

Board of Education Agenda Item

Item: _____ I. _____

Date: October 27, 2011

Topic: First Review of the Board of Education's 2011 Annual Report on the Condition and Needs of Public Schools in Virginia

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

Telephone: 804/225-2924

E-mail: Margaret.Roberts@doe.virginia.gov

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: November 17, 2011

Previous Review/Action:

No previous board review/action

Previous review/action:

date:

action:

Background Information: The Board of Education has submitted an annual report each year since 1971, when the requirement was initially adopted by the General Assembly. Section 22.1-18 and Section 22.1-253.13.6 of the *Code of Virginia* set forth the requirements for the Board of Education's annual report on the condition and needs of the public schools in Virginia. The relevant sections of the *Code* read as follows:

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

By November 15 of each year, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision

only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the Commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.

§ [22.1-253.13:6](#). Standard 6. Planning and public involvement.

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

In summary, 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;
6. A listing of any amendments, if any, to the SOQ being prescribed by the Board of Education; and
7. An analysis of the extent to which the Board's goals have been achieved.

Summary of Major Elements: An initial draft of the *2011 Annual Report on the Condition and Needs of Public Schools in Virginia* is attached. At the Board of Education meeting on October 27th 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 *2011 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 17, 2011. The attached draft indicates where additional information is pending.

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 17, 2011.

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 17, 2011. 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

2011 ANNUAL REPORT

WORKING DRAFT

**2011
ANNUAL REPORT ON THE
CONDITION AND NEEDS
OF PUBLIC SCHOOLS IN VIRGINIA**

**PRESENTED TO
THE GOVERNOR AND
THE GENERAL ASSEMBLY**

(DATE)

VIRGINIA BOARD OF EDUCATION

Members of the Board of Education as of July 1, 2011

Mrs. Eleanor B. Saslaw, President

5304 Woodland Estates Way
Springfield, VA 22151

Mrs. Betsy Beamer

1805 Locust Hill Road
Henrico, VA 23238

Mr. Chris Braunlich

7011 Dreams Way Court
Alexandria, VA 22315

Dr. Billy K. Cannaday, Jr.

9005 Ashcroft Way
Richmond, VA 23236

Mrs. Isis M. Castro

2404 Culpeper Road
Alexandria, VA 22308

Mr. David M. Foster, Vice-President

2607 North Wakefield Street
Arlington, VA 22207

Mr. K. Rob Krupicka

City Hall Office
301 King Street
Alexandria, VA 22314

Dr. Virginia L. McLaughlin

The College of William and Mary
P.O. Box 8795
Williamsburg, VA 23187-8795

Mrs. Winsome Earle Sears

200 Kemper court
Stephenson, VA 22656

Dr. Patricia I. Wright

Superintendent of Public Instruction
Virginia Department of Education
P.O. Box 2120
Richmond, VA 23218-2120

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

(date)

The Honorable Robert F. 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 *2011 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.

Increasing academic achievement for all students is the core of the Board of Education's mission. This means that every student is expected to graduate from high school prepared to move on to productive work or further study. This report contains compelling evidence that our schools and our students are achieving at high 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 areas of growth and improvement as well as the challenges ahead as the state and localities face tough economic times.

The Board of Education is grateful for the support that the Governor and General Assembly 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 the executive assistant to the Board of Education at the Virginia Department of Education, P.O. Box 2120, Richmond, VA 23218; phone: 804/ 225-2924; or e-mail Policy@doe.virginia.gov.

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

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EXECUTIVE SUMMARY

It is the Board of Education's expectation that every student will graduate from high school ready for college or a career. All of Virginia's young people must have the necessary academic skills to become lifelong learners and be able to function in the global economy.

The Board of Education's Vision and Mission

Virginia intends to be the best. The standards and the accountability set by the Board of Education provide benchmarks to gauge the academic achievement of Virginia's students compared to their peers across the state, the nation, and internationally. The Board of Education's vision and mission statements and goals for public education provide the framework for a world-class statewide system of public schools for Virginia. The statements are forward-looking and acknowledge the programs and services provided by Virginia's public schools to meet the increasingly diverse needs of students who will live, compete, and work in an expanding and complex global, high tech economy.

Academic Progress of Virginia's Students

This report contains a summary of objective indicators to illustrate the progress Virginia's public schools are making. There are few today who would dispute that the Standards of Learning program – which has enjoyed broad bipartisan support – has led to significantly higher student achievement.

Critical Needs of the Public Schools in Virginia

A challenging year is ahead as Virginia's public schools face the economic headwinds that have developed in recent years. With fiscal challenges as the reality---at least for the near term-- the Board of Education must redouble its efforts to help schools raise student achievement by focusing policies and resources in the most effective place for student learning: in the classroom. It is critically important to ensure limited resources are used as effectively as possible in the classroom in order to continue to raise student achievement.

Raising academic standards and using limited resources wisely are critical needs for Virginia's public education system. Studies suggest that for Virginia and the nation to remain competitive in the global economy, the U.S. is going to need to make substantial gains in mathematics and science achievement. A recent study that compared advanced mathematics achievement of high school graduates around the world was striking because it showed just how far behind the U.S. is in producing advanced achieving students—which is critical for Virginia and high-achieving students in the United States—and in most of its individual states—are “shockingly below those of many of the world's leading industrialized nations.”

This study, which also provided a state-by-state comparison, showed that even the top performing state—Massachusetts—is behind 14 countries who participated in the PISA assessment. Virginia ranks 6th in the U.S., but there remain 22 countries in which more students reach advanced levels of mathematics than in Virginia.

Within that perspective, the challenges and needs of Virginia’s public schools discussed in this report include the following:

- Using limited fiscal resources effectively and efficiently for student learning
- Implementing new learning opportunities for students, with an emphasis on Science, Technology, Engineering, and Mathematics programs; charter school programs; college partnership laboratory programs; and online learning programs
- Raising the rigor of Virginia’s academic standards, including increased focus on college and career readiness, to ensure that Virginia’s standards are second to none
- Developing and implementing an alternate federal accountability model that is based on Virginia’s successful Standards of Learning accountability program
- Promoting high-quality preschool programs
- Creating policies for safe and healthy environments for students and teachers
- Setting policy for preparation, recruitment, and retention of educational personnel

(Additional text to be added based on Board of Education discussion on October 26-27.)

Board of Education Priorities for Action

The Board of Education’s *Comprehensive Plan: 2011-2016* established goals and strategies for action. This annual report contains data to help the Board measure its progress in meeting its goals, which are updated biennially.

