

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:

1. A report on the condition and needs of the public schools as determined by the Board of Education;
2. A listing of the school divisions and the specific schools that report noncompliance with any part of the Standards of Quality (SOQ);
3. The full text of the current SOQ;
4. A justification for amendments;
5. The effective date of the current SOQ; and
6. 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 *2010 Annual Report on the Condition and Needs of Public Schools in Virginia* is attached. At the Board of Education meeting on October 28th the Board is requested to review the draft and make any necessary changes, additions, or deletions, all of which will be incorporated prior to the final review and adoption of the report.

Please note that the *2010 Annual Report on the Condition and Needs of Public Schools in Virginia* will be delivered to the Governor and members of the General Assembly slightly later than November 15 (the due date specified in § 22.1-18 of the *Code of Virginia*).

Also note that some data elements are not yet incorporated into the draft text. The data are undergoing final verifications and will be added prior to the final review of the text at the Board of Education meeting on November 18, 2010.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education receive the draft report for first review and give staff suggestions for additions and changes to be incorporated into the report prior to the final review on November 18, 2010.

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 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: Suggested changes and additional data will be incorporated into the report, and the updated document will be presented to the Board of Education for final review and adoption at the meeting on November 18, 2010. 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.



VIRGINIA BOARD OF EDUCATION

2010 ANNUAL REPORT

**2010
ANNUAL REPORT ON THE
CONDITION AND NEEDS
OF PUBLIC SCHOOLS IN VIRGINIA**

PRESENTED TO
THE GOVERNOR AND
THE GENERAL ASSEMBLY

DRAFT

NOVEMBER ____, 2010
VIRGINIA BOARD OF EDUCATION

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**COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
P.O. BOX 2120
RICHMOND, VIRGINIA 23218-2120**

November____, 2010

The Honorable Bob McDonnell, Governor
Members of the Virginia General Assembly
Commonwealth of Virginia
Richmond, Virginia 23219

Dear Governor McDonnell and Members of the Virginia General Assembly:

On behalf of the Board of Education, I am pleased to transmit the *2010 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 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.

The report also points to evidence that persistent challenges remain to be tackled, and there is a challenging year ahead as localities face the economic headwinds that have developed in recent months.

The Board of Education is grateful for the support that 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,

Eleanor B. Saslaw
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>

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Board of Education
2010 Annual Report on the Condition and Needs of
Public Schools in Virginia

EXECUTIVE SUMMARY

Academic Progress of Virginia's Students

The achievements shown by students in Virginia's public schools have been substantial, strengthening foundations for learning and positioning Virginia's teachers and school leaders to continue to build a better future for all students. The following objective indicators illustrate the progress Virginia's public schools are making in an era when all students must be challenged to reach their highest potential.

- Ninety-eight percent of Virginia's public schools are fully accredited and meeting current state standards for achievement in English, mathematics, history and science based on 2009-2010 assessment results. Another one percent received conditionally accredited ratings because they are new schools. The 2010-2011 ratings represent the second consecutive year in which all but two percent of Virginia's public schools are fully accredited.
- Virginia's 2010 public school graduates increased their achievement and outperformed their peers nationwide on all three sections of the SAT college-admissions test, according to the College Board. In the last ten years, average scores of Virginia public school students on the SAT have increased by five points in reading and 15 points in mathematics. This compares with a national decline of four points in reading and a gain of one point in mathematics. Also, Black and Hispanic Virginia public school graduates increased their achievement and outperformed their peers nationwide on all three SAT subsections.
- More than 85 percent of the students in the class of 2010 graduated on time with a diploma. The 2010 graduation rate is more than two points higher than the four-year rate of 83.3 percent for the class of 2009 and more than three points higher than the four-year rate of 82.1 percent for the class of 2008. Moreover, the graduation rates of black and Hispanic students continued to improve.
- For a sixth consecutive year, the number of Virginia students graduating with an Advanced Studies Diploma increased, and the number of advanced diplomas awarded exceeded the number of Standard Diplomas.
- The College Board's February 2010 *Advanced Placement Report to the Nation* ranked Virginia third in the nation in achievement on AP examinations.

- Virginia public high school graduates achieved significantly higher scores on the ACT this year, and the number of public school seniors taking the college-admissions examination continued to grow. Public school students in the commonwealth improved in all subjects. The percentage of Virginia public school students meeting ACT college-readiness benchmarks was seven or more points higher than the percentage nationwide.
- Results from national reading tests show that Virginia elementary and middle school students continue to outperform their peers nationwide and are among the nation’s strongest readers. The average reading scores of Virginia students on the 2009 National Assessment of Education Progress (NAEP) – also known as *The Nation’s Report Card* – were significantly higher than the average scores of their national and regional peers.
 - While Virginia students again ranked among the nation’s highest achievers, the 2009 NAEP results for the commonwealth show that overall achievement among Virginia fourth graders is similar to achievement in 2002, while the overall average reading score for eighth graders has declined.
- Six out of 10 Virginia schools exceeded or met all No Child Left Behind (NCLB) objectives during 2009-2010 despite new accountability provisions related to high school graduation and the testing of students with disabilities.
 - Sixty percent of Virginia’s public schools made “adequate yearly progress” (AYP) by surpassing objectives in reading and mathematics and meeting other indicators of academic progress, compared with 71 percent last year.
 - The aggressive objective for graduation set by the Board of Education and the change in federal special education policy were factors as the number of schools and school divisions making AYP declined – even though overall achievement was steady in reading and up in mathematics.

Critical Needs of the Public Schools in Virginia

As captured in this report, Virginia’s public schools have made great progress, but they undoubtedly still have a long way to go. The Board’s priorities for action—and the performance measures used to gauge the Board’s progress in meeting those priorities—focus on the most critical needs of the public schools. The needs include the following:

- Funding the Standards of Quality (SOQ) and other valued initiatives and programs in the current fiscal and economic climate.
- Maintaining Virginia’s Academic Standards in order to lead the country in the rigor and quality of standards. This priority is especially important in light of the national discussion on Common Core State Standards. Virginia will continue to monitor work at the national level related to the Common Core State Standards and the Common Assessments.

- Setting sound policies and guidelines to help divisions provide additional learning opportunities for students, such as charter schools, college partnership laboratory schools, STEM programs, and online learning programs.
- Anticipating the impact of the fiscal climate that is destined to become even more difficult as the flow of federal stimulus funds ends.
- Dealing effectively with schools that do not meet full accreditation because of difficulty in meeting the aggressive objective for graduation rates set by the Board of Education.
- Continuing the technical assistance and interventions by the Virginia Department of Education to assist divisions previously identified as low-performing, especially in this time of agency budget and staffing restrictions.
- Keeping up with increasingly burdensome and time-consuming federal reporting and accountability requirements, especially those related to the Elementary and Secondary Education Act (previously known as No Child Left Behind), the Individuals with Disabilities Education Act, and the State Fiscal Stabilization Fund.
- Helping divisions through policies and initiatives that will help eliminate gaps in graduation rates and student achievement, which—although improving—persist among Virginia’s Black and Hispanic students and their white and Asian counterparts.
- Maintaining emphasis on quality programs for at-risk four-year-olds across the state in an era of reduced resources.
- Providing programs that address the increase in students with limited English proficiency who may need additional instructional support to be successful in school.
- 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.
- Finding new and effective ways to help colleges and universities and school divisions in the preparation, recruitment, and retention of highly qualified 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.
- 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.

