

**REPORT OF THE**

**SJR 498 Commission on  
Educational Accountability**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**SENATE DOCUMENT NO. 36**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
2001**



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## **EXECUTIVE SUMMARY**

### **AUTHORITY AND STUDY OBJECTIVES**

Adopted by the 1999 Session of the General Assembly, SJR 498 established the 20-member Commission on Educational Accountability, comprised of legislative, citizen, and ex officio members. The mission of the SJR 498 Commission is a comprehensive one, encompassing a review of the Standards of Accreditation (SOA) and any included accountability mechanisms; the implementation of the Standards of Learning (SOL) and revised assessments; consideration of ways to increase the capacity of schools, teachers, and students; the receipt of regular reports from its task forces; and exploration of other educational accountability concerns and additional issues as it deems appropriate.

Complementing the work of the Commission from its inception in 1999 were the HJR 723 Task Force examining the impact of the Standards of Accreditation on local school division budgets and the HJR 566 Task Force exploring, among other things, the integration of the SOL in secondary school curricula and programs focusing on workforce development skills; the adequacy of current curricula, program resources, and technology in Virginia public schools; and staffing and state and local funding levels for secondary school workforce development programs.

Further supplementing the Commission's work in 2000 was the HJR 302 Task Force, which studied the need for appropriate alternative forms of Standards of Learning assessments for students receiving special education and related services. That resolution also directed the Commission on Educational Accountability to continue the work of the Joint Subcommittee on Remediation. In addition, the 2000 Session of the General Assembly directed the Commission, in cooperation with the Board of Education, the State Council of Higher Education for Virginia, the Senate Committee on Finance, and the House Committee on Appropriations, to study the demand for and preparation of classroom teachers, pursuant to HJR 159 and SJR 248.

### **INCREASING CAPACITY FOR SCHOOLS AND EDUCATORS: TACKLING TEACHER SHORTAGES**

To meet the challenge of attracting and retaining quality teachers, many states are exploring a variety of initiatives, including attracting students in secondary and postsecondary schools to the teaching profession; recruiting mid-career professionals in other disciplines; strengthening scholarship and loan programs; and providing loan forgiveness for service in a critical academic shortage area or particular geographic region. Also bolstering teacher recruitment and retention efforts in some states are signing bonuses and monetary rewards for obtaining national certification.

In meeting its specific study directives, the Commission endeavored to examine the increasing demand for public school teachers and review current incentives for entering the profession as well as a variety of educational and policy issues. Discussion focused on increasing salary levels, obtaining accurate and detailed teacher shortage data, creating early

interest in the teaching profession, and ensuring the quality of teacher training. The input and expertise of a number of sources were pursued, including the Board and Department of Education, the Commission on Access and Diversity in Higher Education, the Joint Task Force of the Board of Education and State Council of Higher Education on Teacher Supply and Demand, and national experts. Testimony and information were gathered addressing the Virginia Teaching Scholarship Loan Program, licensure by reciprocity for individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards (NBPTS), incentive grant awards for teachers obtaining NBPTS certification, local licensure, alternative licensure and "career switcher" mechanisms, and clinical faculty and mentor teacher programs.

### **FINANCE ISSUES**

The Department of Education's survey of school divisions regarding costs associated with the implementation of the Standards of Accreditation (SOA) provided much data for Commission consideration. School divisions reported estimated total expenditures of \$535.8 million to support the new SOA since 1997; of this amount, \$139.9 million and \$395.9 million addressed state and local initiatives, respectively. New appropriations accounted for \$366.3 million; the remaining \$169.5 million was culled from redirected or reprogrammed funds. Total annual expenditures increased in each of the three years; \$116.6 million in 1998; \$188.4 million in 1999; and \$230.7 million in 2000. Similarly, statewide pupil-based averages increased from \$159.54 and \$255.63 per pupil in 1998 and 1999, respectively, to \$310.72 in 2000. Direct aid to public education increased by \$804.4 million (about 25 percent) during this three-year span.

Also explored was the ongoing study by the Joint Legislative Audit and Review Commission (JLARC) regarding the funding of the Standards of Quality (SOQ). This study is expected to address expenditures made by school divisions in excess of the SOQ and additional issues, such as local ability to pay, will also be targeted. An interim status report was anticipated at the December 2000 JLARC meeting, with a final report briefing scheduled in August 2001. Data is expected addressing, among other things, elementary and secondary classroom instructional positions; alternative education; school resource officers; school health personnel; medically fragile students; special education; salary increases; staff recruitment and retention; miscellaneous (capital outlay; bus replacement; repayment periods for loans); and course offerings and maximum class sizes in 2000-2001.

### **OTHER EDUCATIONAL ACCOUNTABILITY ISSUES GENERALLY: REVISIONS TO THE STANDARDS OF ACCREDITATION**

Pursuant to SJR 498, the Commission was to address recent revisions to the Standards of Accreditation (SOA); implementation of the Standards of Learning (SOL) assessments; the effects of failure to obtain a diploma under the SOA; the assessment of transfer students; and the impact of the SOA and SOL on (i) teachers and at-risk students; (ii) instructional time to meet the SOL; (iii) the ability of certain school divisions to meet and maintain accreditation; (iv) student promotion and retention; and (v) diploma requirements.



The Board of Education adopted revisions to the Standards of Accreditation on July 28, 2000; the regulations became final on September 28, 2000. The revisions targeted increased flexibility and refined consequences and rewards for students, educators, schools, and school divisions. The revisions allow the use of tests other than the SOL assessments for awarding verified units of credit.

The assessment of transfer students was also addressed in the revisions, as the SOA now provide that the scores of limited English proficiency (LEP) and transfer students will be used in the calculation of a school's accreditation rating if it will benefit the school and authorize the Board to alter the inclusions and exclusions from the accountability calculations by providing adequate notice to local school boards. Also included in the revisions is a transition period for students in grades seven, eight, and nine in fall 2000; in academic years 2000-1 through 2002-3, these students must pass six SOL assessments, two of which must be in English, for a diploma.

Other revisions include an expedited re-test for SOL end-of-course examinations; the creation of the Modified Standard Diploma, for certain students with disabilities who are unlikely to meet Standard Diploma requirements; the requirement that two of the six elective standard units of credit must incorporate at least two sequential electives; the addition of the Board of Education Career and Technical Seal and the Seal of Advanced Mathematics and Technology; the establishment of "benchmark" annual SOL passing rates to indicate progress in academic years 2000-1 through 2003-4; the addition of the ratings of "Provisionally Accredited/Needs Improvement" and "Accreditation Withheld/Improving School"; and the use of a three-year rolling average of student pass rates or the current year's scores, whichever is greater, in determination accreditation status.

### RECOMMENDATION

Having explored a wide range of issues in its second year of study, the Commission determined that ensuring educational accountability for Virginia's public schools remains a paramount issue. The implementation of the Standards of Accreditation, the increasing demand for qualified instructional personnel, adequate funding to meet the requirements of the Standards of Quality and Standards of Accreditation, the effective preparation of students to enter the workforce, and other issues merit ongoing study and observation. Therefore, the Commission has agreed upon the following recommendation:

*That the work of the Commission on Educational Accountability be continued for one additional year.*

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# **REPORT OF THE SJR 498 COMMISSION ON EDUCATIONAL ACCOUNTABILITY**

## **I. AUTHORITY AND STUDY OBJECTIVES**

Adopted by the 1999 Session of the General Assembly, SJR 498 established the 20-member Commission on Educational Accountability, comprised of legislative, citizen, and ex officio members. The mission of the SJR 498 Commission is a comprehensive one. Charged with coordinating with a number of groups involved with recent and new study initiatives, the Commission is to review the Standards of Accreditation (SOA) and any included accountability mechanisms; monitor the implementation of the Standards of Learning (SOL) and revised assessments; consider the work and recommendations of other recent as well as specific ongoing study committees; develop recommendations for ways to increase the capacity of schools, teachers, and students; examine the effects on the Commonwealth's young people of failure to obtain a diploma; evaluate the efficacy, appropriateness, and application of the Commonwealth's statutes, regulations, and policies governing the academic assessment of transfer students; determine the feasibility and appropriateness of establishing a certificate of completion for certain high school vocational programs; determine the efficacy and appropriateness of funding for the Standards of Quality (SOQ); study the instructional needs of students and teachers in the public schools; examine the impact of the SOL and the SOA on teachers, urban and small, rural school divisions, and educationally at-risk students, including remediation, teacher preparation and SOL instructional time, the ability of urban and small, rural school divisions to meet and maintain accreditation requirements, and the effect of the SOL tests on promotion, retention, and the awarding of high school diplomas; collaborate, coordinate, and receive regular reports of the HJR 566 Special Task Force studying the integration of the SOL with the secondary school level curricula and workforce development skills; collaborate, coordinate, and receive regular reports of the HJR 586 and HJR 723 Special Task Forces studying the impact of the SOA on local school division budgets; and consider such other issues as it deems appropriate.

Complementing the work of the Commission from its inception in 1999 were two task forces. Incorporated into the work of SJR 498 was HJR 723, which directed the creation of a special seven-member task force of the SJR 498 Commission to examine the impact of the Standards of Accreditation on local school division budgets. Similarly, HJR 566 created a 15-member task force to explore, among other things, the integration of the SOL in secondary school curricula and programs focusing on workforce development skills; the adequacy of current curricula, program resources, and technology in Virginia public schools; and staffing and state and local funding levels for secondary school workforce development programs.

Further supplementing the Commission's work in 2000 was an additional eight-member task force, created pursuant to HJR 302 and composed of members of the SJR 498 Commission on Educational Accountability (five members of the House of Delegates and three members of the Senate) to examine the need for appropriate alternative forms of Standards of Learning assessments for students receiving special education and related services. The special task force was to submit its findings and recommendations to the SJR

498 Commission on Educational Accountability by January 1, 2001, for inclusion in the Commission's final report to the Governor and to the 2002 Session of the General Assembly.<sup>1</sup>

HJR 302 also directed the SJR 498 Commission on Educational Accountability to continue the work of the Joint Subcommittee on Remediation. The Commission is to "become familiar with the issues and policies regarding the joint subcommittee's work and its subsequent findings and recommendations throughout the course of its study so that efforts are not duplicated, and complete the objectives in the joint subcommittee's work plan for 2000." The chairman of the SJR 498 Commission referred remediation issues to the HJR 302 Task Force for consideration.

In addition, recognizing the mission of the Commission to "review the Commonwealth's educational reform efforts, and [that] an effective and capable corps of teachers is critical to the success of these reforms," the 2000 Session directed the Commission, in cooperation with the Board of Education, the State Council of Higher Education for Virginia, the Senate Committee on Finance, and the House Committee on Appropriations, to study the demand for and preparation of classroom teachers, pursuant to HJR 159 and SJR 248. The resolutions noted that "an adequate pool of skilled, compassionate, and well-prepared teachers is vital to accomplishing educational reform in the Commonwealth" and to enable "students and schools in Virginia to meet the new Standards of Learning and Standards of Accreditation..." Citing the Virginia Constitution as well as the Standards of Quality, the resolutions also state that the provision of "qualified, competent, and gifted classroom teachers is a shared responsibility between the Board of Education and Virginia's institutions of higher education."

In conducting this study, the Commission and the named agencies were to:

- (i) project the number of classroom teachers needed in Virginia during the next 10 years;
- (ii) review the teacher education process;
- (iii) assess recruitment and retention efforts;
- (iv) evaluate procedures for awarding continuing contracts, including how Virginia may retain the most capable teachers and replace teachers who do not meet the qualifications, standards, and expectations set for teachers;
- (v) consider the issues associated with compensation of teachers;
- (vi) determine the adequacy of pre-service and in-service professional development of teachers; and
- (vii) recommend ways to attract and retain an adequate supply of teachers in Virginia.

In addition, the Commission was specifically directed to "communicate and collaborate with other study committees charged to examine aspects of teacher education, recruitment and retention, and other related issues."

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<sup>1</sup>The date and Session reference in the resolution should be January 1, 2001 and the 2001 Session, as the SJR 498 Commission is a two-year study that was expected to conclude in 2001.

## II. INCREASING CAPACITY FOR SCHOOLS AND EDUCATORS: TACKLING TEACHER SHORTAGES

As the nation enters the new millennium, education scholars and experts warn of an impending turnover in the teaching profession of "historic" proportions. The National Education Association, citing data from the National Center for Education Statistics, has reported that teacher attrition and retirement, as well as increasing student enrollments, will prompt a need for about 2.4 million teachers nationwide in the next 11 years. Should class size reduction initiatives become more widespread, the projected demand for teachers might reach 2.7 million.<sup>2</sup>

Similar estimates are offered by the National Governors' Association Center for Best Practices, predicting a need for 2.2 million teachers by 2009, and citing the provision of qualified teachers as "the most significant area" leaders might tackle when seeking to improve public education. Shortages are expected to be more severe in southern and western states and in urban and rural schools. More specific shortage areas are in the disciplines of science, mathematics, special education, and English as a second language.

Complicating the interpretation of these statistics, however, are data indicating that the number of new teacher graduates increased by 49 percent between 1983 and 1998; the number of institutions offering teacher preparation has grown from 1,287 in 1984 to 1,354 in 1999.<sup>3</sup> In addition, data recording annual "new teacher" hires may be subject to clarification; these figures may actually incorporate returning teachers as well as recent graduates, thus suggesting that the need for "new" teachers--those entering the profession for the first time--may be less critical than raw numbers might indicate.<sup>4</sup> It has been suggested by at least one national education resource that the United States "does not have an overall 'teacher shortage.' But it does have problems in the distribution in the supply of teachers."<sup>5</sup>

While the number of teacher graduates has grown, only about 60 percent of graduates actually enter the profession, and of those new graduates who do enter the classroom, 30 to 50 percent leave teaching within five years.<sup>6</sup> Adding to the discouraging tone of these statistics are reports that an estimated one in five teachers will leave the profession after only three years of classroom experience, and that the more academically successful college

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<sup>2</sup>National Education Association, *NEA Teacher Quality Fact Sheet*, "Ready or Not: A National Teacher Shortage Looms" <<http://www.nea.org/teaching/shortage.html>>[hereinafter referred to as NEA].

<sup>3</sup>B. Curran, C. Abrahams, and J. Manuel, NGA Center for Best Practices, *Issue Brief*, "Teacher Supply and Demand: Is There a Shortage?" <<http://www.ngs.org/Pubs/IssueBriefs/2000/000125Teachers.asp>>(January 25, 2000)[hereinafter referred to as NGA].

<sup>4</sup>C.E. Feistritz, National Center for Education Information, "The Truth Behind the 'Teacher Shortage,'" *The Wall Street Journal* (January 28, 1998),<http://www37.pair.com/ncei/WSJ-12898.htm>>; National Center for Policy Analysis, Idea House, "Teacher Shortage a Myth" <<http://www.public-policy.org/~ncpa/pi/edu/jan98n.html>>

<sup>5</sup>L. Olson, "Finding and Keeping Competent Teachers," *Quality Counts 2000: Who Should Teach?*, Education Week on the Web <<http://www.edweek.org/sreports/qc00/templates/article.cfm?slug+intro.htm>>[hereinafter referred to as Olson].

<sup>6</sup>NGA, *supra* note 3.

students are less likely to choose teaching, and, if they have entered the profession, are more likely to exit.<sup>7</sup>

### Public School Teachers' Perceptions about Teaching and School Conditions, 1993-94

(Percentages of teachers somewhat agreeing or strongly agreeing with statement)

Statement	Total	Elementary Schools	Secondary Schools	Combined Schools
The school administration's behavior toward the staff is supportive	79.2	80.7	76.8	77.0
My principal enforces school rules for student conduct and backs me up when I need it	80.8	82.0	78.6	81.4
The principal lets staff members know what is expected of them	85.6	86.9	83.5	82.1
Principal talks to me frequently about my instructional practices	44.3	49.0	35.6	45.7
Goals and priorities for the school are clear	82.8	85.4	78.1	79.3
Teachers in this school are evaluated fairly	87.9	88.6	86.6	85.3
In this school, staff members are recognized for a job well done	67.9	71.7	61.7	62.6
Principal knows what kind of school he/she wants and has communicated it to the staff	80.5	82.8	76.7	77.1
Principal does a poor job in getting resources for this school	16.1	15.1	18.1	19.6
Most of my colleagues share my beliefs and values about what the central mission of the school should be	84.2	87.3	79.1	81.4
Teachers participate in making most of the important education decisions in this school	58.3	62.8	50.3	58.4
There is a great deal of cooperative effort among staff	77.5	80.9	71.8	76.3
I receive a great deal of support from parents for the work I do	52.5	58.4	43.2	47.4
I make a conscious effort to coordinate the content of my courses with that of other teachers	85.0	88.0	79.8	82.9
Routine duties and paperwork interfere with my job of teaching	70.8	70.9	71.4	65.7
I have to follow rules in this school that conflict with my best professional judgement	24.2	22.0	27.4	26.4
Level of student misbehavior in this school interferes with my teaching	44.1	42.9	45.5	43.9
Amount of student tardiness and class cutting in this school interferes with my teaching	27.9	18.4	45.3	24.6
Rules for student behavior are consistently enforced by teachers in this school, even for students who are not in their classes	61.8	70.9	45.8	59.5
I am satisfied with my class sizes	64.9	62.9	68.2	78.1
I am satisfied with my teaching salary	44.9	44.1	47.2	43.1
I sometimes feel it is a waste of time to try to do my best as a teacher	26.8	23.4	32.6	30.8
I plan with the librarian/media specialist for the integration of services into my teaching	66.9	67.8	65.8	64.5
Library/media materials are adequate to support my instructional objectives	65.6	64.9	67.7	59.9
Necessary materials are available as needed by staff	73.1	73.7	73.0	72.3

Source: U.S. Department of Education, National Center for Education Statistics, *Digest of Education Statistics 1999* (Table 28).

<sup>7</sup>Olson, *supra* note 5. The analysis of undergraduate ability was based upon college entrance examination scores.

Another critical shortage issues lies in the recruitment and retention of minorities in the teaching profession. By the year 2009, about 40 percent of the estimated 48.1 million students in public schools will be members of minority groups, while only about 12 percent of current teachers are members of minorities.<sup>8</sup>

National data routinely cite retirement, child rearing, salary issues, geographic relocation, and other factors as contributing to teacher departure from the profession. Additional factors, such as a tight labor market affecting all employment sectors, the effects of education reform, federal class-size reduction programs, and the attractiveness of teacher employment opportunities in neighboring states, however, are more difficult to assess.<sup>9</sup> (*See also*, Teachers' Perceptions Table, above).

### **Ensuring Quality Instruction in an Era of Demand**

Quality teaching has been identified in one recent study as the "strongest predictor of how well a state's students performed on national assessments," as teachers holding full certification and majoring in the subject areas in which they taught boasted the highest-performing students.<sup>10</sup> To meet the challenge of attracting and retaining quality teachers, many states are exploring a variety of initiatives, including attracting students in secondary and postsecondary schools to the teaching profession; recruiting mid-career professionals in other disciplines; strengthening scholarship and loan programs; and providing loan forgiveness for service in a critical academic shortage area or particular geographic regions. Also bolstering teacher recruitment and retention efforts in some states are signing bonuses and monetary rewards for obtaining national certification.

For 39 states, a commitment to ensuring quality instruction has translated into required teacher competency testing; however, some experts have criticized the requisite passing score as too low and complain that most of these states "provide loopholes that allow at least some people to enter the classroom even if they fail such exams."<sup>11</sup> States typically set higher standards for high school teachers; 39 states require teachers to have a major or a minor --or some equivalent--in the relevant subject area; 29 states require high school teachers to pass an examination in that subject area. Requirements for middle school instructors are less prevalent, as only 17 states require secondary level, rather than elementary level, certification. Nine states require middle school teachers to pass subject matter examinations.<sup>12</sup>

Licensure or teacher testing requirements, while ideally designed to ensure appropriate training and ongoing development, have also been perceived by some as barriers to entering the teaching profession. And yet, flexibility in meeting these instructional or certification standards has also become the focus of significant debate. Alternative or emergency licensure--at the state or local level--and "out-of-field teaching" (sometimes

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<sup>8</sup>*Id.*

<sup>9</sup>November 21, 2000, meeting summary.

<sup>10</sup>Olson, *supra* note 5.

<sup>11</sup>*Id.*

<sup>12</sup>*Id.*

referred to as "misassignment approval") have assisted many states in meeting the need to place educators or to reduce class sizes. The practice of out-of-field teaching is more prevalent in small or high-poverty schools, for middle school lower-performing students, and among beginning teachers. While almost half of the states may penalize schools or divisions for abusing this practice, only one state--Florida--requires parental notification for classes taught by an out-of-field teacher. No states require the inclusion of teacher misassignment data on school report cards.<sup>13</sup>

### **Additional Strategies in Selected States**

Across the country, states are exploring a variety of initiatives, including attracting students in secondary and postsecondary schools to the teaching profession; recruiting mid-career professionals in other disciplines; strengthening scholarship and loan programs; and providing loan forgiveness for service in a critical academic shortage area or particular geographic region. Signing bonuses and monetary rewards for obtaining national certification also bolster teacher recruitment and retention efforts in some states.

Additional initiatives employed by some states include state education department teacher recruitment and retention services offices; a teacher recruitment clearinghouse containing past personnel files of teachers available to prospective school employers; continued retirement benefits for reemployed, retired teachers; specific efforts to assist in the recruitment, admission, retention and graduation of minority teachers; the provision of salary supplements to teachers accepting positions in low-performing schools; and teacher recruiting officers. The use of Internet technology to inform teachers of job opportunities was noted by national teacher recruitment experts in testimony before the Commission. The National Teacher Recruitment Clearinghouse will offer resources for recruiters, teachers, and prospective recruits.<sup>14</sup>

While education resources describe data assessing the effectiveness of various teacher recruitment and retention initiatives as "uneven," research supports the importance of opportunities for professional development and career advancement as well as the availability of beginning teacher support initiatives. Also noted as effective are programs addressing the recruitment of specific populations to the teaching profession and efforts to attract teachers to less attractive or "hard-to-staff" schools. However, according to the Education Commission of the States, more research is necessary to determine the effect of bonuses and salary increases on teacher recruitment and retention. Increased salaries for mathematics and science instructors that are competitive with private sector compensation, licensure reciprocity, and portability of benefits also merit further exploration.<sup>15</sup> While many states employ teacher scholarship or loan forgiveness programs, alternative licensure, or financial incentives, the following provides a sampling of less common initiatives.

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<sup>13</sup>*Id.*

<sup>14</sup>September 25, 2000, meeting summary.

<sup>15</sup>Education Commission of the States, *Teacher Quality--Recruitment & Retention*, "Pros & Cons: What Does the Evidence Say?" <<http://209.151.83.18/ecsmain.asp?page=/html/issue.asp?issueid=129>>(2000).



**Florida.** Directed to concentrate on the recruitment of qualified teachers, the Florida Department of Education is to establish a teacher recruitment and retention services office. The office will advertise teacher positions in targeted states, use state and nationwide toll-free numbers, develop standardized resumes for teacher applicant data, offer school district access to the applicant database by computer or telephone, and distribute information regarding employment opportunities, application procedures, teacher certification, and teacher salaries. Also among its duties are the provision of information related to alternative certification procedures and the sponsorship of a job fair "to match in-state educators and out-of-state educators with teaching opportunities in this state."<sup>16</sup>

**Louisiana.** To "encourage the employment of the best qualified teachers in all school systems" the Louisiana Department of Education is empowered to establish a Teacher Recruitment Clearinghouse containing past personnel files of teachers who "have ceased to be employed for any reason other than death or retirement." The Clearinghouse files remain confidential, but, with the teacher's permission, may be reviewed by "any school employer, public or private ... when considering him for employment." An availability list containing teacher names, certification areas, and addresses is to be published and circulated to each city and local school board and any other school system employer who requests the list.<sup>17</sup>

**Maryland.** In 1999, the Maryland Legislature adopted the Reemployment of Retired Teachers Act (Senate Bill 15), permitting school divisions identified as having teacher shortages to reemploy retired teachers. These re-hired retirees are exempt from statutory earnings limitations.<sup>18</sup>

**Missouri.** Schools identified as "academically deficient" may be required to develop teacher recruitment and retention plans. These schools may be subject to "instructional resource reallocation plans" targeting, among other things, professional development to improve instruction "in areas where the number of certificated staff teaching one or more classes outside of their area of certification results in ten percent or more of the students within the school building being taught by teachers outside their areas of certification...." <sup>19</sup>

**Oregon.** Oregon's Minority Teacher Act directs the State Board of Higher Education to require public teacher education programs to "prepare a plan with specific goals, strategies and deadlines for the recruitment, admission, retention and graduation of minority teachers." The Act articulates the state goal that " by the year 2001 the number of minority teachers,

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<sup>16</sup>Fla.Stat. Ann. § 231.625 <[http://www.leg.state.fl.us/citizen/documents/statutes/StatuteBrowser99/index.cfm?mode=Display\\_Statute&Search\\_String=&URL=Ch0231/SEC625.HTM](http://www.leg.state.fl.us/citizen/documents/statutes/StatuteBrowser99/index.cfm?mode=Display_Statute&Search_String=&URL=Ch0231/SEC625.HTM)>; *see also*, Education Commission of the States, Information Clearinghouse, *Trends in Teacher Recruitment* (May 1999)<<http://www.ecs.org/ecs/ecsweb.nsf/...f54818725679f0052c390?OpenDocument>> [hereinafter referred to as ECS].

<sup>17</sup>La. Rev. Stat. Ann. §§ 17:1251; 17:1252; 17-1253 < [http://www.legis.state.la.us/tsrs/rs/17/rs\\_17\\_1251.htm](http://www.legis.state.la.us/tsrs/rs/17/rs_17_1251.htm)>; [http://www.legis.state.la.us/tsrs/rs/17/rs\\_17\\_1252.htm](http://www.legis.state.la.us/tsrs/rs/17/rs_17_1252.htm)>; <[http://www.legis.state.la.us/tsrs/rs/17/rs\\_17\\_1253.htm](http://www.legis.state.la.us/tsrs/rs/17/rs_17_1253.htm)>; *see also*, ECS, *supra*.

<sup>18</sup>Maryland State Department of Education, *News Release*, "State Board Prepares for Further Teacher Shortages" <<http://www.msde.state.md.us/pressreleases/1999/september/1999%2D0921a.html>> (September 21, 1999).

<sup>19</sup>Mo. Rev. Stat. § 160.538 <<http://www.moga.state.mo.us/statutes/C100-199/1600538.HTM>>; *see also*, ECS, *supra* note 16.

including administrators, employed by school districts and education service districts shall be approximately proportionate to the number of minority children enrolled in the public schools of this state."<sup>20</sup>

**South Carolina.** Teachers accepting positions in "below standard and unsatisfactory schools" in South Carolina are to receive a three-year salary supplement equal to 50 percent of the current southeastern average teacher salary, calculated by the State Budget and Control Board. These supplements are to be considered part of the regular salary base for purposes of the South Carolina Retirement System. In addition, retired teachers and principals receiving retirement benefits who serve as on-site specialists for designated troubled schools are released from certain compensation restrictions for up to one year. The statute stipulates, however, that "no further contributions may be made to the state retirement system related to this compensation and no additional retirement benefits or credits may be received or accrued."<sup>21</sup>

**Texas.** The Texas Commissioner of Education is authorized to "coordinate and administer a comprehensive program to identify the need for teachers in specific subject areas and geographic regions and to encourage members of underrepresented groups to enter the teaching profession." Supplementing these efforts are "teacher recruiting officers," a volunteer teacher appointed by each high school principal "to assist in providing information about the merits of the teaching profession and in identifying and encouraging talented students to become teachers."<sup>22</sup>

### **Teacher Preparation, Licensure, and Employment in Virginia**

The Commonwealth's commitment to providing the highest quality instructional personnel is reflected in numerous statutory and regulatory requirements governing teacher education and licensure, scholarship assistance, employment, and professional development. Also evidencing Virginia's commitment to quality instruction has been the recent passage of measures directing school boards to "fill positions with licensed instructional personnel qualified in the relevant subject areas" and to include in their employment policies "incentives for excellence in teaching, including financial support for teachers attending professional development seminars or those seeking and obtaining national certification."<sup>23</sup>

Consistent with its constitutional responsibility for the "general supervision" of the public school system, the Board of Education is statutorily directed in the Standards of Quality to promulgate regulations governing the licensure of teachers in the Commonwealth. Employment as a public school teacher in the Commonwealth is contingent upon this licensure. Current Board regulations address teacher preparation and training requirements; issuance, revocation, suspension, and reinstatement of licenses; and qualifications for

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<sup>20</sup>Or. Rev. Stat. § 342.433 *et seq.* < <http://landru.leg.state.or.us/ors/342.html>>; *see also*, ECS, *supra* note 16.

<sup>21</sup>S.C. Code Ann. § 59-18-1530 < <http://www.lpitr.state.sc.us/code/t59c018.htm>>; *see also*, ECS, *supra* note 16.

<sup>22</sup>Tex. Educ. Code Ann. §§ 21.004; 7.021 < <http://capitol.tlc.state.tx.us/statutes/codes/ED000010.html>>; *see also*, ECS, *supra* note 16.

<sup>23</sup>Va. Code §§ 22.1-295 (2000).

administrative, supervisory, and instructional and noninstructional positions in the public schools.

The purpose of the licensure regulations is to "maintain standards of professional competence." The Superintendent of Public Instruction is authorized to make modifications in the administration of these regulations in "exceptional cases." Revised in 1998 to reduce the number of licensure teaching areas and to conform to the Standards of Learning, the regulations detail the requirements for seven licenses: Collegiate Professional, Postgraduate Professional, Technical, Provisional, Special Education Conditional, Pupil Personnel Services, and Division Superintendent licenses.<sup>24</sup>

Applicants for the licensure must be at least age 18, complete the required application process and pay the requisite fees, have a bachelor's degree (with the exception of Technical Provisional License applicants) from an accredited institution of higher education with a Board-approved teacher preparation program, and have good moral character. Applicants for initial licensure (excluding those seeking a Technical Provisional or a Pupil Personnel Services license) having a baccalaureate degree must pass a professional teacher's assessment. Persons who have completed two years of full-time teaching in another state are exempt from the assessment requirement.<sup>25</sup>

In Virginia, the approved teacher assessment is PRAXIS I: Academic Skills Assessments; applicants must also submit a passing score on PRAXIS II "specialty area" tests, now offered for 16 disciplines. Additional PRAXIS II tests are anticipated by the Board for areas including elementary education, certain middle school subjects, and special education.<sup>26</sup>

Included within the requirements for various licenses is the requirement for "endorsement" in a particular specialty area or field of service. Licensed teachers may, however, obtain "add-on" endorsements to enhance their skills or eligibility for other teaching positions. Board regulations outline courses of study and teaching requirements necessary to obtain endorsement in specific "core" academic disciplines as well as areas as diverse as elementary and middle education, adult education, computer science, driver education, English as a second language, keyboarding, and library media. Specific requirements are also delineated for eight different endorsements in special education.<sup>27</sup>

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<sup>24</sup>Va. Constitution, Art. VIII, § 4 (1987); Va. Code §§ 22.1-253.13:3; 22.1-298; 22.1-299 (1997; 1999 Supp.; 2000 Interim Supp.); Virginia Board of Education, Licensure Regulations for School Personnel, Foreword from Superintendent of Public Instruction; 8 VAC 20-21-20 A; 8 VAC 20-21-30; 8 VAC 20-21-50 (1998).

<sup>25</sup>8 VAC 20-21-40 (1998).

<sup>26</sup>Virginia Department of Education, *Professional Teacher's Assessment Requirement for Virginia Licensure*.

<sup>27</sup>8 VAC 20-21-60; 8 VAC 20-21-110; 8 VAC 20-21-180; 8 VAC 20-21-200; 8 VAC 20-21-210; 8 VAC 20-21-230.; 8 VAC 20-21-250; 8 VAC 20-21-310; 8 VAC 20-21-320; 8 VAC 20-21-410-460; *see also*, K. Harris, Division of Legislative Services, *A Legislator's Guide to Public Education in Virginia*, "Teachers and Administrators" (1993)[hereinafter referred to as *Teachers and Administrators*].

**PRAXIS II Special Area Tests and Corresponding Endorsement Areas**  
Effective July 1, 1999

<b>SUBJECT AREA</b>	<b>ENDORSEMENT AREA</b>
Art: Content Knowledge	Art Education
Biology: Content Knowledge	Biology
Business Education	Business Education
Chemistry: Content Knowledge	Chemistry
Earth Science: Content Knowledge	Earth Science
English Language, Literature, and Composition: Content Knowledge	English
French: Content Knowledge	French
German: Content Knowledge	German
Home Economics Education	Work & Family Studies (Home Economics)
Marketing Education	Marketing Education
Mathematics: Content Knowledge	Mathematics
Music: Content Knowledge	Music—Vocal/Choral or Instrumental
Physics: Content Knowledge	Physics
Social Studies: Content Knowledge	History and Social Science
Spanish: Content Knowledge	Spanish
Technology Education	Technology Education

Source: Virginia Department of Education

The regulations also specify three routes to licensure as an educator in the Commonwealth: through an approved teacher preparation program, reciprocity, and alternative licensure. Recognizing "the unique strengths of prospective teachers from nontraditional backgrounds," the Board requires applicants pursuing this alternative route to complete the professional studies requirements for the particular endorsement sought as well as one year of "successful, full-time teaching experience in the appropriate teaching area in an accredited public or nonpublic school...." In addition, a fully-licensed teacher must be available in the school to assist the beginning teacher pursuing the alternative route.<sup>28</sup>

Reciprocity may be extended to persons coming to Virginia who have completed a state-approved teacher training program through a regionally accredited four-year college or university, or if person has a current, valid out-of-state teaching license. The applicant must also successfully complete a professional teacher's assessment.<sup>29</sup>

Licensure renewal provisions require the accumulation of professional development "points" earned through completion of college credit, conference attendance, curriculum development, publication, mentorships, and other activities.<sup>30</sup>

<sup>28</sup>Virginia Department of Education, Routes to Licensure in Virginia <<http://www.pen.k12.va.us/VDOE/newvdoe/licroute.htm>>; 8 VAC 20-21-40; 8 VAC 20-21-80; 8 VAC 20-21-90. Regulations also permit a Virginia educational agency to submit for approval by the Superintendent of Public Instruction an alternative program meeting the particular professional studies requirements. The program must include training in "human growth and development, curriculum and instructional procedures (including technology), foundations of education, and reading."

<sup>29</sup>8 VAC 20-21-90 (1998).

<sup>30</sup>Virginia Department of Education, *Virginia Licensure Renewal Manual*, Foreword (July 1998); 8 VAC 20-21-100 (1998).