Compliance with the Standards of Quality

One hundred-four divisions (listed in Appendices A and B) reported full compliance with the provisions of the Standards of Quality (SOQ) in the 2010-2011 school year. Last year, ninety-four divisions reported full compliance. Appendix B contains a list of school divisions that reported noncompliance with certain provisions of the SOQ.

Compliance with the Standards of Accreditation

Ninety-six percent of Virginia’s 1,838 public schools are fully accredited and meeting all state standards for achievement in English, mathematics, history and science — and graduation, in the case of high schools. Ninety-eight percent of Virginia’s elementary schools and 97 percent of middle schools are fully accredited for the 2011-2012 school year, based on the performance of students on Standards of Learning (SOL) and other state assessments during 2010-2011. The percentage of fully accredited high schools dropped to 86 percent, compared with 99 percent last year, as the Board of Education introduced a “graduation and completion index” as a new accountability factor for high schools, in addition to student achievement on state tests. Schools failing to meet the accreditation requirements are listed in Appendix C.

2011 Annual Report on the Condition and Needs of Public Schools in Virginia

The Board of Education's Vision and Mission

The Board of Education's main job is to ensure that the 1.2 million children enrolled in Virginia's public schools receive the best education and are taught by excellent, well-prepared, and highly qualified teachers who work in safe, orderly schools. These words form the foundation of everything the Board of Education does---every policy, every regulation, every program put in place.

Increasing academic achievement for all students is the core of the Board of Education's mission. This means that every student is expected to graduate from high school prepared to move on to productive work and further study. Ultimately, all of our students must have the necessary academic skills to become lifelong learners and function in the global economy.

The Board of Education's core mission embraces the student-centered approach that is so important in helping all children make great strides in achievement. As stated in the Board of Education's *Comprehensive Plan: 2011-2016*:

Virginia intends to be the best. The standards and the accountability set by the Board of Education provide benchmarks to gauge the academic achievement of Virginia's students compared to their peers across the state, the nation, and internationally. The Board of Education's vision and mission statements and goals for public education provide the framework for a world-class statewide system of public schools for Virginia. The statements are forward-looking and acknowledge the programs and services provided by Virginia's public schools to meet the increasingly diverse needs of students who will live, compete, and work in an expanding and complex global, high-tech economy.

The Board of Education's Vision for Virginia's Public Schools

The vision of the Board of Education and Superintendent of Public Instruction, in cooperation with their partners, is to create an excellent statewide system of public education that derives strength from our diversity and that ensures equality of

opportunity for each student in a safe and healthy learning environment that prepares all students to be capable, responsible, and self-reliant citizens in the global society.

The Board's Mission: What We Want to Accomplish

The mission of the Board of Education and Superintendent of Public Instruction, in cooperation with their partners, is to set education policies that support the lifelong academic and career achievement of all students by establishing high standards and expectations for learning, utilizing evidence and research, measuring and effectively analyzing systemwide performance, as well as ensuring transparency and accountability to parents and the public.

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. This can be seen in the positive national test results that show Virginia students' academic performance compared with that of their peers across the country. 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 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.

Virginia On-Time Graduation Rate

Virginia's on-time high school graduation rate rose one point this year to 86.6 percent, and the statewide dropout rate fell one point to 7.2 percent. On-time graduation has increased by 4.5 points since 2008, the first year VDOE reported graduation rates for the state, school divisions and high schools based on student-level data that fully account for student mobility, promotion and retention. A one-point increase in the graduation rate means that nearly 1,000 more young Virginians are beginning their adult lives with the diploma they need to pursue further education and training or an entry-level job.

New data for the class of 2010 show that 1,176 students returned for a fifth year of high school and earned diplomas. Their achievement resulted in a five-year graduation rate for the class of 2010 of 87 percent compared with a four-year, on-time rate of 85.5 percent.

Higher Percent of Graduates Earning the Advanced Studies Diploma

Fifty-five percent of the diplomas earned by 2011 graduates were Advanced Studies Diplomas. The percentage of Virginia students graduating with an Advanced Studies Diploma again increased, and the number of advanced diplomas awarded exceeded the number of Standard Diplomas.

Graduation Rates for Black and Hispanic Students Continue to Improve

The graduation rate for black students increased 1.4 points to 80.3 percent, and on-time graduation for Hispanic students increased 3 points to 79.1 percent. The on-time graduation rate for black students has risen 6.3 points, and the rate for Hispanic students has risen by 7.9 points since 2008, the first year VDOE reported cohort graduation rates.

Dropout Rate Falls

The statewide dropout rate fell by one point. Of the 97,865 students in the 2011 graduating cohort, 7.2 percent dropped out, compared with 8.2 percent for the 2010 cohort. The dropout rates of 194 schools were lower than the state rate, four schools equaled the state rate, and the dropout rates of 131 schools exceeded the state rate. Sixty-seven school divisions had dropout rates lower than the state, two had rates equal to the state rate, and 62 divisions had dropout rates that were higher than the statewide rate.

Important National Comparisons: Virginia Students Increase Achievement in Critical Reading, Mathematics, Science, 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 (the latest results available) 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.

For science, 2009 NAEP tests showed Virginia's fourth graders and eighth graders scored at statistically higher level than their peers nationally.

Virginia Students Outperform Peers Nationwide on SAT

Virginia's 2011 public school graduates outperformed their peers nationwide on the SAT college-admissions test. Virginia's graduating seniors achieved higher levels than public school students nationwide on all three SAT subsections:

- The average reading score of 509 for Virginia public school students is 15 points higher than the national average.
- The average mathematics score of 507 for Virginia public school students is one point higher.
- The average writing score of 492 for Virginia public school students is nine points higher.

Asian, black and Hispanic Virginia public school graduates outperformed their peers nationwide on all three SAT subsections as well. Virginia's 2011 graduates represented the largest and most diverse pool of college-bound students in the state's history; four out of every 10 Virginia public school graduates who took the SAT were members of a minority group.

Even though Virginia's students did well compared to their peers across the country, it should be noted that overall scores were down from the previous year. The increase in the number and diversity of test takers in Virginia and nationwide, and a decline in the number of students retaking the SAT and improving on their initial performance, were cited by the College Board as contributing to one-year declines in the average scores of public school graduates in the Commonwealth and nationwide.