Board of Education Priorities for Action

The Board of Education's *Comprehensive Plan: 2007-2012* established objectives for action. Contained in the comprehensive plan are highlights of recent actions to meet the objectives. 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 of Education's objectives, which are reviewed and updated biennially, directly address the imperative to improve student achievement, as follows:

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

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.

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.

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.

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

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.

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

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.

Compliance with the Standards of Quality

_____ divisions reported full compliance with the provisions of the Standards of Quality (SOQ) in the 2009-2010 school year. Appendix B contains a list of school divisions that reported noncompliance with certain provisions of the SOQ.

Compliance with 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 2009-2010 assessment results. Schools failing to meet the accreditation requirements are listed in Appendix C.

2010 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 current state standards for achievement in English, mathematics, history and science based on 2009-2010 assessment results. Another one percent received conditionally accredited ratings because they are new schools. The 2010-2011 ratings represent the second consecutive year in which all but two percent of Virginia's public schools are fully accredited.

Virginia On-Time Graduation Rate Rises

More than 85 percent of the students in the class of 2010 graduated on time with a diploma. The 2010 graduation rate is more than two points higher than the four-year rate of 83.3 percent for the class of 2009 and more than three points higher than the four-year rate of 82.1 percent for the class of 2008. For a sixth consecutive year, the number of Virginia students graduating with an Advanced Studies Diploma increased, and the number of advanced diplomas awarded exceeded the number of Standard Diplomas.

The graduation rates of black and Hispanic students continued to improve. The rate for black students increased 3.2 points to 78.9 percent and on-time graduation for Hispanic students increased 3.8 points to 76.1 percent. The on-time graduation rates for black and Hispanic students have each risen by 4.9 points since 2008, the first year Virginia reported cohort graduation rates.

Virginia Students Outperform Peers Nationwide on SAT

Virginia's 2010 public school graduates increased their achievement and outperformed their peers nationwide on all three sections of the SAT college-admissions test, according to the College Board. In the last ten years, average scores of Virginia public school students on the SAT have increased by five points in reading and 15 points in mathematics. This compares with a national decline of four points in reading and a gain of one point in mathematics. Black and Hispanic Virginia public school graduates increased their achievement and outperformed their peers nationwide on all three SAT subsections.

Virginia Ranks Among the Top on Advanced Placement Results

The College Board's February 2010 Advanced Placement Report to the Nation ranked Virginia third in the nation in achievement on AP examinations. This compares with a national decline of four points in reading and a gain of one point in mathematics. Moreover since 2006, the number of black public school students in Virginia participating in AP testing has increased by 74.4 percent, and the number of Hispanic students taking AP tests has increased by 70.2 percent.

Virginia Students Score Higher than Peers on ACT

Virginia public high school graduates achieved significantly higher scores on the ACT this year, and the number of public school seniors taking the college-admissions examination continued to grow. Public school students in Virginia improved in all subjects. The percentage of Virginia public school students meeting ACT college-readiness benchmarks was seven or more points higher than the percentage nationwide.

Virginia Students Increase Achievement in Critical Reading, Mathematics, and Writing

Results from national reading tests show that Virginia elementary and middle school students continue to outperform their peers nationwide and are among the nation's strongest readers. The average reading scores of Virginia students on the 2009 National Assessment of Education Progress (NAEP) – also known as "The Nation's Report Card" – were significantly higher than the average scores of their national and regional peers.

While Virginia students again ranked among the nation's highest achievers, the 2009 NAEP results show that overall achievement among Virginia fourth graders is similar to achievement in 2002, while the overall average reading score for eighth graders has declined.

Six out of 10 Virginia Schools Exceed NCLB Objectives

Six out of 10 Virginia schools exceeded or met all No Child Left Behind (NCLB) objectives during 2009-2010 despite new accountability provisions related to high school graduation and the testing of students with disabilities.

Sixty percent of Virginia's public schools made "adequate yearly progress" (AYP) by surpassing objectives in reading and mathematics and meeting other indicators of academic progress, compared with 71 percent last year.

The aggressive objective for graduation set by the Board of Education and the change in federal special education policy were factors as the number of schools and school divisions making AYP declined – even though overall achievement was steady in reading and up in mathematics.

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's objectives form priorities for action, and the performance measures used to gauge progress in meeting those goals 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. The difficult fiscal situation will be exacerbated if the flow of federal stimulus funds ends, as expected.

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 or special attention. The challenge requires that fiscal and human resources be focused on the instruction students receive in the classroom and on making sure every student is successful.

Maintaining the Rigor of Virginia's Academic Standards

The Board wishes to be clear in its intent to lead the country in the rigor and quality of standards. This clarity of intent is especially important in light of the national discussion on Common Core State Standards. Virginia will continue to monitor work at the national level related to the Common Core State Standards and the Common Assessments.

Implementing New Learning Opportunities for Students

The Board of Education is putting in place new policies and guidelines for initiatives that expand learning opportunities for all children. These policies relate to high-quality charter schools, college partnership laboratory schools, and online learning programs. This also includes science, technology, engineering, and mathematics (STEM) education programs. The Board's challenge is to ensure that its policies and the manner in which they are implemented are student-centered, effective, cost-efficient, and practical.

Assisting 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 Elementary and Secondary Education Act (ESEA), which mandates an aggressive system of corrective measures for schools receiving federal assistance that fail to meet progress goals.

It is anticipated that more schools will struggle to meet full accreditation because of difficulty in meeting the aggressive objective for graduation rates and other key measures set by the Board of Education. As the Board moves to increase the rigor for full accreditation, continuing the technical assistance and interventions by the Virginia Department of Education to assist divisions previously identified as low-performing may become increasingly difficult, especially in this time of agency budget and staffing restrictions.

Dealing with Increasingly Burdensome Federal Reporting Requirements

At a time in which the Virginia Department of Education is actively seeking ways to cut reporting requirements on local divisions, the department must itself keep up with increasingly burdensome and time-consuming federal reporting and accountability requirements, especially those related to the Elementary and Secondary Education Act (previously known as No Child Left Behind), the Individuals with Disabilities Education Act, and the State Fiscal Stabilization Fund.

Promoting 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 15,900 children in 2010. 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.

Providing Programs to Narrow 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 Black 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 Black 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.