## Employment and Compensation

Public school teachers are employed and placed within the school division by the school board, upon the recommendation of the division superintendent.<sup>31</sup> Staffing levels for school divisions are established pursuant to the Standards of Quality; school boards must employ, using state and local education funds, a minimum number of licensed instructional personnel for each 1,000 students in average daily membership as set forth in the appropriation act. Staffing levels are also detailed in the Standards of Accreditation. School boards must establish classroom ratios that do not exceed those specified in the Standards of Quality.<sup>32</sup>

All teachers in Virginia's public schools, except those who are temporarily employed, must have a written employment contract, in a form prescribed by the Board of Education, with the local school board. Under current law, a three-year probationary term of service in the same school division is required for the issuance of a "continuing" contract for a teacher; these contracts are then effectively renewed automatically each year, during "good behavior and competent service." Once continuing contract status has been reached, an additional probationary term need not be served in another division unless the employment contract so specifies. A one-year probationary term is required when a continuing contract teacher returns to teaching after a two-year absence. The Code is silent as to the length or necessity of any additional probationary terms when a teacher has spent more than two years away from the profession.<sup>33</sup> The Code of Virginia also details renewal notice and acceptance dates as well as resignation, dismissal, and grievance processes.<sup>34</sup>

Expressing the sense of the General Assembly and the Board of Education, the Standards of Quality acknowledge that "the quality of education is dependent upon the provision of the appropriate ... benefits, and salaries necessary to ensure the availability of high quality instructional personnel..."<sup>35</sup> In 1986, the Governor's Commission on Excellence in Education, recognized that teacher compensation must be "competitive in the marketplace" and recommended the establishment of guidelines for teacher compensation and a biennial review by the Department of Personnel and Training (DPT).<sup>36</sup> The 1987 General Assembly acted on these recommendations, codifying the biennial review requirement and stating that "it is a goal of the Commonwealth that its public school teachers be compensated at a rate that is competitive in order to attract and keep competent teachers."<sup>37</sup>

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<sup>31</sup>Va. Code § 22.1-295 (2000).

<sup>32</sup>Va. Code §§ 22.1-253.13:1; 22.1-253.13:3 (2000); 8 VAC 20-131-240 (1999).

<sup>33</sup>Va. Code §§ 22.1-302; 22.1-303 (2000). Temporarily employed teachers include those who are working as a substitute during a contracted teacher's absence and those who are employed to fill a teacher vacancy for no longer than 90 days in one school year. Separate contracts are required for compensated athletic coaching assignments that supplement a teaching position. Termination of the coaching contract does not affect the original teaching contract. *See also, Teachers and Administrators, supra* note 28.

<sup>34</sup>Va. Code §§ 22.1-304; 22.1-305; 22.1-306; 22.1-307; 22.1-308 (2000).

<sup>35</sup>Va. Code § 22.1-253.13:1A (2000).

<sup>36</sup>The Report of the Governor's Commission on Excellence in Education, *Excellence in Education: A Plan for Virginia's Future* at 10 (October 1986).

<sup>37</sup>Va. Code § 22.1-289.1 (2000).

Ten years ago, DPT reported that competitiveness need not mean "parity with the labor market"; the unique nature of public sector employment, combined with the necessarily more deliberate response of public employers to market changes, makes determinations of competitiveness with the private sector difficult. Having cited these statistical comparison challenges, the Department nonetheless determined that while "substantial progress" had been made in raising teacher salaries since 1985, the average entry level teaching salary was about six percent behind that of a comparable private sector position.<sup>38</sup> In spring 2000, DPT reported that entry level salaries for teachers in Virginia are 2.38 percent higher than those for comparable state positions; when adjusted for the actual number of days worked, beginning teacher salaries were 19.78 percent above salaries for comparable state positions.<sup>39</sup>

State and local education dollars support compensation for public teachers. While the Standards of Quality delineate staffing levels, the state and local share for the compensation required to meet these staffing levels is allocated not by instructional positions but by programs, such as basic aid and special and vocational education, as well as gifted, talented, and remedial education.<sup>40</sup> The 2000 Appropriation Act allocates funds for teacher salaries on the basis of "statewide prevailing salary levels"--the expenditure level about which most school divisions tend to cluster--and the actual number of required positions. For elementary school teachers, that figure is \$34,902; for secondary school teachers, \$37,362. These amounts do not establish a minimum required teacher salary, but simply provide a method of calculating the state and local share for teacher compensation.<sup>41</sup> Consistent with the recommendations of the Governor's Commission on Educational Opportunity for All Virginians, the Commonwealth does not employ a statewide payscale for teachers.<sup>42</sup>

Localities have some discretion in the application of the state's contribution for teacher's salaries and may elect to use a portion of these funds for other SOQ initiatives. In addition, the locality may choose to supplement its required local contribution for teacher compensation. The 2000 Appropriation Act provides state lottery profits for localities to spend on education; while at least half of these funds must support construction and nonrecurring costs, the remaining portion may support recurring costs, such as teacher salaries. While the statewide average annual teacher salary in 1998-99 was \$36,527, division averages ranged from \$27,417 in Highland County to \$52,331 in Arlington.<sup>43</sup>

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<sup>38</sup>Report of the Department of Personnel and Training on Public School Teacher Compensation, House Document No. 4 at 2, 4, 5 (1990); see also, *Teachers and Administrators*, supra note 28.

<sup>39</sup>Report of the Department of Personnel and Training on Public School Teacher Compensation, *House Document No. 58* at 1 (2000)[hereinafter referred to as *House Document No. 58*].

<sup>40</sup>*Teachers and Administrators*, supra note 28.

<sup>41</sup>Report of the Joint Legislative Audit and Review Commission, Funding the Standards of Quality Part 2: SOQ Costs and Distribution, *Senate Document No. 25* at 9, 10 (1988); 2000 Acts of Assembly, c. 1073, § 1-52, Item 142.

<sup>42</sup>Governor's Commission on Educational Opportunity for All Virginians, *Summary Report* at 22 (February 1991).

<sup>43</sup>*House Document No. 58*, supra note 39, at 1-2; 2000 Acts of Assembly, c. 1073, § 1-52, Item 144B.

## Addressing the Shortage in the Commonwealth

Tackling the teacher shortage issue in Virginia was of paramount concern to the Commission in its second year of study. In meeting its specific charges under HJR 159 and SJR 248, the Commission endeavored to examine the increasing demand for public school teachers and review current incentives for entering the profession as well as a variety of educational and policy issues. Discussion focused on increasing salary levels, obtaining detailed teacher shortage data, creating early interest in the teaching profession, and ensuring the quality of teacher training. Input and expertise of a number of sources were pursued, including the Board and Department of Education, the Commission on Access and Diversity in Higher Education, the Joint Task Force of the Board of Education and State Council of Higher Education on Teacher Supply and Demand, and national experts.<sup>44</sup>

To assist the Commonwealth in addressing the looming teacher shortage without compromising the quality of instruction in the public schools, the Commission considered the following questions: What is the projected need for teachers in specific disciplines and geographic areas of the Commonwealth for the next decade? How do school divisions report teacher "shortages"? Are certain positions unfilled, or filled by temporary teachers or educators teaching outside their respective areas of endorsement? How might existing data and resources regarding teacher supply and demand in the Commonwealth be used to address shortage issues? Is there a need for a centralized teacher job openings "data bank"? In what ways might current initiatives, such as mentor teacher programs and teacher scholarships, be enhanced to attract and retain the highest quality instructional personnel for Virginia's public schools?

Currently, 37 institutions in the Commonwealth have Board of Education-approved teacher preparation programs; of these, 15 are approved by the National Council for the Accreditation of Teacher Education (NCATE). Approved programs graduated about 3,500 prospective teachers in May 2000; in previous years, Virginia recorded about 4,000 teacher graduates. Approximately 43 percent of the 3,500 prospective teachers returned home following graduation. In 1999-2000, Virginia school divisions hired about 6,000 new teachers; the Virginia Department of Education 1999 Supply and Demand Survey projected the hiring of 7,604 teachers for the 2000-2001 school year. In October 1999, 1,056 full-time equivalent positions were reported as filled by teachers outside their endorsement area, while 382 slots were filled by substitutes.

The University of Virginia Center for Public Service projects that student enrollments will increase by 20,553 during the next five years; current enrollment stands at 1.1 million. This increase is expected to generate a demand for 801 new teachers in the next five years, consistent with the Standards of Quality and Standards of Accreditation. Class size reductions may have accounted for increased numbers of teachers during the 1990s; however, further reductions are not anticipated to increase the demand for more teachers in the near future.

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<sup>44</sup>See generally, September 25, 2000 and November 21, 2000, meeting summaries.

Further complicating teacher shortage concerns are retirements. Data from the Virginia Retirement System indicates that annual teacher retirements increased from 2,101 in 1995 to 2,626 in 1998, then to 3,536 in 1999. As of June 22, 2,791 teachers were to retire in fiscal year 2000. Under current retirement provisions, an expected 20,000 Virginia teachers, each having at least 21 years of experience, will retire in the next decade. Department of Education figures indicate that the number of Virginia teaching graduates declined from 4,249 in 1996 to an estimated 3,500 in 2000. As many as 45 percent of these graduates will not immediately enter a Virginia classroom. Although data does not support the contention of an overall teacher shortage in Virginia, anecdotal evidence indicates specific needs in special education, mathematics, and science.<sup>45</sup>

### **Factors Impacting Teacher Demand in the Commonwealth**

<b>Factor</b>	<b>Percentage of Respondents Naming Factor</b>
Competition for Personnel from Other Virginia Divisions	89.4%
Retirement	83.7%
Efforts to Reduce Teacher to Student Ratios	78.8%
Salaries in Division	73.8%
Efforts to Comply with Standards of Accreditation	63.4%
Geographic Location of Division	56.6%
Efforts to Increase Ethnic/Racial Diversity of Personnel	55.7%
Competition for Personnel from Non-Educational Businesses	50.0%
Competition for Personnel from Out-of-State Divisions	49.2%
Increased Use of Technology in Classroom	48.0%
Change/Shift in Student Enrollment	40.7%
Cost of Living in Geographic Area	27.9%
Local Home Schooling Enrollment Trends	13.1%
Local Nonpublic Schooling Enrollment Trends	13.1%

Source: Virginia Department of Education, *Teacher Supply and Demand in Virginia, Virginia Instructional Personnel Survey Profile 1999-2000* (1999) (see also, September 25, 2000 meeting summary).

### **Determining the Supply of and Need for Teachers in Virginia**

Virginia was one of nine states to participate in a project sponsored by the Southern Regional Education Board (SREB) and supported by U.S. Department of Education funding to produce teacher supply and demand data, together with computer software for each state. Joined by Arkansas, Florida, Georgia, Kentucky, Oklahoma, South Carolina, Tennessee, and Texas, Virginia was to receive information regarding college students becoming teachers.<sup>46</sup> Phase One of the Virginia teacher shortage analysis, released in 1994, predicted a statewide balance in teacher supply and demand through the year 2002; however, the report specifically

<sup>45</sup>September 25, 2000, meeting summary.

<sup>46</sup>Southern Regional Education Board, *Teacher Supply and Demand* <[http://www.sreb.org/Main/EducationPolicy/teachers/edpol\\_teacher.html](http://www.sreb.org/Main/EducationPolicy/teachers/edpol_teacher.html)>



noted that it "does not project future district or local surpluses or shortages. Some areas may experience shortages while others benefit from surpluses."<sup>47</sup>

The Commission on Access and Diversity in Higher Education in Virginia, initially established in 1996 as the Commission on the Impact of Certain Federal Court Decisions on the Commonwealth's Institutions of Higher Education, collected data regarding Virginia school personnel for the 1998-1999 school year through the Virginia Tech Center for Survey Research. Reported in December, 1998, data indicated a total of 84,283 full-time teachers, including counselors and librarians, in Virginia public schools for 1998-99. The survey indicated that 82.9 percent of these teachers were white, 15.3 percent black, and that Native Americans, Asian, and Hispanic teachers comprised less than one percent each of the teaching pool.<sup>48</sup>

Similarly, the Department of Education contracted with the Virginia Tech Center to obtain an instructional personnel profile in 1999 to "better understand the hiring trends, practices and needs of school divisions across the state."<sup>49</sup> Preliminary findings indicated science and special education as the areas experiencing the "most acute teacher shortages" in the Commonwealth; mathematics was identified as the next most severe shortage area. The preliminary findings also demonstrated declines in the number of minority teachers and in the number of persons completing teacher preparation programs (from about 4,249 in 1996 to an estimated 3,500 in 2000).<sup>50</sup>

#### Top Ten Areas of Severe Teacher Shortage as Reported by School Divisions (1999)

Subject Area	Percentage of Respondents Naming Subject Area
Physics	61.5
Emotionally Disturbed (K-12)	60.5
Severely/Profoundly Disabled (K-12)	60.2
Mathematics	59.5
Speech-Language Pathology (PreK-12)	55.0
Hearing Impaired (PreK-12)	52.5
Earth Science	51.8
Learning Disabled (K-12)	51.8
Mental Retardation (K-12)	50.9
Visually Impaired (PreK-12)	48.0

Source: Virginia Department of Education, *Teacher Supply and Demand in Virginia, Virginia Instructional Personnel Survey Profile 1999-2000* (1999).

The survey cited acceptance of a teaching position in another Virginia school division as the most common reason teachers leave their positions. Spouse or partner relocation was

<sup>47</sup>Southern Regional Education Board, *Educator Supply and Demand in Virginia, Report on Phase One* at 5, 6 (June 1994).

<sup>48</sup>House Joint Resolution No. 226 (1998); Virginia Tech Center for Survey Research, *Virginia Statistics on School Personnel: 1998-1999 School Year* (December 14, 1998).

<sup>49</sup>Virginia Department of Education, *Teacher Supply and Demand in Virginia, Virginia Instructional Personnel Survey Profile 1999-2000* (1999).

<sup>50</sup>*Id.* at 2.

the second most common reason, followed by retirement; personal, family, or health reasons; acceptance of an out-of-state teaching job; acceptance of an administrative position in the same division; entrance into another profession; and, finally, pursuit of continuing education. Nearly three-fourths of the 126 reporting school divisions also indicated teacher salaries as "a factor affecting teacher demand."<sup>51</sup>

Based on the preliminary data results, the Department of Education suggested (i) enhanced teacher recruitment and retention efforts, particularly in severe shortage areas; (ii) increased support and development for beginning teachers; (iii) increased efforts to diversify the education workforce and to increase the number of male teachers; (iv) the creation of incentives and outreach programs targeting secondary school and college students to the teaching profession; and (v) an assessment of teacher work environment conditions to better address concerns contributing to attrition.<sup>52</sup>

### **Reasons Cited by Teachers Leaving Employment in Virginia School Divisions**

<b>Reason</b>	<b>Percentage</b>
Accepted Teaching Position in Another Virginia School Division	90.4%
Spouse/Partner Relocation	89.6%
Retirement	87.2%
Personal, Health, or Family Reasons	60.8%
Accepted Teaching Position in Division Outside Virginia	55.2%
Accepted Administrative Position in Same Division	52.8%
Work in Another Profession	38.4%
Continue Education/Further Study	32.8%

Virginia Department of Education, Virginia Public School Systems' Instructional Personnel Profile, 1999-2000 (February 2000).

Testimony before the Commission indicated that lack of specific data regarding teacher hirings, unfilled positions, numbers of applicants, and numbers of localities using the local eligibility license, as well as differences in reporting among school divisions, hamper a detailed analysis of the teacher shortage issue in Virginia.<sup>53</sup> The Commonwealth does not routinely collect sufficient data from local school divisions addressing the issue of teacher shortage; any exit data collected is done so at the local level.

According to the 1999 DOE school division survey, total teacher hires have increased from 7,627.1 in 1998 to 10,798.4 in 2000, with an anticipated 9,987 hired in 2001. Significantly, however, not all teacher hires are "new" teachers; of the year 2000 hires, only 5,121.5 were new to the profession. Out-of-state, experienced teachers accounted for 1,455.3 hires, with those from other Virginia school divisions totaling 1,760.2. Teachers returning to the profession totaled 451.5, leaving 2,009.9 hires "unclassified."

The survey also indicated that 382 (or .4 percent) of 88,610 full-time equivalent instructional positions were unfilled, with 1,056 or 1.2 percent filled by personnel teaching

<sup>51</sup>*Id.* at 2; 13A.

<sup>52</sup>*Id.* at 2.

<sup>53</sup>September 25, 2000, meeting summary.

without the appropriate endorsement. In addition, DOE data indicate that the number of initial licenses issued in 2000, including special education conditional licenses, stood at 10,254, compared to 12,726 in 1999. Although this represents a decrease, the number of initial licenses exceeds the number of new teachers needed. Of the initial licenses issued in 2000, 44 percent were conditional or provisional licenses. While the number of provisional licenses issued increased during the last year, the number of other types licenses decreased. The authorization of alternative licensure pilot initiatives and local eligibility licenses by the 2000 Session of the General Assembly may increase the number of licensees. For the 2000-1 school year, 234 teachers were hired through the local licensure process by 41 school divisions.

While surveys and testimony indicate there is currently no widespread teacher shortage in Virginia, it is difficult to predict what the next five years may hold. Although student enrollment projections and retirement data provide some illumination, other factors, such as teacher attrition, may be more elusive. Retirement data may not clearly reflect actual numbers of active teacher retirements. A national longitudinal survey indicated that 19 percent of new teachers had exited the profession in the first three years. The most recent analogous data for Virginia, dating in the late 1980s, indicated that 40 percent of new teachers left Virginia public schools within the first three years. It should be noted, however, that it is unclear whether some of these teachers simply accepted employment in other school divisions.

Selective severe shortages are, however, expected in the next five years in special education, mathematics, physics, and earth science in half of Virginia's school divisions, according to the DOE survey. In addition, statewide data may disguise the teacher hiring challenges facing certain geographic and fiscally-stressed areas. It is also estimated that while fewer elementary school teachers will be needed, demand for middle and high school teachers will increase.

The need for an effective teacher employment data collection system in Virginia was noted repeatedly; distinguishing between unfilled vacancies and unendorsed hires is also necessary. Because 87 to 90 percent of the pool of workers is currently employed, teacher retention may prove a valuable route. In addition, targeting particular teaching disciplines was suggested.<sup>54</sup>

### **Ongoing Initiatives**

The General Assembly has repeatedly addressed teacher shortage concerns, enacting and revisiting a variety of teacher recruitment and retention initiatives, many of which were the focus of recent Sessions of the General Assembly:

**Teaching Scholarship Program.** The 2000 Session considered a plethora of bills retooling the Virginia Teaching Scholarship Loan Program, ultimately passing five of these measures. **HBs 1404 and 1408** and **SBs 630, 652, and 737** modified the Virginia Teaching Scholarship Loan Program to (i) allow support through gifts, donations, grants, bequests, and

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<sup>54</sup>November 21, 2000, meeting summary.

other funds that may be obtained by the Department of Education; (ii) expand the Program to include scholarships to support critical teacher shortage disciplines, including special education as well as paraprofessional development; and (iii) to expand eligibility to include part-time students, sophomores, and graduate students. The Code provides that Board regulations will specify award criteria, including factors such as teacher shortages in rural and urban areas and at elementary and secondary grade levels, and in certain teaching endorsements. Scholarship recipients are to agree to teach in Virginia public schools in a critical teaching shortage discipline or, regardless of teaching discipline, in a school with a high concentration of students eligible for free or reduced lunch or in a rural or urban region of Virginia experiencing a teacher shortage.

These measures also renamed the Diversity in Teaching Program as the Diversity in Teaching Initiative, a component of the Virginia Teaching Scholarship Loan Program. The Initiative was to provide incentives to students of diverse backgrounds and was to consist of five pilot projects distributed across Virginia (the pilot projects were not funded). The Board is to develop criteria for Diversity Initiative scholarships in consultation with the Office of the Attorney General. The bill also designates the present trust fund to cover the umbrella program (the Virginia Teaching Scholarship Loan Program) instead of solely for the Diversity in Teaching Initiative and requires Diversity in Teaching funds to be accounted for separately within the fund and distributed solely for scholarships awarded pursuant to the Diversity in Teaching Initiative. These measures incorporated HB 946, HB 1227, HB 1263, HB 1318, HB 1453, and HB 1441. The 2000-2002 budget included \$558,000 the first year and \$558,000 the second year from the general fund for the Virginia Teaching Scholarship Loan Program.<sup>55</sup>

**Teacher licensure by reciprocity.** **HB 473** (Amundson) and **SB 289** (Puller), also adopted by the 2000 Session, direct the Board of Education to provide for licensure by reciprocity for individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards (NBPTS) or a nationally recognized certification program approved by the Board of Education. The application for such individuals is to require evidence of such valid licensure and national certification, and shall not require official student transcripts. Current licensure regulations require individuals holding valid out-of-state licenses and seeking reciprocity in Virginia to include official student transcripts in the application process. According to *Quality Counts '99*, a publication of Education Week, 14 states, including North Carolina and Florida, provide license portability for out-of-state teachers having NBPTS certification.<sup>56</sup>

**National Board for Professional Teaching Standards.** The 2000-2002 Appropriation Act included \$75,000 the first year and \$75,000 the second year from the general fund for incentive grants for Virginia teachers seeking certification from the National Board for Professional Teaching Standards (NBPTS). In addition, the budget included bonuses for Virginia public school classroom teachers holding NBPTS certification. The bonuses were to be \$5,000 the first year of the certificate and \$2,500 annually thereafter for

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<sup>55</sup>Va. Code § 22.1-212.2:1(2000); 2000 Acts of Assembly, c. 1073, § 1-52, Item 137 B1; Division of Legislative Services, *2000 Session Summary* [hereinafter referred to as *2000 Session Summary*].

<sup>56</sup>Va. Code § 22.1-298 (2000); *2000 Session Summary*, *supra*.

the life of the certificate. This appropriation includes an amount estimated at \$262,500 the first year and \$157,500 the second year from the general fund for the purpose of paying these bonuses. By September 30 of each year, school divisions must notify the Department of Education of the number of NBPTS-certified classroom teachers under contract for that school year.

In 1999, the General Assembly had created the National Teacher Certification Incentive Reward Program and Fund, to be administered by the Board of Education. The initiative provides incentive grants to public school teachers obtaining NBPTS certification. To the extent funds are available, initial awards are set at \$5,000, with subsequent annual awards of \$2,500 for the life of the certificate. The Board is to establish procedures for determining amounts of awards when funds are insufficient to meet these targeted amounts. The Board may issue guidelines governing the Program as it deems necessary and appropriate.<sup>57</sup>

**Local licensure.** Also passed by the 2000 Session was **SB 113** (Potts), which establishes a mechanism for local school boards to issue three-year local teacher licenses. Such licenses would only be valid within the issuing school division, would not entitle the holder to continuing contract status, would not be renewable, and could be conditioned upon the completion of additional training. No more than 10 percent of the classroom teachers employed by the relevant local school division may hold such local licenses, based on the number of classroom teachers employed by the school division during the preceding school year. The holder of a locally issued license would be a probationary teacher for the entire three years, would be eligible to apply for a regular license issued by the Department of Education upon satisfaction of the relevant requirements, and would be subject to and entitled to all other requirements and rights provided in law and regulation. No applicant could be issued a local license if such person is eligible to be licensed by the Department of Education.<sup>58</sup>

**Career switcher.** The 2000-2002 budget also included \$202,512 the first year and \$207,285 the second year from the general fund to establish an alternative licensure program as prescribed by the Board of Education. The 1999 Appropriation Act had provided \$50,000 the second year from the general fund to "develop a plan that affords school divisions the flexibility to hire nontraditional classroom teachers. These nontraditional teachers may include, but shall not be limited to, quality individuals who are college graduates or practicing professionals, but do not possess teacher certifications." Responsible for plan development, the Board of Education was to "identify and recommend changes to applicable laws and regulations that currently prohibit school divisions from hiring such individuals."

The 1999 Session had also passed SJR 384, requesting the Board of Education to consider the alternative licensure programs and models in Texas and New Jersey in its study and development of alternative teacher licensure programs required by the 1999 Budget Bill as a means of attracting qualified persons to the teaching profession who might otherwise be excluded as they are not licensed.

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<sup>57</sup>Va. Code § 22.1-299.2 (2000); 2000 Acts of Assembly, c. 1073, § 1-52, Item 137 E.

<sup>58</sup>Va. Code § 22.1-299.3 (2000); *see also*, September 25, 2000, meeting summary.

In response to these directives, the Board proposed, and ultimately adopted, regulations to establish, within the teacher licensure regulations a "Career Switcher Alternative Route to Licensure for Military Personnel." This route would be offered to military personnel seeking teaching endorsements pre-K through grade 12, with the exception of special education.

According to materials submitted to the Virginia Registrar of Regulations, eligible applicants for this licensure route must (i) complete an application process; (ii) hold a bachelor's degree from a regionally accredited institution; (iii) complete teaching area requirements for an endorsement in a content area as set forth in the Board licensure requirements, or the equivalent through verifiable experience or academic study; and (iv) obtain Virginia qualifying scores on Praxis I (Reading, Writing, and Mathematics) and Praxis II (subject area assessments).

The "career switcher" route includes three levels of requirements. Professional studies requirements must be completed in a single year; preparation programs must be Department-approved. The "intensive" Level I Preparation Phase includes Introduction to Classroom Management; Introduction to the Standards of Learning; Introduction to Teaching Strategies; and Field Experience with Summer School Students. While a one-year "eligibility license" is awarded at the end of Level I preparation, all components of this alternative route for military personnel must be completed.

In Level II, the candidate will seek employment with the one-year "eligibility license"; additional preparation occurs during this period. If the "eligibility license" expires before the candidate can obtain a teaching position, the candidate must reapply for the second eligibility license. The Level I program must be repeated if the candidate is not employed before the expiration of the second eligibility license.

The Level II candidate must complete one year of full-time teaching in an accredited public or nonpublic school, with the assistance of a trained mentor. Preparation continues at Level III, during which the candidate may receive a five-year renewal license, with the recommendation from employer for a renewable license. The preparation program provider and the division superintendent are to verify program completion.<sup>59</sup>

**Clinical faculty.** Also supporting teacher recruitment and preparation is the clinical faculty program, which any public or private, accredited institution of higher education may establish using "specially trained public school teachers as supervisors of student teachers." These programs require that any teacher accepted as a clinical faculty member shall be designated adjunct faculty at the participating institution. These teachers are responsible for the "grading and evaluation of the student teachers assigned to them in cooperation with appropriate full-time faculty members at the institution...."<sup>60</sup>

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<sup>59</sup>2000 Acts of Assembly, c. 1073, § 1-52, Item 137 F; 1999 Acts of Assembly, c. 935, § 1-52, Item 129 Q; Virginia Department of Education, *Virginia Regulatory Town Hall, Proposed Agency Background Document*, 8 VAC 20-21-10; 50; 80 (1998); *see also*, September 25, 2000, meeting summary.

<sup>60</sup> Va. Code § 22.1-290.1 (2000).

**Mentor Teacher Program.** The Education Accountability and Quality Enhancement Act of 1999 included several revisions to mentor teacher initiatives in Virginia. Local school boards must provide each probationary teacher, "except probationary teachers who have prior successful teaching experience, as determined by the local school board, a mentor teacher, as described by Board guidelines developed pursuant to § 22.1-305.1, during the first year of the probationary period, to assist such probationary teacher in achieving excellence in instruction."

In addition, the Beginning Teacher Assistance Program (BTAP) was replaced by mentor teacher programs to be developed by the Board of Education in § 22.1-305.1. Board guidelines are to provide that "the mentor programs be administered by local school boards, with the assistance of an advisory committee made up of teachers and administrators, and that mentors (i) be classroom teachers who have achieved continuing contract status and who work in the same building as the teachers they are assisting or be instructional personnel who are assigned solely as mentors; (ii) be assigned a limited number of teachers at any time; however, instructional personnel who are not assigned solely as mentors should not be assigned to more than four teachers at any time; and (iii) guide teachers in the program through demonstrations, observations, and consultations to promote instructional excellence." The 1999 amendments also required local school boards to "strive to provide adequate release time for mentor teachers during the contract day."

Section 22.1-303 of the Code of Virginia grants any person conducting a review of a teacher as a mentor teacher immunity from civil liability for any act, omission or statement made in the performance of these duties "unless such act, omission or statement was made in bad faith or with malicious intent."<sup>61</sup>

Somewhat related to the teacher shortage issue is Senate Joint Resolution No. 93, tabled by the House Committee on Rules in the 2000 Session. The measure requested the Department of Education to study the feasibility and appropriateness of creating mentorships to encourage teachers to obtain National Board for Professional Teaching Standards (NBPTS) certification. The Department was to examine NBPTS mentoring initiatives in other states, including ways in which Virginia colleges and universities may offer assistance in such a mentoring program in the Commonwealth; ways in which current mentoring initiatives might be modified to provide assistance to Virginia teachers aspiring to achieve national certification; and such other issues as it deems necessary and appropriate.<sup>62</sup>

The 1998 Session considered language in HB 432 (SB 166)--recommendations of the HJR 196 Commission on the Future of Public Education--that would have directed to the Board to establish, "from such funds as may be appropriated," a program of lead teachers in English, mathematics, science, technological studies, and history and social sciences to provide support for teachers in public elementary and secondary schools. The Board was to issue guidelines for such lead teacher programs and shall set criteria for teacher participation

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<sup>61</sup>Va. Code §§ 22.1-303, 22.1-305.1 (2000); 1999 Acts of Assembly, cc. 1030, 1037.

<sup>62</sup>2000 Session Summary, *supra* note 55.

and the qualifications, training, and responsibilities of lead teachers. The final legislation, however, did not incorporate this language.<sup>63</sup>

Considered by the 2000 Session of the General Assembly and carried over for review in 2001 was **HB 252** (Dillard), which provided that retired members of the Virginia Retirement System may be hired as teachers without interrupting their retirement benefits. Eligible persons must have been continuously receiving a service retirement allowance for at least nine months immediately before being hired as a Virginia school division instructional or administrative employee required to be licensed by the Board of Education. Also carried over was a similar measure, **HB 251** (Dillard), which allowed retirees who had continuously been receiving a service retirement allowance to elect to continue to receive the retirement allowance during employment as licensed educational personnel. Unlike HB 252, this measure limited the benefit to "persons who are receiving a service retirement allowance based, at least in part, on prior service as a local school board instructional or administrative employee who was required to be licensed by the Board of Education."<sup>64</sup>

### **Additional Issues for Study**

Within the Standards of Quality, the General Assembly and the Board of Education articulated the belief that "the fundamental goal of the public schools ... must be to enable each student to develop the skills that are necessary for success in school and preparation for life, and ... that the quality of education is dependent upon the provision of the appropriate working environment, benefits, and salaries necessary to ensure the availability of high quality instructional personnel and adequate commitment of other resources."<sup>65</sup> Yet, despite initiatives such as the Virginia Teaching Scholarship Loan Program, alternative licensure routes, and mentorships, the recruitment and retention of instructional personnel, particularly for certain disciplines, grade levels, and geographic regions, remain a primary concern if the Commonwealth is to realize its commitment to this "fundamental goal." Education researchers have not only stated that "no one solution will resolve the anticipated teacher shortage" but also that "providing teachers for Virginia public schools will require systemic reform and intensive collaboration between state policymakers, institutions of higher education, and our public schools."<sup>66</sup>

### **III. FINANCE ISSUES**

At its November 21, 2000, meeting, the SJR 498 Commission addressed finance issues. Included at this meeting was a review of the Department of Education's collection of data regarding costs associated with the implementation of the Standards of Accreditation; this report had also been presented to the HJR 723 Task Force at its November 9, 2000, meeting.

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<sup>63</sup>Division of Legislative Services, *1999 Session Summary* (1999).

<sup>64</sup>*2000 Session Summary*, *supra* note 55; HB 251 (2000); HB 252 (2000).

<sup>65</sup>Va. Code § 22.1-253.13:1A (2000).

<sup>66</sup>Metropolitan Educational Research Consortium, *Recruiting and Retaining Teachers: A Review of the Literature* at 23 (December 1999). MERC is comprised of the public school divisions of Chesterfield, Colonial Heights, Hanover, Henrico, Hopewell, Powhatan, and Richmond, and Virginia Commonwealth University.



Pursuant to the 2000 Appropriation Act-- Item 133 S, § 1-52, the Board of Education was to "calculate the costs of implementing and complying with the Standards of Accreditation and ... [to] report its findings to the Governor and the Chairmen of the Senate Finance and the House Appropriations Committees by September 1, 2000." In response to this directive, the Department of Education identified specific expenditure categories correlating to the Standards of Accreditation (SOA) revisions adopted in 1997. A survey reflecting these categories was then distributed to school divisions, who were asked to indicate only those expenditures "associated with implementing and complying with the revised SOA adopted by the Board of Education in September 1997." The survey requested information for the past three fiscal years (1998, 1999, 2000) on funding from all sources-- federal, state, local, or other--and asked that programs and activities supported with dedicated appropriations (new funding) be reported as "new expenditures" and that programs and activities supported by existing, redirected dollars be included as "reprogrammed expenditures."

State initiatives were listed as those "created to help school divisions meet the revised SOA" and included Standards of Learning (SOL) materials, SOL remediation, SOL testing, school report cards, and early reading intervention. School divisions were to report moneys regardless of source, including local funds used to meet a required local match.

The survey also distinguished local initiatives as those "created at the local level in response to the revised SOA" and was specifically to exclude those funds spent as required by the SOA in effect prior to 1997. Expenditure categories within these initiatives included general instruction, remediation, and prevention/intervention (each to reflect additional classroom teachers or other personnel hired to meet new requirements); curriculum alignment; professional development; and facilities.

The survey generated a 72 percent response rate by the September 5, 2000, deadline, with 95 of 132 divisions reporting. School divisions reported estimated total expenditures of \$535.8 million to support the new SOA since 1997; of this amount, \$139.9 million and \$395.9 million addressed state and local initiatives, respectively. New appropriations accounted for \$366.3 million; the remaining \$169.5 million was culled from redirected or reprogrammed funds. Total annual expenditures increased in each of the three years; \$116.6 million in 1998; \$188.4 million in 1999; and \$230.7 million in 2000. Similarly, statewide pupil-based averages increased from \$159.54 and \$255.63 per pupil in 1998 and 1999, respectively, to \$310.72 in 2000.

Direct aid to public education increased by \$804.4 million (about 25 percent) during this three-year span. Likely contributing to this increase were increased enrollments, expanded participation levels, and new incentive-based initiatives. While localities reported expenditures for specific incentive programs related to the SOA within the state initiatives portion of the survey, funding for state incentive-based programs not targeting the SOA directly may have been reported within the local initiatives category. It should also be noted that some school divisions may not have tapped into certain state incentive programs if they were unable to supply the required match of local funds.

Department of Education representatives cautioned that the survey may offer more of a "best estimate" rather than a scientific approach to the questions proffered. Local school divisions may have reported data in different fashions, and data retrieval concerns and different accounting and local labeling systems also challenged divisions to identify accurately the funding sources and programs cited. Some divisions attempted to identify specific program changes prompted by the SOA revisions, and then develop cost estimates.

