite huge challenges call for a keen sense of what is required to move from competence to excellence. It requires a steady focus on goals and on what needs to be our highest priority.

Education is the foundation for everything else we do, from economic development to health care. We are facing some difficult challenges today, but the key solution to these challenges remains the same: Be measured by strong academic standards, reach strong standards, and exceed strong standards. By doing so, young Virginians will surely lead the nation in educational progress. We are well on our way.

Appendices

Appendix A: Virginia Assessment Program Results: 2006-2007 through 2008-2009

Appendix B: Demographics of Virginia's Public Schools

Appendix C: List of School Divisions Reporting Full Compliance with the SOQ: 2008-2009

Appendix D. List of School Divisions Reporting Noncompliance with any Provision of the SOQ: 2008-2009

Appendix E: Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, Schools Rated Accreditation Denied: 2008- 2009

Appendix F: Standards of Quality, as Amended by the 2009 General Assembly

Appendix A: Virginia Assessment Program Results: 2006-2007 through 2008-2009 Reported by NCLB Subgroups

Assessment Results by Subgroup

The Virginia Assessment Program includes Standards of Learning (SOL) tests and other statewide assessments in English, history/social science, mathematics, and science. The tables below provide information for the three most recent years on the achievement of students on these tests, including percentages of students who demonstrate proficiency and advanced proficiency. Annual accountability ratings are based on achievement during the previous academic year or combined achievement from the three most recent years. Only student subgroups represented are listed.

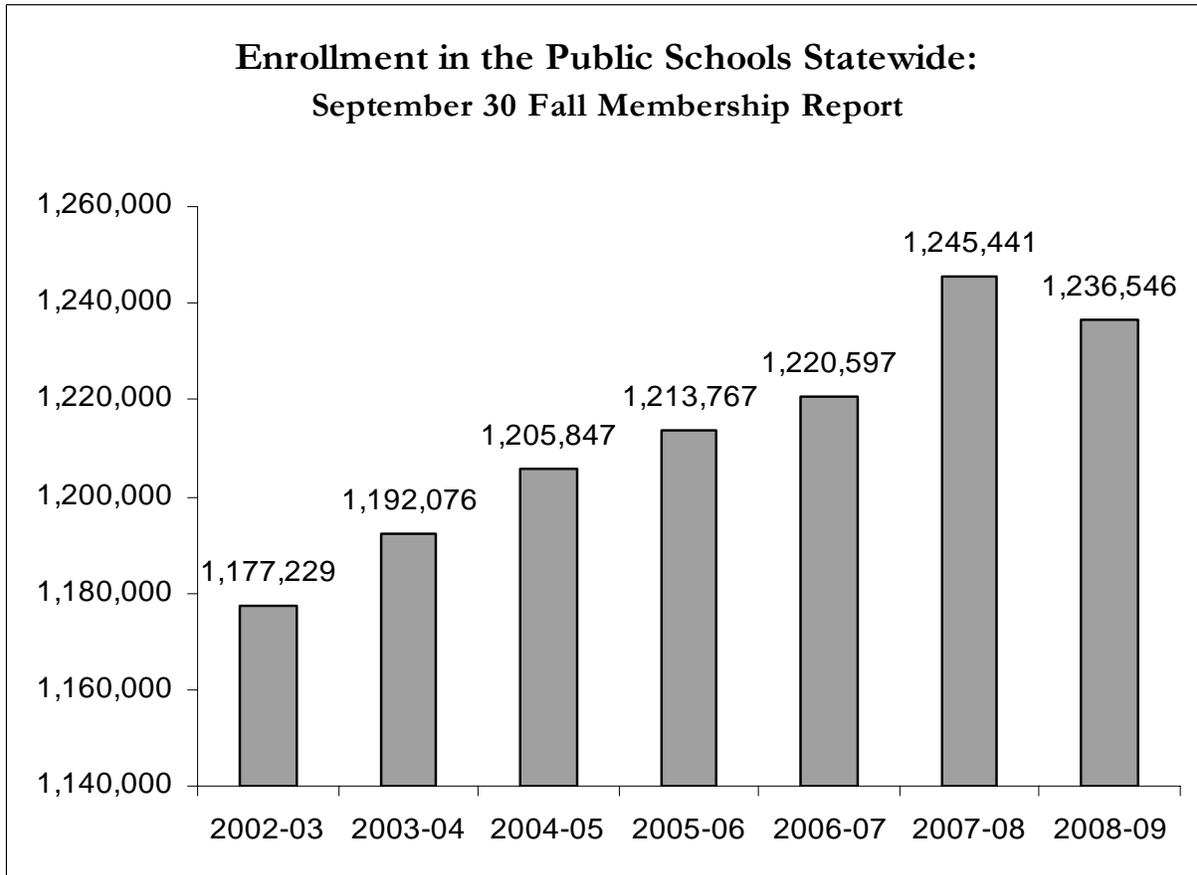
Schools, school divisions, and states are rated according to the progress toward the goals of the *No Child Left Behind Act of 2001* (NCLB). This federal law requires states to set annual benchmarks for achievement in reading and mathematics leading to 100 percent proficiency by 2014. Schools, school divisions, and states that meet or exceed all annual benchmarks toward this goal are rated as having made adequate yearly progress (AYP). Schools, school divisions, states must test at least 95 percent of students overall, and 95 percent of students in each of the following subgroups: white, black, Hispanic, students with disabilities, limited English proficient students, and students identified as disadvantaged. Annual accountability ratings are based on achievement during the previous academic year or combined achievement from the three most recent years.

