

Board of Education Agenda Item

Item: G.

Date: November 18, 2010

Topic: First Review to Reaffirm the 2009 Recommendations to the Standards of Quality

Presenter: Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

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Origin:

Topic presented for information only (no board action required)

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

Action requested at this meeting

Action requested at future meeting: January 13, 2011

Previous Review/Action:

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

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

Article VIII, § 2. Standards of quality; State and local support of public schools.

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:

§ 22.1-18.01. Biennial review of the standards of quality required; budget estimates.

A. 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....

Summary of Major Elements: During 2009, the Board conducted a review of the Standards of Quality and proposed policy directions, options for revisions to the Standards of Quality, and issues for further study, as follows:

Policy Directions

- Enhance the Standards of Quality so that the Commonwealth’s basic foundation program for K-12 public education reflects a comprehensive educational program of the highest quality.
- Provide clarity and greater transparency in SOQ funding with the goal of maintaining the Commonwealth’s commitment to public education funding at the state and local levels and encouraging a continued emphasis on school-based instructional services.
- Provide greater flexibility to school divisions in using noninstructional personnel funding for instructional support services.
- Support the appropriateness of establishing ratio standards for individual categories of “support service” positions as is the current practice used for instructional personnel.
- Advocate against permanent structural changes to the Standards of Quality that result in decreased funding for K-12 public education.
- Begin building a more comprehensive basic foundation program by including in the SOQ gifted, special education, and career and technical staffing ratios and certain incentive programs that have become core components of K-12 educational programs statewide and currently funded in the Appropriation Act.
- Set priorities for the Board’s unfunded SOQ recommendations from previous years so that these instructional staffing standards can be fully implemented in future years.
- Begin to address the Board’s school leadership priorities of requiring a principal in every school and increasing the number of assistant principals in schools with the greatest need.
- Mitigate the perverse incentive of reducing a school division’s special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RtI) and/or other instructional supports to reduce the number of students identified as needing special education services.

- Provide additional policy guidance and direction to school divisions offering alternative or nontraditional educational programs, such as the Individual Student Alternative Education Plan (ISAEP).

SOQ Language Revisions to Address Policy Directions

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

Issues for Further Study

As resources become available, conduct a comprehensive study of the following complex funding issues and report the findings to the Governor and General Assembly for consideration as part of the Standards of Quality:

- The feasibility of converting the prevailing costs for each major category of the “support services” positions into ratios (for example, based on positions per 1,000 students), and including ratios for some or all of the categories in the Appropriation Act.
- The feasibility of establishing alternative staffing approaches to provide school divisions with additional instructional resources to address identified needs. This could include ratios based on positions per 1,000 students for assistant principals, school counselors, and library-media specialists that would reduce funding “cliffs.” It could also include assigning weights for students who may be at-risk and require additional support, including special education services, services to English language learners, and services to disadvantaged students.

- The feasibility of creating a special education incentive fund or other funding methodologies to mitigate the perverse incentive of reducing a school division's special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RtI) and/or other instructional supports to reduce the number of students identified as needing special education services.
- The feasibility of updating technology staffing ratios, taking into consideration the increased role of technology in instruction, assessment, and operations since staffing standards were first established in the SOQ.
- The feasibility of updating career and technical education staffing ratios, taking into consideration the (i.) implementation of new curricular pathways that require high-tech equipment and specialized instruction and (ii.) anticipated increased enrollments in CTE courses given the newly created standard technical and advanced technical diplomas.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education accept this item for first review and authorize 30 days of public comment on the Standards of Quality.

Impact on Resources: It is not expected that this proposal will have a significant impact on state and local resources.

Timetable for Further Review/Action: Final approval will be requested at the January 13, 2011, Board meeting.