Also explored was the ongoing study by the Joint Legislative Audit and Review Commission (JLARC) regarding the funding of the Standards of Quality (SOQ). This presentation, too, had been shared with the HJR 723 Task Force. Adopted in 2000, HJR 173 directed JLARC to "(i) review current statutory, constitutional, and budgetary provisions governing the calculation of SOQ costs and funding; (ii) identify and review the educational programs and services required by the Standards of Quality, and state and federal laws, including the objectives, the target population, and funding levels for each program; (iii) identify and review non-mandated programs authorized by state and federal laws that have been implemented by school divisions, including locally developed and funded educational programs; (iv) consider current adjustments for SOQ funding and potential enhancements to the methodology for calculating the costs of the Standards of Quality; (v) determine whether all programs required by the Standards of Quality are based on the locality's ability to pay, and whether state or federal funds are provided or are available; (vi) review the Department of Education's process and procedure for calculating and distributing state funds based on the current funding methodology; and (vii) evaluate the need to adjust the current basic school aid formula and determine the efficacy of devising an alternative method for funding public education in Virginia that is sufficient to meet the true costs of public education."

The JLARC study was expected to address expenditures made by school divisions in excess of the SOQ; however, additional issues, such as local ability to pay, will also be targeted. An interim status report is anticipated at the December 2000 JLARC meeting, with a final report briefing scheduled for August 2001. Regional input sessions were conducted across the Commonwealth during the summer, revealing six major areas of concern: (i) SOQ recognized staffing; (ii) teacher salaries; (iii) technology needs; (iv) special education costs; (v) debt service and capital costs; and (vi) local ability-to-pay.

Following the circulation of a draft survey to some division superintendents and finance officers, school divisions received a survey to complete in fall 2000. Comprised of 15 sections and due December 7, 2000, the survey requests specific data regarding:

1. elementary classroom instructional positions;
2. secondary classroom instructional positions;
3. alternative education;
4. school resource officers;
5. school health personnel;
6. medically fragile students;
7. special education;
8. fringe benefits;
9. salary increases;
10. other enhancements to instructional salary levels;

11. staff recruitment and retention;
12. miscellaneous (capital outlay; bus replacement; repayment periods for loans);
13. course offerings and maximum class sizes in 2000-2001;
14. possible annual school report (ASR) data reporting inconsistencies or suggestions;  
and
15. additional comments.

Several survey sections seek to compare locally-offered full-time employee positions with those required by the SOQ. Also anticipated to be explored within these survey sections are potential staffing shortages. Supplementing the survey will be data received through the Department of Education regarding technology and Internet connectivity. The survey did not include specific local ability to pay issues, as this calculation is based on revenue and tax data. Fiscal stress and local effort are, however, expected to be examined at some other time.

Also directed to the SJR 498 was the monitoring of the status of SJR 481 (Efficacy and Appropriateness of Adjusting Standards of Quality Funding for Certain Small School Divisions)." Adopted by the 1999 Session, the resolution requested the Senate Committees on Finance and Education and Health and the House Committees on Appropriations and Education to examine the efficacy and appropriateness of adjusting Standards of Quality (SOQ) funding for certain small school divisions. In conducting the study, the Committees were to consider, among other things, current statutory, constitutional, and budget provisions governing the calculation of SOQ costs and funding; current adjustments for SOQ funding; school funding formulas in other states; and such other issues deemed appropriate. Although the named standing committees have not met to specifically address this issue, the 2000 Appropriation Act, (Item 143 C7b) included that an "additional state payment of \$400,000 the first year and \$400,000 the second year from the general fund is provided as equal Small School Division Assistance grants for the school divisions of Highland County and the City of Norton."<sup>67</sup>

#### **IV. OTHER EDUCATIONAL ACCOUNTABILITY ISSUES GENERALLY: REVISIONS TO THE STANDARDS OF ACCREDITATION**

Pursuant to SJR 498, the Commission was to address recent revisions to the Standards of Accreditation (SOA); implementation of the Standards of Learning (SOL) assessments; the effects of failure to obtain a diploma under the SOA; the assessment of transfer students; and the impact of the SOA and SOL on (i) teachers and at-risk students; (ii) instructional time to meet the SOL; (iii) the ability of certain school divisions to meet and maintain accreditation; (iv) student promotion and retention; and (v) diploma requirements. To meet this charge, the Commission sought input from Board and Department of Education representatives regarding revisions to the Standard of Accreditation.

The Board of Education adopted revisions to the Standards of Accreditation on July 28, 2000; the regulations became final on September 28, 2000, following the 30-day review period required by the Administrative Process Act. The revisions targeted increased

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<sup>67</sup>November 21, 2000, meeting summary.

flexibility and refined consequences and rewards for students, educators, schools, and school divisions.

The revisions allow the use of additional tests other than the SOL assessments for awarding verified units of credit. These tests must be (i) standardized and graded independently of the school or school division in which the test is given; (ii) knowledge-based; (iii) administered on a multistate or international basis; and (iv) counted in a specific academic area, measuring content that incorporates or exceeds the SOL content in the course for which verified credit is given. (8 VAC 20-131-110 B).

The assessment of transfer students was also addressed in the revisions, as SOA now provide that the scores of limited English proficiency (LEP) and transfer students will be used in the calculation of a school's accreditation rating if it will benefit the school and authorize the Board to alter the inclusions and exclusions from the accountability calculations by providing adequate notice to local school boards (8 VAC 20-131-280 E 8, 9). These regulations also provide that the scores of all students who transfer within a school division shall be counted in the calculation of the school's accountability (accreditation) rating (8 VAC 20-131-280 E 5).

The SOA delineate special consideration for the SOL test scores of other transfer students. The scores of those who (i) transfer into a Virginia school from another Virginia school division, another state, or another country, in grades kindergarten through eight after the 20th instructional day following the opening of school; (ii) transfer into a Virginia middle or high school from another state or country and enroll in a course for which there is an end-of-course SOL test after 20 instructional hours per course have elapsed following the opening of school or beginning of the semester; or (iii) enroll on the first day of school and subsequently transfer to a school outside of the division for a total amount of instructional time equal to or exceeding 50 percent of a current school year or semester, and return during the same school year, may be used in calculating the school accreditation rating. The SOA also detail other "tolerances" for LEP, special education, and transfer students in calculating passing rates for SOL assessments for purposes of school accreditation.

Also included in the revisions is a transition period for students in grades seven, eight, and nine in fall 2000; in academic years 2000-1 through 2002-3, these students must pass six SOL assessments for a diploma. The six are apportioned to require two verified credits in English and four of the student's choosing. The transition period was to address the fact that students in these grades had not had the Standards of Learning curriculum throughout their school years.

Other revisions include an expedited re-test for SOL end-of-course examinations; the creation of the Modified Standard Diploma, for certain students with disabilities who are unlikely to meet Standard Diploma requirements; the requirement that two of the six elective standard units of credit must incorporate at least two sequential electives; the addition of the Board of Education Career and Technical Seal and the Seal of Advanced Mathematics and Technology; the establishment of "benchmark" annual SOL passing rates to indicate progress in academic years 2000-1 through 2003-4; the addition of the ratings of "Provisionally

Accredited/Needs Improvement" and "Accreditation Withheld/Improving School"; and the use of a three-year rolling average of student pass rates or the current year's scores, whichever is greater, in determination accreditation status.<sup>68</sup>

**Substitute Assessments: SOL End-of-Course Tests  
Summary of Committee Recommendations**

SOL Test	Substitute Tests
English Writing	AP English Language & Composition IB English (Higher Level) SAT II Writing Test of English as a Foreign Language (TOEFL) Advanced Placement International English Language (APIEL) IB English (Standard Level)
English: Reading Literature	AP Literature & Composition/Research IB English (Higher Level) Test of English as a Foreign Language (TOEFL) Advanced Placement International English Language (APIEL) IB English (Standard Level)
Algebra I	CLEP College Algebra IB Math Studies (Standard Level) IB Math Methods (Standard Level) SAT II Math IC SAT II Math IIC AP Calculus
Algebra II	SAT II Math IC SAT II Math IIC IB Math Methods (Standard Level) IB Math Studies (Standard Level) AP Calculus
Geometry	<b>none</b>
Earth Science	<b>none</b>
Biology	AP Biology SAT II Biology E & M CLEP General Biology IB Biology (Higher Level) IB Biology (Standard Level)
Chemistry	AP Chemistry CLEP General Chemistry SAT II Chemistry IB Chemistry (Higher Level) IB Chemistry (Standard Level)
U.S. History	AP US History CLEP History of US I and II SAT II American History IB US History (Higher Level)
World History from 1000 A.D.	SAT II World History AP World History AP European History IB History of Europe
World History to 1000 A.D.	SAT II World History

Virginia Department of Education <<http://141.104.22.210/VDOE/Instruction/Subassess.html>>

<sup>68</sup>Virginia Department of Education, *Brief Summary of Final Regulations, Regulations Establishing Standards for Accrediting Public Schools in Virginia*, 8 VAC 20-131 *et seq.*; Virginia Department of Education, *Detailed Summary of Revisions to the Regulations Establishing Standards for Accrediting Public Schools in Virginia Adopted by the Board of Education July 28, 2000.*

#### IV. RECOMMENDATION

Having explored a wide range of issues in its second year of study, the Commission determined that ensuring educational accountability for Virginia's public schools remains a paramount issue. The implementation of the Standards of Accreditation, the increasing demand for qualified instructional personnel, adequate funding to meet the requirements of the Standards of Quality and Standards of Accreditation, the effective preparation of students to enter the workforce, and other issues merit ongoing study and observation. Therefore, the Commission has agreed upon the following recommendation:

*That the work of the Commission on Educational Accountability be continued for one additional year.*

Respectfully submitted,  
Senator Emmett W. Hanger, Jr., *chairman*  
Delegate J. Paul Councill, Jr., *vice-chairman*  
Senator William T. Bolling  
Senator R. Edward Houck  
Senator Stephen H. Martin  
Senator Stephen D. Newman  
Delegate Phillip A. Hamilton  
Delegate James K. O'Brien  
Delegate John S. Reid  
Delegate Robert Tata  
Delegate Mitchell Van Yahres  
The Honorable Wilbert Bryant, Secretary of Education  
Kirk Schroder, President, Board of Education  
Dr. Jo Lynne DeMary, Superintendent of Public Instruction  
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## Bibliography

### Legislative and Regulatory Authority

Va. Constitution, Art. VIII, § 4 (1987).

Va. Code §§ 22.1-212.2:1; 22.1-253.13:1; 22.1-253.13:3; 22.1-289.1; 22.1-290.1; 22.1-295; 22.1-298; 22.1-299; 22.1-299.2; 22.1-302; 22.1-303; 22.1-304; 22.1-305; 22.1-305.1; 22.1-306; 22.1-307; 22.1-308 (2000).

HJR 226 (1998); HB 251; HB 252; HJR 159; SJR 248 (2000).

1999 Acts of Assembly, cc. 935;1030; 1037; 2000 Acts of Assembly, c. 2000.

8 VAC 20-21-10; 8 VAC 20-21-20; 8 VAC 20-21-30; 8 VAC 20-21-40; VAC 20-21-50; 8 VAC-20-21-60; 8 VAC 20-21-80; 8 VAC 20-21-90; 8 VAC 20-21-100; 8 VAC 20-21-110; 8 VAC 20-21-180; 8 VAC 20-21-200; 8 VAC 20-21-210; 8 VAC 20-21-230; 8 VAC 20-21-240; 8 VAC 20-21-250; 8 VAC 20-21-310; 8 VAC 20-21-320; 8 VAC 20-21-410-460 (1998).

Fla.Stat. Ann. § 231.625 <[http://www.leg.state.fl.us/citizen/documents/statutes/StatuteBrowser99/index.cfm?mode=Display\\_Statute&Search\\_String=&URL=Ch0231/SEC625.HTM](http://www.leg.state.fl.us/citizen/documents/statutes/StatuteBrowser99/index.cfm?mode=Display_Statute&Search_String=&URL=Ch0231/SEC625.HTM)>

La. Rev. Stat. Ann. §§ 17:1251; 17:1252; 17-1253 <[http://www.legis.state.la.us/tsrs/rs/17/rs\\_17\\_1251.htm](http://www.legis.state.la.us/tsrs/rs/17/rs_17_1251.htm)>; [http://www.legis.state.la.us/tsrs/rs/17/rs\\_17\\_1252.htm](http://www.legis.state.la.us/tsrs/rs/17/rs_17_1252.htm)>; <[http://www.legis.state.la.us/tsrs/rs/17/rs\\_17\\_1253.htm](http://www.legis.state.la.us/tsrs/rs/17/rs_17_1253.htm)>

Mo. Rev. Stat. § 160.538 <<http://www.moga.state.mo.us/statutes/C100-199/1600538.HTM>>

Or. Rev. Stat. § 342.433 *et seq.* <<http://landru.leg.state.or.us/ors/342.html>>

S.C. Code Ann. § 59-18-1530 <<http://www.lpitr.state.sc.us/code/t59c018.htm>>

Tex. Educ. Code Ann. §§ 21.004; 7.021 <<http://capitol.tlc.state.tx.us/statutes/codes/ED000010.html>>

### Other Authority

B. Curran, C. Abrahams, and J. Manuel, NGA Center for Best Practices, *Issue Brief*, "Teacher Supply and Demand: Is There a Shortage?" <<http://www.ngs.org/Pubs/IssueBriefs/2000/000125Teachers.asp>> (January 25, 2000).

Division of Legislative Services, *1999 Session Summary* (1999).

Division of Legislative Services, *2000 Session Summary* (2000).

Education Commission of the States, Information Clearinghouse, *Trends in Teacher Recruitment* (May 1999) <<http://www.ecs.org/ecs/ecsweb.nsf/...f54818725679f0052c390?OpenDocument>>

Education Commission of the States, *Teacher Quality--Recruitment & Retention*, "Pros & Cons: What Does the Evidence Say?" <<http://209.151.83.18/ecsmain.asp?page=/html/issue.asp?issueid=129>>

C.E. Feistritzer, National Center for Education Information, "The Truth Behind the 'Teacher Shortage,'" *The Wall Street Journal* (January 28, 1998), <http://www37.pair.com/ncei/WSJ-12898.htm>>

Governor's Commission on Educational Opportunity for All Virginians, *Summary Report* (February 1991).

K. Harris, Division of Legislative Services, *A Legislator's Guide to Public Education in Virginia*, "Teachers and Administrators" (1993).

Maryland State Department of Education, *News Release*, "State Board Prepares for Further Teacher Shortages" <<http://www.msde.state.md.us/pressreleases/1999/september/1999%2D0921a.html>> (September 21, 1999).

Meeting summaries, September 12, September 25, and November 21, 2000, Commission meetings.

Metropolitan Educational Research Consortium, *Recruiting and Retaining Teachers: A Review of the Literature* (December 1999).

National Center for Policy Analysis, Idea House, "Teacher Shortage a Myth" <<http://www.public-policy.org/~ncpa/pi/edu/jan98n.html>>

National Education Association, *NEA Teacher Quality Fact Sheet*, "Ready or Not: A National Teacher Shortage Looms" <<http://www.nea.org/teaching/shortage.html>>

L. Olson, "Finding and Keeping Competent Teachers," *Quality Counts 2000: Who Should Teach?*, Education Week on the Web <<http://www.edweek.org/sreports/qc00/templates/article.cfm?slug+intro.htm>>

Report of the Department of Personnel and Training on Public School Teacher Compensation, *House Document No. 4* (1990).

Report of the Department of Personnel and Training on Public School Teacher Compensation, *House Document No. 58* (2000).

The Report of the Governor's Commission on Excellence in Education, *Excellence in Education: A Plan for Virginia's Future* (October 1986).

Report of the Joint Legislative Audit and Review Commission, Funding the Standards of Quality Part 2: SOQ Costs and Distribution, *Senate Document No. 25* (1988).

Southern Regional Education Board, *Educator Supply and Demand in Virginia, Report on Phase One* at 5, 6 (June 1994).

Southern Regional Education Board, *Teacher Supply and Demand* <[http://www.sreb.org/Main/EducationPolicy/teachers/edpol\\_teacher.html](http://www.sreb.org/Main/EducationPolicy/teachers/edpol_teacher.html)>

Virginia Board of Education, *Licensure Regulations for School Personnel*, Foreword from Superintendent of Public Instruction (1998).

Virginia Department of Education, *Professional Teacher's Assessment Requirement for Virginia Licensure*.

Virginia Department of Education, Routes to Licensure in Virginia <<http://www.pen.k12.va.us/VDOE/newvdoe/licroute.htm>>

Virginia Department of Education, *Teacher Supply and Demand in Virginia, Virginia Instructional Personnel Survey Profile 1999-2000* (1999).

Virginia Department of Education, *Virginia Licensure Renewal Manual*, Foreword (July 1998).

Virginia Department of Education, *Virginia Regulatory Town Hall, Proposed Agency Background Document*.

Virginia Tech Center for Survey Research, *Virginia Statistics on School Personnel: 1998-1999 School Year* (December 14, 1998).



## Year 2000 Meetings of the SJR 498 Commission

### Tuesday, January 4, 2000 ~ Senate Room B, General Assembly Building, Richmond

Call to Order and introduction of members: Senator Emmett W. Hanger, Jr., chairman; **Summary of HJR 723 Task Force meeting; overview of funding:** Daniel S. Timberlake, Assistant Superintendent, Finance, Department of Education; Summary of HJR 566 Task Force meeting; Review of written comments received from educational organizations; Discussion and work session.

### Tuesday, September 12, 2000 ~ Senate Room B, General Assembly Building, Richmond

Call to Order and introduction of members: Senator Emmett W. Hanger, Jr., chairman; **Educational Accountability Generally:** Presentations by the Kirk Schroder, President, Board of Education (Additional review of SOA; recent revisions (1999--# 1); Additional review of SOL implementation (1999--# 2); Effects of failure to obtain a diploma under SOA (SJR 344) (1999--# 5); Additional review: assessment of transfer students (SJR 389) (1999--# 6); Impact of SOA/SOL--teachers; at-risk students; instructional time to meet SOL; ability of certain school divisions to meet and maintain accreditation; student promotion and retention; diploma requirements (1999--#10)).

### Monday, September 25, 2000 ~ Senate Room B, General Assembly Building, Richmond

Call to Order and introduction of members: Senator Emmett W. Hanger, Jr., chairman; **Review of Staff Briefing Report on Teacher Supply and Demand:** Brenda H. Edwards, Senior Research Associate, Division of Legislative Services; **Related Studies and Activities:** Senate Finance and House Appropriations Committees--Pamela Currey, Senior Fiscal Analyst, Senate Finance Committee; Commission on Access and Diversity in Higher Education, Delegate Jerrauld C. Jones, Chairman; Joint Task Force of the Board of Education and State Council of Higher Education on Teacher Supply and Demand, Kirk Schroder, President, Board of Education; Phyllis Palmiero, Director, State Council of Higher Education; Virginia School Boards Association, Mr. Richard Pulley, Director of Legislative Relations; **Teacher Education and Licensure, and Supply and Demand in Virginia-- Career Switcher: Alternative Route to Teacher Licensure for Military Personnel (Role of Higher Education in Teacher Education):** Dr. Thomas A. Elliott Assistant Superintendent, Division of Teacher Education and Licensure and Dr. Karl Schilling, Deputy Director, State Council of Higher Education; **Teacher Supply and Demand: A National Perspective:** Dr. Elizabeth Foster, Research Associate, Recruiting New Teachers; Dr. Barbara Holmes, Consultant, Recruiting New Teachers, and former staff, Education Commission of the States; Dialogue and planning.

### Tuesday, November 21, 2000 ~ House Room D, General Assembly Building, Richmond

Call to Order and introduction of members: Senator Emmett W. Hanger, Jr., chairman; **Finance Issues:** Daniel S. Timberlake, Assistant Superintendent for Finance, Virginia Department of Education: Update and summary of collection of data and information regarding costs associated with the implementation of the Standards of Accreditation (2000 Appropriation Act-- Item 133 S § 1-52) (**This testimony was to address the following study outline items:** HJR 723 Task Force: Impact of SOA on School Division Budgets (# 13); Efficacy of SOQ funding system (HJR 657)(# 8); Adjusting SOQ funding for certain school divisions (SJR 481) (# 14)); Robert B. Rotz, Senior Division Chief, Joint Legislative Audit and Review Commission: Update on SOQ Funding study (**This testimony was to implicitly address the following study outline items:** Issues raised by HJR 586 (SOA fiscal impact) and HJR 657 (efficacy of SOQ \$) (#5); Specific accreditation needs and challenges identified by Virginia school divisions (#2); Current funding levels for meeting the Standards of Accreditation (#1)); Study Outline Item #6: Update from SJR 481 Joint Subcommittee Studying the Efficacy and Appropriateness of Adjusting Standards of Quality Funding for Certain Small School Divisions (see 2000 Appropriation Act, Item 143 C7b: "An additional state payment of \$400,000 the first year and \$400,000 the second year from the general fund is provided as equal Small School Division Assistance grants for the school divisions of Highland County and the City of Norton"); **Increasing Capacity for Schools and Educators:** Terry Atkinson, Deputy Director, House Appropriations Committee Staff--Teacher Shortage Issues (**This testimony was designed address the following study outline items:** Teacher Shortage (2000 Session); Recommendations for Increasing Capacity (# 4); Impact of SOL/SOA: Teacher Preparation (#10); Instructional needs of teachers (HJR 691) (# 9)); Discussion and planning.

## Response to Study Directives at 1999 Meetings

(see also, Table, next page)

### 1. First meeting—August 5, 1999

- ◆ Review of initial background report
- ◆ Update on SOA; SOL Assessments; Review of local accountability initiative

#### Directives addressed (primarily in background report, DOE testimony):

- ◆ # 1: Monitor SOA
- ◆ # 2: SOL implementation
- ◆ # 3: Work of other studies
- ◆ # 4: Increasing capacity of schools, teachers, and students to meet academic standards

### 2. Second meeting—November 15 1999:

- ◆ Review of Proposed Revisions to SOA

#### Directives addressed:

- ◆ # 6: SJR 389—Statutes, regulations, and policies--assessment of transfer students.
- ◆ # 10: HJR 721--Impact of SOL/SOA on teachers, urban and small rural school divisions, and educationally at-risk students, including:
  - ~ preparation of teachers; instructional time;
  - ~ ability of urban and small rural school divisions to meet accreditation;
  - ~ effect of SOL tests on grade promotion, retention, diplomas; and
  - ~ remediation of students failing SOL tests.

### 3. Third meeting—December 21, 1999:

- ◆ Review of training, standards, and professional development initiatives for principals
- ◆ DOE Uniform Performance Standards/Guidelines for Superintendents, Principals, Teachers
- ◆ Update on public hearings regarding proposed SOA revisions

#### Directives addressed:

- ◆ # 1: Monitor SOA
- ◆ # 2: Implementation of SOLs
- ◆ # 4: Increasing capacity of schools, teachers to meet academic standards

### 4. Fourth meeting—January 4, 2000

- ◆ Summary of HJR 723 Task Force meeting and overview of funding
- ◆ Summary of HJR 566 Task Force meeting
- ◆ Review of written comments received from educational organizations

#### Directives addressed:

- ◆ # 12: Coordinate with HJR 566 Task Force
- ◆ # 13: Coordinate with HJR 723 Task Force
- ◆ # 14: Funding for small school divisions--issued addressed; no report from existing study

### 5. Fifth meeting—January 13, 2000

- ◆ Review of Remediation Subcommittee recommendations

#### Directives addressed:

- ◆ # 10: Impact of SOA--remediation

**Table: SJR 498 Study Objectives Addressed in First Year**

	8/5	11/15	12/21	1/4	1/13	2000 DRAFT Wkplan
1. Review SOA and any included accountability mechanisms;	✓	✓	✓			I A
2. Monitor implementation of SOL, revised assessments;	✓		✓			I B
3. Consider the work/ recommendations of other recent studies: <ul style="list-style-type: none"> <li>• HJR 196--Future of Public Education (1996)</li> <li>• HJR 572--Remediation (1999)</li> <li>• HJR 670--Educational Infrastructure (1999)</li> <li>• HJR 241--School Dropout Prevention (1996)</li> <li>• HJR 165--School Incentive Reward Program (1996);</li> </ul>	✓ in initial report					I C
4. Develop recommendations for ways to increase the capacity of schools, teachers, and students ...;	✓		✓			III B
5. Examine issues raised in SJR 344 (1999) regarding the effects on the Commonwealth's young people of failure to obtain a diploma pursuant to requirements of the SOA;						I D
6. Evaluate the efficacy, appropriateness, and application of the Commonwealth's statutes, regulations, and policies governing the academic assessment of transfer students (SJR 389—1999);		✓				I E
7. Determine the feasibility and appropriateness of establishing a certificate of completion for certain vocational programs in public high schools (HJR 593—1999);						IV A(1)
8. Determine the efficacy and appropriateness of the Commonwealth's system of funding the Standards of Quality (SOQ) for public schools (HJR 657—1999);						II B
9. Study the instructional needs of students and teachers in the public schools of the Commonwealth (HJR 691—1999);						III D IV D
10. Examine impact of SOL and SOA on teachers, urban and small, rural school divisions, and educationally at-risk students, giving particular attention to the preparation of teachers and time to instruct students to meet the SOL, the ability of urban and small, rural school divisions to meet and maintain the requirements for accreditation, the effect of the SOL tests on grade promotion and retention of students and the awarding of high school diplomas, and the remediation of students who fail the SOL tests (HJR 721—1999);		✓	✓ (in part)		✓	IF (1) IF (2) IF (3) IF (4) III C IV C(1)
11. Confer with SJR 447 joint subcommittee regarding issues pertaining to overage students, adult students who are returning to school, and vo-tech education;						IV A(2)
12. Collaborate/receive reports of HJR 566 task force;				✓		IV A
13. Collaborate/receive reports of HJR 723 task force;				✓		II A
14. Collaborate with SJR 481 study of adjusting SOQ funding for certain small school divisions;				✓		II C
15. Confer and with other legislative study committees ... to avoid duplication; and	✓	✓	✓	✓	✓	~
16. Consider such other issues as it deems appropriate.	✓	✓	✓	✓	✓	~

## **DRAFT Workplan for Year 2000**

The work facing the SJR 498 in the year 2000 might be organized within several focus areas. Boxed-in areas denote those topics that might be combined or addressed at the same meeting. In addition, several topics originally assigned to the full Commission might be appropriately addressed by an existing task force (see IV A (1), (2)).

### **I. Educational Accountability Generally**

- A. Additional review of SOA (1999--# 1)
- B. Additional review of SOL implementation (1999--# 2)
- C. Additional review of other study committees (1999--# 3)
- D. Effects of failure to obtain diploma under SOA (SJR 344) (1999--# 5)
- E. Additional review: assessment--transfer students (SJR 389) (1999--# 6)
- F. Impact of SOA/SOL: (1999--#10)
  - 1. teachers; at-risk students
  - 2. instructional time to meet SOL
  - 3. ability of certain school divisions to meet and maintain accreditation
  - 4. student promotion and retention; diploma requirements

### **II. Finance Issues**

- A. HJR 723 Task Force: Impact of SOA/ School Div. Budgets (1999-- # 13)
- B. Efficacy of system of SOQ funding system (HJR 657) (1999-- # 8)
- C. Adjusting SOQ funding for certain school div. (SJR 481) (1999-- # 14)

### **III. Increasing Capacity for Schools and Educators**

- A. Teacher Shortage (2000 Session)
- B. Recommendations for Increasing Capacity (1999-- # 4)
- C. Impact of SOL/SOA: Teacher Preparation (1999--# 10)
- D. Instructional needs of teachers (HJR 691) (1999--# 9)

### **IV. Increasing Capacity for Students**

- A. HJR 566: Vocational Education/Workforce Preparedness (1999--# 12)
  - 1. Certificate of completion for voc. programs (HJR 593) (1999-- # 7)
  - 2. Overage students, etc. (SJR 447) (1999-- # 11)
- B. HJR 302: Alternative Assessments for Spec. Educ. (2000 Session)
- C. Remediation: Continuing the work of remediation committee (HJR 273--2000)
  - 1. Impact of SOA/SOL: remediation (1999--# 10)
- D. Instructional needs of students (HJR 691) (1999-- # 9)

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**SENATE JOINT RESOLUTION NO. 498**

Establishing the Commission on Educational Accountability

Agreed to by the Senate, February 27, 1999

Agreed to by the House of Delegates, February 27, 1999

WHEREAS, described as a tripod whose three legs include clearly stated goals, information about progress toward them, and positive and negative consequences, accountability initiatives in public education are as varied and diverse as the states and school systems implementing them, and may include various "indicators" of pupil and teacher performance, revised evaluation and accreditation initiatives, or postgraduation tracking of students; and

WHEREAS, accountability initiatives may authorize state intervention in school operations and provide for financial incentives or penalties and other consequences; and

WHEREAS, the concept of educational accountability is not new to Virginia's public school system, as current constitutional and statutory provisions and regulations provide a plethora of mechanisms for the accountability of students, teachers, administrators, schools, and school divisions; and

WHEREAS, Virginia has made great progress in establishing educational accountability with the implementation of revised Standards of Learning for mathematics, English, science, and history and social science in 1995 and new Standards of Accreditation in 1997; and

WHEREAS, the Commonwealth's renewed commitment to strengthening accountability in public education is also evidenced in the work of a number of recent legislative and executive branch study committees, including the Commission on Accountability for Educational Excellence, House Joint Resolution No. 168 (1996) and the Commission on the Future of Public Education, House Joint Resolution No. 196 (1996); and

WHEREAS, to increase accountability for public education in Virginia, it is imperative to build on those existing and revised standards, programs, and initiatives that ensure the greatest educational opportunities; and

WHEREAS, school personnel, including teachers, school administrators, counselors, and instructional support staff, and parents should be active participants in the development of educational policies, and it is essential that school personnel and parents also share in the responsibility and accountability for achieving educational excellence; and

WHEREAS, further review of existing accountability initiatives addressing not only pupil performance but also instructional quality, school accreditation, safety and discipline, parental and community involvement, and administrative and fiscal issues is necessary to ensure continued progress in making our schools accountable for improved learning; and

WHEREAS, the Commission has been charged to address a myriad of issues related to and impacting the Standards of Quality, the Standards of Learning, and the Standards of Accreditation; and

WHEREAS, due to the complexity of the issues and the interaction of public policies affecting education, it is necessary that special task forces be established to assist the Commission in its work, and that the Commission collaborate and coordinate its work with other legislative study committees requested to examine related matters to avoid duplication; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Commission on Educational Accountability be established. The Commission shall be composed of 20 members, which shall include 11 legislative members, 6 nonlegislative members, and 3 ex officio members to be appointed as follows: 5 members of the Senate of whom two shall be appointed to serve on the special task force created pursuant to House Joint Resolution No. 723 (1999), and one shall be appointed to serve on the special task force established pursuant to House Joint Resolution No. 566 (1999), to be appointed by the Senate Committee on Privileges and Elections; 6 members of the House of Delegates, of whom two shall be appointed to serve on the special task force established pursuant to House Joint Resolution No. 723 (1999), and two shall be appointed to serve on the special task force created pursuant to House Joint Resolution No. 566 (1999), to be appointed by the Speaker of the House, in accordance with the principles of Rule 16 of the Rules of the House of Delegates; one parent of a child who is enrolled in the public schools of the Commonwealth, one public school teacher, and one school principal, to be appointed by the Senate Committee on Privileges and Elections; one division superintendent, one representative of the Virginia School Boards Association, and one citizen at-large, to be appointed by the Speaker of the House; and the Secretary of Education, the President of the Board of Education, and the Superintendent of Public Instruction, who shall serve ex officio with full voting privileges.

The Commission shall (i) review the Standards of Accreditation and the accountability mechanisms included therein; (ii) monitor the implementation of the Standards of Learning and revised assessments; (iii) consider the work and

recommendations of other recent study committees, such as the Commission on the Future of Public Education, House Joint Resolution No. 196 (1996), the Joint Subcommittee on Remediation, House Joint Resolution No. 572 (1999), the Commission on Educational Infrastructure, House Joint Resolution No. 670 (1999), the Standing Joint Subcommittee on School Dropout Prevention, House Joint Resolution No. 241 (1996), and the Joint Subcommittee Studying the Efficacy and Appropriateness of Establishing a School Incentive Reward Program in the Commonwealth, House Joint Resolution No. 165 (1996); (iv) develop recommendations for ways to increase the capacity of schools, teachers, and students to meet increasingly rigorous academic standards; (v) examine issues raised in Senate Joint Resolution No. 344 (1999) regarding the effects on the Commonwealth's young people of failure to obtain a diploma pursuant to requirements of the Standards of Accreditation for Public Schools in Virginia; (vi) evaluate the efficacy, appropriateness, and application of the Commonwealth's statutes, regulations, and policies governing the academic assessment of students who transfer into Virginia's public schools, in accordance with Senate Joint Resolution No. 389 (1999); (vii) determine the feasibility and appropriateness of establishing a certificate of completion for certain vocational programs in public high schools, pursuant to House Joint Resolution No. 593 (1999); (viii) determine the efficacy and appropriateness of the Commonwealth's system of funding the Standards of Quality for public schools, pursuant to House Joint Resolution No. 657 (1999); (ix) study the instructional needs of students and teachers in the public schools of the Commonwealth, pursuant to House Joint Resolution No. 691 (1999); (x) examine the impact of the Standards of Learning and the Standards of Accreditation on teachers, urban and small rural school divisions, and educationally at-risk students, giving particular attention to the preparation of teachers and time to instruct students to meet the Standards of Learning, the ability of urban and small rural school divisions to meet and maintain the requirements for accreditation, the effect of the Standards of Learning tests on grade promotion and retention of students and the awarding of high school diplomas, and the remediation of students who fail the Standards of Learning tests, in accordance with House Joint Resolution No. 721 (1999); (xi) confer with the joint subcommittee established pursuant to Senate Joint Resolution No. 447 (1999), regarding issues pertaining to overage students, adult students who are returning to school, and vocational-technical education; (xii) collaborate, coordinate, and receive regular reports of the Commission's special task force established pursuant to House Joint Resolution No. 566 (1999) studying the integration of the Standards of Learning with the secondary school level curricula and workforce development skills; (xiii) collaborate, coordinate, and receive regular reports of the Commission's special task force studying the impact of the Standards of Accreditation on local school division budgets, in accordance with House Joint Resolution No. 586 (1999) and House Joint Resolution No. 723 (1999); (xiv) collaborate and confer with the joint subcommittee established to examine the efficacy and appropriateness of adjusting Standards of Quality funding for certain small school divisions, pursuant to Senate Joint Resolution No. 481 (1999); (xv) confer and coordinate the work of the Commission with other legislative study committees which have been charged to examine related issues to avoid duplication; and (xvi) consider such other issues as it deems appropriate. The Commission shall endeavor to address the many issues raised by the aforementioned resolutions.

The Division of Legislative Services shall provide staff support for the study. The Department of Education, and the staffs of the Senate Committee on Finance and the House Committee on Appropriations shall provide technical assistance for the study. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

The direct costs of this study shall not exceed \$21,500.