Virginia Ranks Among the Top on Advanced Placement Results

The College Board's February 2011 Advanced Placement Report to the Nation ranked Virginia third in the nation in achievement on Advanced Placement (AP) examinations. The number of Virginia public school students who took at least one examination during their high school career increased by 7.4 percent this year and the number of tests taken increased by 8.8 percent. The number of AP examinations taken by 2011 public school graduates that qualified for college credit increased by 7 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.

Critical Needs of the Public Schools in Virginia

The Board's vision and mission reflect the overarching need 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 goals 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:

(Additional text to be added to this section, pending Board discussions on October 26-27.)

Using Limited Fiscal Resources Effectively and Efficiently for Student Learning

Raising student achievement is a priority that overrides fiscal difficulties. Virginia, as with most states, is experiencing unprecedented fiscal challenges at both the state and local levels. While funding adequacy and equity must remain a priority, ensuring that limited resources are used as effectively as possible is paramount.

Virginia's economic condition is better than most states, which has mitigated the impact of reductions to public education funding. Budget surpluses were realized for both FY10 and FY11, indicative of the budgetary stability Virginia has accomplished through targeted reductions throughout state government and conservative revenue and expenditure budgeting by the Administration and the legislature. While reductions had to be made to K-12 funding during the 2009 and 2010 legislative sessions, these reductions focused outside the classroom as much as possible. Unlike many states, Virginia was able to increase state support for K-12 education by over \$200 million from last year (FY11) to this year (FY12). Additional information on K-12 funding is shown in Appendix F.

As the economy and revenues continue to improve, states will have the opportunity to restore funding to K-12. While states should look to restore basic operational funds to schools where warranted, with a focus on classroom instruction, new funding provides opportunities to implement new approaches in public education that increase innovation, choice, and flexibility, and that have demonstrated impacts on student achievement and that lower costs. Some of these approaches that will be priorities for Virginia to consider include:

- Providing incentives to focus and redirect local K-12 spending on classroom instruction vs. activities outside the classroom;
- Supporting value-added instructional delivery such as STEM, dual enrollment and industry credentials, and extended instructional time during and beyond the current instructional year;
- Combining increases in base teacher pay with new incentive-based compensation models based on difficulty of assignments and teacher impact on student achievement (vs. traditional models driven by experience and education level); and
- Innovative public school delivery approaches that provide choice and lower costs such as charter, college lab, and virtual schools, and flexible funding that follows students choosing these approaches.

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. The Board's work on guidelines for charter schools and college partnership laboratory has shown that these programs can 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. 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.

The focus on developing and expanding programs in science, technology, engineering, and mathematics (STEM) is critical. International studies show that the United States is falling seriously behind other countries in this regard. Ultimately, the challenge for our schools is to offer the necessary and rigorous training needed to prepare students for

today's global workforce and continuous training throughout the course of a career. STEM education programs, such as those being implemented by the Governor's STEM Academies, are essential. Such programs, which also include a focus on healthcare, lead to the good jobs of the future. This is imperative, not just for ensuring that all students have the tools to succeed in postsecondary education and the workforce, but also to ensure that Virginia has a strong technical workforce, and a competitive economy.

Raising 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. Detailed and externally validated reviews have documented that Virginia's standards meet or exceed Common Core Standards in English as well as in mathematics. The Board's goal is to ensure that Virginia's academic standards are second to none.

Studies suggest that for Virginia and the nation to remain competitive in the global economy, the U.S. is going to need to make substantial gains in mathematics and science achievement. A recent study that compared advanced mathematics achievement of high school graduates around the world was striking because it showed just how far behind the U.S. is in producing advanced achieving students—which is critical for Virginia and high-achieving students in the United States—and in most of its individual states—are “shockingly below those of many of the world's leading industrialized nations.” The report shows that 30 industrialized nations have proportionally more students reaching advanced achievement levels in mathematics the United States. This study, which also provided a state-by-state comparison, showed that even the top performing state—Massachusetts—is behind 14 countries who participated in the PISA assessment. Virginia ranks 6th in the U.S., but there remain 22 countries in which more students reach advanced levels of mathematics than in Virginia.

Another study provided an international comparison of state-by-state eighth grade in mathematics (2007) and science (2005) by linking NAEP data with results from Trends in International Mathematics and Science Study (TIMSS) assessments worldwide. In this study, students in six nations performed better than the United States in mathematics. In science, eight nations outperformed the United States, and ten countries showed similar proportions of students showing similar levels of performance.

Assisting chronically low-performing schools is a central issue in the Board of Education's school improvement efforts and accountability system. 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.

Narrowing the achievement gap 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.

Developing and Implementing an Alternate Federal Accountability Model Based on Virginia's Standards of Learning Accountability Program

The Board of Education has endorsed Superintendent of Public Instruction's recommendation that it apply to the U.S. Department of Education for waivers from specific requirements of No Child Left Behind – while maintaining Virginia's commitment to rigorous academic standards, high-quality instruction, and accountability for raising the achievement of all students. During the fall of 2011, the Superintendent of Public Instruction and the Board of Education are engaging stakeholders in discussing process options and parameters for developing a request for federal regulatory relief while maintaining and strengthening Virginia's educational accountability program. This will be a critically important discussion with far-reaching outcomes for Virginia's public schools.

Promoting High-Quality Preschool Programs

The number of school divisions participating in the Virginia Preschool Initiative (VPI) has grown from 75 in the 2001-2002 school year, to an estimated 114 school divisions in the 2011-2012 school year. Also, the number of children served has grown from 5,966 in 2001-2002 to more than 16,700 children in 2011. Despite this growth, the number of at-risk four-year-olds in Virginia continues to be a concern because an estimated 6,700 qualified children remain unserved. 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.

Creating Policies for 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 and 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.

Integral to safe and healthy school environments is parent 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. 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.

Setting Policy for Preparation, Recruitment, and Retention of Educational Personnel

Though certainly not new, issues of teacher quality and effectiveness will be front and center in 2011 as Virginia's school divisions work to improve student readiness and success. Data on teacher effectiveness are to be used to identify and reward effective teachers as well as to inform professional development.

The current economic downturn 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.

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. Of particular concern, too, is recruiting and retaining teachers for STEM programs.

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.

The comprehensive plan outlines seven goals, along with strategies and activities that will provide the framework for the Board of Education's focus for the near future. Following are the goals set by the Board to address the complex challenges that impact our schools and our young people, along with a summary of the performance measures used to gauge the Board's success in meeting each of its goals.