Dealing with Changing Demographics

As reported by the Virginia's Poverty Reduction Task Force: "More than 10 percent of Virginians currently live below the poverty level. They are highly concentrated in inner cities and along the state's southern and southwest borders, with growing clusters in suburban areas. Analysts believe that the rate will increase rapidly in the next few years because of the recession, and then gradually rebound to current levels around 2022." (*Poverty in Virginia: Recommendations from the Commonwealth of Virginia's Poverty Reduction Task Force*, 2010)

As a general indicator of low-income among the families of Virginia's school-age population, in 2009-2010, more than 37 percent of the students in Virginia's public schools were eligible for free and reduced-price lunch. This compares to 34.6 percent eligible in 2008-2009. The percent varies widely across the school divisions, from a high of more than 75 percent to a low of 8 percent. 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. (Weldon Cooper Center, 2009)

Virginia's population of Limited English Proficient (LEP) students continues to grow. In 1999, Virginia's public schools enrolled fewer than 32,000 LEP students. A decade later (2009) the number had risen to almost 87,000. This growth is expected to continue for the foreseeable future, placing a significant need for resources for these students.

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." The members of the Board of Education 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, the Board 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.

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 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.

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, hiring new teachers will likely decrease because current classroom teachers will stay put by holding on to their jobs or by deferring retirement. Thus, 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 many local divisions. Shortage areas include special education, mathematics, some foreign languages, and teachers of English as a Second Language. Also, 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 (latest available data).

Moreover, the latest available data (2008) show that 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. Antidotal evidence shows a higher-than-normal turnover rate for division superintendents, as well. 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 2009-2010, 12 percent of Virginia's teachers are Black, two percent are Hispanic, and one percent are Asian, compared with approximately 25, nine, and six percent of students, respectively.

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.

New Initiatives for 2010 and Support for Virginia Department of Education Initiatives

The Board of Education is firmly committed to providing leadership to help schools and divisions meet higher standards for all students. Legislation proposed by Governor Robert F. McDonnell and approved by the 2010 General Assembly creates additional opportunities for students to learn and gives the Board of Education responsibility to implement the provisions of the new programs. The new legislation includes provisions that:

- (1) Increase the level of state support and guidance in the development of charter schools in Virginia to ensure that local school boards receive quality charter school proposals;

- (2) Allow any public institution of higher education in the commonwealth with an approved teacher-preparation program to establish a college partnership laboratory school; and
- (3) Give additional opportunities for online learning.

As a springboard for action, the President of the Board of Education, Mrs. Eleanor B. Saslaw, established two new committees to focus attention on priorities for action: the Charter School Committee and the College Partnership Laboratory School Committee. The committees consist of members of the Board, and the chairs of the respective committees have set an agenda for action that will move the Board closer to meeting its goal of expanding learning opportunities for all students. Also, the Board has supported the work related to two new initiatives undertaken by the Virginia Department of Education that directly relate to the priorities of the Board.

- Charter School Committee:
Charter schools provide options for parents and students while allowing communities and educators to create innovative instructional programs that can be replicated elsewhere in the public school system. All charter schools in Virginia are nonsectarian alternative public schools located within a school division and under the authority of a local school board. To carry out its responsibilities, the Board's Charter School Committee was formed and set to work immediately to develop or revise the following: procedures for receiving and reviewing charter school applications; criteria used in reviewing applications; a listing of regulations that may be waived for charter schools; and criteria for making distributions from the charter school fund. During its deliberations, the committee held informative discussions with a panel of national experts, followed by panels of leaders of statewide organizations. It is anticipated that the procedures, criteria, and regulations will be adopted by the Board at the January 2011 meeting.
- College Partnership Laboratory School Committee:
College partnership laboratory schools are public schools established by contract between the governing board of a college or university and the Board of Education. The 2010 legislation allows any public institution of higher education in the commonwealth with an approved teacher-preparation program to establish a college partnership laboratory school.

The Board's College Partnership Laboratory School Committee was established and is in the process of developing the following: procedures for receiving college partnership laboratory school applications; an application and criteria used in reviewing applications; a listing of regulations that may be waived; and criteria for making distributions from the college partnership laboratory fund.

The committee began its work by convening a panel of nationally recognized experts in the college laboratory field, followed by discussions with Virginia college and university provosts, deans, and directors of teacher education programs. Final recommendations on procedures and criteria will be made by the Board at the January 2011 meeting.

- **Multidivision Online Providers:**
Also new in legislation for 2010, the Superintendent of Public Instruction is required to develop, and the Board is required to approve, criteria for approving and monitoring multidivision online providers of virtual school programs. It allows local school boards to enter into contracts with approved multidivision online providers to deliver virtual programs.

"Multidivision online provider" means (i) a private or nonprofit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division; (ii) a private or nonprofit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in grades K through 12 through those school boards; or (iii) a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division.

The Superintendent must develop model policies for local school divisions, and the Board must submit information about virtual school programs in its annual report to the Governor and to the General Assembly, beginning in November 2011. In October 2010, the Board approved the first set of multidivision online providers and will report on these providers and any subsequent additions in its annual report for 2011.

Board of Education Support for Virginia Department of Education Initiatives

College and Career Readiness Initiative: Being developed and implemented by the Virginia Department of Education, the Virginia College and Career Readiness Initiative (CCRI) builds on the revised standards and is designed to: 1) Ensure that college and career ready learning standards in reading, writing, and mathematics are taught in every Virginia high school classroom; and 2) Strengthen students' preparation for college and the work force before leaving high school.

As part of the initiative, the Board has received periodic reports on the department's research program designed to understand the associations between performance on Virginia's statewide assessments and enrollment and performance in postsecondary education. Through this research, the department has identified indicators of college readiness that are independently associated with a high probability of enrollment and persistence in four-year postsecondary institutions from across the country.

In 2009 and 2010, respectively, the Virginia Board of Education adopted revised Standards of Learning in mathematics and English. The revised standards reflect the substantial input and recommended changes provided by college faculty and other experts from the College Board, ACT, the American Diploma Project, and the business community. These groups support Virginia's revisions and have validated the standards as college and career ready. This critically important initiative will lead to:

- (1) Developing elective "capstone courses" to support students who need additional instruction to meet college and career ready performance expectations before leaving high school;
- (2) Providing technical assistance and professional development to Virginia's educators to support implementation of the revised English and mathematics standards and the college and career ready performance expectations;
- (3) Aligning the state assessments to measure student mastery of the more rigorous mathematics and English standards adopted in 2009 and 2010. Certain high school end-of-course tests will include quantitative indicators of whether students have met or exceeded the achievement levels needed to be successful in introductory mathematics and English courses in college; and
- (4) Identifying accountability measures and incentives for schools to increase the percentage of students who graduate high school having demonstrated the academic and career skills needed to be successful in postsecondary education programs.