The Commission shall receive the interim reports of the special task forces by November 1, 2000, and include such reports in its interim report to the Governor and the 2000 Session of the General Assembly. The Commission shall complete its work in time to submit its final findings and recommendations, including the final reports of the special task forces, to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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#### HOUSE JOINT RESOLUTION NO. 159

Directing the Commission on Educational Accountability, in cooperation with the Board of Education, the State Council of Higher Education for Virginia, the Senate Committee on Finance, and the House Committee on Appropriations, to study the demand for and preparation of classroom teachers.

Agreed to by the House of Delegates, March 6, 2000  
Agreed to by the Senate, March 2, 2000

WHEREAS, Article VIII, Section 1 of the Virginia Constitution, requires that the Commonwealth provide for a "system of free public elementary and secondary schools for all children of school age throughout the Commonwealth, and shall seek to ensure that an educational program of high quality is established and continually maintained"; and

WHEREAS, essential to meeting the constitutional responsibilities for the education of Virginia's children, the Commonwealth declares in Standard I of the Standards of Quality, (§ 22.1-253.13:1) that "the quality of education is dependent upon the provision of the appropriate working environment, benefits, and salaries necessary to ensure the availability of high quality instructional personnel"; and

WHEREAS, teachers are the agents by which the diffusion of knowledge throughout society is achieved to inform, equip, and sustain the present generation and the conduits through which civilization and the ethos of a nation are transmitted and perpetuated for the common good of our progeny; and

WHEREAS, teachers encourage intellectual curiosity and inquiry, nurture innate gifts and creativity, acquaint students with new ways of viewing ordinary things, and challenge students to think, imagine, and dream of possibilities beyond their horizons; and

WHEREAS, the transference of our heritage and the ability to stimulate an appreciation of learning and to provide for an educated citizenry is threatened by a severe shortage of classroom teachers; and

WHEREAS, the demand for teachers is most urgent in the disciplines of science, mathematics, special education, foreign language, and technological studies, among males at the elementary and middle school levels, and among minority teachers in all disciplines and grade levels; and

WHEREAS, according to the United States Department of Education, nearly three million more children in America will need to be educated by 2006, and during the next ten years, two million teachers will need to be hired to meet the projected increase in enrollments; and

WHEREAS, the President of the United States and the Governor of Virginia each have announced goals to increase significantly the number of teachers in the classrooms of the nation and the Commonwealth; and

WHEREAS, sister states struggling to answer this problem have resorted to recalling retired teachers, hiring substitutes, developing alternative paths to the teaching career, and providing generous financial and other enticing incentives to attract and retain classroom teachers; and

WHEREAS, according to recent studies concerning the need for teachers, "urban schools find it difficult to recruit qualified teachers regardless of background, and nearly a quarter of central city schools had vacancies they could not fill with a qualified teacher in recession-plagued 1991; schools with high minority enrollments had the greatest difficulty finding qualified teachers; and students in inner city, high-minority schools have only a 50 percent chance of being taught by a qualified science or math teacher"; and

WHEREAS, the demand for classroom teachers can be attributed to many factors, reasons most often cited include retirement, low salaries, poor working conditions, school safety issues, lack of administrative support, diminished status of and respect for the teaching profession, increasing demands on the profession with very few rewards, and many more options to pursue more respected, lucrative, and psychologically fulfilling careers; and

WHEREAS, providing for qualified, competent, and gifted classroom teachers is a shared responsibility between the Board of Education and Virginia's institutions of higher education; and

WHEREAS, the ultimate responsibility for public education rests with the Virginia General Assembly, which is specifically charged with the duties of establishing a public school system and striving to ensure its quality; and

WHEREAS, enabling students and schools in Virginia to meet the new Standards of Learning and Standards of Accreditation, an adequate pool of skilled, compassionate, and well prepared teachers is vital to accomplishing educational reform in the Commonwealth; and

WHEREAS, the Commission on Educational Accountability has been established to review the Commonwealth's educational reform efforts, and an effective and capable corps of teachers is critical to the success of these reforms; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Commission on Educational Accountability, in cooperation with the Board of Education, the State Council of Higher Education for Virginia, the Senate Committee on Finance, and the House Committee on Appropriations, be directed to study the demand for and preparation of classroom teachers.

In its deliberations, the Commission, together with the participating state agencies, shall project the number of classroom teachers needed in Virginia over the next ten years; review the teacher education process; assess recruitment and retention efforts; evaluate procedures for awarding continuing contracts, including how Virginia may retain the most capable teachers and replace teachers who do not meet the qualifications, standards, and expectations set for teachers; consider the issues associated with compensation of teachers; determine the adequacy of preservice and in-service professional development of teachers; and recommend ways to attract and retain an adequate supply of teachers in Virginia.

Further, the Commission shall communicate and collaborate with other study committees charged to examine aspects of teacher education, recruitment and retention, and other related issues.

All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

The Commission shall include its findings and recommendations regarding the shortage of teachers in its final report to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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### **SENATE JOINT RESOLUTION NO. 248**

Directing the Commission on Educational Accountability, in cooperation with the Board of Education, the State Council of Higher Education, the Senate Committee on Finance, and the House Committee on Appropriations, to study the demand for and preparation of classroom teachers.

Agreed to by the Senate, February 15, 2000

Agreed to by the House of Delegates, March 8, 2000

WHEREAS, Article VIII, Section 1 of the Virginia Constitution, requires that the Commonwealth provide for a "system of free public elementary and secondary schools for all children of school age throughout the Commonwealth, and shall seek to ensure that an educational program of high quality is established and continually maintained"; and

WHEREAS, essential to meeting the constitutional responsibilities for the education of Virginia's children, the Commonwealth declares in Standard 1 of the Standards of Quality, (§ 22.1-253.13:1) that "the quality of education is dependent upon the provision of the appropriate working environment, benefits, and salaries necessary to ensure the availability of high quality instructional personnel"; and

WHEREAS, teachers are the agents by which the diffusion of knowledge throughout society is achieved to inform, equip, and sustain the present generation and the conduits through which civilization and the ethos of a nation are transmitted and perpetuated for the common good of our progeny; and

WHEREAS, teachers encourage intellectual curiosity and inquiry, nurture innate gifts and creativity, acquaint students with new ways of viewing ordinary things, and challenge students to think, imagine, and dream of possibilities beyond their horizons; and

WHEREAS, the transference of our heritage and the ability to stimulate an appreciation of learning and to provide for an educated citizenry is threatened by a severe shortage of classroom teachers; and

WHEREAS, the demand for teachers is most urgent in the disciplines of science, mathematics, special education, foreign language, and technological studies, among males at the elementary and middle school levels, and among minority teachers in all disciplines and grade levels; and

WHEREAS, according to the United States Department of Education, nearly three million more children in America will need to be educated by 2006, and during the next ten years, two million teachers will need to be hired to meet the projected increase in enrollments; and

WHEREAS, President Clinton and the Governor of Virginia each have announced goals to increase significantly the number of teachers in the classrooms of the nation and the Commonwealth; and

WHEREAS, sister states struggling to answer this problem have resorted to recalling retired teachers, hiring substitutes, developing alternative paths to the teaching career, and providing generous financial and other enticing incentives to attract and retain classroom teachers; and



WHEREAS, according to recent studies concerning the need for teachers, "urban schools find it difficult to recruit qualified teachers regardless of background, and nearly a quarter of central city schools had vacancies they could not fill with a qualified teacher in recession-plagued 1991; schools with high minority enrollments had the greatest difficulty finding qualified teachers; and students in inner city, high-minority schools have only a 50 percent chance of being taught by a qualified science or math teacher"; and

WHEREAS, the demand for classroom teachers can be attributed to many factors, reasons most often cited include retirement, low salaries, poor working conditions, school safety issues, lack of administrative support, diminished status of and respect for the teaching profession, increasing demands on the profession with very few rewards, and many more options to pursue more respected, lucrative, and psychologically fulfilling careers; and

WHEREAS, providing for qualified, competent, and gifted classroom teachers is a shared responsibility between the Board of Education and Virginia's institutions of higher education; and

WHEREAS, the ultimate responsibility for public education rests with the General Assembly of Virginia, which is specifically charged with the duties of establishing a public school system and striving to ensure its quality; and

WHEREAS, enabling students and schools in Virginia to meet the new Standards of Learning and Standards of Accreditation, an adequate pool of skilled, compassionate, and well-prepared teachers is vital to accomplishing educational reform in the Commonwealth; and

WHEREAS, the Commission on Educational Accountability has been established to review the Commonwealth's educational reform efforts, and an effective and capable corps of teachers is critical to the success of these reforms; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Commission on Educational Accountability, in cooperation with the Board of Education, the State Council of Higher Education, the Senate Committee on Finance, and the House Committee on Appropriations, be directed to study the demand for and preparation of classroom teachers.

In its deliberations, the Commission, together with the participating state agencies, shall project the number of classroom teachers needed in Virginia over the next ten years; review the teacher education process; assess recruitment and retention efforts; evaluate procedures for awarding continuing contracts, including how Virginia may retain the most capable teachers and replace teachers who do not meet the qualifications, standards, and expectations set for teachers; consider the issues associated with compensation of teachers; determine the adequacy of pre-service and in-service professional development of teachers; and recommend ways to attract and retain an adequate supply of teachers in Virginia.

Further, the Commission shall communicate and collaborate with other study committees charged to examine aspects of teacher education, recruitment and retention, and other related issues.

All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

The Commission shall include its findings and recommendations regarding the shortage of teachers in its final report to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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**SENATE JOINT RESOLUTION NO. 385**  
Continuing the Commission on Educational Accountability.

Agreed to by the Senate, February 22, 2001  
Agreed to by the House of Delegates, February 21, 2001

WHEREAS, Senate Joint Resolution No. 498 established the Commission in 1999 to study educational accountability; and

WHEREAS, the Commission was directed to examine a plethora of issues, and was to review the Standards of Accreditation and the accountability mechanisms included therein as well as monitor the implementation of the Standards of Learning and assessments; and

WHEREAS, in meeting the directives of Senate Joint Resolution No. 498, the Commission was to consider the work and recommendations of other named education study committees and develop recommendations for ways to increase the capacity of schools, teachers, and students to meet increasingly rigorous academic standards; and

WHEREAS, also among the Commission's duties were an examination of the effects on the Commonwealth's young people of failure to obtain a diploma pursuant to requirements of the Standards of Accreditation for Public Schools in Virginia; an evaluation of the Commonwealth's statutes, regulations, and policies governing the academic assessment of students who transfer into Virginia's public schools; a determination of the feasibility and appropriateness of establishing a certificate of completion for certain vocational programs in public high schools; and a study of the instructional needs of students and teachers in the public schools of the Commonwealth; and

WHEREAS, the Commission was also to determine the efficacy and appropriateness of the Commonwealth's system of funding the Standards of Quality for public schools and to examine the effect of the Standards of Learning and the Standards of Accreditation on teachers, urban and small rural school divisions, and educationally at-risk students; and

WHEREAS, collaborating with the Commission in its multifaceted mission were three task forces, addressing issues as diverse as workforce needs of the 21st century (House Joint Resolution No. 566--1999), the fiscal impact of the Standards of Accreditation (House Joint Resolution No. 723--1999), and assessments for students in special education (House Joint Resolution No. 302--2000); and

WHEREAS, also assigned to the Commission by the 2000 Session of the General Assembly were the continuation of the work of the Joint Subcommittee on Remediation pursuant to House Joint Resolution No. 302, and a study of the demand for and supply of classroom teachers pursuant to House Joint Resolution No. 159 and Senate Joint Resolution No. 248; and

WHEREAS, with the adoption of final revisions to the Standards of Accreditation by the Board of Education in fall 2000, ongoing efforts to improve student performance on as well as the administration of the Standards of Learning assessments, and the phasing in of school accreditation requirements, the issue of educational accountability will continue to be a primary concern for legislators, educators, parents, and students; and

WHEREAS, another year of study will enable the Commission to pursue more fully its mission and to address more effectively the myriad of educational accountability issues assigned to it; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Commission on Educational Accountability be continued for one year. The Commission shall consist of 25 members, which shall include 14 legislative members, eight nonlegislative members, and three ex officio members to be appointed as follows: six members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; eight members of the House of Delegates, to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one parent of a child who is enrolled in the public schools of the Commonwealth, one public school teacher, and one school principal, to be appointed by the Senate Committee on Privileges and Elections; one division superintendent, one representative of the Virginia School Boards Association, and three citizens at large, to be appointed by the Speaker of the House; and the Secretary of Education, the President of the Board of Education, and the Superintendent of Public Instruction, who shall serve ex officio with full voting privileges; and, be it

RESOLVED FURTHER, That the Special Task Force of the Commission on Educational Accountability to Study the Educational Needs of the 21st Century be continued. The special task force shall consist of 16 members, which shall include six legislative members, five nonlegislative members, and five ex officio members as follows: two members of the Senate, of whom one shall be a member of the Commission on Educational Accountability, to be appointed by the Senate Committee on Privileges and Elections; four members of the House of Delegates, of whom two shall be members of the Commission on Educational Accountability, to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two citizens representing the business community and public education grades K-12, to be appointed by the Senate Committee on Privileges and Elections; three citizens representing public higher education and industry, to be appointed by the Speaker of the House; and the Secretary of Education; the Secretary of Commerce and Trade; the Superintendent of Public Instruction; the Chancellor of the Virginia Community College System; and the Director of the State Council of Higher Education, who shall serve ex officio with full voting privileges. The chairman and vice-chairman of the Special Task Force on the Educational Needs of the 21st Century shall be members of the Virginia General Assembly; and, be it

RESOLVED FURTHER, That the Special Task Force of the Commission on Educational Accountability to Examine the Impact of the Standards of Accreditation on Local School Division Budgets be continued. The special task force shall consist of 10 legislative members as follows: four members of the Senate, of whom two shall be members of the Commission on Educational Accountability, to be appointed by the Senate Committee on Privileges and Elections; and six members of the House of Delegates, of whom three shall be members of the Commission on Educational Accountability to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; and, be it

RESOLVED FINALLY, That the Special Task Force of the Commission on Educational Accountability to Examine the Need for Appropriate Alternative Forms of Standards of Learning Assessments for Students Receiving Special Education and Related Services be continued. The special task force shall consist of 10 members of the Commission on Educational Accountability to be appointed as follows: four members to be appointed by the Senate Committee on Privileges and Elections and six members to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates.

The Division of Legislative Services shall continue to provide staff support for the Commission and its special task forces.

All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

The direct costs of the Special Task Force of the Commission on Educational Accountability to Study the Educational Needs of the 21st Century shall not exceed \$6,000, representing three meetings during the 2001 legislative interim.

The direct costs of the Special Task Force of the Commission on Educational Accountability to Examine the Impact of the Standards of Accreditation on Local School Division Budgets shall not exceed \$7,500, representing three meetings during the 2001 legislative interim.

The direct costs of the Special Task Force of the Commission on Educational Accountability to Examine the Need for Appropriate Alternative Forms of Standards of Learning Assessments for Students Receiving Special Education and Related Services shall not exceed \$7,500, representing three meetings during the 2001 legislative interim.

The direct costs of Commission on Educational Accountability shall not exceed \$17,200, representing four meetings during the 2001 legislative interim.

The Commission on Educational Accountability and its task forces shall schedule their meetings consecutively on the same date, to the extent practicable, to conserve costs.

The total direct costs of this study shall not exceed \$38,200, representing the sum of the direct costs for the Commission and its task forces, during the 2001 legislative interim.

The Commission shall complete its work in time to submit its written findings and recommendations, including the reports of its task forces, by November 30, 2001, to the Governor and the 2002 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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**REPORT OF THE  
HJR 302 SPECIAL TASK FORCE  
TO EXAMINE THE NEED FOR APPROPRIATE ALTERNATIVE FORMS  
OF STANDARDS OF LEARNING ASSESSMENTS FOR STUDENTS  
RECEIVING SPECIAL EDUCATION AND RELATED SERVICES**

TO THE  
SJR 498 COMMISSION ON EDUCATIONAL ACCOUNTABILITY

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2001

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## **HJR 302 SPECIAL TASK FORCE MEMBERS**

Delegate Jay O'Brien, *chairman*  
Delegate J. Paul Councill, Jr.  
Delegate John S. Reid  
Delegate Robert Tata  
Delegate Mitchell Van Yahres  
Senator Emmett W. Hanger, Jr.  
Senator R. Edward Houck  
Senator Stephen D. Newman

### **SJR 498 Commission Members**

Senator Emmett W. Hanger, Jr., *chairman*  
Delegate J. Paul Councill, Jr., *vice-chairman*  
Senator William T. Bolling  
Senator R. Edward Houck  
Senator Stephen H. Martin  
Senator Stephen D. Newman  
Delegate Phillip A. Hamilton  
Delegate James K. O'Brien  
Delegate John S. Reid  
Delegate Robert Tata  
Delegate Mitchell Van Yahres  
The Honorable Wilbert Bryant, Secretary of Education  
Kirk Schroder, President, Board of Education  
Dr. Jo Lynne DeMary, Superintendent of Public Instruction  
Elizabeth B. Davis  
Henry H. Harrell  
Edward Tilden Keil  
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#### ***Office of the Clerk, Senate of Virginia***

Patty Lung, *Committee Clerk*





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### **Appendix**

Meetings of the HJR 302 Task Force  
House Joint Resolution No. 302 (2000)



**REPORT OF THE  
HJR 302 SPECIAL TASK FORCE TO EXAMINE THE NEED FOR APPROPRIATE  
ALTERNATIVE FORMS OF STANDARDS OF LEARNING ASSESSMENTS FOR STUDENTS  
RECEIVING SPECIAL EDUCATION AND RELATED SERVICES  
TO THE SJR 498 COMMISSION ON EDUCATIONAL ACCOUNTABILITY**

**I. AUTHORITY AND STUDY OBJECTIVES**

Adopted by the 2000 Session of the General Assembly, HJR 302 created an eight-member special task force composed of members of the SJR 498 Commission on Educational Accountability (five members of the House of Delegates and three members of the Senate) to examine the need for appropriate alternative forms of Standards of Learning assessments for students receiving special education and related services. Noting the "intent of the Commonwealth to include all children in the general education curriculum" and stating that "the majority of children identified as eligible for special education and related services are capable of participating in the general education curriculum to varying degrees, with some adaptations and modifications," the resolution contends that "a student receiving special education and related services who meets the requirements as developed should receive an appropriate diploma." The resolution further states that excluding these students from state- and division-wide assessments "has severely limited, and, in some cases, prevented these children from continuing on to postsecondary education."

The special task force was directed to examine the following issues:

- (i) current state-of-the-art testing and assessment of students receiving special education and related services;
- (ii) the development of appropriate forms of Standards of Learning assessments that will provide students receiving special education and related services with a range of modifications and accommodations to meet their educational needs; and
- (iii) such other issues as it deems appropriate.

The special task force was to submit its findings and recommendations to the SJR 498 Commission on Educational Accountability by January 1, 2001, for inclusion in the Commission's final report to the Governor and to the 2002 Session of the General Assembly.<sup>1</sup> The task force met twice in 2000.

The resolution also directed the SJR 498 Commission on Educational Accountability to continue the work of the Joint Subcommittee on Remediation. The Commission is to "become familiar with the issues and policies regarding the joint subcommittee's work and its subsequent findings and recommendations throughout the course of its study so that efforts are not duplicated, and complete the objectives in the

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<sup>1</sup>The date and Session reference in the resolution should be January 1, 2001 and the 2001 Session, as the SJR 498 Commission is a two-year study that was expected to conclude in 2001.

joint subcommittee's work plan for 2000." Remediation issues were referred to the HJR 302 task force for consideration by the chairman of the SJR 498 Commission.

## **II. DIPLOMA REQUIREMENTS AND TESTING OF STUDENTS IN SPECIAL EDUCATION**

At its initial meeting in September 2000, the task force received testimony from representatives of the Department of Education addressing the Modified Standard Diploma and recent Standards of Accreditation (SOA) revisions; current testing of students receiving special education services; and numbers of students receiving special education who are participating in the Standards of Learning (SOL) assessment program and data regarding participation in Literacy Passport Testing in recent years.

In February 2000, the Board of Education announced the development of a Basic Diploma for students with disabilities who would likely not meet Standard Diploma requirements. Criteria followed in April 2000, and the Basic Diploma concept was subsequently refined in July 2000 to become the Modified Standard Diploma, available only to students with disabilities.

Pursuant to 8 VAC 20-131-50 D, participation in the Modified Standard Diploma program is determined by the student's Individual Education Program (IEP) team and the student, where appropriate, any time after the student's eighth grade year. Informed, written parental consent is required, following a review of the student's academic history and the full disclosure of the student's options. Student pursuing the Modified Standard Diploma must also be permitted to pursue the Standard or Advanced Studies Diploma, and cannot be excluded from courses and tests required to earn these diplomas. Beginning with the ninth grade class of 2000-01, students pursuing the Modified Standard Diploma shall pass literacy and numeracy competency assessments prescribed by the Board.

The Modified Standard Diploma requires completion of a total of 20 credits: four in English; three in mathematics; two each in science, history, and health/physical education, one in fine or practical arts, and six electives. Beginning with the class of 2003, elective courses must include at least two sequential courses. The Board still approves courses to satisfy the credit requirements and identify the requisite literacy and numeracy tests.

The participation of students with disabilities in state- and division-wide testing is governed by the federal Individuals with Disabilities Education Act (IDEA), as amended in 1997. States are to file with the U.S. Secretary of Education information demonstrating that students with disabilities are included in general state and division assessment programs, with appropriate accommodations and modifications in administration. The state or local education agency (in Virginia, the local school division), as appropriate, is to develop guidelines for participation in alternative assessments for those students with disabilities who cannot participate in state or division testing programs. The alternative assessments were to be developed and administered no later than July 1, 2000.

The Individualized Education Program (IEP) for each student with disabilities must include a statement of any modifications in the assessments needed to facilitate the student's participation, and, if the IEP team determines that the student will not participate in state or division assessments, a statement indicating the basis of the determination and how the student will be assessed.

The Board of Education adopted guidelines in 1998 for the participation by these students, as well as those with 504 plans, in the SOL assessments. The student's IEP must set forth the student's SOL participation either (i) with no accommodations; (ii) with accommodations that maintain standard conditions (timing, setting, presentation, and response); or (iii) with permissible accommodations that do not maintain standard conditions. Any accommodations must be specified, and should be not be limited to the SOL assessments, but should be those which the student typically needs and uses during classroom instruction, again, as described in the IEP.

### **Accommodations Maintaining Standard Conditions**

<p style="text-align: center;"><b><u>Setting</u></b></p> <ul style="list-style-type: none"> <li>preferential seating</li> <li>small group testing</li> <li>individual testing</li> <li>special lighting</li> <li>adaptive or special furniture</li> <li>test administered in locations with minimal distractions</li> <li>noise buffers</li> <li>hospital/home</li> </ul> <p style="text-align: center;"><b><u>Response</u></b></p> <ul style="list-style-type: none"> <li>student marks booklet; teacher/proctor marks answer sheet</li> <li>student responds verbally; teacher/proctor marks answer sheet</li> <li>Braille answer sheet</li> <li>abacus</li> <li>arithmetic tables (only if subtest allows a calculator)</li> <li>braille</li> <li>large diameter/special grip pencil</li> <li>pencil grip</li> <li>word processor</li> <li>typewriter</li> <li>augmentative communication device</li> <li>spell check</li> <li>spelling dictionary</li> </ul>	<p style="text-align: center;"><b><u>Timing</u></b></p> <ul style="list-style-type: none"> <li>time of day</li> <li>breaks during test</li> <li>multiple test sessions</li> <li>order of tests administered</li> </ul> <p style="text-align: center;"><b><u>Presentation</u></b></p> <ul style="list-style-type: none"> <li>Braille</li> <li>large print</li> <li>increase size of answer bubbles</li> <li>increase spacing between items or reduced items per page</li> <li>reading directions to students</li> <li>simplifying directions</li> <li>interpreting directions (e.g., signing, cued speech)</li> <li>written directions</li> <li>clarify directions</li> <li>reading of test items *</li> <li>audiotape version of test items *</li> <li>interpreting (e.g., signing, cued speech) test items *</li> <li>using a communication board/pictorial presentation</li> <li>magnifying glass</li> <li>amplification equipment (e.g., hearing aid or auditory trainer)</li> <li>templates</li> <li>masks or markers to maintain place</li> </ul> <p style="text-align: center;"><i>*except on English: Reading/Literature, and Research test</i></p>
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Permissible accommodations that do not maintain standard conditions include reading test items on the reading/literature and research test to the student; using an audio-cassette version of the reading/literature and research test; interpreting (signing or cued speech) test items on the reading/literature and research test; dictation to a scribe on the writing sample component of the writing test; and using a calculator or arithmetic table on mathematics tests in which calculators are not routinely supplied to all students.

The Literacy Passport Test (LPT), currently being phased out as the SOL assessments are being implemented, addressed reading, writing, and mathematics. Data from the last three years of full administration (academic years 1995-1997) indicated that passing rates for students with disabilities are lower than those of students without disabilities. The passing rates of students with disabilities, however, generally mirrors the same trends as those of students without disabilities.

### Participation of Students with Disabilities in SOL Testing

SOL Test	1999 Participation Rate (%/#)	2000 Participation Rate (%/#)
<b>Grade 3</b>		
English	71 (7,669)	70 (7,818)
Mathematics	74 (8,098)	75 (8,308)
History & Social Science	74 (8,106)	75 (8,377)
Science	74 (8,111)	75 (8,371)
<b>Grade 5</b>		
English: Reading, Literature, & Research	71 (8,538)	70 (8,857)
English: Writing	71 (7,903)	71 (8,496)
Mathematics	73 (8,780)	72 (9,165)
History & Social Science	76 (13,766)	70 (8,891)
Science	74 (8,919)	74 (9,367)
Computer/Technology	74 (8,875)	73 (9,325)
<b>Grade 8</b>		
English: Reading, Literature, & Research	73 (8,376)	73 (8,432)
English: Writing	73 (7,929)	74 (8,320)
Mathematics	73 (8,434)	73 (8,516)
History & Social Science	75 (11,076)	72 (8,551)
Science	73 (8,299)	73 (8,390)
Computer/Technology	74 (8,371)	74 (8,553)
<b>High School</b>		
English: Reading, Literature, & Research	89 (3,817)	90 (3,957)
English: Writing	85 (3,470)	88 (4,053)
Algebra I	94 (4,249)	91 (5,009)
Algebra II	99 (1,257)	98 (1,301)
Geometry	98 (2,318)	97 (2,646)
Earth Science	89 (5,123)	89 (5,772)
Biology	92 (5,286)	92 (5,707)
Chemistry	97 (2,237)	98 (1,965)
World History I	89 (3,979)	91 (4,652)
World History II	89 (2,374)	92 (3,786)
World Geography	N/A	Unavailable
U. S. History	92 (4,189)	91 (4,040)

Virginia Department of Education, Division of Assessment and Reporting-- September 2000

Students who pass the SOL assessments with any kind of accommodation are deemed to have passed the assessment. According to data from the 1999 and 2000 test administrations, a high percentage of students with disabilities do participate in the SOL assessment program. In elementary grades, no less than 70 percent participation is

recorded for each assessment in each grade. Middle school participation rates are only slightly higher. High school participation rates range from 85 percent in English/Writing in 1999 to 99 percent in Algebra II in 1999.

Like the LPT pass rates, the SOL passing rates for students with disabilities are lower than those of students without disabilities. However, students with disabilities demonstrated commensurate or greater gains in scores in 2000 than did students without disabilities on 15 tests: Grade 3 Mathematics and English; Grade 5 English Reading/Literature and Writing, History, Science, and Computer/Technology; Grade 8 English Reading/Literature & Research and Writing, Mathematics, and Science; and end-of-course tests for English: Writing, Biology, Chemistry, and World History I.<sup>2</sup>

### III. SCHOOL DIVISION INPUT

Exploring testing accommodations and related special education assessment issues, the task force sought input from school divisions at its October 30 meeting. Dr. Glenn Miller, Accountability Manager, Chesterfield County Public Schools, indicated that less than one-half of Learning Disabled (LD) and Seriously Emotionally Disturbed students are passing the SOL assessments and suggested that alternative means of assessing academic performance might be made available to all students, as the "paper and pencil" test might not provide the most effective assessment method for some students, regardless of whether they have a disability.

Representing Fairfax County Public Schools, Patricia Addison, Director of Special Education Programs and Services, and Raymond Diroll, Coordinator of Testing Analysis and Administration, cited concerns regarding high-stakes testing of students with low reading ability or mild to moderate retardation. Currently, all special education students must participate in either the SOL assessments, whether without accommodation or with standard or nonstandard accommodation, or an alternate assessment using a portfolio format. In Fairfax County, special education enrollments stand at 22,000 students; of these, approximately 19,000 take the SOL assessments, and 700, typically those with significant cognitive disabilities, pursue the alternate assessment. Approximately 2,300 fall in a "gray area"--often LD and educable mentally retarded students--at risk of failing the SOL testing. Suggested changes included (i) expanding the range of accommodations that students with disabilities may use in state assessments; (ii) continuing to explore whether the Modified Standard Diploma should be available to all students; and (iii) in determining school accreditation, disaggregating scores for students with disabilities who fail SOL tests using nonstandard accommodations.

Standard accommodations--those allowing students to take a test without changing what the test is measuring--might be expanded to allow students with memory problems to take a test more closely to the time when material is taught. Students might also be allowed to use those accommodations currently available in the classroom that are not now permissible in SOL test administration. Such accommodations might include clarification of unfamiliar vocabulary, unless the item tests vocabulary.

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<sup>2</sup>September 12, 2000, meeting summary.

### Statewide SOL Spring Passing Rates

SOL Test	1999 Passing Rate (%) All Students/Disabled	2000 Passing Rate (%) All Students/Disabled	Change from 1999 to 2000 All Students/Disabled
<b>Grade 3</b>			
English	61/33	61/33	0/0
Mathematics	68/43	71/48	+3/+5
History & Social Science	62/42	65/44	+3/+2
Science	68/53	73/55	+5/+2
<b>Grade 5</b>			
English: Reading, Literature, & Research	69/39	68/41	-1/+2
English: Writing	81/45	81/49	0/+4
Mathematics	51/22	63/33	+12/+11
History & Social Science	46/23	51/29	+5/+6
Science	67/45	64/42	-3/-3
Computer/Technology	81/60	85/67	+4/+7
<b>Grade 8</b>			
English: Reading, Literature, & Research	67/29	70/34	+3/+5
English: Writing	70/27	76/39	+6/+12
Mathematics	60/24	61/27	+1/+3
History & Social Science	40/17	50/23	+10/+6
Science	78/50	82/55	+4/+5
Computer/Technology	72/40	78/46	+6/+6
<b>High School</b>			
English: Reading, Literature, & Research	75/37	78/40	+3/+3
English: Writing	81/38	85/47	+4/+9
Algebra I	56/27	65/33	+9/+6
Algebra II	51/33	58/38	+7/+5
Geometry	62/41	67/43	+5/+2
Earth Science	65/38	70/42	+5/+4
Biology	81/52	79/49	-2/-3
Chemistry	64/29	64/30	0/+1
World History I	68/36	75/46	+7/+10
World History II	47/21	60/30	+13/+9
World Geography	N/A	To Arrive	N/A
U. S. History	32/12	39/17	+7/+5

Virginia Department of Education, Division of Assessment and Reporting, September 2000  
September 12, 2000 Meeting Summary

In addition, speech recognition software might be used for students with physical disabilities. Other suggested options were the use of organization or planning strategies, such as a timer, and visual strategies, such as highlighters denoting key words. Also suggested were the (i) creation of a state database addressing the use of nonstandard accommodations; (ii) accepting student writing from a computer, rather than having teachers transcribe responses; and (iii) simplifying oral reading accommodation requirements.

The Modified Standard Diploma was praised as an additional diploma option for students with disabilities who are unable to pass the SOL tests required for a Standard



Diploma. Limiting this option to students with disabilities, however, might encourage the unintended consequence of "tracking" and isolation of students pursuing this diploma. Also noted was a potential conflict with IDEA and the need for equity of opportunity to access general education curriculum. Adding a verified credit in math and in science as well as monitoring the use of this diploma option were suggested.

The SOL test scores of students using standard and nonstandard accommodations are currently including in determinations of pass rates for school accreditation. Because the participation rates of students requiring nonstandard accommodations are expected to increase, representatives suggested disaggregating these scores, and including them in the school's accreditation calculation only when it benefits the school.

Noting that a modified or adapted special education curriculum may not equip students to pass an SOL assessment, representatives of Citizens Advocating in Special Education (CASE) presented a variety of recommendations. In 1999, approximately 15.3 percent of students receiving special education did not participate in the SOL assessments. In 2000, this percentage decreased to 14.8. Participation in testing was supported as providing accountability for special education; partial or complete exemptions from required assessments eliminate this avenue of accountability for those special education students. Disaggregation of scores was discouraged; however, the endorsement of a standard diploma for students with number of modified assessments was offered as an option. Also supported was making the Modified Standard Diploma available to all students. Other recommendations included (i) reporting scores of students in special education with the same frequency and degree of specificity; (ii) requiring verified credits for the Modified Standard Diploma; (iii) creating modified or adapted SOL assessments--altering the content assessed or the standard of performance to be met-for students in special education, with verified credit awarded for a passing score; and (iv) continuing the HJR 302 Task Force to develop guidelines for the appropriate implementation of assessments for students in special education and to explore available funding for the development of these assessments.

Representatives of the Department of Education reported that the Board of Education was expected to consider coursework supporting the Modified Standard Diploma at its November meeting. The Commonwealth is seen as having a "broad" accommodation range in the assessment of special education students. Virginia offers 12 accommodations that no other states provide, and there are five accommodations, as listed by the National Center for Educational Outcomes, that Virginia does not provide.<sup>3</sup>

#### **IV. REMEDIATION ISSUES**

Having been referred to a written summary of the work of the Remediation Study Committee, 1995-2000, the Task Force also heard from Dr. Thomas J. Ward, Jr., Associate Dean, School of Education, College of William & Mary, regarding the institution's study of remediation programs. The draft report, released October 27, 2000, examined seven of the 17 funded initiatives in Virginia: remedial summer school; SOL

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<sup>3</sup>October 30, 2000, meeting summary.

remediation; remedial education payments; at-risk add-on; dropout prevention; and regional alternative education.

The study's objectives included (i) describing how school divisions use at-risk funds; (ii) identifying specific short-term, intermediate, and strategic results linked to the programs; and (iii) creating a set of testable program indicators that are useful, valid, reliable, and objective. The study team visited 16 school divisions, surveyed all divisions, and worked with the Department of Education and others. The percentage of school divisions responding to the study was 45.9. Noting that local dollars are the primary source of remediation funding, the study reported that personnel costs, on average, accounted for 82 percent of at-risk program costs.