Goal 1: Expanded Opportunities to Learn

The Board of Education will continue to improve the standards for public schools in Virginia in order to expand learning opportunities needed for Virginia's public schools. Our schools will lead the nation in rigor and quality and our students will compete and excel in postsecondary education and/or in the global workplace.

Charter School Opportunities

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 developed procedures for receiving and reviewing charter school applications and criteria used in reviewing applications.

The Department of Education collected information on the number of public charter school applications approved and denied by local school boards during 2010-2011. Local divisions reported that no charter school applications were denied; no new charter school applications were approved; no operating charter school closed; and four charter schools operated for students in 2010-2011.

Of the four charter schools currently operating in Virginia, all earned full accreditation, and all made the Adequate Yearly Progress (AYP) targets. Additional information may be viewed in Appendix E.

College Partnership Laboratory School Opportunities

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 developed procedures for receiving college partnership laboratory school applications as well as criteria used in reviewing applications.

Multidivision Online Providers

In 2011, the Board has approved the first set of multidivision online providers. Legislation in 2010 required the Superintendent of Public Instruction to develop, and the Board to approve, criteria for approving and monitoring multidivision online providers of virtual school programs. The legislation 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.

(Summary statement on MOPS here, text of report in Appendix G)

Governor’s STEM Academies

Virginia now has 11 Governor’s STEM academies up and running. The Board has reviewed Governor’s STEM academy applications since 2008 and has emphasized the critical role that STEM education plays in enabling Virginia and the U.S. to be competitive in the global marketplace. The Board’s review process strengthens STEM-related programs and effectively promotes the study of mathematics, science, engineering, and technology in applied settings. The Board has also supported local and state level investments in these programs to inspire young people to pursue careers in STEM fields.

Reviewing and Updating Standards of Quality

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 2011, the Board of Education recommended that flexibility be given to divisions to use funds provided in the appropriation act for certain staffing standards related to instructional staff in mathematics, limited English proficiency, reading, technology and assistant principals. The Board also recommended clarification of “support services” to help divisions in this area as well. The Board’s recommendations were subsequently adopted by the 2011 General Assembly.

Goal 2: Accountability of Student Learning

The Board of Education will support accountability for all public schools by providing leadership and by establishing policies that help schools and school divisions increase the academic success of all students, especially those who are at-risk or in underperforming school systems. Using improved longitudinal data systems, the Board will monitor schools’ progress in closing achievement gaps among groups of students.

New Ways of Assessing Student Progress:

With the Board’s adoption of revised Standards of Learning in English, science, and mathematics, 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 will 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 in 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 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.

Growth Measures

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 is currently under development, 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.

Requirements Will Become More Rigorous

Students will take more rigorous SOL mathematics tests beginning in 2011-2012 and more rigorous tests in English reading and science 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.

Goal 3: Nurturing Young Learners

The Board of Education will work cooperatively with partners and will promote new and innovative partnerships to help ensure that all young children are ready to enter kindergarten with the skills they need for success.

The state and Virginia's school divisions have continued their efforts in early childhood education. In the 2010-2011 school year, the Virginia Preschool Initiative (VPI) served 15,881 children. This represents a six percent increase for one year and a 21 percent increase in the percentage of children served since the 2007-2008 school year. 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.

Board of Education member Rob Krupicka serves on the Virginia Early Childhood Advisory Council, and Dr. Virginia McLaughlin serves on the Virginia Early Childhood Foundation. These advisory groups are 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.

Goal 4: Strong Literacy and Mathematics Skills

The Board of Education will establish policies that support the attainment of literacy and mathematics skills for all students, pre-K through grade 12.

College and Career Readiness Initiative

The Virginia College and Career Readiness Initiative (CCRI) builds on the revised Standards of Learning in mathematics and English adopted in 2009 and 2010, respectively. 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. The Virginia College and Career Readiness Initiative 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.

The findings so far of the College and Career Readiness Initiative show the indicators of college readiness. In short, students who meet the following indicators are likely to enroll in college, and upon enrollment, be permitted to enter directly into entry-level, credit-bearing courses in college:

1. Earned an advanced studies diploma;
2. Earned advanced proficient scores on the English reading and writing assessments;
3. Achieved advanced proficient on the Algebra I assessment, participated in Algebra II, and near advanced proficient or above on the Algebra II SOL assessment; and
4. Participated in chemistry.

Advanced Studies Diplomas

In 2011, approximately 55 percent of students who graduated in four years in Virginia earned an Advanced Studies diploma, a strong signal of college preparation. This is an increase of 2 percent from the prior year.

Programs for Children At-Risk of School Failure

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 new resources are limited, 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.

Goal 5: Highly Qualified and Effective Teachers and Administrators

The Board of Education will establish policies and standards that improve the preparation, recruitment, and retention of Virginia's educational personnel, including meaningful and ongoing professional development, especially in teacher shortage areas and in hard-to-staff schools.

Highly Qualified Teachers and Administrators

Highly qualified teachers and educational personnel are essential. In 2010-2011, ____ percent of teachers in core academic classes were considered highly qualified. However, these teachers are not distributed evenly, as ____ percent of classes in high-poverty schools are taught by teachers who are not highly qualified, compared to only ____

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 April 2011, the Board of Education approved the revised documents, *Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers* and the *Virginia Standards for the Professional Practice of Teachers*. The Guidelines and Standards will become effective on July 1, 2012; however, school boards and divisions are authorized to implement them prior to July 1, 2012. The model recommends that 40 percent of teachers' evaluations be based on student academic progress, as determined by multiple measures of learning and achievement, including, when available and applicable, student-growth data from VDOE.

Performance-Pay Initiative

The *Guidelines* were put to immediate use. Teachers in 25 schools across Virginia are participating in performance-pay pilot programs during the 2011-2012 and 2012-2013 school years. With participating schools located in 13 of the 132 school divisions in the Commonwealth, or 10 percent of Virginia's school divisions, the program will have a broad debut for a pilot effort. The participating schools must implement the performance standards and model teacher-evaluation system approved by the Board of Education in April. The Board-recommended system bases 40 percent of a teacher's evaluation on student academic growth based on the Board's *Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers* and the *Virginia Standards for the Professional Practice of Teachers* for use in this pilot program.

Goal 6: Sound Policies for Student Success

The Board of Education will provide leadership to develop and implement the provisions of state and federal laws and regulations in ways that improve and expand opportunities for all of Virginia's schoolchildren to excel academically.