Percentage of Students Passing/Tested/Not Tested										
Student Subgroup	Type	2006-2007			2007-2008			2008-2009		
		Passed	Tested	Not Tested	Passed	Tested	Not Tested	Passed	Tested	Not Tested
English Performance										
All Students	State	85	100	0	87	100	0	89	100	0
Black	State	76	99	1	78	99	1	81	100	0
Hispanic	State	72	99	1	81	100	0	85	100	0
White	State	90	100	0	91	100	0	93	100	0
Students with Disabilities	State	62	99	1	67	99	1	73	99	1
Economically Disadvantaged	State	73	99	1	77	99	1	81	100	0
Limited English Proficient	State	67	100	0	79	100	0	83	100	0
Mathematics Performance										
All Students	State	80	99	1	84	100	0	86	100	0
Black	State	68	99	1	73	99	1	77	99	1
Hispanic	State	71	99	1	75	99	1	79	99	1
White	State	85	100	0	88	100	0	90	100	0
Students with Disabilities	State	58	99	1	65	99	1	71	99	1
Economically Disadvantaged	State	67	99	1	73	99	1	77	99	1
Limited English Proficient	State	70	99	1	75	100	0	79	100	0
Key: < = A group below state definition for personally identifiable results - = No data for group * = Data not yet available										

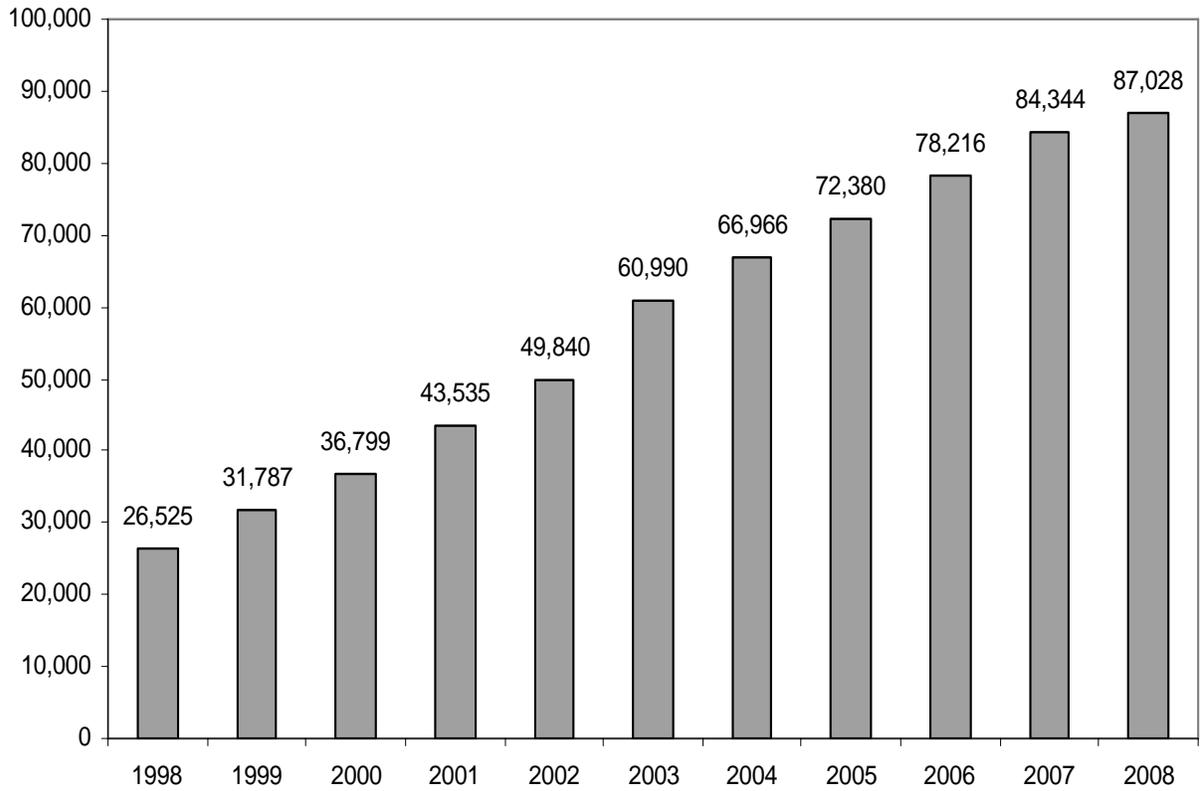
Other Academic Indicators							
Student Subgroup	Type	2006-2007		2007-2008		2008-2009	
		Passed	Tested	Passed	Tested	Passed	Tested
Writing Performance							
All Students	State	89	-	89	97	89	97
Black	State	82	-	82	96	83	96
Hispanic	State	82	-	83	90	83	90
White	State	92	-	92	98	92	98
Students with Disabilities	State	61	-	61	87	61	88
Economically Disadvantaged	State	80	-	79	93	80	94
Limited English Proficient	State	78	-	78	82	78	82
History Performance							
All Students	State	88	-	88	98	89	98
Black	State	77	-	79	98	81	98
Hispanic	State	77	-	79	94	82	95
White	State	90	-	92	99	93	99
Students with Disabilities	State	68	-	70	94	72	95
Economically Disadvantaged	State	74	-	77	97	80	97
Limited English Proficient	State	74	-	77	91	80	91
Science Performance							
All Students	State	88	-	88	98	89	99
Black	State	77	-	79	98	80	99
Hispanic	State	78	-	78	95	80	96
White	State	93	-	94	99	94	100
Students with Disabilities	State	67	-	69	95	69	98
Economically Disadvantaged	State	77	-	78	97	79	98
Limited English Proficient	State	73	-	74	93	76	94
Notes:							
Science Performance: the percentage of students passing science							
Key: < = A group below state definition for personally identifiable results							
- = No data for group							
* = Data not yet available							

APPENDIX B:

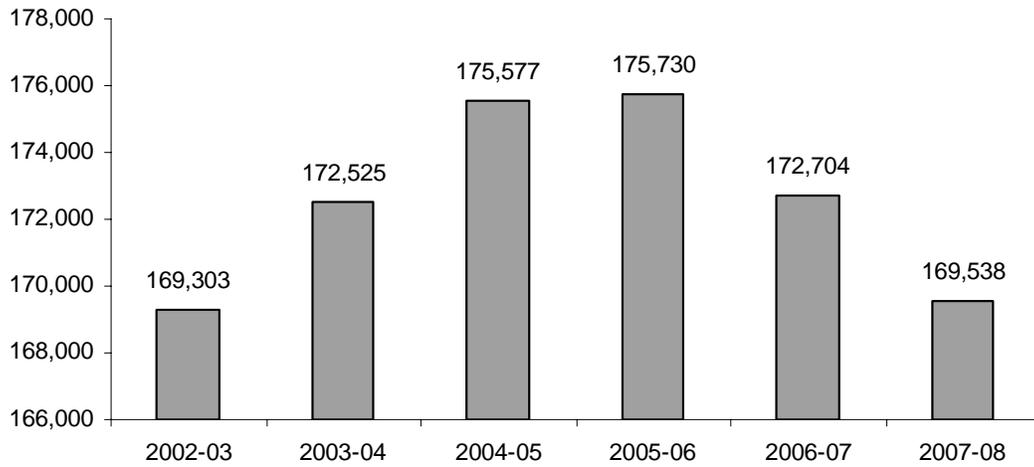
Demographics of Virginia's Public Schools