### Capacity-Building of At-Risk Programs: Sources of Funding

Source	High	Low	Average
State	58%	27%	38%
Local	73%	35%	57%
Federal	2.4%	0%	1.2%

The indicators identified included (i) percentage of students passing SOL tests; (ii) graduation/promotion rates of at-risk students; (iii) percent of at-risk students at grade level; (iv) number of students scoring at the bottom quartile of Stanford 9 test; (v) numbers of suspensions, expulsions, referrals to special education; school safety information; (vi) at-risk four-year-olds: measure of school readiness; (vii) dropout prevention: number of students who drop out; number of truants; attendance rates; (viii) checklist of acquired resources (instructional staff or staff training; transportation; instructional materials); (ix) financial: ratio of state to local, federal, and private funds; ratio of at-risk program funds to general use funds; composite index; (x) teacher/student ratio for at-risk programs compared to division ratio; and (xi) percent of teachers meeting state licensure for subject/grade taught.

### Capacity-Building of At-Risk Programs: Expenses

Category	High	Low	Average
Personnel (instructional personnel; professional development; counselors; community liaison; consultants)	90%	67%	82%
Direct Services (materials and supplies)	26%	3.9%	12%
Administration (transportation; telephone; staff; computer/technology support)	7.3%	1.1%	5.4%

The study did not validate any particular "best practices"; however, several programs were self-nominated as such. Findings included that (i) the number of at-risk pupils is rising; (ii) programs are well-distributed across grade levels, but there is no way to determine the distribution of resources; (iii) a student is likely receiving services from

multiple programs, funded by multiple sources; (iv) funds can be tracked for all programs, but student results can only be tracked for grant-funded initiatives (at-risk four-year-olds; dropout prevention; regional alternative education); (v) most school divisions use at-risk resources to build capacity, primarily through the hiring and training of personnel.

Study recommendations included (i) encouraging school divisions to report survey data through incentives or consequences; (ii) requiring evaluations of grant-funded programs to identify best practices; (iii) providing training and technical assistance in program evaluation; (iv) revising survey questions to address specific concerns identified in the study; (v) revisiting the reporting schedule; (vi) reducing the data-collection burden on school divisions; (vii) providing advanced notice that data will be required, and providing a template when possible; (viii) continuing study to explore promising programs and practices; and (ix) assisting in developing technological infrastructure and competence for tracking students in at-risk programs.

The Board of Education's standards for state-funded remedial programs are currently in the pre-publication and regulation review stage. The regulations have been approved by the Board of Education. Still to be completed in the regulatory process are publication in the Register of Regulations, the public comment period, publication of final regulations, and a waiting period.

Funding for transportation services for students required to attend state-funded remedial programs outside the regular instructional day would be based on a per pupil per day cost, multiplied by the number of student days the program operates. This cost is to be based on the latest prevailing cost data used to fund pupil transportation in the Standards of Quality.

State-funded programs operating on days in addition to the regular school year would be supported by 100 percent of the per pupil per day cost in the formula. For programs beginning before or ending after the regular instructional day, 50 percent of the per pupil per day cost is to be used. The state's share of these payments would be based on the composite index.<sup>4</sup>

Respectfully submitted,  
Delegate Jay O'Brien, *chairman*  
Delegate J. Paul Councill, Jr.  
Delegate John S. Reid  
Delegate Robert Tata  
Delegate Mitchell Van Yahres  
Senator Emmett W. Hanger, Jr.  
Senator R. Edward Houck  
Senator Stephen D. Newman

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<sup>4</sup>*Id.*

## **Meetings of the HJR 302 Task Force**

**Tuesday, September 12, 2000**

**General Assembly Building, Richmond, Virginia**

Call to Order and introductions of members: Delegate Jay O'Brien, *patron*; election of chairman; Department of Education presentations: Modified Standard Diploma; recent SOA Revisions; current testing of students receiving special education services; numbers of students receiving special education who are participating in the SOL assessment program and data regarding participation in Literacy Passport Testing in recent years; discussion; review of workplan.

**Monday, October 30, 2000, 11:30 a.m.**

**General Assembly Building, Richmond, Virginia**

Call to Order and introduction of members: Delegate Jay O'Brien, chairman; Special Education Issues: Fairfax County Public Schools: Patricia Addison, Director of Special Education Programs and Services, and Raymond Diroll, Coordinator of Testing Analysis and Administration; Chesterfield County Public Schools, Dr. Glenn Miller, Accountability Manager; Citizens Advocating in Special Education (CASE): Ms. Lisa Constantini; Update by Department of Education: Special Education regulations; modified diploma; Findings of the Remediation Study Committee, 1995-2000: Del. Van Yahres; Update on Remediation Study conducted by the College of William & Mary--Dr. Thomas J. Ward, Jr., Associate Dean, School of Education, College of William & Mary; Updates by Department of Education: Status of proposed regulations; standards for State Funded Remedial Programs-- Dr. Jim Heywood, Director of Elementary School Services; transportation funding formula explanation--Dan Timberlake, Assistant Superintendent for Finance; Kent Dickey, Budget Director; discussion; planning for subsequent meetings.

## HOUSE JOINT RESOLUTION NO. 302

Creating the special task force of the Commission on Educational Accountability to examine the need for appropriate alternative forms of Standards of Learning assessments for students receiving special education and related services, and directing the Commission on Educational Accountability to continue the work of the Joint Subcommittee on Remediation.

Agreed to by the House of Delegates, February 15, 2000

Agreed to by the Senate, March 2, 2000

WHEREAS, federal regulations under § 504 of the Rehabilitation Act of 1973 and state regulations promulgated pursuant to the Virginians with Disabilities Act require that individuals with disabilities be given equal opportunity to participate in and benefit from those policies and procedures customarily granted to all individuals; and

WHEREAS, it is the intent of the Commonwealth to include all children in the general education curriculum, and the majority of children identified as eligible for special education and related services are capable of participating in the general education curriculum to varying degrees, with some adaptations and modifications; and

WHEREAS, proposed revisions to the Standards of Accreditation (8 VAC 20-131-30 D) provide that participation in Standards of Learning (SOL) testing by students with disabilities will be prescribed by provisions of their Individualized Education Plan (IEP) or 504 Plan, and that, beginning with the school year 2000-2001, students with disabilities for whom participation in a modified assessment is prescribed in their IEP or 504 Plan shall demonstrate proficiency on that assessment; and

WHEREAS, the provision of appropriate SOL assessments allow students receiving special education and related services an opportunity to demonstrate their achievement; and

WHEREAS, a student receiving special education and related services who meets the requirements as developed should receive an appropriate diploma; and

WHEREAS, the provision of various forms of SOL assessments holds real promise in being the first accountability measure to document that all children with disabilities receive the same high-quality education as other children in the Commonwealth of Virginia; and

WHEREAS, excluding children receiving special education and related services from state-wide and division-wide assessments has severely limited, and, in some cases, prevented these children from continuing on to postsecondary education; and

WHEREAS, the results of such identified SOL assessment instruments must be made public with the same frequency and level of detail as other state-wide and division-wide SOL assessment results; and

WHEREAS, the need for an appropriate SOL assessment for students receiving special education and related services requires careful consideration of a variety of complex educational, fiscal, and policy issues; and

WHEREAS, the Joint Subcommittee Studying Remedial Summer School Programs was established, pursuant to House Joint Resolution No. 529 (1995), to study the status and needs of the remedial summer school program, and has been continued to date to conduct a comprehensive review and analysis of the system of remediation in the Commonwealth, including, but not limited to, the process of remediating and accelerating students, the administration and organization of the system, the curriculum, funding, a review of the academic performance of students who have been identified for remediation and acceleration, and the effectiveness of remediation relative to the Standards of Learning (SOL) and Standards of Accreditation (SOA); and

WHEREAS, the joint subcommittee found that funding, staff development, transportation, program quality and equity issues, program effectiveness, and many other factors affect the remediation of students and the delivery of remedial services, and that these issues, which require very careful deliberation, are critical problems throughout the Commonwealth; and

WHEREAS, although various approaches to address these problems have been proposed for consideration, including block grant funding, the establishment of standards, increased funding for remediation, greater school board flexibility in designing local remediation programs, the standardization of certain remedial program components, innovative instructional programs, early identification of at-risk students, funding transportation services, and many other initiatives, the complexity and interconnected components of the remediation system do not lend themselves to expedient solutions; and

WHEREAS, the SOL and SOA requirements have stimulated the need for more remedial programs and services, as evidenced by the low percentage of public schools in the Commonwealth that can meet the SOL requirements, and the need for alternative SOL assessments for students receiving special education and related services; and

WHEREAS, recent SOL results must be examined in light of the educational needs of students, and any proposed restructuring and funding of the remediation system must ensure that all students identified for remediation are served; and

WHEREAS, the comprehensive review of the remediation system initiated by the Joint Subcommittee on Remediation, pursuant to House Joint Resolution No. 572 (1999), should be continued and completed to provide a thorough understanding of the nexus between public education policies, service delivery, and the governing structure of public education vis-a-vis sound projections regarding future remediation needs before the Commonwealth's remediation system can be reorganized to reflect the impact of the SOL and the SOA requirements; and

WHEREAS, although the joint subcommittee has worked diligently on this problem, the task is phenomenal, given the complexity and interdependent nature of a myriad of public education and funding policies, and more time is required to complete this important work; and

WHEREAS, Senate Joint Resolution No. 498 (1999) established the Commission on Educational Accountability to address multiple issues related to and affecting the Standards of Quality, the Standards of Learning, and the Standards of Accreditation for Virginia's public schools; and

WHEREAS, it is reasoned that the consolidation of these issues under the aegis of the Commission charged to examine educational reform matters will provide a forum and mechanism to consider these issues in their entirety; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the special task force of the Commission on Educational Accountability to examine the need for appropriate alternative forms of Standards of Learning assessments for students receiving special education and related services be created, and that the Commission on Educational Accountability be directed to continue the work of the Joint Subcommittee on Remediation.

The special task force shall be composed of 8 members of the Commission on Educational Accountability, pursuant to SJR No. 498 (1999), to be appointed as follows: 5 members to be appointed by the Speaker of the House; and 3 members to be appointed by the Senate Committee on Privileges and Elections.

However, notwithstanding the provisions of SJR No. 498 (1999), citizen members and members of the House of Delegates appointed by the Speaker of the House to the Commission on Educational Accountability, pursuant to SJR No. 498 (1999), shall be subject to reappointment or replacement by the Speaker of the House. Members of the House of Delegates shall be appointed in accordance with the principles of Rule 16 of the Rules of the House of Delegates.

In conducting the study, the special task force shall consider, among other things, current state-of-the-art testing and assessment of students receiving special education and related services; the development of appropriate forms of SOL assessments that will provide students receiving special education and related services with a range of modifications and accommodations to meet their educational needs; and such other issues as it deems appropriate.

To assist it in its work regarding alternative SOL assessments for students receiving special education and related services, the special task force shall consult with individuals from professional fields including clinical and developmental child psychology; public school teachers and educators experienced in the fields of autism, developmental delays, emotional disabilities, learning disabilities, mental retardation, physical disabilities, severe disabilities, blindness, hearing impairment, multiple disabilities, other health impairment, visual impairment, and traumatic brain impairment. In addition, the task force shall seek the input of parents of children receiving special education and related services and representatives from statewide and local advocacy organizations.

The special task force shall regularly apprise the Commission on Educational Accountability regarding its deliberations, findings, and recommendations on a schedule to be determined by the Commission.

With regard to the continuation of the work of the Joint Subcommittee on Remediation, the Commission shall become familiar with the issues and policies regarding the joint subcommittee's work and its subsequent findings and recommendations throughout the course of its study so that efforts are not duplicated, and complete the objectives in the joint subcommittee's work plan for 2000.

The Division of Legislative Services shall provide staff support for the study. The Department of Education and the staffs of the House Committee on Appropriations and the Senate Committee on Finance shall provide technical assistance, upon request. All agencies of the Commonwealth shall provide assistance, upon request.

The direct costs of this study shall not exceed \$7,500.

The special task force shall submit its findings and recommendations to the Commission on Educational Accountability by January 1, 2001, for inclusion in the Commission's final report to the Governor and to the 2002 Session of the General Assembly.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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**REPORT OF THE  
HJR 566 SPECIAL TASK FORCE STUDYING THE  
EDUCATIONAL NEEDS OF THE 21ST CENTURY**  
TO THE  
SJR 498 COMMISSION ON EDUCATIONAL ACCOUNTABILITY

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2001

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## **HJR 566 SPECIAL TASK FORCE MEMBERS**

Delegate Phillip A. Hamilton, *chairman*

Audrey Davidson, *vice-chairman*

Delegate Jay O'Brien

Delegate Clarence E. Phillips

Senator R. Edward Houck

Senator Stephen D. Newman

The Honorable Wilbert Bryant, Secretary of Education

Dr. Jo Lynne DeMary, Superintendent of Public Instruction

The Honorable Barry Duval, Secretary of Commerce and Trade

Dr. Arnold R. Oliver, Chancellor, Virginia Community College System

Phyllis Palmiero, Director, State Council of Higher Education for Virginia

Karlynn W. Bucher

Edward J. Kihm

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## **SJR 498 Commission Members**

Senator Emmett W. Hanger, Jr., *chairman*

Delegate J. Paul Councill, Jr., *vice-chairman*

Senator William T. Bolling

Senator R. Edward Houck

Senator Stephen H. Martin

Senator Stephen D. Newman

Delegate Phillip A. Hamilton

Delegate James K. O'Brien

Delegate John S. Reid

Delegate Robert Tata

Delegate Mitchell Van Yahres

The Honorable Wilbert Bryant, Secretary of Education

Kirk Schroder, President, Board of Education

Dr. Jo Lynne DeMary, Superintendent of Public Instruction

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Meetings of the HJR 566 Task Force  
House Joint Resolution No. 566 (1999)

sequence of study in a technical field beginning as early as the ninth year of school," extending two years past secondary school, and ultimately leading to an associate degree or a certificate.

### **Vocational Education in Virginia**

Vocational education in Virginia's public schools is required by Standard 1 of the Standards of Quality (SOQ), which directs local school boards to implement "[c]ompetency-based vocational education programs, which integrate academic outcomes, career guidance and job-seeking skills for all secondary students including those identified as handicapped that reflect employment opportunities, labor market needs, applied basic skills, job-seeking skills, and career guidance." Local school boards must also provide "[a]cademic and vocational preparation for students who plan to continue their education beyond secondary school or who plan to enter employment." Because vocational education is required by the SOQ, the Commonwealth and local school divisions share fiscal responsibility for these programs.

In Virginia's public secondary schools, vocational education content areas include agricultural education, business, health occupations education, marketing, technology education, trade and industrial education, work and family studies, and career connections. Agricultural education encompasses forestry, farming, and natural resources, and includes related business training as well. Middle schools provide career exploration and beginning career preparation, while comprehensive high schools offer vocational programs in addition to academic instruction. Technical schools within a school division may serve a number of high schools; regional technical schools reflect partnerships between two or more school divisions. Specialty centers serve particular student populations.

Tying academic content to occupational skills standards in vocational education in Virginia is achieved through a "linkage system." By comparing state academic content standards, such as Virginia's Standards of Learning, to Vocational-Technical Consortium of States (V-TECS) Snyder's Academic Skills Taxonomy, which identifies related or required academic skills for particular occupations, a "crosswalk" may be devised to ensure greater linkage between the classroom curriculum and workplace challenges. Further assisting in the alignment of education with career paths is Virginia's system of grouping industry occupations into "career families," then by career areas, and, finally, occupational specialties or "career roles"--the most specific level, representing Classification of Instruction (CIP) codes and titles.

### **Career Planning and Guidance**

The SOQ direct school boards to "provide a program of pupil personnel services for grades K through 12 which shall be designed to aid students in their educational, social and career development." The SOQ also provide that career guidance efforts are to include "employment counseling designed to furnish information on available employment opportunities to all students, including those identified as handicapped, and placement services for students exiting school." School boards are to make available to secondary school students, free of charge, employment counseling and placement services.

## **National, Regional, Local, and Private Sector Initiatives**

Further enhancing the link between education and work are a number of national and private sector efforts, such as the **High Schools That Work (HSTW)** program, launched in 1988 by the Southern Regional Education Board (SREB), with 28 pilot project sites in 13 states. Designed to raise achievement levels of career-bound students, the initiative incorporates specific credit requirements, including four related credits in a planned vocational major. The Commonwealth was one of 11 states that participated in a consortium with SREB in 1987 to create the HSTW initiative. Now one of 23 states now participating in the HSTW effort, Virginia hosts 54 of the nation's 940 HSTW locations. Another initiative supporting workforce development is **Work Keys**, developed by ACT, Inc; this program tests students in eight "foundational skills": applied mathematics, applied technology, listening, locating information, observation, reading for information, teamwork, and writing.

Promoting vocational education and workforce development at the state and regional level are the **Virginia Business-Education Partnership Program (VBEP)**, whose objectives include the creation of a statewide resource center to disseminate information regarding strategic, and reform-based business and education partnerships. The 43-member **Virginia Workforce Council** identifies current and emerging workforce needs of the business community, assesses potential markets for increasing the number of workers available to business and industry, and forecasts training requirements for the new workforce. The 15-member **Virginia Advisory Council for Adult Education and Literacy** promotes the coordination of adult basic education, adult literacy education, adult secondary education, and GED preparation programs in Virginia.

Through **Career Connections**, a service area within the Office of Career and Technical Education (formerly Vocational and Adult Education) Services in the Virginia Department of Education, school divisions may seek technical assistance, career curriculum information and resources, and staff development. **Virginia VIEW (Vital Information for Education and Work)** is a comprehensive occupational information system serving career counselors and other professionals by providing career information through a telephone hotline, computer software programs, print and microfiche materials, and newspapers. Finally, the **Virginia Career and Technical Education Resource Center (VCTE)** (previously the **Virginia Vocational Curriculum and Resource Center (VVCRC)**), operated by the Henrico County Public Schools for the Virginia Department of Education, assists the Department in developing a variety of career and curriculum publications.

Regional initiatives include the **Coalfield Educational Empowerment Program**, the **Southside Virginia Business and Education Commission**, the **Blue Ridge Regional Education and Training Council**, and various regional public education consortia.

Among initiatives in Virginia public schools are **School-to-Work Transition Programs** established by school boards for public school students in grades five through 12 to prepare such students for postsecondary education eligibility, employment, and advanced technical skills training. In addition, the **General Education Development (GED) certificate**, is available to adults who do not have a high school diploma as well as for youth who have been granted permission by the division superintendent to take the test for the

## II. WORKFORCE DEVELOPMENT WITHIN PUBLIC EDUCATION

### Vocational Education

A key component of workforce development lies in vocational education. Although traditionally seen as an educational program designed to prepare students for entry-level work not requiring a college degree, in recent years vocational education has been re-tooled and reconsidered as a broader initiative that integrates academic as well as vocational education, encourages postsecondary education, and incorporates industry standards and accountability measures. Experts note that "vocational education is giving way to a broader purpose--one that includes greater emphasis on academic preparation and provides a wider range of possibilities."<sup>2</sup>

A confirmed shift in the U.S. economy from manufacturing to services and information bears consideration in designing vocational education programs. A February 2000 report from the National Center for Education Statistics (NCES) stated that this economic trend also indicates a change in the educational levels and training required by the workforce; vocational education enrollments may well reflect these trends as well.<sup>3</sup> The years 1982 through 1994 witnessed an overall decrease in high school vocational education enrollments. Although trade and industry programs remained the most popular, enrollments in these programs decreased, perhaps consistent with the economic shift toward service and information fields. Interestingly, enrollments in health care, technology, and communications--areas seen as service and information fields--doubled during this period. The NCES report did note, however, that increased credit requirements in some states, as well as reduced vocational course offerings, may have contributed to the drop in vocational education enrollment.<sup>4</sup>

### A Federal Framework

That effective workforce development and preparation for employment are critical considerations in crafting Virginia's system of public education is evident. Virginia's commitment to preparing students for work is reflected in numerous legislative and executive branch initiatives targeting not only vocational education but also curriculum standards, business and education partnerships, technology training, and application of academic skills. Articulating this commitment is Standard 1 of the Standards of Quality, which states 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 school and preparation for life."<sup>5</sup>

Providing a framework for many Virginia workforce development initiatives in the public schools, however, are several significant federal statutes that provide funding for vocational education and other workforce development initiatives. Primary support

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<sup>2</sup>National Center for Education Statistics, Office of Educational Research and Improvement, U.S. Department of Education, *Vocational Education in the United States: Toward the Year 2000* at iii (February 2000).

<sup>3</sup>*Id.* at iv.

<sup>4</sup>*Id.* at vi.

<sup>5</sup>Va. Code § 22.1-253.13:1 (2000).



for vocational education in the public schools nationwide is found in the Carl D. Perkins Vocational and Technical Education Act of 1998 (P.L. 105-332), which provides federal aid to states to increase accessibility to vocational education programs for all persons, including disabled, disadvantaged, and incarcerated students. Enacted by Congress in 1984, the Perkins Act replaced the Vocational Education Act of 1963, which had increased federal funding for vocational education schools, work-study initiatives, and research and training.<sup>6</sup>

The Perkins Act was reauthorized and amended in 1990 (as the Carl D. Perkins Vocational and Applied Technology Education Act, P.L. 101-392) to extend federal funding through fiscal year 1995. The 1990 Act emphasized stronger links with post-secondary training and improved integration of vocational education with academic curricula, and required the states to develop core standards and evaluation measures for secondary and post-secondary programs.<sup>7</sup> The 1998 reauthorization, sometimes referred to as Perkins III, targets the acquisition of skills needed to meet not only state academic standards but also "industry-recognized skills standards and to prepare for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers." The 1998 Act includes an accountability component, and also addresses the integration of academic and vocational programs, improved linkages between secondary and postsecondary education, the expanded use of technology, and the promotion of student experience in "all aspects of an industry."<sup>8</sup>

Perkins III also reauthorized Tech Prep, an initiative introduced in the 1990 reauthorization. According to the U.S. Department of Education's Division of Vocational-Technical Education, Tech Prep consists of a "4+2, 3+2 or a 2+2 planned sequence of study in a technical field beginning as early as the ninth year of school," extending two years past secondary school, and ultimately leading to an associate degree or a certificate. The federal statute requires Tech Prep programs to include within the 4+2, 3+2, or 2+2 model "... proficiency in math, science, communication, and technology."<sup>9</sup>

Dovetailing with the workforce development efforts supported by the Perkins Act is the Workforce Investment Act of 1998 (P.L. 105-220), which addresses adult education and vocational rehabilitation programs "to create an integrated 'one-stop' system of workforce investment and education activities for adults and youth." Also

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<sup>6</sup>K. Harris, Division of Legislative Services, "Specific Educational Programs," *A Legislator's Guide to Public Education in Virginia* (1993)[hereinafter referred to as "Specific Educational Programs"]; Office of Vocational and Adult Education, U.S. Department of Education, *Carl D. Perkins Vocational-Technical Education Act of 1998* <<http://www.ed.gov/offices/OVAE/VocEd/InfoBoard/legis.html>>[hereinafter referred to as *Act of 1998*]; Office of Vocational and Adult Education, U.S. Department of Education, *Carl D. Perkins Vocational-Technical Education Act of 1998 Summary* <<http://www.ed.gov/offices/OVAE/VocEd/InfoBoard/2pgperk.html>> [hereinafter referred to as *Summary*]; Office of Vocational and Adult Education, U.S. Department of Education Division of Vocational-Technical Education, *The Carl D. Perkins Vocational and Applied Technology Education Act* [hereinafter referred to as *Applied Technology Education Act*] <<http://www.ed.gov/offices/OVAE/perkins.html>>

<sup>7</sup>"Specific Educational Programs," *supra*; *Applied Technology Education Act, supra*.

<sup>8</sup>*Summary, supra* note 6.

<sup>9</sup>*Id.*; Division of Vocational-Technical Education, Office of Vocational and Adult Education, U.S. Department of Education, "Tech Prep Education" <<http://www.ed.gov/offices/OVAE/techprep.html>>

supporting workforce development and high school initiatives preparing students for careers is the School-to-Work Opportunities Act of 1994, administered by the U.S. Departments of Education and Labor.<sup>10</sup>

### **Vocational Education in Virginia**

As defined in the Code of Virginia, vocational education is "an organized education program offering a sequence of courses which may incorporate field, laboratory, and classroom instruction; and which emphasize occupational experiences and are designed to prepare individuals for further education and gainful employment."<sup>11</sup> Vocational education in Virginia's public schools is required by Standard 1 of the Standards of Quality, which directs local school boards to implement "[c]ompetency-based vocational education programs, which integrate academic outcomes, career guidance and job-seeking skills for all secondary students including those identified as handicapped that reflect employment opportunities, labor market needs, applied basic skills, job-seeking skills, and career guidance." Local school boards must also provide "[a]cademic and vocational preparation for students who plan to continue their education beyond secondary school or who plan to enter employment."<sup>12</sup> In 1998-99, 564,733 students were enrolled in vocational education in Virginia public schools.<sup>13</sup>

The Board of Education, as the state agency designated to carry out the provisions of the federal Act, is statutorily directed to promote and administer the provision of agriculture, business, marketing, home economics, health, technology education, trade and industrial education in the public middle and high schools, regional schools, postsecondary institutions, and certain institutions for youth and adults. The Code of Virginia makes clear that the Board's duty to promote vocational education does not mandate the implementation of any additional programs.<sup>14</sup>

**Funding.** Because vocational education is required by the SOQ, the Commonwealth and local school divisions share fiscal responsibility for these programs. The 2000-2002 Appropriation Act allocates \$44,275,637 in the first year and \$43,059,887 in the second year for vocational education instruction. Of these appropriations, \$75,000 the first year and \$75,000 the second year from the general fund will support the School-To-Work Transition Grants Program. An amount estimated at \$11,401,817 the first year and \$11,386,067 the second year from nongeneral funds is appropriated pursuant to the federal School-to-Work Opportunities Act of 1994. Also from this total appropriation, the budget provides \$1,900,000 the first year and \$700,000 the second year from the general fund for secondary vocational-technical equipment. School divisions have access to a base allocation of \$2,000 the first year and \$1,000 the second year; remaining funding is to be distributed based on student enrollment in secondary vocational-technical courses. The budget language specifically notes that state funds received for secondary vocational-technical equipment "must be used to

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<sup>10</sup> *Act of 1998, supra* note 6.

<sup>11</sup> Va. Code § 22.1-227.01 (2000).

<sup>12</sup> Va. Code § 22.1-253.13:1 D 4, 5 (2000).

<sup>13</sup> Virginia Department of Education, *Facts About Vocational Education in Virginia* < [http://www.pen.k12.va.us/VDOE/Instruction/Voc\\_Ed/facts.html](http://www.pen.k12.va.us/VDOE/Instruction/Voc_Ed/facts.html) >

<sup>14</sup> Va. Code § 22.1-227 (2000).

supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality."<sup>15</sup>

**Vocational Education Projects.** School boards are authorized to establish vocational education "projects" designed to supplement the regular vocational education program through voluntary student participation in various construction projects. School boards may establish these projects directly or by contract with nonprofit corporations or foundations whose articles of incorporation and bylaws have been approved by the insert map showing location and names of regional centers approved by the Board of Education. School boards may acquire property for project construction; the project must be sold within a reasonable time following completion. The Board of Education must review and approve all vocational education projects and may regulate the awarding of academic credit.<sup>16</sup>

**Implementing Vocational Education.** In Virginia's public secondary schools, vocational education content areas include agricultural education, business, health occupations education, marketing, technology education, trade and industrial education, work and family studies, and career connections. Agricultural education encompasses forestry, farming, and natural resources, and includes related business training as well. Health occupations training prepares students for entry-level positions in a particular health field or for advanced training in health occupations at the technical and professional levels. Trade and industrial education, one of the largest areas of vocational education, may prepare students for careers in cosmetology, plumbing, welding, and electrical work, as study is designed to equip students with the occupational skills, attitudes, and work habits to work in various skilled or semi-skilled trades. The work focus track of the work and family studies program prepares students for entry-level jobs and advanced education, while the family focus track offers preparation in management of individual, family, and work lives.

Vocational education at the middle school level provides career exploration and beginning career preparation, while comprehensive high schools offer vocational programs in addition to academic instruction. Technical schools within a school division may serve a number of high schools; regional technical schools reflect partnerships between two or more school divisions. Specialty centers serve particular student populations.

Linking academic content and occupational skills standards is seen as a valuable tool in addressing the basic academic skills demanded by employers as well as reducing drop-out rates. Testimony before the task force indicated that, as students recognize the link between curriculum and "real world" work requirements, they may be encouraged to remain in school and to complete their studies.

The Vocational-Technical Consortium of States (V-TECS), comprised of 15 states, including the Commonwealth, and U.S. military and governmental entities,

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<sup>15</sup>2000 Acts of Assembly, c. 1073 (§ 1-52, Item 141 C 2).

<sup>16</sup>Va. Code §§ 22.1-228; 22.1-229; 22.1-230; 22.1-231; 22.1-234; 22.1-237 (2000); *see also*, "Specific Educational Programs," *supra* note 6.

compiled various skills and knowledge "identified by industry as essential to job performance." These skills and "real world" scenarios may assist in instruction, assessment, and credentialing.

By comparing state academic content standards, such as Virginia's Standards of Learning, to V-TECS Snyder's Academic Skills Taxonomy, which identifies "related/required academic skills" for particular occupations, a "crosswalk" may be devised to ensure greater linkage between the classroom curriculum and workplace challenges. To date, crosswalks between the V-TECS standards and the SOLs for English, math, and science have been created.

Having linked occupational skills and academic content standards, validation of course sequences is necessary to further enhance the effectiveness of vocational-technical programs in Virginia. Grouping industry occupations into "career families," then by career areas, and, finally, occupational specialties or "career roles"--the most specific level, representing Classification of Instruction (CIP) codes and titles, further assists in alignment of education with career paths.

Within this career family structure, students in their early years of education may build foundational skills in rigorous academic courses. Intermediate education levels provide opportunity for students to refine their course selections toward a "career family." At the secondary school level, these choices are again refined to incorporate studies in a "career area." Finally, whether at the secondary or postsecondary (including two- or four-year institutions and graduate school) level, students may focus on a "career role."

### **Career Families**

Office of Career and Technical Education Services, Virginia Department of Education  
(as presented to the HJR 566 Task Force, November 6, 2000)

Agriculture and Natural Resources  
Art, Audio/Video Technology and Communications  
Architecture and Construction  
Business and Administration  
Education and Training  
Finance  
Government and Public Administration  
Health Science  
Hospitality and Tourism  
Human Services  
Information Technology  
Law and Public Safety  
Manufacturing  
Retail/Wholesale Sales and Service  
Scientific Research and Engineering  
Transportation, Distribution, and Logistics

According to *Virginia's Changing Workplace: Employers Speak*, a 1997 study conducted by the Weldon Cooper Center for Public Service, employers expect students to be able to, among other things: apply academic skills and knowledge to a broad field of

technical studies; read, understand, and communicate in the language of the particular technical field; communicate effectively; solve problems and think skillfully; work responsibly; and manage resources. Standardized tests, such as various occupational standards tests, and industry certification assist in measuring whether students--prospective employees--meet these expectations.

At the December 1999 task force meeting, discussion focused on whether vocational assessments might serve as useful equivalents to SOL assessments. The possibility of using a relevant and rigorous vocational education program to provide credit for the SOL assessments was also cited, as the Board had, at that time, already contemplated using International Baccalaureate and Advanced Placement tests. Also noted was the fact that the vocational education student may demonstrate a level of knowledge and skills equal or superior to those required for a high school diploma.<sup>17</sup>

### **Career Planning and Guidance**

Closely linked to workforce preparation in public education is the concept of career planning. Standard 2 of the SOQ directs school boards to "provide a program of pupil personnel services for grades K through 12 which shall be designed to aid students in their educational, social and career development."<sup>18</sup> Further evidence of the Commonwealth's commitment to career planning and preparation is found in Standard 1, as career guidance efforts are to include "employment counseling designed to furnish information on available employment opportunities to all students, including those identified as handicapped, and placement services for students exiting school."<sup>19</sup>

Echoing these directives is § 22.1-209, which requires school boards to "make available" to secondary students, free of charge, employment counseling and placement services to "furnish information relating to the employment opportunities available to students graduating from or leaving the public schools in the school division." This information is to encompass a variety of work opportunities, specifically, but not limited to, apprenticeships, the military, career education schools, and teaching. School boards are to work with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations, and such career schools as may be approved by the Board in providing these counseling services.<sup>20</sup>

In addition, the Standards of Accreditation (SOA) require middle schools to provide instruction in "career and vocational exploration," while the high schools must offer "vocational education choices that...prepare the student as a vocational program completer in one of three or more occupational areas and that prepare the student for technical or pre-professional post secondary programs." Amendments to the SOA proposed in spring 2000 would change references from "vocational" to "career and technical" education.<sup>21</sup> The SOA also direct individual schools to "[c]ooperate with

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<sup>17</sup>December 21, 1999, meeting summary; November 6, 2000 meeting summary.

<sup>18</sup>Va. Code § 22.1-253.13:2 D (2000).

<sup>19</sup>Va. Code § 22.1-253.13:1 D 4 (2000).

<sup>20</sup>Va. Code § 22.1-209 (2000).

<sup>21</sup>8 VAC 20-131-90; 8 VAC 20-131-100.

business and industry in formulating vocational educational programs and conduct joint enterprises involving personnel, facilities, training programs, and other resources."<sup>22</sup>

A recommendation of the HJR 196 Commission on the Future of Public Education adopted during the 1998 Session, HJR 243 requested the Board of Education to study the feasibility of establishing various methods and tools designed to focus students' attention on future education and career plans. The Board was to consider current Virginia law and regulations governing career planning and guidance services, student career planning tools in other states, linkages between education and business that may promote student career planning, and such other issues as it deems appropriate. In its 1999 report responding to this directive, the Department of Education recommended (i) providing current information to local career guidance specialists regarding state and national career resources "through the joint efforts of career-related government agencies"; (ii) encouraging localities to provide career planning services as required by the SOQ as well as by other statutes and regulations; and (iii) identifying and encouraging efforts to involve parents substantively in career and postsecondary career planning regarding their children and at the policymaking level.<sup>23</sup>

### **National, Regional, Local, and Private Sector Initiatives**

Further enhancing the link between education and work are a number of national, regional, local, and private sector efforts. In 1988, the Southern Regional Education Board (SREB) launched the **High Schools That Work** (HSTW) program with 28 pilot project sites in 13 states. Ten years later, a total of 800 sites were located across 22 states. Designed to "raise the achievement level of career-bound high school students," the initiative seeks to "blend the essential content of traditional college-preparatory studies...with quality vocational and technical studies...." The program is based in large part upon the premise that "an intellectually challenging curriculum should be taught to all high school students...."

Among the program's "key practices" are increased access to vocational studies and integrated school- and work-based learning. The HSTW initiative also incorporates specific credit requirements, including four related credits in a "planned vocational major" and a minimum of two credits in "related vocational or technical fields...." The program also features an assessment and evaluation component.