Developing a New Federal Accountability Model

The need to comply with federal laws, programs, rules, and regulations has led to a significant strain on fiscal and staff resources at the state and local levels. Virginia needs a new model for measuring yearly progress that maintains high expectations for student achievement, recognizes growth — overall and by subgroup — and accurately identifies schools most in need of improvement.

The prescriptive nature of the law, most visible in provisions such as Adequate Yearly Progress (AYP) and the requirement for all children to be proficient in mathematics and reading by the year 2014, has led to some serious unintended consequences. Only 38 percent of Virginia's 1,839 schools made AYP based on results from the 2010-2011 assessments, compared to 61 percent of schools that made AYP in the previous year. Only four of Virginia's 132 divisions made AYP based on 2010-2011 assessments, compared with 12 divisions that made AYP in the previous year. The AYP targets were five points higher (86 percent) in reading and six points higher in mathematics (85 percent) than the targets for assessments taken by students during 2009-2010. As a consequence, 342 schools that made AYP in the previous year, and would have made AYP had the targets not increased, were identified as not meeting AYP.

The number of schools making AYP dropped even though achievement levels on state tests were little changed during 2010-2011. There are schools that did not make AYP in which achievement in reading and mathematics actually increased, but not by enough to keep up with the benchmarks. With AYP targets scheduled to increase an additional five points in both reading and mathematics for the 2012 assessment cycle, it is anticipated that an even greater disproportionate percentage of schools and divisions will be misidentified as underperforming during the 2012-2013 year. The public is understandably confused and frustrated by this misleading and unrealistic model of accountability.

In his August 24, 2011, letter to U.S. Secretary of Education Arne Duncan, Governor McDonnell pointed out the flaws of NCLB and noted that "A model that increasingly misidentifies schools as low performing and confuses the public about the quality of their schools does not advance the cause of reform or accountability."

The Department of Education and the Board of Education are working closely with the Governor and stakeholder groups to draft an alternate federal accountability model that is based on Virginia's successful Standards of Learning accountability program, including, but not limited to:

- College- and career-ready Standards of Learning and corresponding assessments being implemented in Virginia's mature and validated Standards of Accreditation (SOA) accountability program;
- Annual determinations for schools and divisions that make valid and meaningful performance distinctions and recognize overall student and subgroup growth;
- Accountability provisions that accurately identify schools and divisions most in need of support or interventions and recognize and reward exemplary performance;
- Support and interventions, identified through diagnostic reviews, designed to remedy the specific conditions that may cause schools and divisions to underperform;
- Capacity-building to allow divisions to support their underperforming schools in sustainable ways; and
- Aggressive reform for the lowest-performing schools and divisions.

Streamlining Board Regulations and Local Reporting Requirements

During recent years, the Board of Education has focused much effort on streamlining and clarifying all regulations related to our schools to ensure that no regulation unnecessarily exceeds requirements of state or federal law. The Board is also focused on eliminating any duplication or unnecessary reporting requirements placed on local divisions. As a corollary to this, VDOE has recently conducted a comprehensive review of all reports required from local divisions, and, as a result, has eliminated unnecessary reporting requirements.

The Board of Education is revising and updating a number of its current regulations, including 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. Additional regulatory actions include revising regulations that govern local textbook adoption procedures, fees and charges, career and technical education, unexcused absences and truancy, operation of private day schools for students with disabilities, competitive foods sold in schools, and pupil transportation.

Goal 7: Safe and Secure Schools

The Board of Education will provide leadership to create safe and secure school environments.

The Board of Education adopted *Guidelines for the Prevention of Sexual Misconduct and Abuse in Virginia Public Schools* to help school divisions meet their obligation under the law and create and implement policies and procedures that establish clear and reasonable boundaries for interactions between students and teachers, other school board employees, and adult volunteers. The model policies and best practices in the document draw from policies and legislation approved by school boards and legislatures in other states and policies and best practices implemented by private and parochial schools and national youth-service organizations.

On the student health front, the Board of Education worked with the state's health care leaders and other interested stakeholders to develop guidelines for concussions in student-athletes. This topic has garnered much national attention within the past year, and several other states have consulted VDOE staff because Virginia's guidelines are considered by some to be a national model.

Compliance with the Requirements of the Standards of Quality

One hundred-four divisions reported full compliance with the provisions of the Standards of Quality (SOQ) in the 2010-2011 school year. Appendices A and B contain information and a list of school divisions that have reported noncompliance with any of the provisions of the SOQ. The appendices also provide additional information on the status of compliance over the last three years for these divisions.

Where divisions indicate less than full compliance with the standards, corrective action plans for the noncompliance items are required. Of the divisions that were not in full compliance, all have filed a corrective action plan. The data are for the 2010-2011 school year and for the Standards of Quality that were in effect as of July 1, 2010.

Appendix D contains a summary of the revisions to the Standards of Quality adopted by the 20-11 General Assembly, and appendix E contains the full text of the Standards of Quality, effective July 1, 2011.

(Add summary information on areas in which s school divisions were in noncompliance.)

Compliance with the Requirements of the Standards of Accreditation

Ninety-six percent of Virginia's 1,839 public schools are fully accredited and meeting all state standards for achievement in English, mathematics, history and science — and graduation, in the case of high schools. Ninety-eight percent of Virginia's elementary schools and 97 percent of middle schools are fully accredited for the 2011-2012 school year, based on the performance of students on Standards of Learning (SOL) and other state assessments during 2010-2011. The percentage of fully accredited high schools dropped to 86 percent, compared with 99 percent last year, as the Board of Education introduced a "graduation and completion index" as a new accountability factor for high schools, in addition to student achievement on state tests. More detailed information is contained in Appendix C.

Closing Statement by the Virginia Board of Education

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 goals for our public school system clearly address each of these factors.

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 the Board of Education's vision, mission, and goals.

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.

(Additional text for areas that need continued work, based on the Board of Education's discussions on October 26-27.)

Appendices

Appendix A: List of School Divisions Reporting Full Compliance with the SOQ: 2010-2011

Appendix B. List of School Divisions Reporting Noncompliance with any Provision of the SOQ: 2010-2011

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, 2011

Appendix E: Annual Charter School Report

Appendix F: Information on Rebenchmarking State Basic Aid

Appendix G: Report on Multidivision Online Providers

Appendix H: Virginia On-Time Graduation Rate Four Year Graduation Rate: 2011 Data as of September 26, 2011

APPENDIX A: Compliance with the Standards of Quality: 2010-2011

One hundred-four divisions reported full compliance with the provisions of the Standards of Quality (SOQ) in the 2010-2011 school year. Appendix B contains a list of school divisions that have reported non-compliance with any of the provisions of the SOQ. The appendix also provides additional information on the status of compliance over the last three years for these divisions.