Study and Development of Model Teacher and Administrator Evaluation Systems:

The Board of Education has received updates on the Virginia Department of Education's comprehensive study of teacher and administrator evaluation. This study is designed to:

- (1) Provide models that may be used by school divisions to develop differentiated or performance-based compensation systems; and
- (2) Provide revised guidance documents and new evaluation models for teachers that can be used in school divisions to improve student achievement by improving teacher performance, increasing teacher retention, and developing meaningful, targeted professional development.

The study will target divisions with high-poverty schools and persistently low-performing schools as initial pilot sites for revised evaluation models. The department plans to complete the Guidance documents and evaluation models in December 2011 and present the documents to the Board of Education in January and February 2011.

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

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: 2011-2016*, 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 seven goals (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 following goals 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

From 2008 to 2010, the Board adopted revised Standards of Learning in mathematics, English, science, and history and social science. During the revisions of the mathematics and English standards in particular, there was a substantial effort made to work with outside experts to establish a Standards of Learning that, if mastered, would prepare students for success in college and careers. The mathematics and English standards reflect the substantial input and recommended changes provided by college faculty and other experts from the College Board, ACT, the American Diploma Project, and the business community. These groups support Virginia's revisions and have validated the standards as college and career ready.

With the Board's adoption of these revised standards, the Virginia Department of Education (VDOE) is developing new tests that will measure students' mastery of the more rigorous content standards. The new mathematics and English assessments will be administered online, and include technology-enhanced items that require students to demonstrate content mastery in ways that were not possible with multiple-choice tests. The result of the standards revision, therefore, will be that students will have to demonstrate mastery of more rigorous content in mathematics and English order to pass the revised SOL tests.

In addition to the standards revisions, VDOE is developing the new tests to enable the Board to establish college ready achievement levels on certain end-of-course assessments in English and mathematics. The test development process will be informed by previous research focused on the associations between student achievement measured by SOL assessments and postsecondary enrollment and persistence. Further, the results of a survey in which higher education faculty identified the SOL in mathematics and English that are essential for student success in introductory, credit-bearing English and mathematics courses in college will be considered in the test development process. In addition to adopting minimum cut scores that demonstrate proficiency to verify course credit, the Board of Education will adopt minimum scores that represent academic preparedness for success in introductory, credit-bearing English and mathematics courses in college. The college ready achievement level will replace advanced proficiency on certain end-of-course tests.

The addition of a college ready cut score on certain end-of-course mathematics and English assessments is part of the Virginia College and Career Readiness Initiative. The initiative, which resulted from the Board's 2007 action to authorize the Department to conduct studies to determine factors contributing to success in postsecondary education, is designed to:

- (1) Ensure that college and career ready learning standards in reading, writing, and mathematics are taught in every Virginia high school classroom; and
- (2) Strengthen students' preparation for college and the work force before leaving high school.

The Virginia Department of Education leads the initiative in close collaboration with leaders from the Virginia Community College System and the State Council of Higher Education for Virginia.

Highlights: Actions of the Board in 2010

The Board of Education regularly reviews and revises the Standards of Quality (SOQ), Standards of Accreditation (SOA), and Standards of Learning (SOL). Throughout this process, the Board collects data and information that support its ability to thoughtfully and deliberately make revisions that are designed to enhance the quality of the standards to which Virginia's students are held.

In 2010, the Board adopted revised Standards of Learning for English and Science, along with revised curriculum frameworks for these core subjects. The Board also adopted the curriculum framework for its Economics and Personal Finance Standards of Learning.

In June 2010, the Board of Education reaffirmed its intention that the academic standards for Virginia's schools shall be second to none. Much has been made in media reports about the Common Core State Standards. The Board of Education is committed to the Virginia Standards of Learning program and opposed a word-for-word adoption of the newly developed Common Core State Standards as a prerequisite for participation in federal competitive grant and entitlement programs.

In September, the Board reviewed a detailed analysis of Virginia's Mathematics and English Standards of Learning compared to the Common Core State Standards for Mathematics and English. The side-by-side analysis showed that Virginia's Mathematics and English Standards of Learning have a strong alignment to the Common Core State Standards. By the time students have progressed into high school mathematics and English content through the CCSS or SOL, students have received most of the same academic content delivered through different learning progressions. In short, Standards of Learning are clear and rigorous and have won the acceptance and trust of Virginia educators.

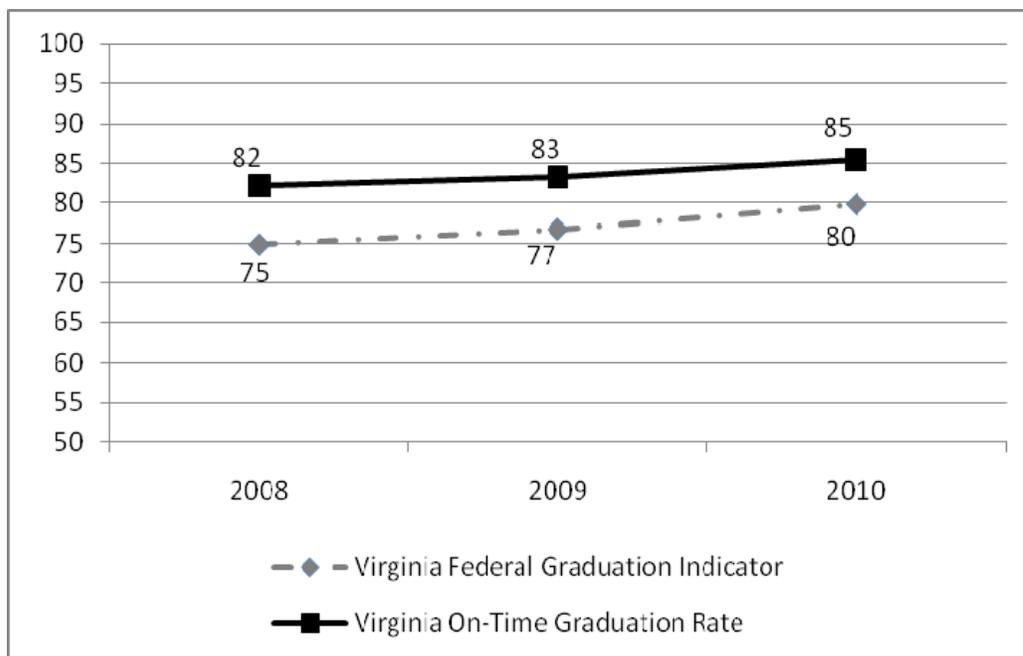
Objective 2: The Board of Education will provide leadership to help schools and school divisions eliminate the achievement gap between groups of students and increase the academic success of all students.

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.

Objectives 2 and 3 address the critical need for sound accountability programs. School accountability in Virginia continues to evolve. In 2010, 1,814 schools were fully accredited, representing 98 percent of Virginia’s public schools. Fifteen (15) of Virginia’s schools were Accredited with Warning, and four were rated as Accreditation denied.

