

Virginia Board of Education Agenda Item



Agenda Item: Q

Date: October 25, 2012

Title	First Review of Proposed Revisions to the Standards of Quality		
Presenter	Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications		
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Purpose of Presentation:

Action required by state or federal law or regulation.

Previous Review or Action:

No previous review or action.

Action Requested:

Action will be requested at a future meeting. Specify anticipated date below:

Date: November 29, 2012

Action: Final review

Alignment with Board of Education Goals: Please indicate (X) all that apply:

	Goal 1: Expanded Opportunities to Learn
	Goal 2: Accountability of Student Learning
	Goal 3: Nurturing Young Learners
	Goal 4: Strong Literacy and Mathematics Skills
	Goal 5: Highly Qualified and Effective Teachers and Administrators
X	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
	Other Priority or Initiative. Specify:

Background Information and Statutory Authority:

Goal 6: The Standards of Quality are the foundation program for public education in Virginia. Therefore, the review of the Standards of Quality could well address all seven of the Board of Education's goals. The primary goal that the review of the Standards of Quality addresses is that the Board will provide leadership to develop and implement state law in ways that improve and expand opportunities for all of Virginia's schoolchildren to excel academically.

Article VIII, § 2 of the *Constitution of Virginia* requires the Board of Education to determine and prescribe Standards of Quality for the public schools in Virginia. The *Constitution* says:

“Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly. The General Assembly shall determine the manner in which funds are to be

provided for the cost of maintaining an educational program meeting the prescribed standards of quality, and shall provide for the apportionment of the cost of such program between the Commonwealth and the local units of government comprising such school divisions. Each unit of local government shall provide its portion of such cost by local taxes or from other available funds.”

The *Code of Virginia* requires the Board of Education to review the Standards of Quality every two years. Section 22.1-18.01 of the *Code* says, in part:

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

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

“...the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the Commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.”

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

The Board of Education revised its bylaws in October 2001 to require the Board to “determine the need for a review of the SOQ from time to time but no less than once every two years. The Standing Committee on the Standards of Quality was created by resolution of the Board of Education in November 2001 and held its first meeting in January 2002. It completed its work on its first set of recommendations in June 2003, for consideration by the 2004 General Assembly. Since 2004, it has submitted its recommendations to the General Assembly not less than once every two years.

The Board of Education adopted the work plan for reviewing the SOQ on May 24, 2012. In accordance with the work plan, the Board’s SOQ Committee met on April 25, May 23, June 27, and July 25, 2012. Public comments were heard at each meeting, and the Board invited stakeholders to present their recommendations at the June and July meetings.

Prior to the first review of the Standards of Quality on September 27, 2012, the Board had received comments from 1,215 individuals and 19 school divisions and organizations. Many of the individuals and organizations have signed a petition initiated by the Alliance for Virginia's Students, including the

Commonwealth Institute for Fiscal Analysis, the Legal Aid Justice Center's JustChildren Program, Virginia Association of Counties, Virginia Association of Elementary School Principals, Virginia Education Association, Virginia First Cities Coalition, Virginia Municipal League, Virginia PTA, and Voices for Virginia's Children.

Since the September 27, 2012 meeting, the Board has held four public hearings, in Pulaski County, Fairfax County, Chesterfield County, and Hampton, and has continued to receive comments from individuals, school divisions, and organizations. A preliminary report on the October public hearings will be shared at the October 25th meeting of the Board. A full report on the public comments will be provided at the end of the public comment period, which ends on November 15.

Summary of Important Issues: Based on public comment received to date, and consistent with the Board's goals, the proposed options to revise the Standards of Quality are recommended:

Proposed Standards of Quality Policy Directions

- Enhance the Standards of Quality so that the Commonwealth's basic foundation program for K-12 public education reflects a comprehensive educational program of the highest quality.
- Provide clarity and greater transparency in SOQ funding with the goal of maintaining the Commonwealth's commitment to public education funding at the state and local levels and encouraging a continued emphasis on school-based instructional services.
- Provide school divisions the flexibility to deploy required instructional personnel to the schools with the greatest needs, so long as they employ a sufficient number of personnel divisionwide to meet the total number required in the current SOQ staffing requirement.
- Begin to address the Board's priorities of teacher effectiveness and more frequent performance evaluations of teachers by requiring a principal in every school and increasing the number of assistant principals in schools with the greatest need.
- Set priorities for the Board's unfunded SOQ staffing recommendations from previous years so that these instructional staffing standards can be fully implemented in future years, especially in the focus areas of literacy, mathematics, science, and technology.
- Begin building a more comprehensive basic foundation program by including in the SOQ certain staffing ratios and categorical and incentive programs that have become core components of K-12 educational programs statewide and currently funded in the appropriation act.
- Mitigate the perverse incentive of reducing a school division's special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RTI) and/or other instructional supports to reduce the number of students identified as needing special education services.
- Shift the Board of Education's review of the SOQ so that it aligns more effectively with the legislative budget process and SOQ re-benchmarking.