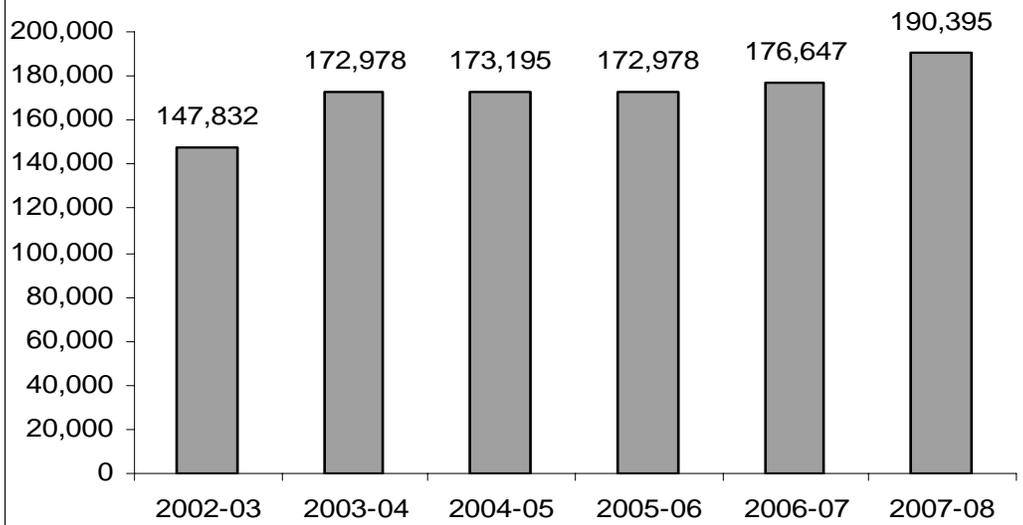
**Limited English Proficient Students
Receiving Services in Virginia's Public Schools: 1993-2008**



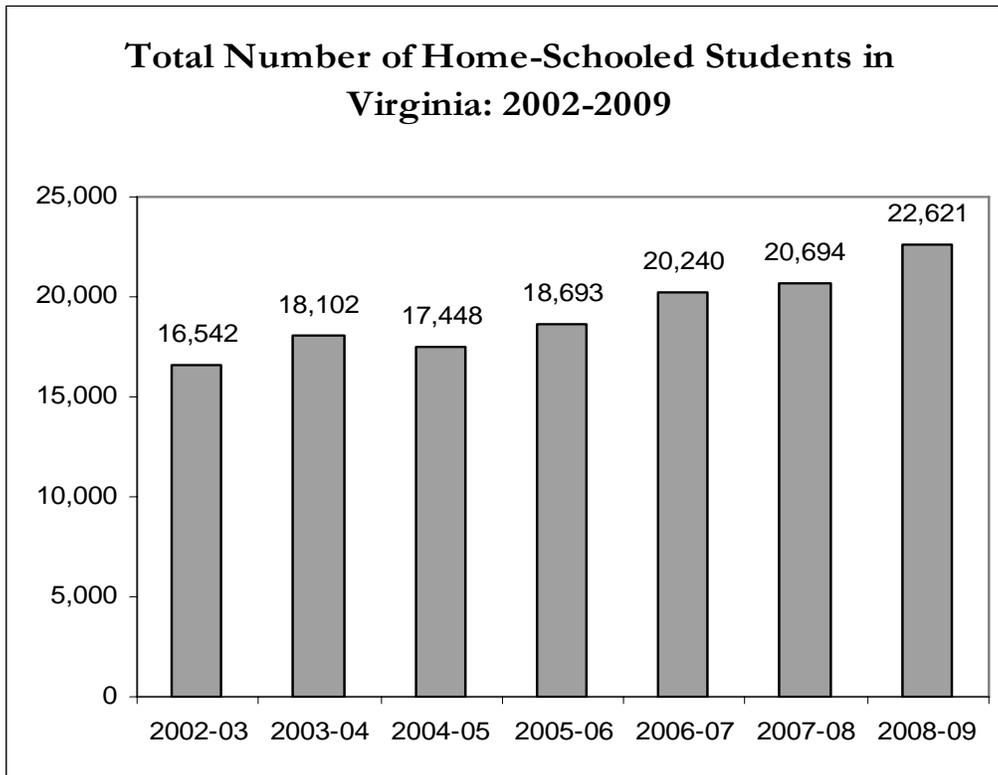
Enrollment in Special Education Programs: 2001-2008