Section 22.1-18 of the *Code of Virginia* requires the Board of Education to “identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality.” Each year, the Department of Education collects self-assessment data from school divisions on their compliance with the provisions of § 22.1-253.13:1 through 22.1-253.13:8 of the *Code of Virginia* (Standards of Quality). The chairman of the school board and division superintendent certify the level of compliance with the standards and the individual indicators within each standard to the Department of Education via an electronic data collection system.

Where divisions indicate less than full compliance with the standards, corrective action plans for the noncompliance items are required. Of the divisions that were not in full compliance, all have filed a corrective action plan. The data are for the 2010-2011 school year and for the Standards of Quality that were in effect as of July 1, 2010.

**APPENDIX B:
Divisions Reporting Noncompliance with Certain Provisions
of the Standards of Quality for 2010-2011**

(Table to be added here)

Appendix C:

Divisions with All Schools Fully Accredited, Schools Rated Accredited with Warning, Schools Rated Accreditation Denied 2011- 2012

Ninety-six percent of Virginia’s 1,838 public schools are fully accredited and meeting all state standards for achievement in English, mathematics, history and science — and graduation, in the case of high schools. Ninety-eight percent of Virginia’s elementary schools and 97 percent of middle schools are fully accredited for the 2011-2012 school year, based on the performance of students on Standards of Learning (SOL) and other state assessments during 2010-2011.

The percentage of fully accredited high schools dropped to 86 percent, compared with 99 percent last year, as the Board of Education introduced a “graduation and completion index” as a new accountability factor for high schools, in addition to student achievement on state tests.

The index system awards full credit for students who earn a board-recognized diploma and partial credit for students who earn GEDs and local credentials, as well as for students who are still enrolled and expected to return for a fifth year of high school. High schools must have a graduation and completion index of at least 85 for full accreditation.

2011-2012 SOL Accreditation Ratings

Grade Span	Fully Accredited	Accredited with Warning	Provisionally Accredited	Conditional (New Schools)	Accreditation Denied	To Be Determined
Elementary	1,157	11	0	3	1	2
Middle	298	8	0	1	1	1
High	266	11	30	1	0	0
Combined	47	0	0	0	0	0
Total	1,768 (96%)	30 (2%)	30 (2%)	5 (<1%)	2 (<1%)	3 (<1%)

In 30 provisionally accredited high schools, achievement in English, mathematics, history and science met state standards, and graduation was within five points of the 85-point benchmark. Ten of the 11 high schools accredited with warning for 2011-2012 are warned solely because of graduation and completion indices below this year’s 80-point benchmark for provisional accreditation. Provisional accreditation will not be available after 2015-2016.

In addition to high school-exit data, the accreditation ratings for 2011-2012 are based on the achievement of students on SOL assessments and approved substitute tests in English, mathematics, history and science administered during the summer and fall of 2010 and

the spring of 2011, or on overall achievement during the three most recent academic years. The results of tests administered in each subject area are combined to produce overall school passing percentages in English, mathematics, history and science.

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

Accreditation ratings also 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.

The percentage of schools earning full accreditation for 2011-2012 is two points lower than the percentage that earned the highest rating for 2010-2011. The state superintendent expects further declines in accreditation as schools implement more rigorous standards and tests in English and mathematics, starting with mathematics this year and followed by English during 2012-2013.

Schools accredited with warning

The number of schools accredited with warning rose to 30, compared with 15 last year.

Schools denied accreditation

Two schools were denied accreditation this year because of chronically low student achievement:

- Peabody Middle in Petersburg for a sixth consecutive year; and
- Ellen W. Chambliss Elementary in Sussex County for a third consecutive year.

One school — J.E.B. Stuart Elementary in Petersburg — earned full accreditation for 2011-2012 after being denied accreditation for three consecutive years.

(Note: The status of three schools is expected to be determined by the Board of Education at its October 2011 meeting:

- *Lafayette Winona Middle in Norfolk — which was denied accreditation last year — is seeking conditional accreditation based on the implementation of its reconstitution plan.*
- *Lindenwood Elementary in Norfolk and Kiptopeke Elementary in Northampton County — which were accredited with warning for a third consecutive year in 2010-2011 — are seeking conditional accreditation based on the strength of their proposed reconstitution plans.)*

Schools granted conditional accreditation

Five newly opened schools are automatically rated as conditionally accredited for 2011-2012. Under Virginia's SOL 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.

Divisions in which all schools are fully accredited

In 97 of the commonwealth's 132 school divisions, all schools are fully accredited, compared with 119 last year. Divisions with all schools fully accredited (other than new schools that automatically receive conditional accreditation) are:

Albemarle County	Goochland County	Rockingham County
Alleghany County	Grayson County	Russell County
Amelia County	Greene County	Salem
Amherst County	Greensville County	Scott County
Appomattox County	Halifax County	Shenandoah County
Augusta County	Hanover County	Smyth County
Bath County	Henry County	Southampton County
Bedford County	Highland County	Spotsylvania County
Bland County	Isle of Wight County	Stafford County
Botetourt County	King George County	Surry County
Bristol	King William County	Warren County
Buchanan County	Lancaster County	Washington County
Buckingham County	Lee County	Waynesboro
Buena Vista	Lexington	West Point
Campbell County	Loudoun County	Williamsburg-James City
Caroline County	Louisa County	County
Carroll County	Madison County	Winchester
Charles City County	Manassas Park	Wise County
Charlotte County	Martinsville	Wythe County
Charlottesville	Mathews County	York County
Chesapeake	Mecklenburg County	
Clarke County	Middlesex County	
Colonial Beach	Montgomery County	
Colonial Heights	Nelson County	
Craig County	New Kent County	
Culpeper County	Norton	
Cumberland County	Nottoway County	
Danville	Orange County	
Essex County	Patrick County	
Falls Church	Pittsylvania County	
Fauquier County	Poquoson	
Floyd County	Powhatan County	
Fluvanna County	Prince George County	
Franklin	Pulaski County	
Franklin County	Radford	
Frederick County	Rappahannock County	
Fredericksburg	Richmond County	
Galax	Roanoke County	
Gloucester County	Rockbridge County	