Other signals of positive trends in Virginia are seen in the increasing numbers of students earning high school diplomas. The figure below shows Virginia’s two cohort graduation indicators—the Virginia On-Time Graduation Rate, which includes all Board of Education-approved diplomas, and the Federal Graduation Indicator, which includes only Virginia’s standard and advanced studies diplomas. Both rates are increasing, which indicates that more of Virginia’s high school students are meeting the rigorous requirements of the Board’s diploma requirements.

Figure 1: Cohort Graduation Rates in Virginia



Virginia’s research has identified several indicators that are associated with a high probability of enrolling in four-year postsecondary institutions of higher education, and persisting into the second year. The indicators are as follows:

- Earning an advanced studies diploma;
- Participating in Algebra II;
- Earning advanced proficient scores on the reading and writing mathematics assessments.

These indicators are predictive of postsecondary enrollment independently. The following provides information on the percent of students who graduated from high school meeting one or more college and career ready indicators of future success.

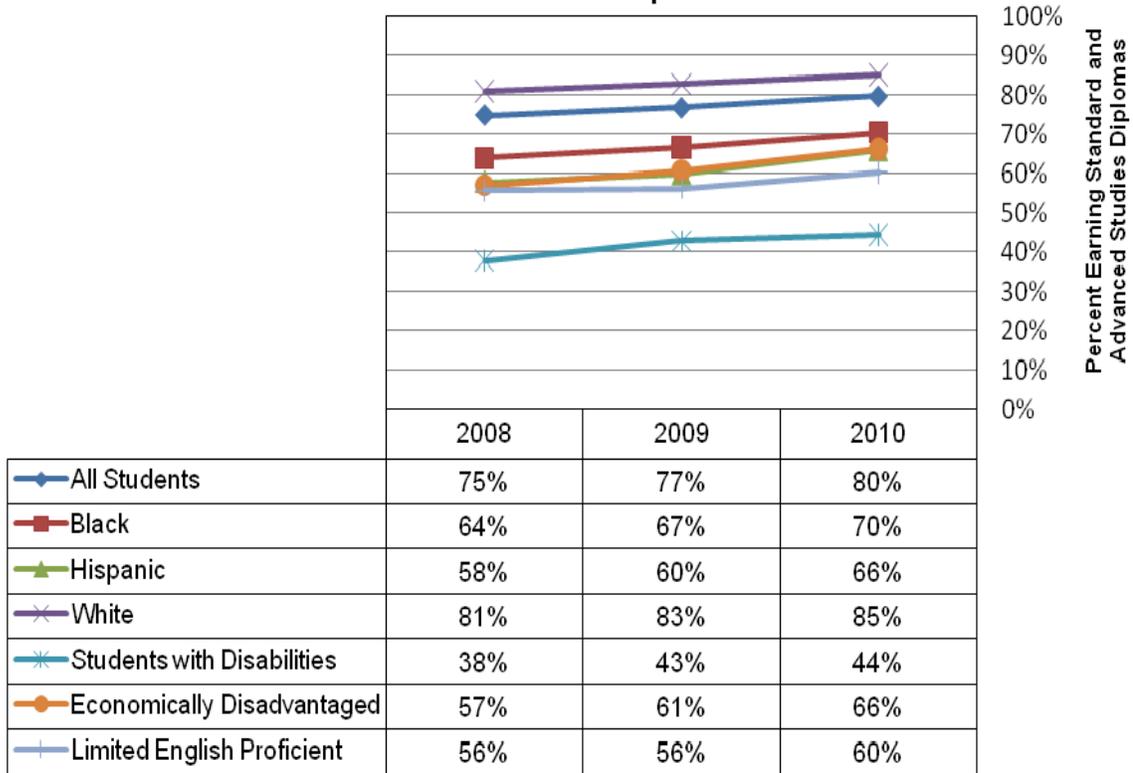
Independent Indicators of College Readiness in Virginia

Graduation Year	Advanced Studies Diploma	Participation in Algebra II	Advanced proficient on reading, writing, and Algebra II
2007-2008	52%	60%	51%
2008-2009	53%	69%	52%
2009-2010	54%	70%	52%

Virginia is a national leader in career readiness. The percent of students who complete a defined career and technical education (CTE) sequence of courses has increased from 40 percent in 2007 to 47 percent in 2010. Completing these course sequences provides students with a pathway for future success in the workplace. As well, Board policy encourages schools to validate students’ CTE outcomes success through participation in national assessments, receipt of state licenses, and earning industry certifications. In 2010, more than 29,000 students earned such credentials, and 57 percent of students earned an advanced studies diploma or earned a CTE credential.

These positive results reflect many years of dedicated partnerships to strengthen Virginia’s Standards of Learning and move more students to excel in mastering them. While celebrating these successes, Virginia must also recognize the challenges ahead. For example, results of the 2009 administration of the National Assessment of Educational Progress (NAEP) showed Virginia’s fourth grade reading outcomes have been stagnant since 2002, and scores on the eighth grade reading assessment have declined significantly since 2002. As well, Virginia continues to have schools that did not meet the Board-established graduation goal of 80 percent of students earning standard and advanced studies diplomas. As is shown in the figure below, while all of Virginia’s subgroups as defined for federal accountability are showing increases since 2008, all have failed to meet the goal.

Percent of Students Earning Standard or Advanced Studies Diplomas*



* As defined by the formula used to calculate the federal graduation rate indicator, 2010.

Virginia’s state accountability system, which includes significant support from state partners, continues to show results. Under the state accountability system, any school that is accredited with warning for three consecutive years is considered chronically low performing. In the 2010-2011 accreditation year, and based on data available from the 2009-2010 school year, Virginia had only nine (9) schools identified as chronically low-performing using the state definition. This included five schools accredited with warning for a third consecutive year and four schools denied accreditation. This is two fewer schools than last year, and is down from 58 chronically low performing schools in the 2006-2007 school year.