Enrollment in Gifted Education Programs: 2002-2008



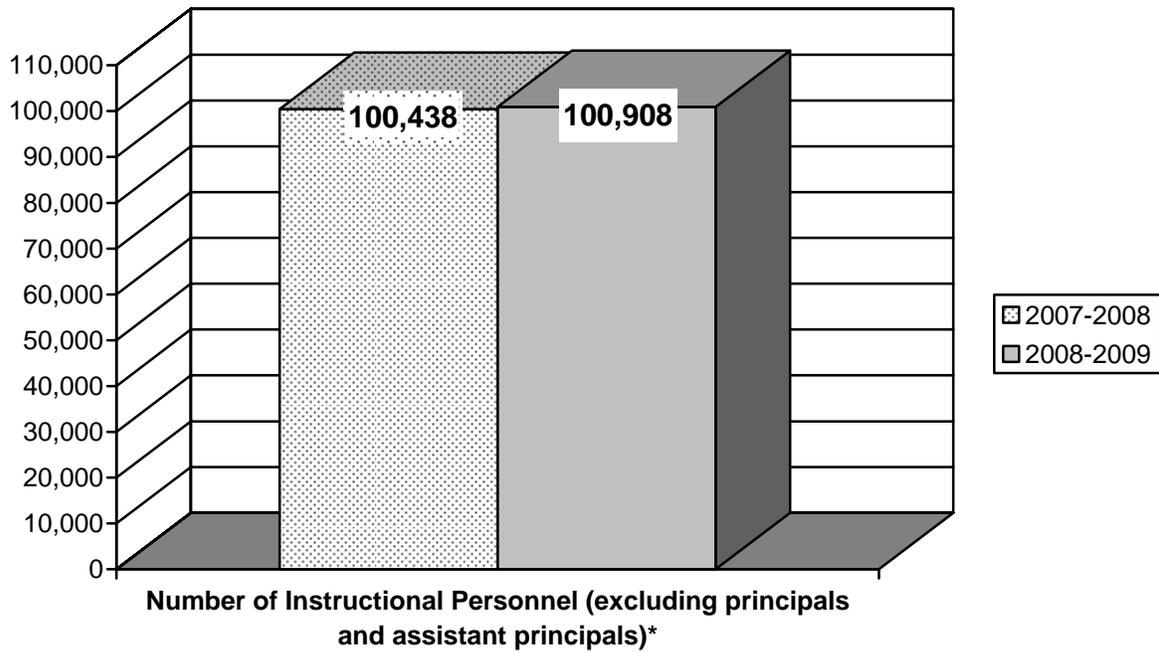
**Total Number of Home-Schooled Students in
Virginia: 2002-2009**



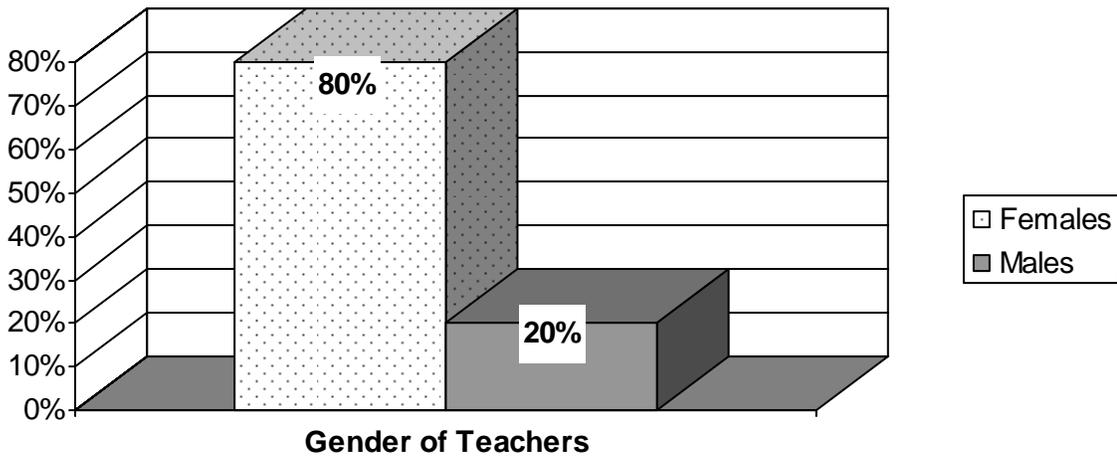
**Number and Percent of Students Eligible for Free and
Reduced-Price Lunch Program**

Year	Eligible Students	Percent of Statewide Enrollment
2001-2002	348,880	31.30 percent
2002-2003	362,477	31.81 percent
2003-2004	374,437	32.63 percent
2004-2005	387,554	33.48 percent
2005-2006	387,847	33.11 percent
2006-2007	394,860	33.49 percent
2008-2009	418,343	34.63 percent