Appendix D: STANDARDS OF QUALITY: EFFECTIVE JULY 1, 2011

The 2011 General Assembly revised Standards 2, 3, 4, and 9 of the SOQ through the following legislation:

<p>HB 1554; SB 810</p>	<p>Impacts Standard 4 by providing for the delayed implementation until July 1, 2012, of certain statutes and regulations upon which the accreditation of Virginia’s schools is based.</p> <p>Exceptions to this delay are: 1) the graduation and completion index currently in effect; 2) the economics and financial literacy graduation requirement for the Standard and Advanced Studies diplomas beginning in the 2011-2012 school year; and 3) increases and changes to the credit requirements for the Advanced Studies Diploma and changes to the credit requirements for the Standard Diploma beginning in the 2011-2012 school year. Please see Superintendent’s Memorandum No. 112-11 for additional information.</p> <p>Reference: § 22.1-253.13:4 of the Code.</p>
<p>HB 1792 SB 1270</p>	<p>Amends Standard 2 in a number of areas to provide flexibility to school divisions:</p> <p>Mathematics Specialists (Item E) – Standard 2 provides that “In addition to the positions supported by basic aid 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.”</p> <p>HB 1792 and SB 1270 add the following language to this Item: “To provide flexibility in the provision of mathematics intervention services, school divisions may use the Standards of Learning Algebra Readiness Initiative funding and the required local matching funds to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.” (This language is similar to language in the 2011 Appropriation Act, Item 132.B.2.f .</p> <p>English Language Learners (Item F) - Standard 2 provides that “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.”</p> <p>HB 1792 and SB 1270 add the following language: “To provide flexibility in the instruction of English language learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English language learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided in this section. School divisions using SOQ Prevention, Intervention, and Remediation funds in this manner shall employ</p>

only instructional personnel licensed by the Board of Education.” (This language is similar to language in the 2011 Appropriation Act, [Item 132.C.9.d](#) – See Attachment B.)

Reading Specialists (Item G) - Standard 2 provides that “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.”

[HB 1792](#) and [SB 1270](#) add the following language: “To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention Initiative funding and the required local matching funds to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.” (This language is similar to language in the 2011 Appropriation Act, [Item 132.B.2.e](#) – See Attachment B.)

Assistant Principals (Item H) - Standard 2 provides that “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;”

[HB 1792](#) and [SB 1270](#) add the following language “... and school divisions that employ a sufficient number of assistant principals to meet this staffing requirement may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.”

Data Coordinator (Item J) - Standard 2 provides that “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.”

[HB 1792](#) and [SB 1270](#) add the following language: “To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement services, as well as for overall data management and administration of state assessments. School divisions using these funds in this manner shall only employ instructional personnel licensed by the Board of Education.” (This language is similar to

	<p>language in the 2011 Appropriation Act, Item 132.B.2.d – See Attachment B.)</p> <p>Support Services (Item O) - HB 1792 and SB 1270 change provisions related to support services by including categories of support personnel, which are as follows:</p> <ul style="list-style-type: none"> • Executive policy and leadership positions, including school board members, superintendents and assistant superintendents; • Fiscal and human resources positions, including fiscal and audit operations; • Student support positions, including (i) social workers and social work administrative positions; (ii) guidance administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral positions, including school nurses and school psychologists; • Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3; • Technology professional positions not included in subsection J; • Operation and maintenance positions, including facilities; pupil transportation positions; operation and maintenance professional and service positions; and security service, trade, and laborer positions; • Technical and clerical positions for fiscal and human resources, student support, instructional personnel support, operation and maintenance, administration, and technology; and • School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students. (These ratios are the same ratios that were included in Standard 2 prior to July 1, 2011.) <p>The bills also provide that school divisions may use the state and local funds for support services to provide additional instructional services, which is current practice for school divisions.</p> <p>Reference: § 22.1-253.13:2 of the <i>Code</i>.</p>
<p>HB 1793</p>	<p>Amends Standard 4 by allowing local school boards to award the Seal for Excellence in Civics Education to a student receiving a modified standard diploma.</p> <p>Reference: § 22.1-253.13:4 of the <i>Code</i>.</p>

<u>HB 2077</u>	<p>Amends Standard 3 by clarifying that the Board of Education’s review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests includes the exclusion of students from testing who are required to be assessed, by local school board employees responsible for the distribution or administration of the tests.</p> <p>Reference: § <u>22.1-253.13:3</u> of the <i>Code</i>.</p>
<u>HB 2172 SB 953</u>	<p>Amends Standard 9 by requiring the Board of Education to take into account in its guidelines for the Virginia Index of Performance program a school division's increase in enrollments and elective course offerings in science, technology, engineering, and mathematics (STEM).</p> <p>Reference: § <u>22.1-253.13:9</u> of the <i>Code</i>.</p>
<u>HB 2494</u>	<p>Amends Standard 3 by providing that any school board, on behalf of one or more of its schools, may request from the Board of Education release from state regulations and approval of an individual School Accreditation Plan.</p> <p>Reference: § <u>22.1-253.13:3</u> of the <i>Code</i>.</p>

Appendix D: Code of Virginia – Standards of Quality Effective July 1, 2011

§ 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.

To provide flexibility in the provision of mathematics intervention services, school divisions may use the Standards of Learning Algebra Readiness Initiative funding and the required local matching funds to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to support 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency. To provide flexibility in the instruction of English language learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English language learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided in this section. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by the Board of Education.

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

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

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to the type of school and student enrollment:

1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students; principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high schools, one full-time, to be employed on a 12-month basis;
2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students; and school divisions that employ a sufficient number of assistant principals to meet this staffing requirement may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary;
3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students; and
4. Guidance counselors in elementary schools, one hour per day per 100 students, one full-time at 500 students, one hour per day additional time per 100 students or major fraction thereof; guidance counselors in middle schools, one period per 80 students, one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance counselors in high schools, one period per 70 students, one full-time at 350 students, one additional period per 70 students or major fraction thereof.