Accreditation Year	Number of chronically low-performing schools
2010-2011	9
2009-2010	11
2008-2009	33
2007-2008	42
2006-2007	58

This year, the federal government established its own definition of persistently lowest-achieving schools. In accordance with federal requirements, in 2010, Virginia identified schools that are considered Virginia's persistently lowest-achieving schools under the following federal definition:

A. A Title I school in improvement, corrective action, or restructuring that is among the lowest-achieving five percent of Title I schools in improvement, corrective action, or restructuring based on the academic achievement of the "all students" group in reading/language arts and mathematics combined and the school has not reduced its failure rate in reading/language arts and/or mathematics by 10 to 15 percent each year for the past two years (Tier I); or

B. A secondary school that is eligible for, but does not receive, Title I funds that is among the lowest-achieving five percent of schools based on the academic achievement of the "all students" group in reading/language arts and mathematics combined and the school has not reduced its failure rate in reading/language arts and/or mathematics by 10 to 15 percent each year for the past two years (Tier II); or

C. A high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent for two years (Tier II).

As of June, 2010, the following schools that are currently open met each of the above criteria:

- Persistently Lowest-Achieving Schools That Met Criterion A and are open in 2010-2011:
Petersburg City Public Schools, Peabody Middle School
Roanoke City Public Schools, Westside Elementary School
Sussex County Public Schools, Ellen W. Chambliss Elementary
Sussex County Public Schools, Sussex Central Middle School
- Persistently Lowest-Achieving Schools That Met Criterion B
Alexandria City Public Schools, T.C. Williams High School
Colonial Beach Public Schools, Colonial Beach High School
Danville City Public Schools, Langston Focus High School
King and Queen County Public Schools, Central High School
Prince Edward County Public Schools, Prince Edward County High School
Richmond City Public Schools, Armstrong High School
- Persistently Lowest-Achieving Schools That Met Criterion C
Petersburg City Public Schools, Petersburg High School

Highlights: Actions of the Board in 2010

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).

As a part of this ongoing effort, the Board continued to review and receive periodic reports from the Petersburg City Public Schools and the Sussex County Public Schools. Both divisions have signed a Memorandum of Understanding (MOU) with the Board of Education, and they continue to provide summative reports on progress made in meeting or exceeding MOU agreements and expectations.

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.

In the 2009-2010 school year, the Virginia Preschool Initiative (VPI) served 15,921 children. Students who participate in public preschool programs, including the VPI, continue to have fewer needs for extra support in learning how to read when they enter kindergarten compared to the entire kindergarten class.

Student Group	Percent requiring extra support to stay on track to learn to read				
	Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Attended any type of public preschool the year before kindergarten	13%	13%	11%	12%	12%
Attended VPI programs the year before kindergarten	13%	11%	10%	9%	9%
All kindergarten students participating in pre-literacy screening in kindergarten	18%	17%	17%	14%	14%

Highlights: Actions of the Board in 2010

Board member Rob Krupicka serves on the Virginia Early Childhood Advisory Council (ECAC). The ECAC has the support of Governor McDonnell and is designed to provide increased collaboration and efficiency among state agencies, communities, and private sector organizations that focus on the multiple facets of early childhood health, education and development; the training of early childhood professionals; and issues related to long-term work force development.

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

Statewide, and in aggregate across grade levels, tested students passed 88 and 89 percent of mathematics assessments in 2009-2010, which is an increase in mathematics compared to the previous year. Grade by grade, however, the data tell a more nuanced story. The percent of students passing the grade three reading test dropped by three percentage points compared to last year. As well, grades 4 and 5 and end-of-course assessments saw lower pass rates this year compared to last.

Pass Rates on Statewide Reading Assessments

Assessment Level	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	One Year Change
Grade 3	84	80	84	86	83	-3
Grade 4	86	87	88	89	88	-1
Grade 5	87	87	89	92	90	-2
Grade 6	83	84	85	86	88	+2
Grade 7	81	82	86	88	89	+1
Grade 8	78	80	83	87	90	+3
EOC Reading	90	94	94	95	94	-1

In conjunction with stagnant scores on grade 4 NAEP and lower scores on grade 8 NAEP in 2009 compared with 2002, these results suggest that the state has significant work to do to sustain its high levels of reading achievement, particularly in light of the new and more rigorous English standards that will be assessed beginning in the 2013 school year.

In mathematics, achievement continues to increase for all assessment levels except Algebra II, which saw a five-point decrease in pass rates compared to last year. The Department is monitoring this drop, particularly in light of the increased participation in this course.

Pass Rates on Statewide Mathematics Assessments

Assessment Level	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	One-Year Change
Grade 3	90	89	89	89	92	+3
Grade 4	77	81	84	86	88	+2
Grade 5	83	87	88	90	90	0
Grade 6	51	60	68	73	77	+4
Grade 7	44	56	65	71	75	+4
Grade 8	76	77	83	85	87	+2
Algebra I	88	92	93	94	94	0
Geometry	85	88	90	91	91	0
Algebra II	86	87	87	88	83	-5

The Governor and General Assembly have supported the Board's effort to increase literacy skills for all students with a variety of programs that support students who may struggle in school 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.

In the next few years, as the economy continues to struggle, continued emphasis on programs for at risk students will be even more critical for Virginia's students, as the more rigorous standards are put in place and tested. Current programs that support students, and have helped students meet and exceed existing standards include the Virginia Preschool Initiative; K-3 Class Size Reduction; At-Risk Add-on; SOQ English as a Second Language programs; Early Intervention Reading Initiative; the Algebra Readiness Initiative; Project Graduation; Remedial Summer School; SOQ Prevention, Intervention, and Remediation; and the Regional Alternative Education Programs.

Highlights: Actions of the Board in 2010:

As noted above, the Board adopted revised English and Science Standards of Learning, as well as revised curriculum frameworks for English, Science, and Economics and Personal Finance. The Board received extensive analysis of the comparison of Virginia's Mathematics and English SOL with the Common Core State Standards for Mathematics and English. Also, the Board actively supports the Virginia College and Career Readiness Initiative (CCRI), which is an initiative of the Virginia Department of Education designed to: 1) Ensure that college and career ready learning standards in reading, writing, and mathematics are taught in every Virginia high school classroom; and 2) Strengthen students' preparation for college and the work force before leaving high school.

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 2009-2010, 99 percent of teachers in core academic classes were considered highly qualified. However, these teachers are not distributed evenly, as 2 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.

While Virginia has made great strides towards distributing highly qualified teachers evenly across high- and low-poverty schools, less is known about the effectiveness of such educators. In 2010, the Virginia Department of Education (VDOE) established a workgroup to build models for performance evaluation that, when used appropriately, will allow school divisions to identify more and less effective educators, and provide all teachers with professional development opportunities that focus on their needs, as identified through evaluation. Part of the workgroup's charge is to update the Board of Education's guidance document on teacher performance standards and evaluation criteria. Completing this work will position Virginia to remain competitive in bringing federal funds for teachers to Virginia's schools.

VDOE is also working to provide mathematics and English teachers in tested grades with information about the growth of their students based on SOL test scores. Virginia's growth measure, which will be available in 2011, will provide teachers with information about the progress of their students, relative to other students with similar achievement the previous year. This information will help teachers and administrators understand how much progress their students make each year. When used appropriately as one component of comprehensive performance evaluation, the growth measure can provide information about the contribution of teacher activities to student progress.