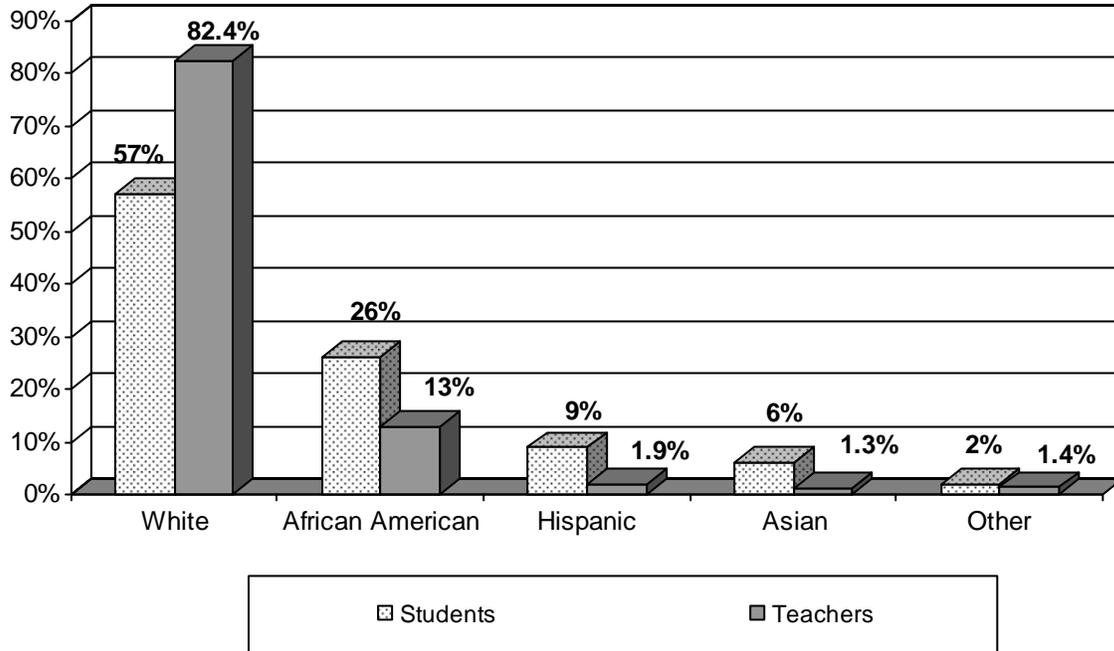
Number of Instructional Personnel*



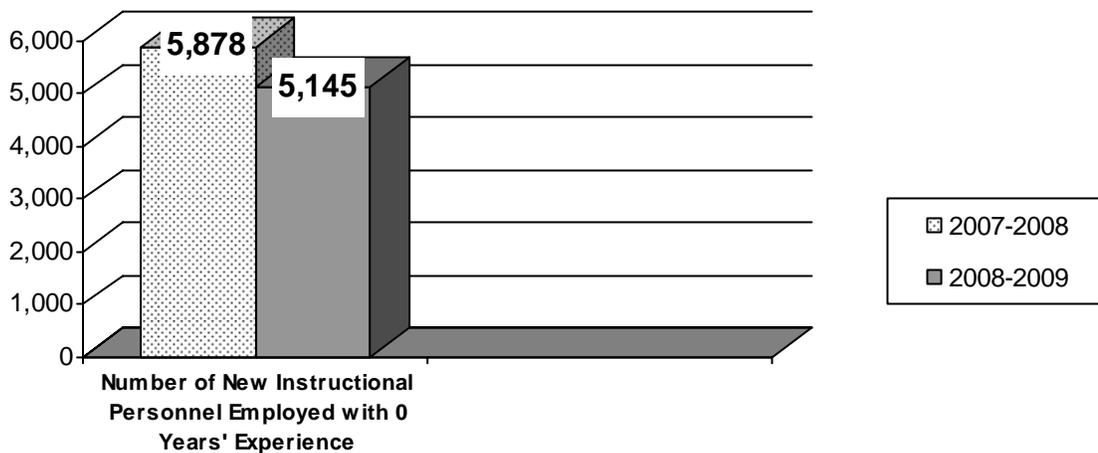
Gender of Instructional Personnel in Virginia's Public Schools: 2008-2009



Race/Ethnicity: Virginia Public Schools' Instructional Personnel and Students 2008-2009



Number of New Instructional Personnel (Excluding Principals and Assistant Principals) Employed by Virginia School Divisions 2007-08 and 2008-09 (New instructional personnel are defined as having 0 years' teaching experience)



**General Fund (GF) Legislative Appropriations—
Total State, Total K-12, Total Direct Aid to Public Education:
FY 1995 through 2008**

Fiscal Year	Total GF Appropriation for Operating Expenses	Total K-12 GF Appropriation	Total K-12 GF Appropriation as a % of Total GF Operating	Total Direct Aid to Public Education GF Appropriation	Total Direct Aid to Public Education GF Appropriation as a % of Total GF Operating
1995	7,355,695,733	2,547,067,019	34.6%	2,514,736,974	34.2%
1996	7,597,249,960	2,686,990,223	35.4%	2,658,572,757	35.0%
1997	8,134,360,672	2,930,985,574	36.0%	2,895,766,099	35.6%
1998	8,715,476,981	3,082,072,592	35.4%	3,046,807,462	35.0%
1999	9,967,431,115	3,534,978,628	35.5%	3,489,301,374	35.0%
2000	11,093,396,991	3,720,945,765	33.5%	3,673,762,807	33.1%
2001	12,283,610,813	4,007,068,597	32.6%	3,942,411,254	32.1%
2002	12,013,820,347	3,959,806,011	33.0%	3,895,682,317	32.4%
2003	12,105,186,620	3,980,489,954	32.9%	3,923,268,185	32.4%
2004	12,370,158,175	4,129,120,033	33.4%	4,069,907,268	32.9%
2005	13,781,896,827	4,719,699,883	34.2%	4,653,203,619	33.8%
2006	15,111,251,632	5,071,605,259	33.6%	4,998,052,047	33.1%
2007	16,779,048,401	5,770,433,215	34.4%	5,695,619,782	33.9
2008	16,982,495,713	5,933,601,634	34.9%	5,859,840,675	34.5%

Notes:

(Total For Part 1: Operating Expenses) in the appropriation act.

"Total K-12 GF Appropriation" is the total legislative general fund appropriation for Department of Education Central Office, Direct Aid to Public Education, and the two schools for the deaf and the blind.

"Total Direct Aid GF Appropriation" is the total legislative general fund appropriation for Direct Aid to Public Education.

The general fund appropriation for Comprehensive Services Act (CSA) is deducted from the Direct Aid totals for FY 1995 and FY 1996 since CSA was appropriated within Direct Aid for those years but outside Direct Aid in subsequent years.

For FY 1997 through FY 2006, CSA appropriations are not included.

The Direct Aid appropriation for FY 1999 and FY 2000 includes \$55.0 million per year for school construction grants appropriated under Item 554 of Chapter 1072.

APPENDIX C:
Compliance with the Standards of Quality: 2008-2009

**Divisions Reporting Full Compliance
with All Provisions of the
Standards of Quality for 2008-2009**

Accomack County
Albemarle County
Alleghany County
Amelia County
Appomattox County
Augusta County
Bland County
Botetourt County
Bristol City
Buckingham County
Campbell County
Charles City County
Charlotte County
Charlottesville City
Chesapeake City
Clarke County
Colonial Heights City
Craig County
Cumberland County
Dinwiddie County
Fauquier County
Floyd County
Fluvanna County
Franklin County
Frederick County
Fredericksburg City
Galax City

Giles County
Gloucester County
Goochland County
Greene County
Halifax County
Harrisonburg City
Henry County
King George County
King & Queen County
Lancaster County
Lee County
Lexington City
Louisa County
Lunenburg County
Madison County
Manassas Park City
Mathews County
Mecklenburg County
Middlesex County
Montgomery County
Nelson County
New Kent County
Northumberland County
Norton City
Nottoway County
Orange County
Page County
Pittsylvania County

Poquoson City
Powhatan County
Prince Edward County
Pulaski County
Radford City
Rappahannock County
Richmond County
Roanoke County
Rockingham County
Russell County
Salem City
Scott County
Shenandoah County
Smyth County
Stafford County
Staunton City
Suffolk City
Surry County
Tazewell County
Washington County
Waynesboro City
West Point
Westmoreland County
Williamsburg/James City
Winchester City
Wise County
York County

**APPENDIX D:
Divisions Reporting Noncompliance with Certain Provisions
of the Standards of Quality for 2008-2009**

§ 22.1-253.13:1 – Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.			
Division	2008-2009:	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Buchanan County	Reported noncompliance with SOQ requirement that “The school division requires students who fail all of the SOL tests at grades three through eight or who fail an end-of-course test required for the award of a verified credit to attend summer school or participate in another form of remediation.”	No	Yes