An evaluation of HSTW programs indicated improved National Assessment of Educational Progress (NAEP) scores for reading, mathematics, and science scores, with some fluctuations, between 1993 and 1998. Also showing improvement are SAT scores. In addition, achievement test scores of HSTW students completing the vocational "major" surpass those of similar students.<sup>24</sup>

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<sup>22</sup>8 VAC 20-131-270 C; November 6, 2000 meeting summary.

<sup>23</sup>House Joint Resolution No. 243 (1998); Report of the Virginia Department of Education, Student Career Planning, *House Document No. 41* at 18 (1999)[hereinafter referred to as *HD 41*].

<sup>24</sup>Education Commission of the States, *Promising Practices: High Schools That Work* <<http://www.ecs.org/ecs/ecsweb.nsf/HTMLFrameObjects/FrameSet-HomePage?OpenDocument>>

The Commonwealth was one of 11 states that participated in a consortium with SREB in 1987 to create the HSTW initiative. Three pilot project sites were located in Virginia public schools that year--one each in Norfolk, York County, and Rockbridge County. One of 23 states now participating in the HSTW effort, Virginia hosts 54 of the nation's 940 HSTW sites.<sup>25</sup>

### **High Schools That Work in Virginia**

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|---|---|
| <p><b>Accomack County Public Schools</b><br/>Chincoteague High School, Chincoteague<br/>Nandua High School, Onley</p> <p><b>Augusta County Public Schools</b><br/>Wilson Memorial High School, Fishersville</p> <p><b>Bedford County Public Schools</b><br/>Staunton River High School, Moneta</p> <p><b>Bristol City Public Schools</b><br/>Virginia High School</p> <p><b>Carroll County Public Schools</b><br/>Carroll County High School, Hillsville</p> <p><b>Chesterfield County Public Schools</b><br/>Meadowbrook High School, Richmond</p> <p><b>Colonial Heights City Public Schools</b><br/>Colonial Heights High School</p> <p><b>Galax City Public Schools</b><br/>Galax High School</p> <p><b>Gloucester County Public Schools</b><br/>Gloucester High School, Gloucester</p> <p><b>Goochland County Public Schools</b><br/>Goochland High School, Goochland</p> <p><b>Grayson County Public Schools</b><br/>Grayson County High School, Independence</p> <p><b>Hampton City Public Schools</b><br/>Bethel High School; Hampton High School<br/>Kecoughtan High School; Phoebus High School</p> <p><b>Hanover County Public Schools</b><br/>Patrick Henry High School, Ashland</p> <p><b>Henrico County Public Schools</b><br/>Henrico High School &amp; Hermitage H.S./Tech. Center, Richmond<br/>Highland Springs H.S./Tech. Center, Highland Springs<br/>Virginia Randolph Community H.S., Glen Allen</p> <p><b>Lunenburg County Public Schools</b><br/>Central High School, Victoria</p> <p><b>Madison County Public Schools</b><br/>Madison County High School, Madison</p> <p><b>Newport News City Public Schools</b><br/>Denbigh High School; Heritage High School<br/>Menchville High School; Warwick High School;<br/>Woodside High School</p> | <p><b>Norfolk City Public Schools</b><br/>Maury High School</p> <p><b>Northampton County Public Schools</b><br/>Northampton High School, Eastville</p> <p><b>Nottoway County Public Schools</b><br/>Nottoway High School, Nottoway</p> <p><b>Petersburg City Public Schools</b><br/>Petersburg High School</p> <p><b>Portsmouth City Public Schools</b><br/>Churchland High School</p> <p><b>Powhatan County Public Schools</b><br/>Powhatan High School, Powhatan</p> <p><b>Richmond City Public Schools</b><br/>Huguenot High School; John F. Kennedy High School</p> <p><b>Roanoke County Public Schools</b><br/>Cave Spring High School, Roanoke<br/>William Byrd High School, Vinton</p> <p><b>Rockbridge County Public Schools</b><br/>Rockbridge County High School, Lexington</p> <p><b>Russell County Public Schools</b><br/>Lebanon High School, Lebanon</p> <p><b>Suffolk City Public Schools</b><br/>Lakeland High School<br/>Nansemond River High School</p> <p><b>Tazewell County Public Schools</b><br/>Graham High School, Bluefield</p> <p><b>Virginia Beach City Public Schools</b><br/>Bayside High School; First Colonial High School<br/>Green Run High School; Salem High School<br/>Tallwood High School</p> <p><b>Williamsburg/James City County Public Schools</b><br/>Jamestown High School<br/>Lafayette High School</p> <p><b>Wythe County Public Schools</b><br/>Fort Chiswell High School, Max Meadows</p> <p><b>York County Public Schools</b><br/>Bruton High School, Williamsburg<br/>Grafton High School, Yorktown<br/>Tabb High School, Yorktown</p> |
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<sup>25</sup>Virginia Department of Education, *High Schools That Work: Background Information* <[http://www.pen.k12.va.us/VDOE/Instruction/Voc\\_Ed/hstw/background.html](http://www.pen.k12.va.us/VDOE/Instruction/Voc_Ed/hstw/background.html)>; *1999-2000 High Schools That Work Sites* <[http://www.pen.k12.va.us/VDOE/Instruction/Voc\\_Ed/hstw/hstwsites.html](http://www.pen.k12.va.us/VDOE/Instruction/Voc_Ed/hstw/hstwsites.html)>

To explore the HSTW initiative more completely, the Task Force sought the testimony of Dr. Gene Bottoms, Executive Vice President, Southern Regional Education Board (SREB). Noting the current knowledge-based economy, Dr. Bottoms stated that more than 57 percent of jobs are filled by individuals educated beyond the high school level. Sixty percent of high school students pursue community college or a "second tier" four-year institution, or enter the workforce or the military directly. The military is the top placement of male high school graduates, claiming 11 percent of that population.

SREB set overall achievement goals for the HSTW initiative of having 85 percent of HSTW students achieving "at a level required for further learning in the workplace and in colleges and universities." The test scores of HSTW students in mathematics matched national averages, and while progress has been made in reading and science, HSTW scores in those subject areas fall below the national average. Several recommendations were offered to states seeking to enhance efforts to achieve this 85 percent goal. First, students should be required to complete the recommended HSTW curriculum, which consists of four credits in college preparatory or honors English; at least three mathematics credits, including Algebra I and higher; three science credits, with two at the college preparatory level; and four credits in either a planned sequence of career and technical studies and two related credits, or four credits in a planned academic concentration.

The percentage of HSTW students completing this recommended curriculum increased from three percent in 1988 to 34 percent in 2000; students completing this curriculum in 2000 had significantly higher test scores than those students who did not. None of the state members of the SREB-HSTW Consortium require vocational students to complete the HSTW curriculum; however, eight states, including Virginia, have adopted the recommended science curriculum. Eleven states, including Virginia, require the mathematics curriculum.

Targeting accountability, the second recommendation urged schools to increase annually the percentage of students meeting performance goals on end-of-course tests in core academic subjects. SREB follow-up data on HSTW students achieving HSTW award goals within the recommended curriculum indicated that these students took fewer college-level remedial courses in reading and mathematics and had higher freshman grade point averages. Compared to HSTW students who did not achieve the award goals, the award recipients were more likely to attend four-year colleges, less likely to require remediation, and less likely to be unemployed for more than eight weeks during the year following graduation. Also addressing accountability, the third recommendation supported the development of end-of-program examinations that assess vocational/technical educational skills.

The fourth recommendation supported the availability of "early and continuing guidance assistance" to students and parents regarding the development of post-high school goals, course selection, and effective use of the senior year. Also recommended was financial support for schools to provide assistance to struggling students. The sixth recommendation urged the development of a middle to high school transition policy that incorporates various "readiness" indicators, increases the number of students completing



Algebra I and college preparatory language arts by the end of the ninth grade, and educates parents and students about the skills required to complete high school work. Finally, it was recommended that states increase technical assistance to low-performing HSTW sites.<sup>26</sup>

Within the HSTW scheme, Menchville incorporates a teacher-initiated block schedule, integrates academic and vocational classes, provides a professional development period during the school day, and offers a Career Pathways booklet. The BIGMAC (Business, Industry, Government, Menchville, Administration, Community) advisory council was created in 1994 to serve as a steering entity for the HSTW grant. Comprised of area employers, elected officials and government employees, area military entities, and others, the group meets quarterly and has, among other things, created a three-year technology plan for the school, advised teachers on workplace needs, and established action teams to develop curriculum and "infuse employability skills across the curriculum." Particularly stressed are the value of community involvement in the school and networking with the business community. Initiatives of special note include a senior project, requiring seniors to prepare and present a written report to a community panel, after research and sometimes, mentoring; mentoring programs for at-risk students; and career day and career search efforts.

Bolstering SREB data and findings was testimony from Virginia school divisions. Describing the High Schools That Work (HSTW) initiative at Menchville High School in Newport News, Dr. Anne Edison, Assistant Principal and HSTW Site Coordinator, stated that Menchville had adopted the Southern Association of Colleges and Schools (SACS) School Improvement Model in 1994. The HSTW "Ten Key Practices" became the school's goals; the school has transformed its vocational classes to a more "academic" focus, and has accordingly modified its "academic" courses to address more "real-world" issues and skills. In the last six years, the school has won a U.S. Department of Education Blue Ribbon twice; become the first Virginia school to be designated a "New American High School," and one of ten schools nationwide named for its college and career preparation efforts; and been recognized in *Newsweek* among the 100 best high schools, based upon the number of Advanced Placement (AP) examinations given.<sup>27</sup>

A private, for-profit initiative supporting workforce development is **Work Keys**, developed by ACT, Inc. The Work Keys system tests students in eight "foundational skills": applied mathematics, applied technology, listening, locating information, observation, reading for information, teamwork, and writing. The results of these assessments are then, in coordination with school counselors, compared to skill levels required for particular jobs to assist students in identifying areas requiring improvement. Test results may also aid schools and teachers in improving instruction, and, with permission, may be released to potential employers.<sup>28</sup>

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<sup>26</sup>December 11, 2000 meeting summary.

<sup>27</sup>September 12, 2000 meeting summary.

<sup>28</sup>ACT, Inc., *Work Keys: Improving the Quality of America's Workforce* < <http://www.act.org/workkeys/>>; ACT, Inc., *Work Keys for Education: What Educators Need to Know About Work Keys* <<http://www.act.org/workkeys/education/index.html>>; ACT, Inc., *Work Keys for Education: How Work Keys Works* < <http://www.act.org/workkeys/education/works.html>>; ACT, Inc., *Work Keys for Education: Targets for Instruction* < <http://www.act.org/workkeys/education/targets.html>>; ACT, Inc., *Work Keys for*

**Ten Fastest Growing Occupations, 1998-2008**  
Bureau of Labor Statistics

	Number of Jobs (in thousands) 1998	Number of Jobs (in thousands) 2008	Percent Change
Computer Engineers	299	622	+ 108
Computer Support Specialists	429	869	+ 102
Systems Analysts	617	1,194	+ 94
Database Administrators	87	155	+ 77
Desktop Publishing Specialists	26	44	+ 73
Paralegals and Legal Assistants	136	220	+ 62
Personal Care & Home Health Aides	746	1,179	+ 58
Medical Assistants	252	398	+ 58
Social & Human Service Assistants	268	410	+ 53
Physician Assistants	66	98	+ 48

Source: ACT, Inc., "Richard Judy Speaks Out on the Challenges Facing Today's Employers--and How Work Keys Can Help," *Work Keys USA* (Spring 2000).

Area business and industry leaders and Russell County Public Schools joined efforts in 1997 to develop the **Russell County Career and Technology Center (RCCTC)**; their work was acknowledged in 1998-99 as the Virginia Department of Education awarded the system a pilot site for the state's Manufacturing Technology Initiative. A two-year, multimedia-based program was installed at RCCTC. Targeting design, electronics, manufacturing processes, automation, and other skills, the program offers national certification in the "Wheels of Learning" curriculum, accredited by Fluor Daniel, an international construction consortium. Students achieving certification are included in a national database for employment recruitment. The RCCTC has also entered into an articulation agreement with Mountain Empire Community College to receive 12 hours of manufacturing technology credit in the associate degree program. Another articulation agreement involves Southwest Virginia Community College, with credit in computer-aided drafting and design and electrical technology.

In Rockbridge County, **PREP 2000** (Partners Realizing Employment Potential) was designed by the education committee of the local chamber of commerce. The multi-year program is to address student workforce literacy, educator awareness of workforce requirements, and aid in local economic development. Combining a variety of initiatives, PREP 2000 includes book donation efforts for pre-school use; dinner partners to allow selected educators to meet with hosting local businesses each week; workforce endorsement agreements between students, educators, and businesses, in which each party pledges its diligence in various educational and workforce efforts; a Second Chance initiative for developing a local apprenticeship program and addressing the training needs of "unemployable" individuals; and scholarships.<sup>29</sup>

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*Education: Frequently Asked Questions* < <http://www.act.org/workkeys/education/faq.html> >; ACT, Inc., "Richard Judy Speaks Out on the Challenges Facing Today's Employers--and How Work Keys Can Help," *Work Keys USA* (Spring 2000).

<sup>29</sup>September 12, 2000 meeting summary.

The **New Horizons Regional Education Center** in Hampton offers a variety of programs, including the Governor's School for Science and Technology, Career-Technical Education, Special Education, and the Point Option/New Summits program. Also offered is an Adult Continuing Education and Apprenticeship program. Serving the school divisions of Hampton, Newport News, Poquoson, York County, Gloucester County, and James City/Williamsburg, New Horizons is comprised of three campuses in two different cities.

Also among the initiatives available at New Horizons are a 2+2+2 program, incorporating high school training, community college, and, ultimately, a degree from Old Dominion University. Articulation agreements also exist for law-enforcement studies through Thomas Nelson Community College (TNCC) and Christopher Newport University; practical nursing at TNCC, Tidewater Community College, and Norfolk State University; and programs such as electronics and medical/legal systems administration with TNCC. Also receiving focus at New Horizons is Integrated Systems Technology, developed in response to area employers Canon, Siemens, and Newport News Shipbuilding.<sup>30</sup>

At the statewide level, a new partnership with the **Virginia Department of Education** and **Virginia Automobile Dealers Association** allows local dealerships to become involved in automotive technology education in public schools. Another statewide initiative involves the **Department of Education, Virginia Community College System, JOBS+, and CompTia**. This latter initiative contemplates an 18-month membership for high schools and community colleges, with benefits such as internship and mentoring materials, A+, Network+, and iNet+ certification vouchers for full-time teachers providing instruction leading to certification, and discounted vouchers for students.

### **Other Initiatives in Virginia Public Schools**

**School-to-Work Transition Programs.** The 1995 Session of the General Assembly authorized school boards, from "such funds as may be appropriated for this purpose," to establish school-to-work transition programs for public school students in grades five through 12 "to prepare such students for postsecondary education eligibility, employment, and advanced technical skills training." While focusing on the needs of noncollege-bound students, the school boards might also permit college-bound pupils to participate in these initiatives. Further, school boards were to "develop appropriate interagency linkages with public and private institutions of higher education, labor and industry councils, the business community, rehabilitative services providers, and employment and guidance services to assist such students in acquiring necessary work habits, developing marketable skills, and identifying career goals through a broad range of educational and career opportunities and mentoring and apprenticeship programs."<sup>31</sup>

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<sup>30</sup>November 6, 2000 meeting summary; *see also*, New Horizons Regional Education Center <<http://gauss.nhgs.tec.va.us/NEWmainpages/nhrec.html>>

<sup>31</sup>Va. Code § 22.1-209.01 (2000); 1995 Acts of Assembly, c. 274.

A year later, the General Assembly established the School-To-Work Transition Grants Program and Fund to support grants, awarded on a competitive basis to public schools, including regional and joint schools, school divisions, and consortia of public schools and community colleges, "to support model programs promoting the effective transition from the school environment to the workplace." These grants may also be applied to the local school division school-to-work initiatives authorized by statute the previous year.<sup>32</sup>

**General Education Development (GED).** The general educational development certificate (GED) is available to adults who do not have a high school diploma as well as for youth who have been granted permission by the division superintendent to take the test for the general educational development certificate.<sup>33</sup> Acknowledging the critical importance of education and career preparation, Standard 1 of the SOQ directs local school boards to implement programs "based on prevention, intervention, or retrieval designed to increase the number of students who earn a high school diploma or general education development (GED) certificate."<sup>34</sup>

Enhancing efforts to support students seeking the GED were amendments to the compulsory attendance statute, adopted by the 1999 General Assembly. Local school boards may allow compulsory attendance requirements to be satisfied for any student who is at least age 16, upon a meeting between the student, the student's parents, and the principal or his designee, in which an individual student alternative education plan (ISAEP) is developed in conformity with guidelines prescribed by the Board, which plan must include career guidance counseling, mandatory enrollment in a GED testing program or other alternative education program approved by the local school board, counseling on the economic impact of failing to complete high school, and provisions for re-enrollment in school. Students meeting these requirements and conditions take the GED test.

From such funds as may be appropriated, local school boards must implement GED testing and preparatory programs consistent with guidelines to be developed by the Board of Education. The guidelines must include a provision allowing such preparatory and testing programs to be offered jointly by two or more school boards.<sup>35</sup> The 2000-2002 budget allocates \$2,247,581 the first year and \$2,247,581 in the second year from the general fund for the secondary schools' GED test and preparatory program required by the 1999 legislation. The budget also directs the Department of Education to report the status of this initiative to the Governor and the Chairmen of the Senate Finance, Senate Education and Health, House Appropriations, and House Education Committees no later than September 1 of each year.<sup>36</sup>

### **State and Regional Initiatives and Partnerships**

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<sup>32</sup>Va. Code § 22.1-208.2:2 (2000); 1996 Acts of Assembly, c. 241.

<sup>33</sup>Va. Code § 22.1-223 (2000).

<sup>34</sup>Va. Code § 22.1-253.13:1 D 2 (2000).

<sup>35</sup>Va. Code § 22.1-254 (2000); 1999 Acts of Assembly, cc. 488, 552; Division of Legislative Services, *1999 Session Summary* (HB 2384; SB 962) (1999).

<sup>36</sup>2000 Acts of Assembly, c. 1073 (§ 1-52, Item 141 H 4).

**Virginia Business-Education Partnership Program.** Also assisting in linking public education to the world of work is the Virginia Business-Education Partnership Program (VBEPP), created in 1993 within the Office of the Secretary of Education. Among its objectives are the expansion of business involvement in public education and the "development of strategic education reform partnerships in support of World Class Education, and enhancement of existing partnerships between the public and private sectors to improve public education in the Commonwealth...." The Program's objectives include the creation of a statewide resource center to disseminate information regarding "strategic, reform-based business and education partnerships" as well as the "establishment of standards of excellence for effective business and education partnerships and provision of technical assistance for these partnerships." Within 60 days before each regular legislative session, the Secretaries of Education and of Commerce and Trade are to report to the General Assembly regarding business and education partnership programs.<sup>37</sup> The 2000 Appropriation Act allocates VBEPP \$97,948 in each year of the 2000-2002 biennium.<sup>38</sup>

The Advisory Council on the Virginia Business-Education Partnership Program assists the Secretary of Education in implementing VBEPP and in "facilitating the development of strategic partnerships between the public and private sectors to enhance public education and workforce training." Directed to meet quarterly, the Advisory Council is to serve as an advisor to the Workforce 2000 Advocacy Council.<sup>39</sup>

**Virginia Workforce Council.** Although not specifically targeting workforce training and development at the public school level, the responsibilities of the Virginia Workforce Council nonetheless merit committee consideration. Initially established in 1998 as the 25-member Statewide Workforce Training Council upon the recommendation of the HJR 622 Joint Subcommittee to Study Noncredit Education for Workforce Training in the Commonwealth, the Council was re-constituted in 1999 as the 43-member Virginia Workforce Council. Its membership includes legislators and various state officials involved in education, technology, and business, and citizens representing local government, business, industry, and proprietary schools. Directed to "assist the Governor in meeting workforce training needs," the Council is to, among other things, "(i) identify current and emerging workforce needs of the business community, (ii) assess potential markets for increasing the number of workers available to business and industry, (iii) forecast and identify training requirements for the new workforce, (iv) create strategies that will match trained workers with available jobs, and (v) certify courses and programs

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<sup>37</sup>Va. Code §§ 2.1-51.21:1; 2.1-51.21:2 (1995).

<sup>38</sup>2000 Acts of Assembly, c. 1073, § 1-52, Item 133 C.

<sup>39</sup>Va. Code §§ 9-325; 9-328 (1998). Members of the Advisory Council include the Secretary of Education or his designee, the Secretary of Commerce and Trade or his designee, and 18 gubernatorial appointees, to include one representative each from the Department of Education and the Office of Volunteerism; one member each from the House of Delegates and the Senate; one representative of the Virginia Chamber of Commerce; and 13 members who represent business, industry, education, and employees, including one community college president, one president of a four-year institution of higher education, one school superintendent, one public school teacher, one school board member, and at least five representatives of private business and industry. Va. Code § 9-326 (1998).

of training as appropriate and responding to the needs of business and industry in the Commonwealth."<sup>40</sup>

In 1999, the Council's duties--and those of the Secretary of Commerce and Trade--were expanded to include assisting the Governor in complying with the federal Workforce Investment Act (P.L. 105-220)(WIA), including the creation of Virginia's Workforce Development Program. Regional workforce training centers were to be established at institutions within community colleges in the Peninsula, Southside, Central Virginia, and Western Tidewater regions to assist the Council in (i) coordinating specific high-skill training, (ii) developing industry standards and related curricula, and (iii) providing skills assessments.<sup>41</sup>

Also added during the 1999 Session were the Workforce Training Access Program and Fund, administered by the Secretary of Finance, to guarantee payment of workforce training loans made by a national student loan marketing association, consistent with §§ 10 and 11 of Article VIII of the Virginia Constitution, to certain eligible Virginia residents. The Secretary of Finance is authorized to enter into an agreement with the national student loan marketing association that will originate, fund and service workforce training loans to persons enrolled in workforce training courses and programs that the Statewide Workforce Training Council has certified to be responding to the technology needs of business and industry in the Commonwealth pursuant to § 9-329.2.<sup>42</sup>

**Virginia Advisory Council for Adult Education and Literacy.** Charged to "recommend an integrated and coordinated multi-agency approach for the delivery of quality adult education and literacy programs, services, and philosophies, the 15-member Virginia Advisory Council for Adult Education and Literacy promotes the coordination of adult basic education, adult literacy education, adult secondary education, and the

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<sup>40</sup>Va. Code § 9-329.1; 9-329.2 (2000 Supp.); Division of Legislative Services, *1998 Session Summary* (1998). The Council's membership consists of the Governor; the Secretaries of Commerce and Trade, Education, Health and Human Resources, and Technology; the Director of the Department of Business Assistance; the Chancellor of the Virginia Community College System; the Director of the State Council of Higher Education; the President of the Center for Innovative Technology; the Executive Director of the Virginia Economic Development Partnership; the Director of the Governor's Employment and Training Department; the Commissioner of the Virginia Employment Commission; the president of the Virginia AFL-CIO; and one other labor representative, appointed by the Governor. The 22 gubernatorial appointees representing the business community are to include the presidents of the Virginia Chamber of Commerce and the Virginia Manufacturer's Association; one representative of private nonprofit institutions; one representative of proprietary schools; and the remaining 18 members are to include business owners, chief executive officers, chief operating officers, or other business executives or employers with optimum policy-making or hiring authority and who "represent diverse regions of the state, to include urban, suburban, and rural areas; and members of the local workforce investment boards, representing businesses with employment opportunities that reflect the employment opportunities of the state, and who are appointed from among individuals nominated by state business organizations and business trade associations." The Governor shall also appoint one mayor, one chairperson of a county board of supervisors, and one representative of a community-based organization delivering workforce activities. Finally, the Council includes two members of the House of Delegates to be appointed by the Speaker of the House and two members of the Senate to be appointed by the Senate Committee on Privileges and Elections.

<sup>41</sup>Va. Code § 9-329.1 (2000 Supp.); 1999 Acts of Assembly, cc. 840; 855.

<sup>42</sup>Va. Code § 9-329.6 (2000 Supp.); 1999 Acts of Assembly, c. 794.

GED preparation programs in Virginia. The Council also is responsible for developing a biennial state plan for adult education and literacy for submission to the Secretaries of Education, Commerce and Trade, Health and Human Resources, and Public Safety.<sup>43</sup>

**Career Connections (Virginia Department of Education).** Providing assistance for local career guidance efforts is the Career Connections service area within the Office of Career and Technical (formerly Vocational and Adult) Education Services in the Virginia Department of Education. Through Career Connections, school divisions may seek technical assistance, career curriculum information and resources, and staff development.<sup>44</sup> For secondary schools, Career Connections provides career connecting links, which include mentorships, Tech Prep programs, and professional internships, as well as other initiatives that "blend instruction with program models that provide for actual or simulated work-based experiences planned to apply classroom instruction to real-life employment situations and requirements."<sup>45</sup> In addition, Career Connections coordinates secondary school career development efforts with employers and institutions of higher education. Also within the purview of Career Connections is Education for Employment (EFE), a service designed to assist students with disabilities and those identified as disadvantaged for work and independent living.<sup>46</sup>

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### **Definitions: Career Connecting Links**

Career Connections, Office of Career and Technical Education  
Virginia Department of Education

**Cooperative education**--a method of instruction for students that combines vocational classroom instruction with paid employment directly related to classroom instruction.

**High Schools That Work (HSTW)** --a statewide initiative that focuses on improving student achievement in academic and vocational classes; a comprehensive approach to school improvement that was initially created in 1987 by the Southern Regional Education Board.

**Internships**--planned, progressive, educational activities/programs that enable students to explore career opportunities for a specified period of time and that may be paid or unpaid.

**Mentorships**--informal relationships between students and persons representing career fields who enhance students' career development by helping them learn about workplaces through participation in non-paid activities.

**Tech Prep**--combined secondary and minimum of two-year postsecondary, seamless, integrated programs of study with options for work-based learning; programs include a placement component that leads to employment and further education, which may include a four-year degree.

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Source: Report of the Virginia Department of Education, Student Career Planning, *House Document No. 41* at 7(1999).

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<sup>43</sup>Va. Code § 2.1-51.21:3 (2000 Supp.).

<sup>44</sup>*HD 41, supra* note 23, at 6-8.

<sup>45</sup>*Id.* at 6, C-2

<sup>46</sup>*Id.* at 7, 8.

**Virginia VIEW (Va. Tech).** Virginia VIEW (Vital Information for Education and Work) is a "comprehensive occupational information system to serve the needs of planners, career counselors, and other helping professionals." Since 1980, the contract to provide this information delivery system has been granted to Virginia Tech.<sup>47</sup> Using a multimedia approach, Virginia VIEW provides career information through a telephone hotline, computer software programs, print and microfiche materials, and newspapers. Offering information on the 300 top occupations in the Commonwealth, Virginia VIEW makes materials available in more than 1,600 locations--typically in schools, institutions of higher education, extension offices, adult education centers, and some state agencies.<sup>48</sup>

**Virginia Career and Technical Education (previously Vocational Curriculum and Resource) Center (VCTERC).** Operated by the Henrico County Public Schools for the Virginia Department of Education, the Center assists the Department in developing a variety of career and curriculum publications. In addition, the VCTERC provides free resources, assistance, and services to public career and technical education programs.<sup>49</sup> The 2000-2002 budget appropriated \$400,000 in the first year for the Center.<sup>50</sup>

**Coalfield Educational Empowerment Program.** Created in 1998 to serve the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Tazewell, and Wise and the City of Norton, the Coalfield Educational Empowerment Program is administered by the Adult Education Service of the Virginia Department of Education. Directed to "enter into agreements with adult education providers in the coalfield region to perform the functions of the Program," the Department is to report annually on the Program's impact and activities to the region's local school boards, regional governing boards for adult education in the coalfield region, the Secretary of Education, the Secretary of Commerce and Trade, the General Assembly, and the Governor.

Among the Program's functions are the coordination of regional general education development certificate preparation activities and existing organizations, school boards, and economic development organizations to "enhance the educational attainment of adults in the region's labor force who lack a high school diploma or its equivalent"; the development of regional programs to assist adults without a GED to acquire workforce skills necessary for adaptation to the region's "changing economic environment"; and to enhance the coalfield region's future "through the development of a core group of skilled workers." The Program is to expire on July 1, 2003.<sup>51</sup>

**Southside Virginia Business and Education Commission.** Created by the 1991 General Assembly upon the recommendation of the A.L. Philpott Southside Economic Development Commission, the 21-member Southside Virginia Business and Education Commission (SVBEC) serves the Counties of Amelia, Appomattox, Brunswick, Buckingham, Campbell, Charlotte, Cumberland, Dinwiddie, Franklin, Greensville,

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<sup>47</sup>Virginia View <<http://www.vaview.vt.edu/whatis.html>>

<sup>48</sup>HD 41, *supra* note 23, at 9.

<sup>49</sup>*Id.*; Virginia Vocational Curriculum and Resource Center <<http://vvcrc.tec.va.us/>>(last modified June 8, 2000); Virginia Vocational Curriculum and Resource Center <<http://vvcrc.tac.va.us/service.html>> (last modified June 8, 2000).

<sup>50</sup>2000 Acts of Assembly, c. 1073 (§ 1-52, Item 133 Q).

<sup>51</sup>Va. Code §§ 22.1-226.1; 22.1-226.2; 22.1-226.4 (2000).



Halifax, Henry, Lunenburg, Mecklenburg, Nottoway, Patrick, Pittsylvania, Prince Edward, Southampton and Sussex and the Cities of Danville, Emporia, Franklin, Martinsville, and South Boston. With offices located at Longwood College, the Commission is assisted by the University of Virginia Center for Public Service.

Comprised of gubernatorial appointees representing area business and industry, the education community, local elected officials, and citizens, the Commission is charged to provide "general leadership in the region for education and business partnership programs and excellence in education" and to "encourage and expand business participation and involvement in public education and to foster partnerships between the public and private sectors to enhance public education in Southside Virginia...." Workforce development is a central concern for the SVBEC, as it is also directed to "coordinate with business and industry throughout the region to ascertain those skills, education, and training that businesses seek from entry level workers" and to promote increased coordination between public schools, higher education, and adult education and worker training.<sup>52</sup>

The 2000-2002 budget includes \$150,000 in general fund moneys for the first year for the Southside Virginia Business and Education Commission. In addition, the budget includes \$250,000 in each year for the SVBEC for a heavy equipment operator-training program at Fort Pickett. Finally, the budget also provides \$150,000 in each year for the SVBEC to establish a workforce development center in Chase City.<sup>53</sup>

**Blue Ridge Regional Education and Training Council.** Also targeting regional education and workforce concerns is the 21-member Blue Ridge Regional Education and Training Council. Similar in function and duties to the SVBEC, the Council is to "collect, generate, and disseminate ideas and information regarding educational innovations and effective instructional practices pertinent to the Blue Ridge region...." and to sponsor regional seminars to "to discuss, plan, and receive comments on how to upgrade the region's adult workforce...." In addition, the Council's workforce development duties include the creation of "incentives for school systems that subscribe to integrated-applied educational programs which prepare students for post-high school education or employment" and the promotion and expansion of apprenticeship training, in coordination with the Department of Labor and Industry. The Council's offices are located at Virginia Western Community College. The Blue Ridge Regional Education and Training Council Fund supports the Council's education and training programs.<sup>54</sup> The 2000 Appropriation Act provides \$50,000 in each year for the Council.<sup>55</sup>

**Regional public education consortia.** Also arguably involved in workforce development are a number of public education consortia, as their efforts to enhance joint

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<sup>52</sup>Va. Code § 9-145.6 *et seq.* (1998).

<sup>53</sup>2000 Acts of Assembly, c.1073, § 1-47, Item 124 L, M, O.

<sup>54</sup>Va. Code § 9-145.30 *et seq.* (1998). The Council serves the Counties of Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Botetourt, Campbell, Craig, Floyd, Franklin, Giles, Highland, Montgomery, Nelson, Pulaski, Roanoke, and Rockbridge, and the Cities of Bedford, Buena Vista, Clifton Forge, Covington, Lexington, Lynchburg, Radford, Roanoke, Salem, Staunton, and Waynesboro.

<sup>55</sup>2000 Acts of Assembly, c. 1073, § 1-52, Item 141 E 3.

educational practices might promote more effective workforce preparation and improved vocational education initiatives.

The **Southwest Virginia Public Education Consortium**, led by a board comprised of the region's school superintendents, heads of various higher education entities, and the region's legislators (who serve as nonvoting, advisory members), was created in 1992 to "[c]oordinate with those educational institutions and agencies in the Commonwealth and surrounding areas to develop joint educational initiatives...." The Consortium's offices are housed at the University of Virginia's College at Wise.<sup>56</sup> The Consortium is to receive \$677,000 in the first year and \$477,000 in the second year of the 2000-2002 biennium. The Consortium, in turn, is to provide \$315,000 the first year and \$115,000 the second year to continue the Van Gogh Outreach program with the public schools of Lee and Wise Counties and expand the program to the 12 school divisions in Southwest Virginia.<sup>57</sup>

The 2000 Session of the General Assembly created two additional regional public education consortia: the **Western Virginia Public Education Consortium** and the **Northern Neck/Peninsula Public Education Consortium**. The Western Virginia Consortium, with offices at Radford University, is specifically directed to "[f]acilitate the coordination of programs in the Consortium region that affect K through 12 public education in vocational and technical education, workforce development, and other linkages between public schools, institutions of higher education, and business and industry...."<sup>58</sup> The Western Virginia Public Education Consortium received \$125,000 the first year and \$125,000 the second year from the general fund in the 2000-2002 budget.<sup>59</sup>

The **Northern Neck/Middle Peninsula Public Education Consortium**, like its other regional counterparts, is to "establish, in conjunction with the Department of Education and the region's public school divisions, regional programs to address area educational needs...."<sup>60</sup> The 2000-2002 budget allocated \$55,000 the first year from the general fund for the Northern Neck-Middle Peninsula Public Education Consortium.<sup>61</sup>

## Recent Developments

Recognizing that "students must be better prepared to live and work in a highly competitive, technological society," the 1986 Governor's Commission on Excellence in Education contended that "[v]ocational education should be a key part of Virginia's

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<sup>56</sup>Va. Code § 22.1-350 *et seq.* (2000). The Southwest Public Education Consortium serves the Counties of Bland, Buchanan, Carroll, Dickenson, Grayson, Lee, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe, and the Cities of Bristol, Galax, and Norton.

<sup>57</sup>2000 Acts of Assembly, c. 1073, § 1-52, Item 141 E 4.

<sup>58</sup>2000 Acts of Assembly, cc. 105; 302; Va. Code § 22.1-354.1 *et seq.* (2000). The Consortium serves the Counties of Alleghany, Bland, Botetourt, Craig, Floyd, Franklin, Giles, Montgomery, Pulaski, Roanoke, and Wythe, and the Cities of Covington, Clifton Forge, Radford, Roanoke, and Salem.

<sup>59</sup>2000 Acts of Assembly, c. 1073, § 1-52, Item 141 E 9.