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

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

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

K. Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for guidance counselors, and shall be based on the school's total enrollment; guidance counselor staff requirements shall, however, be based on the

enrollment at the various school organization levels, i.e., elementary, middle, or high school. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before January 1, report to the public the actual pupil/teacher ratios in elementary school classrooms by school for the current school year. Such actual ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services positions" shall include the following:

1. Executive policy and leadership positions, including school board members, superintendents and assistant superintendents;
2. Fiscal and human resources positions, including fiscal and audit operations;
3. Student support positions, including (i) social workers and social work administrative positions; (ii) guidance administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral positions, including school nurses and school psychologists;
4. Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3;
5. Technology professional positions not included in subsection J;
6. Operation and maintenance positions, including facilities; pupil transportation positions; operation and maintenance professional and service positions; and security service, trade, and laborer positions;
7. Technical and clerical positions for fiscal and human resources, student support, instructional personnel support, operation and maintenance, administration, and technology; and
8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students. Pursuant to the appropriation act, support services shall be funded from basic school aid.

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

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, including the exclusion of students from testing who are required to be assessed, 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.

H. Any school board, on behalf of one or more of its schools, may request the Board of Education for releases from state regulations and for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards of Accreditation pursuant to 8 VAC 20-131-280 C of the Virginia Administrative Code.

§ 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, standard technical, advanced studies, or advanced technical 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, standard technical, advanced studies, and advanced technical 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 modified standard, standard, standard technical, advanced studies, and advanced technical 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.

In order to encourage school divisions to promote student achievement in science, technology, engineering, and mathematics, the Board of Education shall take into account in its guidelines a school division's increase in enrollments and elective course offerings in these areas.

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.

Appendix E: Annual Charter School Report

Status of Virginia’s Public Charter Schools in 2010-2011

The Department of Education collected information on the number of public charter school applications approved and denied by local school boards during 2010-2011 through Superintendent’s Memorandum, Number 152-11, *Charter School Report for 2010-2011*, dated May 27, 2011.

- No charter school applications were denied;
- No new charter school applications were approved;
- No operating charter school closed; and
- Four charter schools operated for students in 2010-2011.

Of the four charter schools currently operating in Virginia, all earned the rating for “fully Accredited” and all made the Adequately Yearly Progress (AYP) targets.

Virginia Public Charter Schools in Operation – 2010-2011

Division	School	Year Opened	Grades Served	Enrollment
Albemarle County	Murray High School	2001	9-12	105
York County	York River Academy	2002	9-12	61
Albemarle County	The Albemarle Community Public Charter School	2008	6-8	36
Richmond City	Patrick Henry School of Science and Arts	2010	K-5	146

Accreditation and Adequate Yearly Progress (AYP) Status for 2010-2011

Academic Status	Murray High School	York River Academy	The Albemarle Community Public Charter	Patrick Henry School of Science and
State Accreditation	Fully Accredited	Fully Accredited	Fully Accredited	Fully Accredited
Adequate Yearly Progress (AYP)	Made AYP	Made AYP	Made AYP	Made AYP

Appendix F: Information on Rebenchmarking State Basic Aid

State funding for K-12 education in Virginia represents one-third of the state general fund (GF) budget and is its largest portion. State K-12 funding in FY12 is \$5.5 billion, mostly from GFs but also other state sources. From FY02 to FY12, state K-12 funding increased 37percent while enrollment increased only 6.5percent. Much of the new spending during this time prior to the recession was to fund increased standards under Virginia's Standards of Quality.

The Direct Aid to Public Education budget provides state funding to school divisions for prekindergarten-12 educational programs. In each odd-numbered year, the cost of the Direct Aid to Public Education budget is rebenchmarkd for the next biennium. The rebenchmarkd budget represents the state cost of continuing the existing Direct Aid to Public Education programs with biennial updates in the input data used to determine the cost of the programs.

(Additional information to go here.)

Appendix G: Report on Multidivision Online Providers

(Report to be added here.)

Appendix H:
Virginia On-Time Graduation Rate: Four Year Graduation Rate
2011 Data as of September 26, 2011

In 2006, the Board established an accurate methodology for calculating a high school graduation rate that reflected an accurate count of students who graduated high school on-time. Following the work to establish Virginia's On-Time Graduation Rate, the Board established a policy that held high schools accountable for graduation and completion rates. The combination of accurate data and strong state policy has led to consistently increasing high school graduation rates for all students, including some dramatic increases in graduation rates for student subgroups.

Virginia's Federal Graduation Indicator is another measure of cohort graduation and one that uses a federally prescribed methodology to calculate graduation rates. This measure only includes Virginia's Standard and Advanced Studies diplomas as graduates. This measure also shows significant increases in graduation rates, and reflects the critical point that more of Virginia's high school students are graduating with meaningful credentials. Rates for 2008-2011 are shown below.

Virginia On-Time Graduation Rate Four-Year Graduation Rate: 2011 Data as of September 26, 2011							
	2008	2009	2010	2011		One- Year change	Change since 2008
All Students	82.1%	83.2%	85.7%	86.6%		0.9%	4.5%
Female	85.1%	86.5%	88.3%	89.5%		1.2%	4.4%
Male	79.2%	80.1%	83.3%	83.9%		0.6%	4.7%
Black	74.0%	75.7%	79.3%	80.3%		1.0%	6.3%
Hispanic	71.2%	72.2%	76.9%	79.2%		2.3%	8.0%
White	85.9%	87.0%	89.0%	89.7%		0.7%	3.8%
Asian	93.4%	93.3%	94.2%	94.7%		0.5%	1.3%
Students with Disabilities	81.3%	82.1%	83.5%	83.8%		0.3%	2.5%
Economically Disadvantaged	70.7%	73.2%	78.2%	79.9%		1.7%	9.3%
Limited English Proficient anytime	75.4%	74.7%	77.3%	77.2%		-0.1%	1.9%
Homeless anytime	57.7%	61.6%	66.0%	65.7%		-0.3%	8.0%

**Virginia Federal Graduation Indicator
Four-Year Graduation Indicator:
2011 Data as of September 26, 2011**

	2008	2009	2010	2011		One-year change	Change since 2008
All Students	75.0%	76.9%	79.9%	81.6%		1.7%	6.6%
Black	63.9%	66.6%	70.6%	72.8%		2.3%	9.0%
Hispanic	57.9%	59.9%	66.1%	70.9%		4.9%	13.0%
White	81.0%	82.8%	85.1%	86.3%		1.2%	5.3%
Students with Disabilities	37.9%	42.7%	44.1%	47.2%		3.2%	9.4%
Economically Disadvantaged	57.2%	60.9%	66.4%	70.1%		3.6%	12.9%
Limited English Proficient	55.8%	56.4%	60.4%	63.4%		2.9%	7.6%