§ 22.1-253.13:2 – Standard 2. Instructional, administrative, and support personnel. Please note: The data collection for compliance with the Standards of Quality takes place during the spring of each year. A number of school divisions reported being out of compliance with the standard: “The school board employs licensed instructional personnel qualified in the relevant subject areas.” Given school division staffing patterns and turnover/vacancy issues, school divisions may be undertaking efforts to hire licensed instructional personnel in all areas but may not have completed all hiring processes or may be encountering difficulties with teacher shortages in certain areas.			
Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Arlington County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Bath County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Dickenson County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Essex County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	No	No
Grayson County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes

§ 22.1-253.13:2 – Standard 2. Instructional, administrative, and support personnel. Please note: The data collection for compliance with the Standards of Quality takes place during the spring of each year. A number of school divisions reported being out of compliance with the standard: “The school board employs licensed instructional personnel qualified in the relevant subject areas.” Given school division staffing patterns and turnover/vacancy issues, school divisions may be undertaking efforts to hire licensed instructional personnel in all areas but may not have completed all hiring processes or may be encountering difficulties with teacher shortages in certain areas.

Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Greensville County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Hopewell City	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Isle of Wight County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	No	Yes
King William County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Martinsville City	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Petersburg City	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	No
Warren County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	No
Buena Vista City	Reported noncompliance with SOQ requirement that “The school division employs the required minimum number of licensed, full-time equivalent instructional personnel per 1,000 students in ADM with state and local basic, special education, gifted, and career and technical education as set forth in the appropriation act.”	No	No

Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Chesterfield County	Reported noncompliance with SOQ requirement that "The school board, annually, on or before January 1, reports to the public the actual pupil teacher ratios (excluding resource personnel) in elementary school classrooms by school for the current year. The board also reports the pupil/teacher ratio including resource teachers in the same report. The report includes identification of the schools but ensures confidentiality of all teacher and pupil identities."	No	No
Hanover County	Reported noncompliance with SOQ requirement that "The school board employs two full-time equivalent positions per 1,000 students in grades K-12, one who provides technology support and one who serves as an instructional technology teacher."	Yes	Yes

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

Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Alexandria City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Amherst County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Bedford County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Brunswick County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Caroline County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Carroll County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	No
Covington City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Danville City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Fairfax County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	No
Franklin City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Grayson County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Hampton City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Henrico County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes

Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Highland County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Hopewell City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Isle of Wight County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	Yes
Loudoun County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	No
Lynchburg City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Manassas City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Newport News City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Norfolk City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Northampton County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Patrick County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Petersburg City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Portsmouth City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Prince George County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Prince William County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes

Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Richmond City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Roanoke City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Rockbridge County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Southampton County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Spotsylvania County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Sussex County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Virginia Beach City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Warren County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Wythe County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes

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

Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Culpeper County	Reported noncompliance with the SOQ requirement that "The school board notifies the parents of rising eleventh and twelfth grade students of (i) the number of standard and verified units of credit required for graduation pursuant to the standards of accreditation and (ii) the remaining number of such units of credit the individual student requires for graduation."	No	No
Prince William County	Reported noncompliance with the SOQ requirement that "The school board awards certificates of program completion to students who complete a prescribed course of study as defined by the school board when they do not meet the requirements for a standard, advanced studies, modified standard, or general achievement diploma."	Yes	No
Portsmouth City	Reported noncompliance with the SOQ requirement that "The school board awards certificates of program completion to students who complete a prescribed course of study as defined by the school board when they do not meet the requirements for a standard, advanced studies, modified standard, or general achievement diploma."	No	No

§ 22.1-253.13:6 – Standard 6. Planning and Public Involvement.

Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Culpeper County	Reported noncompliance with the SOQ provision that "The school board shall post such plan on the division's Internet website if practicable, makes a hard copy of the plan available for public inspection and copying, and conducts at least one public hearing to solicit public comment on the division wide plan."	No	No

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

Division	2008-2009	Reported Noncompliance in 2007-2009	Reported Noncompliance in 2006-2007
Covington City	Reported noncompliance with the SOQ provision that "A current copy of the school division policies, including the Student Conduct Policy, is posted on the division's website and is available to employees and to the public. The school board has ensured that printed copies of such policies are available as needed to citizens who do not have online access. You must include the URL where your division's policy manual is posted. Please include a specific address, not the home page of your division's website."	Yes	N/A

Appendix E:

Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, Schools Rated Accreditation Denied 2008- 2009

In 117 of the Commonwealth's 132 school divisions, all schools are fully accredited, compared with 96 last year. Divisions with all schools fully accredited (other than new schools that automatically receive conditional accreditation) are:

Accomack County	Frederick County	Page County
Alleghany County	Fredericksburg	Patrick County
Amelia County	Galax	Pittsylvania County
Amherst County	Giles County	Poquoson
Appomattox County	Gloucester County	Portsmouth
Arlington County	Goochland County	Powhatan County
Augusta County	Greene County	Prince Edward County
Bath County	Greensville County	Prince George County
Bedford County	Halifax County	Pulaski County
Bland County	Hanover County	Radford
Botetourt County	Harrisonburg	Rappahannock County
Bristol	Henry County	Richmond County
Buchanan County	Highland County	Roanoke County
Buckingham County	Hopewell	Rockbridge County
Buena Vista	Isle of Wight County	Rockingham County
Campbell County	King George County	Russell County
Caroline County	King William County	Salem
Carroll County	King and Queen County	Scott County
Charles City County	Lancaster County	Shenandoah County
Charlotte County	Lee County	Smyth County
Charlottesville	Lexington	Southampton County
Chesapeake	Loudoun County	Spotsylvania County
Chesterfield County	Louisa County	Stafford County
Clarke County	Lunenburg County	Staunton
Colonial Beach	Lynchburg	Suffolk
Colonial Heights	Madison County	Surry County
Covington	Manassas	Tazewell County
Craig County	Manassas Park	Virginia Beach
Culpeper County	Martinsville	Warren County
Cumberland County	Mathews County	Washington County
Dickenson County	Mecklenburg County	Waynesboro
Dinwiddie County	Middlesex County	West Point
Essex County	Montgomery County	Westmoreland County
Fairfax County	Nelson County	Williamsburg-James City Co.
Falls Church	New Kent County	Co.
Fauquier County	Newport News	Winchester
Floyd County	Northumberland County	Wise County
Fluvanna County	Norton	York County
Franklin	Nottoway County	
Franklin County	Orange County	

Schools Accredited with Warning

The number of schools accredited with warning fell to 17, compared with 54 last year. Forty-eight schools that were on academic warning last year achieved full accreditation.