<sup>60</sup>2000 Acts of Assembly, c. 676. The Consortium's service region is comprised of the Counties of Essex, Gloucester, King and Queen, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland.

<sup>61</sup>2000 Acts of Assembly, c. 1073, § 1-52, Item 141 E 11.

campaign for literacy. The most important job skills are reading, writing, and mathematics."<sup>62</sup>

More recently, in its 1998 report, the HJR 196 Commission on the Future of Public Education recommended, and the General Assembly passed, legislation providing that the Standards of Learning for vocational education require "the full integration of English, mathematics, science and social studies SOLs and incorporate a process for assessments, reporting, and consequences." In addition, the Commission urged the alignment of all occupational vocational programs with industry and professional standards certification; this concept was also adopted during the 1998 Session.<sup>63</sup> The Commission also recommended that the requirements for a standard high school diploma include a concentration of courses "planned to ensure the completion of a 'focused career preparation' sequence in career, technical, or arts education..."; this recommendation was reflected in legislation amending Standard 3 of the SOQ.<sup>64</sup>

Pursuant to legislation adopted during the 1999 Session of the General Assembly, the Board is to "incorporate into vocational education the Standards of Learning for mathematics, science, English, and social studies, including history, and other subject areas as may be appropriate." Subject to appropriations for the purpose, a unit of vocational education specialists was to be created within the Department of Education. The unit shall (i) assist in developing and revising local vocational curriculum to integrate the Standards of Learning, (ii) provide professional development for vocational instructional personnel to improve the quality of vocational education, (iii) conduct site visits to the schools providing vocational education, and (iv) seek the input of business and industry representatives regarding the content and direction of vocational education programs in the public schools of the Commonwealth.<sup>65</sup>

Amendments to the Standards of Accreditation proposed in spring 2000 (and later adopted) provided for the award of the Board of Education's Career and Technical Seal to students (i) earning a Standard or Advanced Studies diploma, completing a prescribed sequence of courses in a career and technical education concentration, and maintaining at least a "B" average in those courses; or (ii) passing an examination conferring certification from a recognized trade or professional association; or (iii) obtaining a professional license in a career and technical education field from the Commonwealth.

Additional proposed amendments to the SOA included a Basic Diploma, "intended for certain students at the secondary level who are unlikely to meet the requirements for a Standard Diploma." The Basic Diploma would have required from 18 to 22 total credits, with two to six credits in a "career/occupational discipline"; the career/occupational credits must meet employability requirements adopted by the local school board (and subject to review by the Board of Education). Ultimately, however,

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<sup>62</sup>Report of the Governor's Commission on Excellence in Education, *Excellence in Education: A Plan for Virginia's Future* at 20, 8 (October 1986).

<sup>63</sup>Report of the Commission on the Future of Public Education, *Blueprint for Educational Excellence, House Document No. 48* at 11 (1998)[hereinafter referred to as *HD 48*]; Va. Code § 22.1-253.134:1 B (2000); 1998 Acts of Assembly, c. 902.

<sup>64</sup>*HD 48, supra*, at 12; Va. Code § 22.1-253.13:3 B (2000); 1998 Acts of Assembly, c. 902.

<sup>65</sup>Va. Code § 22.1-227.1 (2000); 1999 Acts of Assembly, cc. 435, 442.

the Board adopted a Modified Standard Diploma in September, 2000, shifting in focus to address only those students who have a disability and are unlikely to meet the credit requirements for a Standard Diploma.

Also reflected in SOA amendments adopted in 2000 were the provisions of SB 706, passed by the 2000 General Assembly. The proposed amendments establish the Board of Education's Seal of Advanced Mathematics and Technology, to be awarded to students who earn either a Standard or Advanced Studies Diploma and (i) satisfy all of the mathematics requirements for the Advanced Studies Diploma with a "B" average or better; and (ii) either (a) pass an examination in a career and technical education field that confers certification from a recognized industry, or trade or professional association; or (b) acquire a professional license in a career and technical education field from the Commonwealth; or (c) pass an examination approved by the Board that confers college-level credit in a technology or computer science area.<sup>66</sup>

By resolution adopted on September 28, 2000, the Board of Education set requirements for the particular licenses and certifications pertaining to this Seal. Similar to the criteria for the Career and Technical Seal exams, examinations for this Seal must be standardized, independently graded, and knowledge-based. In addition, the examinations must be (i) in a career and technical education field that "confers a certification for a recognized industry, trade, or professional association" or a college-level credit in a technology or computer science area; (ii) administered on a multi-state or international basis; and (iii) arise from a course of study "designed to prepare the student for an occupation or occupational area" that is "technology driven." The Board again identified specific certifications and examinations qualifying for this Seal, and also approved specific passing scores on certain Advanced Placement Computer Science tests, International Baccalaureate (IB) assessments, and the College Level Examination (CLEP) Information Systems and Computer Applications. The Board identified and formally approved certifications for a range of occupations, including air conditioning technician careers, with certification issued by North America Technician Excellence, Inc. (NATE); various webmaster careers, with certification by CompTia/ProSoft; certified dental technician, by the National Association for Dental Laboratories; certified networking associate positions, by Cisco Systems; and other positions.<sup>67</sup>

Finally, the 2000-2002 budget directed the Superintendent of Public Instruction to "provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices."<sup>68</sup>

### III. ADDITIONAL ISSUES STUDIED AND ACTIONS CONSIDERED

Meeting the directives of HJR 566 challenged the task force to review a plethora of issues. The task force received testimony from local school division representatives regarding existing initiatives and programs; the adequacy of current curricula, program

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<sup>66</sup>8 VAC 20-131-50 D, C, G (proposed amendments spring 2000); *see also*, 2000 Acts of Assembly, c. 735; Va. Code § 22.1-253.13:3 B (2000); September 12, 2000 meeting summary.

<sup>67</sup>November 6, 2000 meeting summary.

<sup>68</sup>2000 Acts of Assembly, c. 1073 (§ 1-52, Item 133 E).

resources, and technology in Virginia public schools; staffing and funding levels for secondary school workforce development; the efficacy of current state and local coordination and governance of secondary school workforce development programs; and the need for training/technical assistance for workforce development educators.<sup>69</sup>

Also presented were a variety of potential recommendations, such as increased funding for (i) the School-To-Work Transition Grants Program; (ii) secondary school vocational-technical equipment; (iii) expansion of HSTW initiatives in Virginia; (iv) the Career and Technical Education Resource Center; (v) vocational education specialists within the Department of Education; (vi) two new curriculum specialist positions at the Career and Technical Education Resource Center; (vii) professional development opportunities for career and technical education teachers in the integration of the Standards of Learning; (viii) the development of exit examinations for career and technical education programs and courses; (ix) grants for integrated manufacturing technology programs and to support industry certification for teachers; (x) the Virginia VIEW initiative; and (xi) the Virginia Business-Education Partnership Program.

Other considered actions included (i) adding regional career and technical education (CTE) centers and CTE centers in school divisions to the distribution of school division funding, particularly those funds addressing technology; (ii) changing Code references to "vocational education" to "career and technical education"; (iii) requesting the Department of Education to study state funding of student industry certification examinations supporting the award of verified units of credit; (iv) authorizing local school division use of existing technology funds to purchase career and technical equipment; (v) increasing the credit or value, within graduation requirements, of obtaining national career or technical licensure; and (vi) continuing the work of the HJR 566 Task Force for one additional year.<sup>70</sup>

Respectfully submitted,  
Delegate Phillip A. Hamilton, *chairman*  
Audrey Davidson, *vice-chairman*  
Delegate Jay O'Brien  
Delegate Clarence E. Phillips  
Senator R. Edward Houck  
Senator Stephen D. Newman  
The Honorable Wilbert Bryant, Secretary of Education  
Dr. Jo Lynne DeMary, Superintendent of Public Instruction  
The Honorable Barry Duval, Secretary of Commerce and Trade  
Dr. Arnold R. Oliver, Chancellor, Virginia Community College System  
Phyllis Palmiero, Director, State Council of Higher Education for Virginia  
Karlynn W. Bucher  
Edward J. Kihm  
Barbara Ruth Massie  
Raymond M. Tate

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<sup>69</sup>September 12, 2000 meeting summary.

<sup>70</sup>December 11, 2000 meeting summary.

## Meetings of the HJR 566 Task Force

### **Initial Meeting--Tuesday, December 21, 1999**

#### **Senate Room B, General Assembly Building, Richmond, Virginia**

Call to Order and introductions of members: Delegate Phillip A. Hamilton, patron; Election of chairman, vice-chairman; Review of workplan; Overview of vocational education and Standards of Learning integration: Dr. Neils W. Brooks, *Director of Vocational & Adult Education Services, Division of Instruction, Department of Education*; Discussion; planning for subsequent meetings.

### **Tuesday, September 12, 2000**

#### **General Assembly Building, Richmond, Virginia**

Call to Order and introductions of members: Delegate Phillip A. Hamilton, *chairman*; Local school divisions reports addressing: Existing initiatives, programs; Adequacy of current curricula, program resources, and technology in Virginia public schools (Study Item 3); Staffing and funding levels for secondary school workforce development (Study Item 4); Efficacy of current state and local coordination and governance of secondary school workforce development programs (Study Item 5); Need for training/technical assistance for workforce development educators (Study Item 6): Dr. Anne Edison, *Assistant Principal, HSTW Site Coordinator, Menchville High School, Newport News*; Carl G. Jackson, *Director, Career & Technical Education, Russell County Public Schools*; L. Scott Hannah, *Director, Career & Technical Education, Rockbridge County Public Schools*; Kelly Fugiwara, *Chamber of Commerce Education Committee*; Thomas S. Collier, III, *Principal, Highland Springs Technical Center, Highland Springs*; Review of workplan; Discussion; planning for subsequent meetings.

### **Monday, November 6, 2000**

#### **General Assembly Building, Richmond, Virginia**

Call to Order and introductions of members: Delegate Phillip A. Hamilton, *chairman*; Update on Career and Technical Education With Respect to HJR 566: Dr. Neils W. Brooks, *Director, Office of Career and Technical Education Services, Division of Instruction, Virginia Department of Education*; Dr. Edward Carr, *Executive Director, New Horizons School*; Hugh Keogh, *Executive Director, Virginia Chamber of Commerce*; Discussion; planning for subsequent meetings.

### **Monday, December 11, 2000**

#### **General Assembly Building, Richmond, Virginia**

Call to Order and introductions of members: Delegate Phillip A. Hamilton, *chairman*; Presentation by Dr. Gene Bottoms, *Senior Vice President, Southern Regional Education Board (SREB)* (High Schools That Work; Making Middle Grades Matter; Improving Vocational Education); Discussion; development of recommendations; directives to staff.

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## Bibliography

### Legislative and Regulatory Authority

Va. Code §§ 2.1-51.21:1; 2.1-51.21:2; 2.1-51.21:3 (1995); 9-145.6 *et seq.*; 9-145.30 *et seq.*; 9-325; 9-326; 9-328; 9-329.1; 9-329.2; 9-329.6 (1998 and 2000 Supp.); 22.1-208.2:2; 22.1-209; 22.1-209.01; 22.1-223; 22.1-226.1; 22.1-226.2; 22.1-226.4; 22.1-227; 22.1-227.1; 22.1-228; 22.1-229; 22.1-230; 22.1-231; 22.1-234; 22.1-237; 22.1-253.13:1; 22.1-253.13:2; 22.1-253.13:3; 22.1-254; 22.1-350 *et seq.* (2000).

House Joint Resolution No. 243 (1998).

1995 Acts of Assembly, c. 274; 1996 Acts of Assembly, c. 241; 1998 Acts of Assembly, c. 902; 1999 Acts of Assembly, cc. 435, 442, 488, 552, 794; 840; 855; 2000 Acts of Assembly, cc. 105, 302, 676, 1073.

8 VAC 20-131-50 D (proposed amendments spring 2000); 8 VAC 20-131-90; 8 VAC 20-131-100; 8 VAC 20-131-270.

### Other Authority

ACT, Inc., "Richard Judy Speaks Out on the Challenges Facing Today's Employers--and How Work Keys Can Help," *Work Keys USA* (Spring 2000).

ACT, Inc, *Work Keys for Education: Frequently Asked Questions* < <http://www.act.org/workkeys/education/faq.html> >

ACT, Inc., *Work Keys for Education: How Work Keys Works* < <http://www.act.org/workkeys/education/works.html> >

ACT, Inc., *Work Keys for Education: Targets for Instruction* < <http://www.act.org/workkeys/education/targets.html> >

ACT, Inc., *Work Keys for Education: What Educators Need to Know About Work Keys* <<http://www.act.org/workkeys/education/index.html>>

ACT, Inc., *Work Keys: Improving the Quality of America's Workforce* < <http://www.act.org/workkeys/>>

Division of Legislative Services, *1998 Session Summary* (1998).

Division of Legislative Services, *1999 Session Summary* (1999).

Division of Vocational-Technical Education, "Tech Preparation," <<http://www.ed.gov/offices/OVAE/techprep.html>>

Division of Vocational-Technical Education, Office of Vocational and Adult Education, U.S. Department of Education, Tech Prep Education <<http://www.ed.gov/offices/OVAE/techprep.html>>

Education Commission of the States, *Promising Practices: High Schools That Work* <<http://www.ecs.org/ecsweb.nsf/HTMLFrameObjects/FrameSet-HomePage?OpenDocument>>

K. Harris, Division of Legislative Services, "Specific Educational Programs," *A Legislator's Guide to Public Education in Virginia* (1993).

Meeting Summaries: December 21, 1999; September 12, 2000; November 6, 2000; December 11, 2000 task force meetings.

National Center for Education Statistics, Office of Educational Research and Improvement, U.S. Department of Education, *Vocational Education in the United States: Toward the Year 2000* (February 2000).

New Horizons Regional Education Center <<http://gauss.nhgs.tec.va.us/NEWmainpages/nhrec.html>>

Office of Vocational and Adult Education, U.S. Department of Education, *Carl D. Perkins Vocational-Technical Education Act of 1998* <<http://www.ed.gov/offices/OVAE/VocEd/InfoBoard/legis.html>>

Office of Vocational and Adult Education, U.S. Department of Education, *Carl D. Perkins Vocational-Technical Education Act of 1998 Summary* <<http://www.ed.gov/offices/OVAE/VocEd/InfoBoard/2pgperk.html>>

Office of Vocational and Adult Education, U.S. Department of Education Division of Vocational-Technical Education, *The Carl D. Perkins Vocational and Applied Technology Education Act* <<http://www.ed.gov/offices/OVAE/perkins.html>>

Report of the Commission on the Future of Public Education, *Blueprint for Educational Excellence, House Document No. 48* (1998).

Report of the Governor's Commission on Excellence in Education, *Excellence in Education: A Plan for Virginia's Future* (October 1986).

Report of the Virginia Department of Education, *Student Career Planning, House Document No. 41* (1999).

Virginia Department of Education, *Facts About Vocational Education in Virginia* <[http://www.pen.k12.va.us/VDOE/Instruction/Voc\\_Ed/facts.html](http://www.pen.k12.va.us/VDOE/Instruction/Voc_Ed/facts.html)>

Virginia Department of Education, *High Schools That Work: Background Information* <[http://www.pen.k12.va.us/VDOE/Instruction/Voc\\_Ed/hstw/background.html](http://www.pen.k12.va.us/VDOE/Instruction/Voc_Ed/hstw/background.html)>

Virginia Department of Education, *1999-2000 High Schools That Work Sites* <[http://www.pen.k12.va.us/VDOE/Instruction/Voc\\_Ed/hstw/hstwsites.html](http://www.pen.k12.va.us/VDOE/Instruction/Voc_Ed/hstw/hstwsites.html)>

Virginia View <<http://www.vaview.vt.edu/whatis.html>>

Virginia Vocational Curriculum and Resource Center <<http://vvcrc.tec.va.us/>> (last modified June 8, 2000).

Virginia Vocational Curriculum and Resource Center <<http://vvcrc.tac.va.us/service.html>> (last modified June 8, 2000).

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**HOUSE JOINT RESOLUTION NO. 566**

Establishing a special task force of the Commission on Educational Accountability to study the educational needs of the 21st century.

Agreed to by the House of Delegates, February 27, 1999

Agreed to by the Senate, February 27, 1999

WHEREAS, the demands of an increasingly competitive 21st century global marketplace will challenge Virginia's system of public education to prepare its students to learn, adapt, and expand their skills in the workforce; and

WHEREAS, because the "fundamental goal of the public schools," as articulated in the Standards of Quality, is to "enable each student to develop the skills that are necessary for success in school and preparation for life," it is essential that our public schools equip students with the tools that will allow them to wisely choose among the options of directly entering the workforce, obtaining postsecondary technical education or training, attending college, graduate, or professional school, or combining these objectives; and

WHEREAS, the Standards of Quality direct school boards to infuse throughout the K through 12 curricula career education programs that "promote knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, the military, and career education schools, and emphasize the advantages of completing school with marketable skills"; and

WHEREAS, pursuant to §22.1-209, local school boards are required to "make available to secondary students employment counseling and placement services to furnish information relating to the employment opportunities available to students graduating from or leaving the public schools in the school division which shall include all types of employment opportunities, including, but not limited to, apprenticeships, the military, and career education schools"; and

WHEREAS, supplementing these career-planning efforts are programs created pursuant to §22.1-209.01 to prepare students for "postsecondary education eligibility, employment, and advanced technical skills training," as well as career guidance counseling designed to "furnish information on available employment opportunities to all students," as required by §22.1-253.13:1 D, and pupil personnel services for grades K through 12 to aid students in their educational, social, and career development pursuant to §22.1-253.13:2 D; and

WHEREAS, recognizing the importance of workforce development training programs, the Governor of Virginia has directed the Secretary of Commerce and Trade to review such programs in an effort to promote economic development efforts in the Commonwealth; and

WHEREAS, the President of the State Board of Education has acknowledged the need for all students to be held to a standard of learning that will enhance the skills and abilities of students entering the workforce or pursuing higher education; and

WHEREAS, to increase the quality of public education in Virginia and to improve coordination between public education and workforce development training, it is imperative to build on those existing and revised standards, programs, and initiatives that ensure the greatest educational and professional development opportunities; and

WHEREAS, while Virginia has made great progress in increasing educational quality and in preparing its young people for the world of work with the implementation of revised Standards of Learning for mathematics, English, science, and history and social science in 1995, new Standards of Accreditation for public schools in 1997, and in a broad range of workforce training initiatives, further study is needed to determine ways to enhance linkages between public education and workforce development and to assist students in acquiring necessary work habits, developing marketable skills, coordinating courses of study, and identifying career goals; and

WHEREAS, Senate Joint Resolution No. 498 (1999) establishes the Commission on Educational Accountability, which has been charged to address a myriad of issues related to and impacting the Standards of Quality, the Standards of Learning, and the Standards of Accreditation; and

WHEREAS, due to the complexity of the issues and the interaction of public policies affecting public education, it is necessary that a special task force be established to assist the Commission in its work, and that the Commission collaborate and coordinate its work with other legislative study committees examining related matters to avoid duplication; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a special task force of the Commission on Educational Accountability to study the educational needs of the 21st century be established. The special task force shall be composed of 15 members, which shall include 5 legislative members, 5 nonlegislative members, and 5 ex officio members as follows: three members of the House of Delegates, of whom two shall also be appointed to serve on the Commission on Educational Accountability, pursuant to SJR No. 498 (1999), in accordance with the principles of Rule 16 of the Rules of the House of Delegates, to be appointed by the Speaker of the House; two members of the Senate, of whom one shall also be appointed to serve on the Commission on Educational Accountability, pursuant to SJR No. 498 (1999), to be appointed by the Senate Committee on Privileges and Elections; five citizens representing business, education, and industry, to be appointed by the Governor; the Secretary of Education; the Secretary of Commerce and Trade; the Superintendent of Public Instruction; the Chancellor of the Virginia Community College System; and the Director of the State Council of Higher Education, who shall serve ex officio with full voting privileges.

The special task force shall study (i) the integration of the Standards of Learning with middle and high school curricula and programs that focus on workforce development skills; (ii) the availability of these middle and high school workforce development opportunities to students across the Commonwealth; (iii) the adequacy of current curricula, program resources, and technology in the public schools statewide; (iv) staffing and state and local funding levels for middle and high school workforce development programs; (v) the efficacy of current state and local coordination and governance of middle and high school workforce development programs; (vi) the need for training and technical assistance for workforce development educators; (vii) the use of the Standards of Learning and national business and industry standards to enhance the quality of such curricula and programs; and (viii) such other issues as it deems appropriate. The special task force shall regularly apprise the Commission on Educational Accountability regarding its deliberations, findings, and recommendations on a schedule to be determined by the Commission.

The Division of Legislative Services shall provide staff support for the study. The Department of Education, the Virginia Business Education Partnership, the Virginia Community College System, and the State Council of Higher Education shall provide technical assistance for the study. All agencies of the Commonwealth shall provide assistance to the special task force, upon request.

The direct costs of this study shall not exceed \$20,000.

The special task force shall submit its interim findings and recommendations to the Commission on Educational Accountability by November 1, 2000, and its final report by November 1, 2001.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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**REPORT OF THE  
HJR 723 SPECIAL TASK FORCE EXAMINING THE IMPACT OF THE  
STANDARDS OF ACCREDITATION ON  
LOCAL SCHOOL DIVISION BUDGETS  
TO THE  
SJR 498 COMMISSION ON EDUCATIONAL ACCOUNTABILITY**

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2001

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## HJR 723 SPECIAL TASK FORCE MEMBERS

Delegate Flora D. Crittenden, *chairman*  
Delegate James H. Dillard, II, *vice-chairman*  
Delegate Phillip A. Hamilton  
Delegate Mitchell Van Yahres  
Senator William T. Bolling  
Senator Emmett W. Hanger, Jr.  
Senator Janet D. Howell

### SJR 498 Commission Members

Senator Emmett W. Hanger, Jr., *chairman*  
Delegate J. Paul Councill, Jr., *vice-chairman*  
Senator William T. Bolling  
Senator R. Edward Houck  
Senator Stephen H. Martin  
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Delegate Phillip A. Hamilton  
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Delegate John S. Reid  
Delegate Robert Tata  
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The Honorable Wilbert Bryant, Secretary of Education  
Kirk Schroder, President, Board of Education  
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### **Bibliography**

Meetings of the HJR 723 Task Force  
House Joint Resolution No. 723 (1999)  
House Joint Resolution No. 173 (2000)  
Senate Joint Resolution No. 481 (1999)  
House Joint Resolution No. 586 (1999)  
House Joint Resolution No. 657 (1999)

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# **HJR 723 SPECIAL TASK FORCE EXAMINING THE IMPACT OF THE STANDARDS OF ACCREDITATION ON LOCAL SCHOOL DIVISION BUDGETS**

## **I. AUTHORITY AND STUDY OBJECTIVES**

Stating that "careful examination of the Standards of Accreditation (SOA) and the costs of providing the required programs, instruction, and staffing is necessary to determine the fiscal impact of these regulations on local school divisions, which may have widely disparate resources and educational needs," HJR 723 established a seven-member special task force of the SJR 498 Commission on Educational Accountability in 1999 to examine the impact of the SOA on local school division budgets. The Special Task Force is comprised of four members of the House of Delegates, of whom two are members of the SJR 498 Commission on Educational Accountability; and three members of the Senate, of whom one is a member of the SJR 498 Commission.

The Special Task Force is to:

- (i) examine current funding levels for meeting the Standards of Accreditation;
- (ii) explore specific needs and challenges identified by Virginia school divisions in striving to achieve and maintain accreditation;
- (iii) review the varying fiscal capacities and demographics of the Commonwealth's school divisions;
- (iv) study the constitutional, fiscal, and policy implications of maintaining separate regulations and statutes imposing minimum standards for public schools in Virginia;
- (v) consider the issues raised in HJR No. 586 (1999) and HJR No. 657 (1999);
- (vi) collaborate and coordinate its work with the Joint Subcommittee Studying the Efficacy and Appropriateness of Adjusting Standards of Quality Funding for Certain Small School Divisions, SJR No. 481 (1999), and other legislative study committees examining related issues to avoid duplication; and
- (vii) examine such other issues as it deems appropriate.

The special task force was to regularly apprise the Commission on Educational Accountability regarding its deliberations, findings, and recommendations on a schedule to be determined by the Commission. The special task force was to submit its findings and recommendations to the SJR 498 Commission on Educational Accountability by November 1, 2000.<sup>1</sup>

## **II. FUNDING THE STANDARDS OF QUALITY FOR PUBLIC SCHOOLS**

The Virginia Constitution sets forth a constitutional mandate for standards for quality in public education. Article VIII, § 2 directs the Board of Education to establish standards of

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<sup>1</sup>The resolution cited dates of November 1, 2000 and November 1, 2001 for interim and final reports; however, I believe these dates were intended to be November 1, 1999, and November 1, 2000, as the SJR 498 Commission, created in 1999, is a two-year study.

quality, but grants the General Assembly the dual responsibilities of revising and funding these standards.<sup>2</sup> The Attorney General has indicated that the Standards “define the right to an education guaranteed by the Constitution of Virginia” and that the Standards are “intertwined with, but cannot be overshadowed by, the appropriations process.”<sup>3</sup>

Responsibility for funding for the Standards of Quality is, pursuant to the Constitution, shared by the Commonwealth and localities. The General Assembly is to “determine the manner in which funds are to be provided for the cost of maintaining an educational program meeting the prescribed standards of quality and shall provide for the apportionment of the cost of such program between the Commonwealth and the local units of government comprising such school divisions.”<sup>4</sup>

Repeatedly described as the “foundation” of educational policy for the Commonwealth's public schools, the Standards of Quality set forth broad policies and goals rather than detailed procedures. The Standards establish minimum educational goals and requirements; localities may, and often do, surpass these Standards.<sup>5</sup> Typically revised concurrently with the development of the biennial budget to ensure appropriate funding for required initiatives, the Standards were initially adopted as uncodified acts of the General Assembly, and were codified in Title 22.1 in 1984.<sup>6</sup>

Standard 1 provides the primary requirements for meeting the constitutional mandate for quality public education. Aspirational language similar to that contained in the 1992 preamble confirms that the “fundamental goal” of public schools must be to foster the development of skills necessary for success in school and preparation for life, and that quality education is contingent upon not only the commitment of adequate resources but also the provision of a working environment, salaries, and benefits to “ensure the availability of high quality instructional personnel....”<sup>7</sup>

Required by the SOQ to be promulgated as Board of Education regulations, the Standards of Accreditation (SOA) actually govern the operations of schools, addressing issues such as length of instructional time, course offerings, and graduation requirements. The Standards of Learning (SOL), also required to be developed by the Board pursuant to the SOQ, are not regulations, but “educational objectives” setting forth course content requirements for various grade levels. The SOL specify the knowledge to be assessed through the SOL tests authorized by the SOQ and required by the SOA.<sup>8</sup>

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<sup>2</sup>K. G. Harris, Division of Legislative Services, *The Standards of Quality* (1999)[hereinafter referred to as *SOQ*].

<sup>3</sup>1991 Op. Va. Att. Gen. 45.

<sup>4</sup>Va. Constitution, Art. VIII, § 2 (1995).

<sup>5</sup>*SOQ*, *supra* note 2; *see also*, Report of the Joint House-Senate Subcommittee to Review the Standards of Quality in Education, *House Document No. 19*, at 4, 6 (1976).

<sup>6</sup>*SOQ*, *supra* note 2; *see also*, 1984 Acts of Assembly, c. 713, 735.

<sup>7</sup>Va. Code § 22.1-253.13:1 A (1999 Supp.).

<sup>8</sup>January 4, 2000 meeting summary.

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**VIRGINIA'S FINANCING FORMULA FOR PUBLIC EDUCATION**  
reprinted from *A Legislator's Guide to Public Education in Virginia, "Public School Finance"* (1993).

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Perhaps the most significant--and complicated--appropriation lies in the funding of the Standards of Quality (SOQ). To meet the constitutional directive that the Commonwealth and localities jointly provide and support "an educational program of high quality," the General Assembly has crafted a complex methodology for the apportionment of the state and local share for the Standards of Quality. While state and local dollars may support other public education initiatives, joint funding is constitutionally required for those programs mandated by the Standards of Quality....Simply described, the Commonwealth's funding plan for SOQ programs requires the calculation of SOQ costs, to which a weighted formula is applied to determine local ability to pay for these mandated programs and the Commonwealth's appropriate contribution for each locality. Pursuant to guidelines established by the Department of Education, SOQ costs are generally assessed on the basis of quantified standards, such as per pupil instructional staffing requirements detailed in the Standards of Accreditation adopted by the Board of Education, and, in the case of other expenditures such as salaries and support costs that are not necessarily tied to quantified standards or student population, on the basis of "prevailing" costs--the expenditure level "around which most of the school divisions in the State tend to cluster." The determined SOQ costs represent the minimum expenditure for maintaining the required educational programs. Currently, the majority of SOQ costs are based upon a per pupil amount....

**Per Pupil Cost x Average Daily Membership =  
SOQ Cost to be Funded by State and Locality**

....Every locality's share of SOQ costs is apportioned pursuant to the **Composite Index of Local Ability to Pay**. This weighted formula compares three local measures of wealth--real property values, adjusted gross income, and local option sales taxes--to statewide averages and adjusts these indicators by student population and total population. The sum of two-thirds of the student population (**Average Daily Membership or ADM**) component and one-third of the population component is then multiplied by a local

nominal share of the Standards of Quality designated by the Appropriation Act.

The product of this formula--the **local composite index (LCI)**--is then applied to the established SOQ costs, less the estimated sales and use tax revenues returned to the locality on the basis of its school age population, to determine required local expenditures to meet the Standards of Quality.

**Required Local Expenditure for SOQ =  
[SOQ Cost - Sales Tax] x LCI**

**Required State Expenditure for SOQ =  
[SOQ Cost - Sales Tax] - Required Local  
Expenditure**

....The required SOQ educational programs and services include a variety of subprograms, such as gifted, special, vocational, and remedial education initiatives, as well as Basic Aid payments. Both the Appropriation Act and the Code refer to a **Basic Aid Formula**, which, in effect, is simply a restatement of the computation of the required state and local expenditure for the Standards of Quality. The formula is applied only to calculate costs for the Basic Aid subprogram. Because Basic Aid payments comprise the largest share of SOQ costs--instructional personnel and materials--calculations for this subprogram are based on an established cost, less the sales tax returned to the locality on the basis of school age population, adjusted by the Composite Index. Calculations for the other SOQ subprograms do not reflect the sales tax reduction, but are simply computed on the basis of an established cost and the local composite index. Although calculated separately, the costs of these subprograms, when added together, will equal the total SOQ costs for the locality.\*

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\*See *Legislator's Guide to Public Education, "Public School Finance"*, for footnotes.

This public education model has resulted in three types of funding for public elementary and secondary school in Virginia: SOQ, incentive, and categorical. Incorporated within SOQ funding are basic aid as well as special, vocational, remedial, and gifted education, and fringe benefits related to each of these programs. The one-cent sales tax dedicated to public education supports SOQ funding. Employee salaries and benefits comprise about 80 percent of SOQ funding. According to the Department of Education, nearly every school division spends funds exceeding that which is required by the SOQ.

Incentive-based programs are those initiatives not required by the SOQ, but rather are supported by state and local funds. The voluntary programs address at-risk students and four-year-olds, primary class size reduction, early reading and Standards of Learning intervention, maintenance supplements, and distribution of lottery profits. These initiatives are primarily found in the appropriation act; however, the Code of Virginia also sets forth several incentive programs. To receive state moneys for these programs, school divisions certify that they will provide the program as well as the local match, which is typically calculated using the composite index of local ability to pay.

Like incentive initiatives, categorical programs exceed SOQ requirements and claim state education moneys. Categorical funding mandated by state or federal law or federal regulations address special education tuition for regional programs, special education services for children in state hospitals, clinics, and detention homes; special education services for students confined to their homes for medical reasons, and vocational education. Other categorical programs include alternate education, funding for limited English proficiency students; school nutrition, adult education, and certain regional programs such as Project Discovery. Categorical programs exceed SOQ requirements.

Various formulae dictate funding calculations for SOQ and incentive-based programs. These initiatives account for more than 85 percent of K-12 funding in the Commonwealth. Accounts within the Standards of Quality reflect the instructional cost for the particular program based on the required number of instructional positions and funded salaries. Basic aid also includes support costs for transportation, operations and maintenance, and administration. Also factored into determining SOQ costs for each school division are per pupils amounts based upon the average daily membership (ADM) or enrollment for each school division.

Within this model, Basic Aid funding is then reduced by the amount of sales tax that will be returned to each school division, which is calculated on the basis of the triennial census of the school population (number of all school-age children in the division), rather than on ADM. The remaining amount for Basic Aid and the total cost for each of the remaining SOQ accounts are then divided into state and local shares for each initiative, based on the composite index of local ability to pay. The balance of Basic Aid is divided into state and local shares based upon the composite index of local ability to pay. The statewide average indicates 45 and 55 percent local and state shares, respectively.

The majority of SOQ funding is driven by staffing levels in public schools. The state uses an overall benchmark of 51 instructional positions per 1,000 students to calculate

instructional positions. A linear weighted average determines the "central tendency" for instructional salaries. The Standards are applied by grade level and by school; significantly, smaller schools may actually require more teachers even if the total number of students is the same.

Funding for incentive-based programs is calculated pursuant to formulae not unlike the formula used to determine SOQ funding. Many of these initiatives, however, incorporate an additional poverty adjustment based on student participation in free or reduced lunch programs. Funding for some categorical grants, such as grants supporting programs for students with limited English proficiency, may be computed pursuant to a formula incorporating the composite index. Other categorical grants, such as those for Project Discovery, may be based upon a direct award of funds.

### **III. ISSUES STUDIED**

#### **JLARC Study**

Central to the work of the task force was the need to determine the amount localities are actually paying for public education. Because localities typically exceed their required SOQ contribution, which, as a statewide average, is 45 percent, the combined state and local amounts paid for SOQ programs may in fact exceed the calculated 100 percent of SOQ costs. Task Force members noted early in their study the possible need for another study by the Joint Legislative Audit and Review Commission (JLARC) to review SOQ funding. The SOL-- as revised in 1995 and initially thought to be cost-neutral--and the SOA were seen as perhaps imposing mandates in addition to those set forth in the SOQ; the requirements for additional mathematics courses, for example, may carry the hidden cost of potentially needing to educate more students.<sup>9</sup>

Members also cited the need to assess these "other" costs outside the SOQ that may increase local costs for public education, such as additional required remediation that may result from increased course requirements. Other potential "hidden" costs might include remediation, materials, and additional teacher training. Additional task force concerns included the possible use of outdated information and the need to adjust calculations to reflect dropout rates and alternative education enrollments; the need for increased instructional time; and the possibility of creating a simple formula to reflect more accurately the state share for each pupil, with an exception for local costs of "competing" with other school divisions for employees.<sup>10</sup>

The 2000 Session did indeed direct JLARC, in cooperation with the House Committee on Appropriations and the Senate Committee on Finance, to study the funding of the Standards of Quality. House Joint Resolution No. 173, adopted by the 2000 Session, charges these agencies to:

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<sup>9</sup> *Id.*

<sup>10</sup> January 4, 2000 meeting summary.