Proposed Policy and Staffing Recommendations

Priority 1:

- Propose SOQ language to provide school divisions the flexibility to deploy required instructional personnel to the schools with the greatest needs, so long as they employ a sufficient number of personnel divisionwide to meet the total number required in SOQ staffing requirements.
- Propose legislation to shift the review of the SOQ from even to odd-numbered years to be aligned more effectively with the legislative budget process.
- Include one reading specialist for every 1,000 students in grades K-12 in the Standards of Quality, in support of:
 - ✓ Goal 1, accountability for student learning;
 - ✓ Goal 2, rigorous standards to promote college and career readiness; and
 - ✓ Goal 5, highly qualified and effective educators.
- Include one mathematics specialist for every 1,000 students in grades K-8 in the Standards of Quality, in support of:
 - ✓ Goal 1, accountability for student learning;
 - ✓ Goal 2, rigorous standards to promote college and career readiness; and
 - ✓ Goal 5, highly qualified and effective educators.
- Include one data coordinator for every 1,000 students in grades K-12 in the Standards of Quality, in addition to a dedicated instructional technology resource teacher, in support of:
 - ✓ Goal 1, accountability for student learning; and
 - ✓ Goal 5, highly qualified and effective educators.

Priority 2:

- Require one full-time assistant principal for every 400 students in grades K-12, in support of:
 - ✓ Goal 1, accountability for student learning; and
 - ✓ Goal 5, highly qualified and effective educators.
- Require one full-time principal in every elementary school, in support of:
 - ✓ Goal 1, accountability for student learning; and
 - ✓ Goal 5, highly qualified and effective educators.

Priority 3:

- Codify the provisions of the Early Intervention Reading Initiative and the Algebra Readiness program in the Standards of Quality and require all school divisions to provide these interventions with funding currently appropriated for these programs, in support of:
 - ✓ Goal 1, accountability for student learning;
 - ✓ Goal 2, rigorous standards to promote college and career readiness; and
 - ✓ Goal 6, sound policies for student success.
- Set priorities for the Board's other staffing recommendations (i.e., speech-language pathologists and blind or vision impaired ratios) that have not yet been approved or funded by the General Assembly, so that these staffing standards can be fully implemented in future years, in support of:

- ✓ Goal 1, accountability for student learning;
 - ✓ Goal 2, rigorous standards to promote college and career readiness; and
 - ✓ Goal 6, sound policies for student success.
- Propose SOQ language to provide school divisions the flexibility to deploy required school-based clerical personnel to the schools with the greatest needs, so long as they employ a sufficient number of personnel divisionwide to meet the total number required in SOQ staffing requirements.

Proposed Technical Issues for Further Study

- Request the Joint Legislative Audit and Review Commission to conduct a study of the SOQ to assist in determining the feasibility of:
 - ✓ Converting the prevailing costs for each major category of the “support services” positions into ratios (for example, based on positions per 1,000 students), and including ratios for some or all of the categories in the appropriation act;
 - ✓ Establishing alternative staffing approaches to provide school divisions with additional instructional resources to address identified needs, which could include ratios based on positions per 1,000 students for assistant principals, school counselors, and library-media specialists that would reduce funding “cliffs;”
 - ✓ Assigning weights for students who may be at-risk and require additional support, including special education services, services to English language learners, and services to disadvantaged students;
 - ✓ Updating technology staffing ratios, taking into consideration the increased role of technology in instruction, assessment, and operations since staffing standards were first established in the SOQ; and
 - ✓ Updating career and technical education staffing ratios, taking into consideration the implementation of new curricular pathways that require high-tech equipment and specialized instruction.

Impact on Fiscal and Human Resources:

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

- Reading Specialist - \$51.2 million in FY 2013 and \$51.3 million in FY 2014;
- Mathematics Specialist - \$34.8 million in FY 2013 and \$35.0 million in FY 2014;
- Data Coordinator - \$51.2 million in FY 2013 and \$51.3 million in FY 2014;
- Elementary Principal - \$7.8 million in FY 2013 and \$8.0 million in FY 2014;
- Assistant Principal - \$70.3 million in FY 2013 and \$70.6 million in FY 2014;
- Speech Language Pathologists - \$4.8 million for FY 2013 and \$5.3 million for FY 2014; and
- Blind and Vision Impaired Standard - \$4.4 million in FY 2013 and \$5.0 million in FY 2014.

The total state cost for these additional recommendations is \$224.5 million in FY 2013 and \$226.5 million in FY 2014.

Timetable for Further Review/Action:

The final review and approval is planned for the November 29, 2012 meeting.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board accept for first review the proposed revisions to the Standards of Quality.

Summary of Cost Estimates of Unfunded Standards of Quality (SOQ) Recommendations of the Board of Education

		Based on Chapter 3, 2012 Special Session I (Updated August 2012)	
		FY 2013	FY 2014
Scenario Number	Unfunded Changes to the SOQ Recommended by the Board of Education:	State Cost	State Cost
2737	Elementary Principal Increase to one full-time position in every elementary school	\$7.8 million	\$8.0 million
2738	Assistant Principal One full-time assistant principal per 400 students (K-12)	\$70.3 million	\$70.6 million
2739	Speech-Language Pathologist Reduce caseload from 68 to 60 students	\$4.8 million	\$5.3 million
2740	Reading Specialist One reading specialist per 1,000 students (K-12)	\$51.2 million	\$51.3 million
2741	Math Specialist One math specialist per 1,000 students (K-8)	\$34.8 million	\$35.0 million
2742	Testing Coordinator/Data Manager One testing coordinator per 1,000 students (K-12)	\$51.2 million	\$51.3 million
2743	Visually Impaired Standard Level I, resource teacher, 24 to one; Level II, self-contained with an aide, 10 to one; self-contained without an aide, eight to one; or Level II, self-contained, student weight of 2.5	\$4.4 million	\$5.0 million
Total for Specific Items Recommended by the Board of Education:		\$224.5 million	\$226.5 million