Albemarle County
Alexandria City
Brunswick County
Danville City
Grayson County
Hampton City
Henrico County
Norfolk City
Norfolk City
Northampton County
Prince William County
Richmond City
Richmond City
Roanoke City
Sussex County
Wythe County
Wythe County

Albemarle County Community Public Charter School
Jefferson-Houston Elementary
James S. Russell Middle
Langston Focus School
Fries Middle School
Jane H. Bryan Elementary
Highland Springs Elementary
Lindenwood Elementary
Ruffner Middle
Kiptopeke Elementary
Mills E. Godwin Middle
E.S.H. Greene Elementary
Fred D. Thompson Middle
Westside Elementary
Sussex Central Middle
Fort Chiswell Middle
Scott Memorial Middle

Schools Conditionally Accredited

Six schools earned full accreditation after undergoing reconstitution and being conditionally accredited for one or more years. These schools are: Caroline Middle, Caroline County; New Bridge Alternative Middle, Henrico County; Westwood Middle, Danville; Brighton Elementary and Craddock Middle, Portsmouth; and Addison Aerospace Magnet Middle in Roanoke.

Under Virginia's accountability program, a school that has been on academic warning for three consecutive years and fails to meet state standards for a fourth consecutive year can apply to the Board of Education for conditional accreditation — if the local school board agrees to reconstitute the school's leadership, staff, governance or student population. A reconstituted school can retain conditional accreditation for up to three years if it is making acceptable progress toward meeting state standards.

Four schools were rated with conditional accreditation. These schools are:

- Lafayette Winona Middle and Northside Middle in Norfolk, given conditional accreditation for the first time; and
- Lake Taylor Middle in Norfolk and Thomas C. Boushall Middle in Richmond, given conditional accreditation for a third consecutive year.

Schools Rated Accreditation Denied

Ellen W. Chambliss Elementary in Sussex County was denied accreditation after not meeting state standards despite reconstitution and three years of conditional accreditation.

Two Petersburg schools — J.E.B. Stuart Elementary and Peabody Middle — were denied accreditation for a fourth consecutive year. A third Petersburg school — Vernon Johns Junior High — was denied accreditation for the third year in a row.

The status of A.P. Hill Elementary in Petersburg, which was the subject of a Virginia Department of Education investigation of assessment irregularities, will be determined by the Board of Education tomorrow. The board will determine the status of William Fleming High School in Roanoke, which also was the subject of a VDOE inquiry of testing practices, at its October meeting

Fourteen newly opened schools are automatically rated as conditionally accredited for 2008-2009.

**Appendix G:
2009 STANDARDS OF QUALITY
Board of Education Recommendations to the 2010 Session of
the Virginia General Assembly**

**Standards of Quality
Proposed Legislative Changes**

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

A. 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 fund 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, either separately or through an existing website 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 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 employment, or training in a career or technical field; 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.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation 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. Such programs shall include components that are research-based.

Any student who 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 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 credit shall be required to attend a 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. 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.

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 are research-based.
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. Educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to § 22.1-200.03.
5. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.
6. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.
7. 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.
8. 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.
9. 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.
10. 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.
11. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs.
12. 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.

Local school divisions shall provide early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on a diagnostic test which has been approved by the Department of Education. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction. Such intervention programs, at the discretion of the local school division, may include, but not be limited to, the use of: special reading teachers; trained aides; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students.

Local school divisions shall also provide mathematics intervention services to students in grades 6, 7, 8 and 9 who are at risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on a diagnostic test which has been approved by the Department of Education. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

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

14. A program of physical fitness available to all students with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, or (iii) other programs and physical activities deemed appropriate by the local school board. Each local school board shall incorporate into its local wellness policy a goal for the implementation of such program during the regular school year.

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

16. 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 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.

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. **1.** Each local school board shall employ with state and local basic **aid**, special education, gifted, and career and technical education funds a minimum **number** of **58** 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.

2. Each local school board shall employ licensed, full-time equivalent positions as necessary to comply with the following requirements for special education services **[for students requiring either Level I or Level II services. Level I services, means the provision of special education to children with disabilities for less than 50 percent of their instructional school day (excluding intermission for meals). Level II services, means the provision of special education and related services to children with disabilities for 50 percent or more of the instructional school day (excluding intermission for meals). The time that a child receives special education services is calculated on the basis of special education services described in the individualized education program, rather than the location of services.]**

Local school division caseload maximums as funded by the Virginia Appropriation Act

Disability Category	Level II		Level I
	With Paraprofessional 100% of the time	Without Paraprofessional 100% of the Time	
Autism	8	6	24
Deaf-blindness	8	6	
Developmental Delay: age 5-6	10	8	
Developmental Delay: age 2-5	8 Center-based 10 Combined	12 Home-based and/or Itinerant	
Emotional Disability	10	8	24
Hearing Impairment/Deaf	10	8	24
Learning Disability	10	8	24
Intellectual Disability	10	8	24
Multiple Disabilities	8	6	
Orthopedic Impairment	10	8	24
Other Health Impaired	10	8	24
Speech or Language Impairment	NA	NA	68 (Itinerant)
Traumatic Brain Injury	May be placed in any program, according to the Individualized Education Program.		
Combined group of students needing Level I services with students needing Level II services	20 Points (see values for students receiving Level I services when combined with students receiving Level II services)		

Values for students receiving Level I services when combined with students receiving Level II services

Disability Category	Level II Values		Level I
	With Paraprofessional 100% of the time	Without Paraprofessional 100% of the time	Values
Autism	2.5	3.3	1
Deaf-blindness	2.5	3.3	1
Developmental Delay: age 5-6	2.0	2.5	1
Emotional Disability	2.0	2.5	1
Hearing Impairment/Deaf	2.0	2.5	1
Learning Disability	2.0	2.5	1
Intellectual Disability	2.0	2.5	1
Multiple Disabilities	2.5	3.3	1
Orthopedic Impairment	2.0	2.5	1
Other Health Impairment	2.0	2.5	1
Traumatic Brain Injury	2.0	2.5	1

3. Local school boards shall employ one licensed, full-time equivalent position per 1,000 students in grades kindergarten through 12 for gifted education services.