- "(i) review current statutory, constitutional, and budgetary provisions governing the calculation of SOQ costs and funding;
- (ii) identify and review the educational programs and services required by the Standards of Quality, and state and federal laws, including the objectives, the target population, and funding levels for each program;
- (iii) identify and review non-mandated programs authorized by state and federal laws that have been implemented by school divisions, including locally developed and funded educational programs;
- (iv) consider current adjustments for SOQ funding and potential enhancements to the methodology for calculating the costs of the Standards of Quality;
- (v) determine whether all programs required by the Standards of Quality are based on the locality's ability to pay, and whether state or federal funds are provided or are available;
- (vi) review the Department of Education's process and procedure for calculating and distributing state funds based on the current funding methodology; and
- (vii) evaluate the need to adjust the current basic school aid formula and determine the efficacy of devising an alternative method for funding public education in Virginia that is sufficient to meet the true costs of public education."<sup>11</sup>

Standards of Quality funding also received JLARC scrutiny in the late 1980s. That study addressed the actual SOQ costs and methods of calculation; excluded from the scope of the study were the adequacy and appropriateness of the standards, local operating expenditures for services beyond the SOQ, and capital costs. Although the constitutionality of the Commonwealth's system of SOQ funding was upheld by the Virginia Supreme Court in 1994, questions have persisted regarding the adequacy of the Standards and the method of calculating of associated costs.

In fiscal year 1997-98, total expenditures for public school operations were about \$6.8 billion. Local discretionary expenditures for non-SOQ services comprised about 23 percent of this figure. The state and localities supplied 32 and 26 percent, respectively, for SOQ costs. State non-SOQ funds accounted for three percent of the total, while federal dollars and the state sales tax provided six and nine percent, respectively. An additional \$1.1 billion was expended for capital outlay and debt service.

Included in the JLARC study are assessments of whether (i) the state and localities are fully funding their respective shares of SOQ costs; (ii) improvements or enhancements to the SOQ funding methodology are needed; and (iii) funding gaps for state-mandated or -sponsored programs exist; and the extent to which funding is distributed on the basis of local ability to pay. Also to be examined are any specific practices for which localities pay that exceed SOQ costs and any correlation between the implementation of these practices and local fiscal ability and the role the Commonwealth might play in providing state support for these local practices.

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<sup>11</sup>House Joint Resolution No. 173 (2000).

JLARC expects to assess the SOQ model and calculations; analyze data reported to the Department of Education as well as the results of a JLARC school division survey; assess the advantages and disadvantages of increased state participation in various cost categories; and develop options for consideration by the General Assembly.

JLARC held public hearings in each the eight superintendents' regions; 94 of the 134 school divisions ultimately were represented. Contributors indicated that the Standards of Quality themselves are inadequate to provide a quality education; thus, localities exceed the required SOQ match to compensate. Preliminary hypotheses offered by JLARC suggest that (i) the SOQ "minimum standards" are too low; (ii) even if the SOQ are adequate, localities aspire to higher standards; (iii) the SOQ funding calculation does not adequately address factors beyond local control that elevate local costs beyond the "prevailing costs" used in the calculation; or (iv) local inefficiencies exist in educational programs.

Hearing contributors also contended that the SOQ pupil-teacher ratios are not adequate. In addition, current funding does not address appropriately the use of elementary resource teachers or the need for additional secondary school course offerings, and consequently, additional teachers or the need for assistant principals, guidance counselors, reading specialists, school nurses, or instructional aides. Also cited in public hearings were the anticipated teacher shortage, inadequate teacher salaries, and enhanced funding for teacher scholarships.

Special education was also cited as a particular local concern, with the tremendous cost of serving severely disabled students not reflected in prevailing cost calculations. Technology funding for equipment and personnel, debt service and capital construction needs, and local ability to pay were also primary issues for hearing contributors. The addition of a factor reflecting increased educational costs for special needs students was suggested, as was the incorporation of local tax effort, rather than simply tax capacity. Inclusion of local income in the formula was criticized, as localities do not have income taxing authority. Also cited in public hearings were alternative and remedial education costs; implementation costs related to summer programs, transportation, assessment personnel, and technology; anticipated cost increases due to increased student performance expectations; gifted education costs; and the need for increased staff development funding.

The JLARC study will address expenditures made by school divisions in excess of the SOQ; however, additional issues, such as local ability to pay, will also be targeted.<sup>12</sup> Following the circulation of a draft survey to some division superintendents and finance officers, JLARC circulated a SOQ funding survey to school divisions in fall 2000. Comprised of 15 sections and due December 7, 2000, the survey requests specific data regarding:

1. elementary classroom instructional positions;
2. secondary classroom instructional positions;
3. alternative education;

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<sup>12</sup>September 12, 2000, meeting summary.

4. school resource officers;
5. school health personnel;
6. medically fragile students;
7. special education;
8. fringe benefits;
9. salary increases;
10. other enhancements to instructional salary levels;
11. staff recruitment and retention;
12. miscellaneous (capital outlay; bus replacement; repayment periods for loans);
13. course offerings and maximum class sizes in 2000-2001;
14. possible annual school report (ASR) data reporting inconsistencies or suggestions;  
and
15. additional comments.

Several survey sections seek to compare locally offered full-time employee positions with those required by the SOQ. Also anticipated to be explored within these survey sections are potential staffing shortages. Supplementing the survey will be data received through the Department of Education regarding technology and Internet connectivity. The survey did not include specific local ability to pay issues, as this calculation is based on revenue and tax data. Fiscal stress and local effort are, however, expected to be examined at some other time.<sup>13</sup>

JLARC expected to complete the school division survey in fall 2000 and produce an interim status report in December. Ongoing analysis and the development of options would consume much of 2001, with an anticipating briefing in August 2001.<sup>14</sup>

### **Department of Education Survey and Study**

Also meriting task force consideration in the year 2000 were the efforts of the Board of Education regarding public education costs and expenditures. The 2000 Appropriations Act directed the Board of Education to "calculate the costs of implementing and complying with the Standards of Accreditation and ... [to] report its findings to the Governor and the Chairmen of the Senate Finance and the House Appropriations Committees by September 1, 2000."<sup>15</sup> Responding to this directive, the Department of Education identified specific expenditure categories correlating to the Standards of Accreditation (SOA) revisions adopted in 1997. A survey reflecting these categories was then distributed to school divisions, who were asked to indicate only those expenditures "associated with implementing and complying with the revised SOA adopted by the Board of Education in September 1997."

The survey requested information for the last three fiscal years (1998, 1999, 2000) on funding from all sources--federal, state, local, or other--and asked that programs and activities supported with dedicated appropriations (new funding) be reported as "new

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<sup>13</sup>November 9, 2000, meeting summary.

<sup>14</sup>September 12, 2000, meeting summary.

<sup>15</sup>2000 Acts of Assembly, c. 1073, § 1-52, Item 133 S.



expenditures" and that programs and activities supported by existing, redirected dollars be included as "reprogrammed expenditures."

State initiatives were listed as those "created to help school divisions meet the revised SOA" and included as Standards of Learning (SOL) materials, SOL remediation, SOL testing, school report card, and early reading intervention. School divisions were to report moneys regardless of source, including local funds used to meet a required local match.

The survey also distinguished local initiatives as those "created at the local level in response to the revised SOA" and was specifically to exclude those funds spent as required by the Standards of Quality (SOQ). Expenditure categories within these initiatives included general instruction, remediation, and prevention/intervention (each to reflect additional classroom teachers or other personnel hired to meet new requirements); curriculum alignment; professional development; and facilities.

Because the Board would not meet in August, and therefore would be unable to review survey results until its September 28 meeting, the deadline for survey responses was moved to September 5, 2000, with anticipated reporting to the General Assembly extended to October 2000.<sup>16</sup>

The Board's survey generated a 72 percent response rate by the September 5, 2000, deadline, with 95 of 132 divisions reporting. School divisions reported total expenditures of \$535.8 million to support the new SOA since 1997; of this amount, \$139.9 million and \$395.9 million addressed state and local initiatives, respectively. New appropriations accounted for \$366.3 million; the remaining \$169.5 million was culled from redirected or reprogrammed funds. Total annual expenditures increased in each of the three years; \$116.6 million in 1998; \$188.4 million in 1999; and \$230.7 million in 2000. Similarly, statewide pupil-based averages increased from \$159.54 and \$255.63 per pupil in 1998 and 1999, respectively, to \$310.72 in 2000.

Direct aid to public education increased by \$804.4 million (about 25 percent) during this three-year span. Likely contributing to this increase are increased enrollments, expanded participation levels, and new incentive-based initiatives. While localities reported expenditures for incentive programs within the state initiatives portion of the survey, funding for state incentive-based programs not targeting the SOA may have been reported within the local initiatives category. It should also be noted that some school divisions may not have tapped into certain state incentive programs if they were unable to supply the required match of local funds.

Department representatives cautioned that the survey may offer more of a "best estimate" rather than a scientific approach to the questions proffered. Local school divisions may have reported data in different fashions, and data retrieval concerns and different accounting and labeling systems also challenged divisions in identifying accurately the

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<sup>16</sup>September 12, 2000, meeting summary.

funding sources and programs cited. Some divisions attempted to identify specific program changes prompted by the SOA revisions, and then develop cost estimates.<sup>17</sup>

**Efficacy and Appropriateness of Adjusting SOQ Funding for Certain Small School Divisions**

The study directives for the HJR 723 Task Force included reviewing SJR 481 (Efficacy and Appropriateness of Adjusting Standards of Quality Funding for Certain Small School Divisions). Adopted by the 1999 Session, that resolution requested the Senate Committees on Finance and Education and Health and the House Committees on Appropriations and Education to examine the efficacy and appropriateness of adjusting Standards of Quality (SOQ) funding for certain small school divisions. In conducting the study, the Committees were to consider, among other things, current statutory, constitutional, and budget provisions governing the calculation of SOQ costs and funding; current adjustments for SOQ funding; school funding formulas in other states; and such other issues deemed appropriate. Although the named standing committees have not met to specifically address this issue, the 2000 Appropriation Act, (Item 143 C7b) included an "additional state payment of \$400,000 the first year and \$400,000 the second year from the general fund is provided as equal Small School Division Assistance grants for the school divisions of Highland County and the City of Norton."<sup>18</sup>

Respectfully submitted,

Delegate Flora D. Crittenden, *chairman*  
Delegate James H. Dillard, II, *vice-chairman*  
Delegate Phillip A. Hamilton  
Delegate Mitchell Van Yahres  
Senator William T. Bolling  
Senator Emmett W. Hanger, Jr.  
Senator Janet D. Howell

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<sup>17</sup>November 9, 2000, meeting summary.

<sup>18</sup>*Id.*

## Bibliography

### Legislative and Regulatory Authority

Va. Constitution, Art. VIII (1987).

HJR 723 (1999); HJR 173 (2000).

1984 Acts of Assembly, cc. 713, 735.

2000 Acts of Assembly, c. 1073.

Va. Code § 22.1-253.13:1 A (2000).

### Other Authority

1991 Op. Va. Att. Gen. 45.

K. G. Harris, Division of Legislative Services, *The Standards of Quality* (1999).

Report of the Joint House-Senate Subcommittee to Review the Standards of Quality in Education, *House Document No. 19* (1976).

January 4, 2000, meeting summary.

September 12, 2000, meeting summary.

November 9, 2000, meeting summary.

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## Meetings of the HJR 285 Task Force

### First Meeting-- 10 a.m. Tuesday, January 4, 2000

#### Senate Room B, General Assembly Building, Richmond, Virginia

Call to Order and introductions of members: Delegate Flora D. Crittenden, *patron*; Election of chairman, vice chairman; Review of current funding for public schools: Daniel S. Timberlake, *Assistant Superintendent, Finance, Department of Education*; Discussion; review of workplan.

### Meeting-- Tuesday, September 12, 2000

#### General Assembly Building, Richmond, Virginia

Robert B. Rotz, *Senior Division Chief, Joint Legislative Audit and Review Commission*: Update on SOQ Funding study (Study outline # 5: Issues raised in HJR No. 586 (1999) (fiscal impact of SOA) and HJR No. 657 (1999)(efficacy of SOQ funding)); Department of Education: Update on study of costs of implementing the SOA (2000 Budget-Item 133 S § 1-52); Discussion; review of workplan.

### Meeting-- Thursday, November 9, 2000

#### General Assembly Building, Richmond, Virginia

Presentation by Dan Timberlake, *Assistant Superintendent for Finance, Virginia Department of Education*: Update and summary of collection of data and information regarding costs associated with the implementation of the Standards of Accreditation (2000 Appropriation Act-- Item 133 S, § 1-52; Robert B. Rotz, *Senior Division Chief, Joint Legislative Audit and Review Commission*: Update on SOQ Funding study (Study Outline # 5: Issues raised in HJR No. 586 (1999) (fiscal impact of SOA) and HJR No. 657 (1999)(efficacy of SOQ funding)); Study Outline Item # 2: Specific needs and challenges identified by Virginia school divisions in striving to achieve and maintain accreditation; Study Outline # 1: Current funding levels for meeting the Standards of Accreditation); Study Outline Item #6: Update from SJR 481 Joint Subcommittee Studying the Efficacy and Appropriateness of Adjusting Standards of Quality Funding for Certain Small School Divisions--see 2000 Appropriation Act, Item 143 C7b: " An additional state payment of \$400,000 the first year and \$400,000 the second year from the general fund is provided as equal Small School Division Assistance grants for the school divisions of Highland County and the City of Norton"; Discussion; planning for subsequent meeting.

## HOUSE JOINT RESOLUTION NO. 723

Establishing a special task force of the Commission on Educational Accountability to examine the impact of the Standards of Accreditation on local school division budgets.

Agreed to by the House of Delegates, February 27, 1999

Agreed to by the Senate, February 27, 1999

WHEREAS, Article VIII, Section 2 of the Constitution of Virginia directs the Board of Education to establish standards of quality, while granting the General Assembly the dual responsibilities of revising and funding these standards; and

WHEREAS, the Standards of Quality, initially codified in 1972, direct the Board of Education to promulgate regulations pursuant to the Administrative Process Act establishing standards for the accreditation of public schools; and

WHEREAS, the accreditation standards for public schools must include student outcome measures, requirements and guidelines for instructional programs, staffing levels, pupil personnel services, special education program standards, auxiliary programs such as library and media services, community relations, and graduation requirements, as well as "the philosophy, goals, and objectives of public education in Virginia"; and

WHEREAS, cited in the initial Standards of Quality, the Standards of Accreditation (SOAs) are "designed to ensure that an effective educational program is established and maintained in Virginia's public schools"; and

WHEREAS, the SOAs are organized in eight parts, addressing broad areas, such as school and community communications, instructional programs and leadership, student achievement, school facilities and safety, accreditation, and goals and objectives; and

WHEREAS, while acknowledging that the "mission of the public education system, first and foremost," is to prepare students with "essential academic knowledge and skills in order that they may be equipped for citizenship, work, and a private life that is informed and free," the SOAs also include mandates for course offerings, school year and day standards, and staff levels and responsibilities; and

WHEREAS, the 1997 revisions to the SOAs set forth new criteria and processes for individual school accreditation, and clearly state that schools shall be accredited "primarily" based on pupil achievement, as evidenced by scores on the Standards of Learning tests and other assessments; and

WHEREAS, to meet the constitutional directive that the Commonwealth and localities jointly provide and support "an educational program of high quality," the General Assembly apportions the state and local share for the Standards of Quality, which necessarily include the requirements imposed by the Standards of Accreditation; and

WHEREAS, various provisions of the Standards of Accreditation, such as the graduation requirements, mandated course offerings and staffing levels, and the addition of SOL assessments have compounded space and staffing needs in some school divisions, as well as prompted increased demand for instructional time, remediation, teacher retraining, and new instructional materials and textbooks; and

WHEREAS, careful examination of the Standards of Accreditation and the costs of providing the required programs, instruction, and staffing is necessary to determine the fiscal impact of these regulations on local school divisions, which may have widely disparate resources and educational needs; and

WHEREAS, Senate Joint Resolution No. 481 (1999) directs the Senate Committee on Finance, the Senate Committee on Education and Health, the House Committee on Appropriations, and the House Committee on Education to examine the efficacy and appropriateness of adjusting Standards of Quality funding for certain small school divisions; and

WHEREAS, House Joint Resolution No. 657 (1999) requests that the efficacy and appropriateness of the Commonwealth's system of funding the Standards of Quality for public schools be determined; and

WHEREAS, Senate Joint Resolution No. 498 (1999) establishes the Commission on Educational Accountability, which has been charged to address a myriad of issues related to and impacting the Standards of Quality, the Standards of Learning, and the Standards of Accreditation; and

WHEREAS, due to the complexity of the issues and the interaction of public policies affecting education, it is necessary that a special task force be established to assist the Commission with its work and consider the issues raised in House Joint Resolution No. 586 (1999) and HJR No. 657 (1999), and that the Commission collaborate and coordinate its work with the

Joint Subcommittee Studying the Efficacy and Appropriateness of Adjusting Standards of Quality Funding for Certain Small School Divisions, pursuant to SJR No. 481 (1999), to avoid duplication; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a special task force of the Commission on Educational Accountability be established to examine the impact of the Standards of Accreditation on local school division budgets. The special task force shall be composed of 7 members as follows: 4 members of the House of Delegates, of whom two shall be appointed to serve on the Commission on Educational Accountability, pursuant to Senate Joint Resolution No. 498 (1999), to be appointed by the Speaker of the House in accordance with the provisions of Rule 16 of the House Rules; and 3 members of the Senate, of whom one shall be appointed to serve on the Commission on Educational Accountability, pursuant to SJR No. 498 (1999), to be appointed by the Senate Committee on Privileges and Elections.

In pursuing its study, the special task force shall consider, among other things, current funding levels for meeting the Standards of Accreditation; specific needs and challenges identified by Virginia school divisions in striving to achieve and maintain accreditation; the varying fiscal capacities and demographics of the Commonwealth's school divisions; the constitutional, fiscal, and policy implications of maintaining separate regulations and statutes imposing minimum standards for public schools in Virginia; and such other issues as it deems appropriate. In addition, the special task force shall consider the issues raised in HJR No. 586 (1999) and HJR No. 657 (1999), and collaborate and coordinate its work with the Joint Subcommittee Studying the Efficacy and Appropriateness of Adjusting Standards of Quality Funding for Certain Small School Divisions, SJR No. 481 (1999), and other legislative study committees examining related issues to avoid duplication. The special task force shall regularly apprise the Commission on Educational Accountability regarding its deliberations, findings, and recommendations on a schedule to be determined by the Commission.

The direct costs of this study shall not exceed \$12,600.

The Division of Legislative Services shall provide staff support for the study. Technical assistance for the study shall be provided by the Department of Education, and the staffs of the House Committee on Appropriations and the Senate Committee on Finance. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The special task force shall submit its interim findings and recommendations to the Commission on Educational Accountability by November 1, 2000 and its final report by November 1, 2001.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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**HOUSE JOINT RESOLUTION NO. 173**

Offered January 24, 2000

Directing the Joint Legislative Audit and Review Commission, in cooperation with the House Committee on Appropriations and the Senate Committee of Finance, to study the funding of the Standards of Quality.

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Patron-- Blevins

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Referred to Committee on Rules  
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WHEREAS, under Article VIII, Section 1 of the Virginia Constitution, ultimate responsibility for public education rests with the Virginia General Assembly, which is specifically charged with the duties of establishing a public school system and striving to ensure its quality; and

WHEREAS, the Standards of Quality (SOQ), prescribed by the Board of Education and revised only by the General Assembly, establish minimum educational goals and requirements; and WHEREAS, the framers of the 1971 Constitution clarified that the legislative branch must not only revise the SOQ prescribed by the Board, but also determine the method of financing public education, and agreed that while the General Assembly would apportion costs, responsibility for funding public schools would be shared with localities; and

WHEREAS, to meet this constitutional directive, the General Assembly has crafted a complex methodology for the apportionment of the state and local share for the Standards of Quality; and

WHEREAS, although Virginia's method for apportioning state and local fiscal responsibility for SOQ programs has evolved over the years, the Commonwealth's funding plan for SOQ programs requires the calculation of SOQ costs, based on a per pupil cost and average daily membership, an amount to which a weighted formula--the Composite Index of Local Ability to Pay--is applied to determine local ability to pay for these mandated programs as well as the Commonwealth's appropriate contribution for each locality; and WHEREAS, created in 1974, the Composite Index of Local Ability to Pay compares three local measures of wealth--real property values, adjusted gross income, and local option sales taxes--to statewide averages and adjusts these indicators by student population and total population; and

WHEREAS, the appropriation act sets a composite index of 0.8000 as the maximum index that will be used to compute local shares, thereby guaranteeing a minimum state contribution of 20 percent in those localities with a high fiscal capacity; and

WHEREAS, the Composite Index of Local Ability to Pay is sometimes criticized because the complicated and antiquated funding formula does not reflect variations among local revenue sources or local needs for services; and WHEREAS, further, the funding formula does not reflect the true costs of public education or represent, accurately, local fiscal capacity to support mandated educational programs; nor does it implement the Standards of Learning and comply with the Standards of Accreditation, while providing other necessary public services; and

WHEREAS, school divisions are mandated to provide many educational and support services for which there is no state funding, and projections indicate a \$1 billion shortfall for school divisions due to unfunded mandates; and

WHEREAS, confronted with meeting new, rigorous educational reforms, across the Commonwealth school divisions are struggling to respond to the severe shortage of classroom teachers, provide programs for at-risk four-year-olds, reduce class size, remediate and accelerate students who are educationally at-risk, implement the Standards of Learning, prepare students for the Standards of Learning assessments, maintain accreditation, ensure school safety, meet the needs of special education students, update transportation services, expand and provide a range of alternative education programs, promote parental involvement, generate community support, and comply with federal educational and related requirements; and

WHEREAS, because of the commitment to quality education, many local school divisions surpass the minimum requirements of the Standards of Quality, and burgeoning educational costs often exceed the Commonwealth's share of the costs of public education, straining local resources; and

WHEREAS, concerns have been expressed about the adequacy of funding for the Standards of Quality, and the Joint Legislative Audit and Review Commission last completed a comprehensive review of the formula for funding the Standards of Quality in 1988; and

WHEREAS, any adjustment of the Composite Index necessitates careful examination of a plethora of educational, financial, legal, and policy issues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission, in cooperation with the House Committee on Appropriations and the Senate Committee on Finance, be directed to study the funding of the Standards of Quality.

In conducting the study, the Commission and the Committees shall (i) review current statutory, constitutional, and budgetary provisions governing the calculation of SOQ costs and funding; (ii) identify and review the educational programs and services required by the Standards of Quality, and state and federal laws, including the objectives, the target population, and funding levels for each program; (iii) identify and review non-mandated programs authorized by state and federal laws that have been implemented by school divisions, including locally developed and funded educational programs; (iv) consider current adjustments for SOQ funding and potential enhancements to the methodology for calculating the costs of the Standards of Quality; (v) determine whether all programs required by the Standards of Quality are based on the locality's ability to pay, and whether state or federal funds are provided or are available; (vi) review the Department of Education's process and procedure for calculating and distributing state funds based on the current funding methodology; and (vii) evaluate the need to adjust the current basic school aid formula and determine the efficacy of devising an alternative method for funding public education in Virginia that is sufficient to meet the true costs of public education.

All agencies of the Commonwealth shall provide assistance to the Commission and the Committees, upon request.

The Commission and Committees shall complete their work in time to submit their findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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**SENATE JOINT RESOLUTION NO. 481**

Directing the Senate Committee on Finance, the Senate Committee on Education and Health, the House Committee on Appropriations, and the House Committee on Education to examine the efficacy and appropriateness of adjusting Standards of Quality funding for certain small school divisions.

Agreed to by the Senate, February 25, 1999  
Agreed to by the House of Delegates, February 25, 1999

WHEREAS, under Article VIII, Section 1 of the Constitution of Virginia, ultimate responsibility for public education rests with the General Assembly, which is specifically charged with the duties of not only establishing a public school system but also striving to ensure its quality; and

WHEREAS, the Standards of Quality (SOQ), prescribed by the Board of Education and revised by the General Assembly, establish minimum educational goals and requirements, and localities may, and often do, surpass these Standards; and

WHEREAS, recognizing that fiscal authority must bolster the Commonwealth's renewed commitment to quality education, the framers of the 1971 Constitution clarified that the legislative branch must not only revise the SOQ prescribed by the Board, but also determine the method of financing public education, and agreed that while the General Assembly would apportion costs, responsibility for funding public schools would be shared with localities; and

WHEREAS, to meet this constitutional directive, the General Assembly has crafted a complex methodology for the apportionment of the state and local share for the Standards of Quality; and

WHEREAS, the product of countless studies and deliberations, Virginia's method for apportioning state and local fiscal responsibility for SOQ programs has evolved over the years to recognize the actual costs of education as well as local fiscal capacity; and

WHEREAS, simply described, the Commonwealth's funding plan for SOQ programs requires the calculation of SOQ costs, based on a per pupil cost and average daily membership, an amount to which a weighted formula (Composite Index of Local Ability to Pay) is applied to determine local ability to pay for these mandated programs as well as the Commonwealth's appropriate contribution for each locality; and

WHEREAS, created in 1974, the Composite Index of Local Ability to Pay compares three local measures of wealth--real property values, adjusted gross income, and local option sales taxes to statewide averages and adjusts these indicators by student population and total population; and

WHEREAS, the Composite Index of Local Ability to Pay is sometimes criticized because it does not reflect variations among local revenue sources or local needs for services; and

WHEREAS, the appropriation act sets a composite index of 0.8000 as the maximum index that will be used to compute local shares, thereby guaranteeing a minimum state contribution of 20 percent in those localities with a high fiscal capacity; and

WHEREAS, the appropriation act has also included other special conditions, such as the designation of Planning District Eight, for certain cost adjustments to reflect competitive salary levels, provisions for the annexation or consolidation of school divisions, and the option of localities whose local adjusted gross income is comprised of at least three percent nonresident income to exclude this income for purposes of computing local ability to pay; and

WHEREAS, the 1998 Session considered, but did not pass, legislation allowing any locality or localities comprising a school division that has a population of less than 5,000 and less than 1,000 students in average daily membership to elect, as their option, to use the average Composite Index of Local Ability to Pay of contiguous localities comprising all or part of a school division; and

WHEREAS, the 1998 Appropriation Act included additional state payments from the general fund as Small School Division Assistance Grants for two school divisions; and



WHEREAS, any adjustment of the Composite Index necessitates careful examination of a plethora of educational, financial, legal, and policy issues; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Senate Committee on Finance, the Senate Committee on Education and Health, the House Committee on Appropriations, and the House Committee on Education be directed to examine the efficacy and appropriateness of adjusting Standards of Quality funding for certain small school divisions. In conducting the study, the Committees shall consider, among other things, current statutory, constitutional, and budget provisions governing the calculation of SOQ costs and funding; current adjustments for SOQ funding; school funding formulas in other states; and such other issues as the Committees deem appropriate.

The staffs of the Senate Committee on Finance, the House Committee on Appropriations, and the Division of Legislative Services shall provide staff support for the study. Technical assistance shall be provided by the Department of Education. All agencies of the Commonwealth shall provide assistance to the Committees, upon request.

The Committees shall complete their work in time to submit their findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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**HOUSE JOINT RESOLUTION NO. 586**

Offered January 20, 1999

Requesting the Department of Education to examine the impact of the Standards of Accreditation on local school division budgets.

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Patron-- Dillard

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Referred to Committee on Rules  
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WHEREAS, Article VIII, § 2 of the Virginia Constitution directs the Board of Education to establish standards of quality, while granting the General Assembly the dual responsibilities of revising and funding these standards:

WHEREAS, the Standards of Quality, initially codified in 1972, direct the Board of Education to promulgate regulations pursuant to the Administrative Process Act establishing standards for the accreditation of public schools; and

WHEREAS, the accreditation standards for public schools must include student outcome measures, requirements and guidelines for instructional programs, staffing levels, pupil personnel services, special education program standards, auxiliary programs such as library and media services, community relations, and graduation requirements, as well as "the philosophy, goals, and objectives of public education in Virginia"; and

WHEREAS, cited in the initial Standards of Quality, the Standards of Accreditation (SOA) are "designed to ensure that an effective educational program is established and maintained in Virginia's public schools"; and

WHEREAS, the SOA are organized in eight parts, addressing broad areas, such as school and community communications, instructional programs and leadership, student achievement, school facilities and safety, accreditation, and goals and objectives; and

WHEREAS, while acknowledging that the "mission of the public education system, first and foremost," is to prepare students with "essential academic knowledge and skills in order that they may be equipped for citizenship, work, and a private life that is informed and free," the SOA also include mandates for course offerings, school year and day standards, and staff levels and responsibilities; and

WHEREAS, the 1997 revisions to the SOA set forth new criteria and processes for individual school accreditation, and clearly state that schools shall be accredited "primarily" based on pupil achievement, as evidenced by scores on the Standards of Learning tests and other assessments; and

WHEREAS, to meet the constitutional directive that the Commonwealth and localities jointly provide and support "an educational program of high quality," the General Assembly apportions the state and local share for the Standards of Quality, which necessarily includes the requirements imposed by the Standards of Accreditation; and

WHEREAS, various provisions of the Standards of Accreditation, such as the graduation requirements, mandated course offerings and staffing levels, and the addition of SOL assessments have compounded space and staffing needs in some school divisions, as well as prompted increased demand for instructional time, remediation, teacher re-training, and new instructional materials and textbooks; and

WHEREAS, careful examination of the Standards of Accreditation and the costs of providing the required programs, instruction, and staffing is necessary to determine the fiscal impact of these regulations on local school divisions, which may have widely disparate resources and educational needs; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Education be requested to examine the impact of the Standards of Accreditation on local school division budgets. In pursuing its study, the Department shall consider, among other things, current funding levels for meeting the Standards of Accreditation; specific needs and challenges identified by Virginia school divisions in striving to achieve and maintain accreditation; the varying fiscal capacities and demographics of the Commonwealth's school divisions; the constitutional, fiscal, and policy implications of maintaining separate regulations and statutes imposing minimum standards for public schools in Virginia; and such other issues as it deems appropriate.

All agencies of the Commonwealth shall provide assistance to the Department, upon request.

The Department shall complete its work in time to report its findings and recommendations to the House Committees on Education and Appropriations and the Senate Committees on Education and Health and Finance by December 1999 and shall submit such findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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**HOUSE JOINT RESOLUTION NO. 657**

Offered January 21, 1999

Establishing a joint subcommittee to study the efficacy and appropriateness of the Commonwealth's system of funding the Standards of Quality for public schools.

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Patrons-- Van Landingham, Almand, Baskerville, Bennett, Brink, Christian, Council, Crittenden, Darner, Davies, Day, Deeds, Diamonstein, Dillard, Hamilton, Hull, Jackson, Jones, J.C., Keating, Moran, Plum, Puller, Rhodes, Spruill, Tata, Van Yahres, Wagner and Watts; Senators: Gartlan, Houck, Howell, Ticer, Walker and Whipple

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Referred to Committee on Rules  
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WHEREAS, under Article VIII, § 1 of the Virginia Constitution, ultimate responsibility for public education rests with the General Assembly, which is specifically charged with the duties of not only establishing a public school system but also striving to ensure its quality; and

WHEREAS, responding to the constitutional directive, the Board of Education adopted the first Standards of Quality (SOQ) on August 7, 1971, which were revised and enacted by the 1972 Session of the General Assembly; and WHEREAS, repeatedly described as the "foundation" of educational policy for the Commonwealth's public schools, the Standards of Quality set forth broad policies and goals rather than detailed procedures; and WHEREAS, the Standards of Quality establish minimum educational goals and requirements, and localities may, and often do, surpass these Standards; and

WHEREAS, recognizing that fiscal authority must bolster the Commonwealth's renewed commitment to quality education, the framers of the 1971 Constitution clarified that the legislative branch must not only revise the SOQ prescribed by the Board, but also determine the method of financing public education, and agreed that while the General Assembly would apportion costs, responsibility for funding public schools would be shared with localities; and WHEREAS, to meet the constitutional directive that the Commonwealth and localities jointly provide and support "an educational program of high quality," the General Assembly has crafted a complex methodology for the apportionment of the state and local share for the Standards of Quality; and

WHEREAS, the product of countless studies and deliberations, Virginia's method for apportioning state and local fiscal responsibility for SOQ programs has evolved over the years to recognize the actual costs of education as well as local fiscal capacity; and

WHEREAS, simply described, the Commonwealth's funding plan for SOQ programs requires the calculation of SOQ costs, based on a per pupil cost and average daily membership, an amount to which a weighted formula--the Composite Index of Local Ability to Pay--is applied to determine local ability to pay for these mandated programs as well as the Commonwealth's appropriate contribution for each locality; and

WHEREAS, pursuant to guidelines established by the Department of Education, SOQ costs are generally assessed on the basis of quantified standards, such as per pupil instructional staffing requirements detailed in the Standards of Accreditation, and, in the case of other expenditures such as salaries and support costs that are not necessarily tied to quantified standards or student population, on the basis of "prevailing" costs--the expenditure level "around which most of the school divisions in the State tend to cluster"; and

WHEREAS, created in 1974, the Composite Index of Local Ability to Pay compares three local measures of wealth--real property values, adjusted gross income, and local option sales taxes--to statewide averages and adjusts these indicators by student population and total population; and

WHEREAS, the Composite Index of Local Ability to Pay is sometimes criticized because it does not reflect variations among local revenue sources or local needs for services; and

WHEREAS, more than a decade has passed since the Composite Index was the subject of a comprehensive review, and questions remain whether it is the most accurate and appropriate measure through which to distribute state appropriations for public education; and

WHEREAS, any revision to the Commonwealth's mechanism for funding the Standards of Quality necessitates careful examination of a plethora of educational, financial, legal, and policy issues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be appointed to study the efficacy and appropriateness of the Commonwealth's system of funding the Standards of Quality for public schools. The joint subcommittee shall examine, among other things, current statutory, constitutional, and budget provisions governing the calculation of SOQ costs and funding; the adequacy of the current Standards of Quality, including the degree to which school divisions surpass these Standards; relevant judicial rulings regarding the Commonwealth's method of funding public education; school funding formulas in other states; and such other issues as the joint subcommittee deems appropriate.

The joint subcommittee shall be comprised of nine members to be appointed as follows: five members of the House of Delegates, to be appointed by the Speaker of the House, and four members of the Senate, to be appointed by the Senate Committee on Privileges and Elections.

The direct costs of this study shall not exceed \$ 6,750.

The Division of Legislative Services, the Department of Education, and the staffs of the House Appropriations and Senate Finance Committees shall provide staff support for the study. Technical assistance shall be provided by the staff of the Joint Legislative Audit and Review Commission. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request. The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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