Highlights: Actions of the Board in 2010:

The Board of Education adopted a number of new or revised provisions regarding teacher training and licensure requirements, including:

- (1) Revising the passing score for the *School Leaders Licensure Assessment (SLLA)*;
- (2) Approving several college and university new endorsement areas and professional education programs;
- (3) Revising and updating several requirements related to teacher pre-service assessments (Praxis I and Praxis II);
- (4) Adopting test options for native speakers or for teacher candidates who have learned a foreign language without formal academic credit to meet the endorsement requirements in these languages; and
- (5) Adopting an assessment for those seeking an initial Virginia license with the endorsement in Special Education-Visual Impairments

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

Highlights: Actions of the Board in 2010:

The Board of Education is revising and updating a number of its current regulations, to include:

- (1) Promulgating new regulations entitled *Regulations Governing Local School Boards and School Divisions*. This regulatory action will repeal or consolidate 13 of the Board's

- current regulations into one comprehensive regulation, thus eliminating outdated provisions and streamlining requirements to a considerable degree; and
- (2) Initiating a review of regulations in the areas of career and technical education, education of the gifted, state-funded remedial programs, unexcused absences and truancy, operation of private day schools for students with disabilities, competitive foods sold in schools, and pupil transportation.

The Board also continued its ongoing review of the Elementary and Secondary Education Act (formerly called *No Child Left Behind Act of 2001*) and submitted revisions to Virginia's Consolidated State Application Accountability Plan to the U.S. Department of Education for approval.

Status of Virginia's Public Charter Schools in 2009-2010

In addition to the work of the new Charter School Committee and College Partnership Laboratory School committee, the Board of Education received information on the number of public charter school applications approved and denied by local school boards during 2009-2010 through Superintendent's Memorandum, Number 155-10, *Charter School Report for 2009-2010*, dated July 9, 2010.

- All school divisions reported;
- No new charter school applications were approved;
- No charter school applications were denied;
- One charter school application was submitted to the Richmond City School Board and is presently going through the school system's internal review process;
- Three charter schools operated for students in 2009-2010;
- A fourth charter school was in its planning year in 2009-2010 and opened for students in grades K-5 in August 2010.

Virginia Public Charter Schools in Operation: 2009-2010

Division	School	Year Opened	Grades Served	Enrollment [1]
Albemarle	Murray High School	2001	9-12	110
York County	York River Academy	2002	9-12	54
Albemarle County	The Albemarle Community Public Charter School	2008	6-7	26
Richmond City	Patrick Henry School of Science and Arts (opened August 2010)	2009 planning year	NA in 2009-2010	NA in 2009-2010

Note [1]: Enrollment numbers are based on charter school self-reported data in 2009-2010.

Accreditation and Adequate Yearly Progress (AYP) Status: 2009-2010

Academic Status	Murray High School	York River Academy	The Albemarle Community Public Charter School	Patrick Henry School of Science and Arts
State Accreditation	Fully Accredited	Fully Accredited	Accredited with Warning	Not Applicable
Adequate Yearly Progress (AYP)	Made AYP	Made AYP	Did Not Make AYP	Not Applicable

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.

The 2009-2010 school year presented severe weather conditions throughout the state. As a result, record snowfalls—in terms of amounts of snow and number of storms—many Virginia school divisions were stretched in working to meet student instructional needs and state requirements for required number of instructional days for students and working days for teachers. Student and staff safety was a paramount concern. Record snowfalls throughout the winter led most of Virginia’s schools to close at least once, and for most, multiple times throughout the year. In response, many school divisions leveraged technology to keep in touch with students and families, making decisions that support the safety of the state’s students and faculty and staff. While most school divisions were able to meet SOA requirements for instructional days through creative use of time and schedules, some school divisions requested, and were approved, the Board led the way by approving, on an as needed basis, waivers to school divisions that, due to severe weather and snow conditions, were unable to schedule sufficient numbers of make-up days to meet current requirements.

Compliance with the Requirements of the Standards of Quality

(text and data to be added here)

Compliance with the Requirements of the Standards of Accreditation

Ninety-eight percent of Virginia's public schools are fully accredited and meeting current state standards for achievement in English, mathematics, history and science based on 2009-2010 assessment results. Another one percent received conditionally accredited ratings because they are new schools.

The 2010-2011 ratings represent the second consecutive year in which all but two percent of Virginia's public schools are fully accredited. Students in 98 percent of Virginia's 1,850 schools met or exceeded state objectives on SOL tests and other statewide assessments in the four core academic areas. Ninety-eight percent of Virginia's elementary and middle schools and 99 percent of the high schools are now fully accredited.

One school – Vernon Johns Junior High in Petersburg – earned full accreditation after being denied accreditation for three consecutive years.

Three schools earned full accreditation after undergoing reconstitution and being conditionally accredited for one or more years. These schools are: Lake Taylor Middle and Northside Middle in Norfolk and Thomas C. Boushall Middle in Richmond.

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.

In 119 of Virginia's 132 school divisions, all schools are fully accredited, compared with 117 last year. For a full listing, see Appendix C.

Requirements Will Become More Rigorous

Beginning with accreditation ratings announced in September 2011, high schools will have to meet an annual objective for raising graduation rates to earn full accreditation. In September 2012, a pass rate of at least 75 percent in English reading will be required for all grade spans, and the required pass rates for elementary schools in science and history/social science will each rise to 70 percent – the same benchmark middle schools and high schools must meet. The higher pass rates had been scheduled to take effect earlier but were delayed by the General Assembly.

In addition, students will take more rigorous SOL mathematics tests beginning in 2011-2012 and more rigorous tests in English reading the following year.

Taken together, these steps will represent a substantial increase in the rigor of Virginia's accountability program. The accreditation ratings we will announce a year from now will mark a new beginning as schools advance toward goals aligned with the latest national expectations for college and career readiness.

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.

Closing Statement by the Virginia Board of Education

The Board of Education's priorities for action may be summed up as this: 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 excellent opportunities for all children to learn.

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 ensure opportunities for all children to learn. 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 rigorous standards, reach rigorous standards, and exceed rigorous standards. By doing so, young Virginians will surely lead the nation in educational progress.

Appendices

Appendix A: List of School Divisions Reporting Full Compliance with the SOQ: 2009-2010

Appendix B. List of School Divisions Reporting Noncompliance with any Provision of the SOQ: 2009-2010

Appendix C: Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, Schools Rated Accreditation Denied: 2010- 2011

Appendix D: Standards of Quality, Effective July 1, 2009

APPENDIX A:
Compliance with the Standards of Quality: 2009-2010

**Divisions Reporting Full Compliance
with All Provisions of the
Standards of Quality for 2009-2010**

**APPENDIX B:
Divisions Reporting Noncompliance with Certain Provisions
of the Standards of Quality for 2009-2010**

Appendix C:

Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, Schools Accreditation Denied 2010- 2011

In 119 of the commonwealth's 132 school divisions, all schools are fully accredited, compared with 117 last year. Divisions with all schools fully accredited (other than new schools that automatically receive conditional accreditation) are:

Accomack County	Frederick County	Orange County
Alleghany County	Fredericksburg	Patrick County
Amelia County	Galax	Pittsylvania County
Amherst County	Giles County	Poquoson
Appomattox County	Gloucester County	Powhatan County
Arlington County	Goochland County	Prince Edward County
Augusta County	Grayson County	Prince George County
Bath County	Greene County	Prince William County
Bedford County	Greensville County	Pulaski County
Bland County	Halifax County	Radford
Botetourt County	Hanover County	Rappahannock County
Bristol	Harrisonburg	Richmond
Brunswick County	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
Falls Church	Nelson County	Williamsburg-James City County
Fauquier County	New Kent County	Winchester
Floyd County	Newport News	Wise County
Fluvanna County	Northumberland County	Wythe County
Franklin	Norton	York County
Franklin County	Nottoway County	

Schools Accredited with Warning

Nineteen schools failed to earn full accreditation compared with 25 last year. The number of schools accredited with warning fell to 15, compared with 17 last year and 54 two years ago.