4. Each local school board shall employ licensed, full-time equivalent positions in career and technical education necessary to comply with the following requirements:

a. Career and technical education laboratory classes that use equipment that has been identified by the U.S. Department of Labor for hazardous occupations shall be limited to a maximum of 20 students per laboratory.

b. Career and technical education courses approved for students who are disadvantaged shall be limited to an average of 15 students per instructor per class period with no class being more than 18.

c. Career and technical education courses approved for students with disabilities shall be limited to an average of 10 students per instructor per class period with no class being more than 12 or up to an average of 12 students per class period with no class being more than 15 where an instructional aide is provided.

d. Enrollments in career and technical education courses shall not exceed the number of individual work stations.

e. Career and technical education programs using the cooperative education method of instruction shall be limited to an average of 20 students per instructor per class period with no class being more than 24 where the cooperative education method of instruction is required, and shall have a class period assigned to the instructor for on-the-job coordination for each 20 students participating in on-the-job training.

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.

To provide flexibility in the provision of mathematics intervention services, school divisions may use the state Standards of Learning Algebra Readiness initiative funding and the required local matching funds, pursuant to § 22.1-253.13, paragraph D, 12, to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

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.

To provide flexibility in the instruction of English Language Learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English Language Learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided through the Standards of Quality staffing standard of 17 instructional positions per 1,000 limited English proficiency students. School divisions using the Standards of Quality Prevention, Intervention, and Remediation funds in this manner shall only employ instructional personnel licensed by the Board of Education.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ the following reading specialists in elementary schools, one full-time in each elementary school at the discretion of the local school board.

To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention initiative funding and the required local matching funds, pursuant to § 22.1-253.13, paragraph D, 12, to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.

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 high schools, one full-time, to be employed on a 12-month basis;
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 high schools, one full-time for each 600 students.

School divisions that employ a sufficient number of assistant principals to meet these staffing requirements may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.

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; *and*

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.~~

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.

To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these Standards of Quality funds in this manner shall only employ instructional personnel licensed by the Board of Education.

K. 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. 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. 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 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. 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. 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 positions" 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.~~ the following:

1. Executive policy and leadership positions, including school board members, superintendent, and assistant superintendents;
2. Fiscal and human resource positions, including fiscal and audit operations, human resources, and procurement;
3. Student support positions, which include:
 - a. Social workers and social work administrative positions;
 - b. Guidance administrative positions not included in paragraph H.4.;
 - c. Homebound administrative positions supporting instruction;
 - d. Attendance support positions related to truancy and drop-out prevention;
 - e. Health and behavioral positions, including school nurses and school psychologists;
4. Instructional personnel support, including professional development positions and library and media positions not included in H.3;
5. Technology professional positions not included in paragraph J;
6. Operation and maintenance positions, including facilities; pupil transportation positions; operation, and maintenance professional and service positions; security services, trades, and laborer positions;

7. *Technical and clerical positions, including fiscal and human resource technical/clerical, student support technical/clerical, instructional personnel support technical/clerical, operation and maintenance technical/clerical, administration technical/clerical, and technology technical/clerical positions;*
8. *School-based 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.*

Pursuant to the appropriation act, support services shall be funded from basic school aid on the basis of prevailing statewide costs *unless the Standards of Quality specify a staffing standard.*

School divisions may use the state and local funds for support services to provide additional instructional services.

Local school divisions shall report publicly the state and local amounts budgeted and expended for each category of support services listed above. Local school divisions shall also report publicly the amounts they received for support services that were used to provide additional instructional services.

§ 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 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 during the 2007-2008 academic school year. Beginning with the 2008-2009 academic year, all school divisions shall administer the United States History to 1877, United States History: 1877 to the Present, and Civics and Economics tests. The Board shall also provide the option of industry certification and state licensure examinations as a student-selected verified credit.

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 assessment system.

The Board shall include in the student outcome measures that are required by the Standards 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.

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; (ii) select appropriate industry certification and state licensure examinations and (iii) 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 special 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 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 § 2.2-3705.3. 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 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, such as industry certification and state licensure examinations, 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 student subgroups on the Virginia assessment program as appropriate 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.

§ 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 to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation. Course credits earned for online courses taken in the Department of Education's Virtual Virginia program shall transfer to Virginia public schools in accordance with provisions of 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-a-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 parents of rising eleventh and twelfth grade students of (i) the number and subject area requirements of standard and verified units of credit required for graduation pursuant to the standards for accreditation and (ii) the remaining number and subject area requirements 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 a standard or advanced studies diploma 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, special, 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 for accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom 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 career and technical education 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. Establish the requirements for a technical diploma. This diploma shall meet or exceed the requirements of a standard diploma and will include a concentration in career and technical education, as established in Board regulations. A student who meets the requirement for the advanced studies diploma who also fulfills a concentration in career and technical education shall receive an advanced technical diploma, or if he chooses, he shall receive an advanced studies diploma. The Board may develop or designate assessments in career and technical education for the purposes of awarding verified credit pursuant to subdivision 6;
4. 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;
5. 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.
6. 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, state licensure examinations passed, and the number of career and technical education completers that graduated. These numbers shall be reported as categories on the School Performance Report Card.

For the purposes of this subdivision, a "career and technical education completer" is a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program.

In addition, the Board may:

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 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 that includes the types of activities that shall qualify as community service and the number of hours required; 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 appropriate for the collection, analysis, and reporting of such data.

§ 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 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; (vi) technology applications to implement the Standards of Learning; and (vii) effective classroom management.

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.

§ 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 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 first improving student achievement, particularly the achievement of educationally at-risk students, 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 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 first improving student achievement, particularly the achievement of educationally at-risk students, 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 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 develop policies and procedures to address complaints of sexual abuse of a student by a teacher or other school board employee.

B. 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.

C. 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.

D. A current copy of the school division policies, required by this section, including the Student Conduct Policy, shall be posted on the division's website and shall be available to employees and to the public. School boards shall ensure that printed copies of such policies are available as needed to citizens who do not have online access.

E. 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.

§ 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.