Albemarle County Community Public Charter School in Albemarle County	William H. Ruffner Middle in Norfolk
Jefferson-Houston Elementary in Alexandria	Kiptopeke Elementary in Northampton County
JM Langston Focus School in Danville	Page County Middle in Page County
Hybla Valley Elementary in Fairfax County	A.P. Hill Elementary in Petersburg
John B. Cary Elementary in Hampton	Brighton Elementary in Portsmouth
Highland Springs Elementary in Henrico County	Lincoln Terrace Elementary in Roanoke City
Lindenwood Elementary in Norfolk	Westside Elementary in Roanoke City
	William Fleming High in Roanoke City

Schools Denied Accreditation

Four schools were denied accreditation this year:

J.E.B. Stuart Elementary and Peabody Middle in Petersburg were denied accreditation for a fifth consecutive year.

Ellen W. Chambliss Elementary in Sussex County was denied accreditation for a second consecutive year.

Lafayette-Winona Middle in Norfolk was denied accreditation after not meeting state standards after one year of conditional accreditation.

Schools Conditionally Accredited

“Conditional Accreditation” is the accreditation rating given to a new school for one year in order to allow for tests to be given. This rating may also be given to a school that is being reconstituted.

Seventeen newly opened schools are automatically rated as conditionally accredited for 2010-2011.

Brookneal Elementary in Campbell County

Woodgrove High in Loudoun County

Grayson Highlands School in Grayson County

Moss-Nuckols Elementary in Louisa County

George P. Phenix Elementary in Hampton

Eastern Montgomery Elementary in Montgomery County

Hunter B. Andrews Elementary in Hampton

Patrick Henry School of Science and Arts in Richmond City

Glen Allen High in Henrico County

East Rockingham High in Rockingham County

Holman Middle in Henrico County

East Rockingham High in Williamsburg-James City County

Axton Elementary in Henry County

Lois Hornsby Middle in Williamsburg-James City County

Buffalo Trail Elementary in Loudoun County

Harmony Middle in Loudoun County

Tuscarora High in Loudoun County

Appendix D: STANDARDS OF QUALITY: EFFECTIVE JULY 1, 2010

Code of Virginia

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

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

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

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

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

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

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

In addition, the Department of Education shall make available and maintain a website, 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.

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

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

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

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

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;
3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students;
4. Guidance counselors in elementary schools, one hour per day per 100 students, one full-time at 500 students, one hour per day additional time per 100 students or major fraction thereof; guidance counselors in middle schools, one period per 80 students, one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance counselors in high schools, one period per 70 students, one full-time at 350 students, one additional period per 70 students or major fraction thereof; and
5. Clerical personnel in elementary schools, part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students.

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

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

K. Local school boards 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" shall include services provided by the school board members; the superintendent; assistant superintendents; student services (including guidance counselors, social workers, and homebound, improvement, principal's office, and library-media positions); attendance and health positions; administrative, technical, and clerical positions; operation and maintenance positions; educational technology positions; school nurses; and pupil transportation positions.

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

P. Notwithstanding the provisions of this section, when determining the assignment of instructional and other licensed personnel in subsections C through J, a local school board shall not be required to include full-time students of approved virtual school programs.

§ 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. An annual justification that includes evidence that the student meets the participation criteria defined by the Virginia Department of Education shall be provided for each student considered for the Virginia Grade Level Alternative. Each Individual Education Program team shall review such justification and make the final determination as to whether or not the Virginia Grade Level Alternative is appropriate for the student. The superintendent and the school board chairman shall certify to the Board of Education, as a part of certifying compliance with the Standards of Quality, that there is a justification in the Individual Education Program for every student who takes the Virginia Grade Level Alternative. Compliance with this requirement shall be monitored as a part of the special education monitoring process conducted by the Department of Education. The Board shall report to the Governor and General Assembly in its annual reports pursuant to § 22.1-18 any school division that is not in compliance with this requirement.

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, shall be identified in the Academic and Career Plan as described in Board of Education regulations, 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. Nothing in this section shall preclude relevant school division personnel from enforcing compulsory attendance in public schools.
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 Board-approved industry certifications obtained, state licensure examinations passed, national occupational competency assessments passed, Virginia workplace readiness skills assessments passed, and the number of career and technical education completers who graduated. These numbers shall be reported as separate 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.

7. Provide for the waiver of certain graduation requirements (i) upon the Board's initiative or (ii) at the request of a local school board. Such waivers shall be granted only for good cause and shall be considered on a case-by-case basis.

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.

§ 22.1-253.13:9. Virginia Index of Performance incentive program.

A. Schools and local school divisions shall be recognized by the Board of Education in accordance with guidelines it shall establish for the Virginia Index of Performance (VIP) incentive program. The VIP incentive program shall be designed to recognize and reward fully accredited schools and school divisions that make significant progress toward achieving advanced proficiency levels in reading, mathematics, science, and history and social science, and on other indicators of school and student performance that are aligned with the Commonwealth's goals for public education. Such recognition may include:

1. Public announcements recognizing individual schools and divisions;
2. Tangible rewards;
3. Waivers of certain board regulations;
4. Exemptions from certain reporting requirements; or
5. Other commendations deemed appropriate to recognize high achievement.

In addition to Board recognition, local school boards shall adopt policies to recognize individual schools through public announcements or media releases as well as other appropriate recognition.

B. A school that maintains a passing rate on Virginia assessment program tests or additional tests approved by the Board of 95 percent or above in each of the four core academic areas for two consecutive years may, upon application to the Department of Education, receive a waiver from annual accreditation. A school receiving such a waiver shall be fully accredited for a three-year period. However, such school shall continue to annually submit documentation in compliance with the pre-accreditation eligibility requirements.

C. Schools may be eligible to receive the Governor's Award for Outstanding Achievement. This award will be given to schools rated fully accredited that significantly increase the achievement of students within student subgroups in accordance with guidelines prescribed by the Board of Education.