



2004 ANNUAL REPORT

*2004*  
*ANNUAL REPORT ON THE*  
*CONDITION AND NEEDS*  
*OF PUBLIC SCHOOLS IN VIRGINIA*

PRESENTED TO  
THE GOVERNOR AND  
THE GENERAL ASSEMBLY

NOVEMBER 17, 2004  
VIRGINIA BOARD OF EDUCATION

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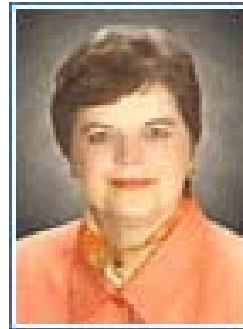


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November 17, 2004

The Honorable Mark R. Warner, Governor  
Members of the Virginia General Assembly  
Commonwealth of Virginia  
Capitol Square  
Richmond, Virginia 23219

Dear Governor Warner and Members of the Virginia General Assembly:

On behalf of the Board of Education, I am pleased to transmit the *2004 Annual Report on the Condition and Needs of the Public Schools in Virginia*, submitted pursuant to § 22.1-18 of the Code of Virginia. The report contains information about the condition and needs of Virginia's public schools, including an analysis of student academic performance. A major component of this year's annual report is the complete listing of the changes in the Standards of Quality as prescribed by the Board of Education on November 17, 2004. As required by the Code of Virginia, the amendments will be presented for consideration at the 2005 session of the General Assembly. Also included in the report is information on the changes in the Standards of Quality prescribed by the Board in 2003 that were enacted and funded by the 2004 General Assembly.

I am encouraged by the admirable efforts by the Governor and the General Assembly that led to increased funding for public education for the 2004-06 biennium. This support clearly demonstrates the state's commitment and its confidence in public education as a productive partner in the economic growth and development of the commonwealth. In that light, I believe the information contained in this report will convince Virginia's citizens that staying the course for high academic standards will give all students the opportunity for an educational experience that is second to none.

To get the results we are seeking, we must maintain our sharp focus on the goals of shared accountability for student achievement and school improvement. The Board of Education cannot achieve these goals alone. Our partners at the state and local levels, parents, students, and educators in schools, colleges, and literacy programs have essential roles to play. The Board of Education is grateful for the cooperation and support the Governor and General Assembly have given to Virginia's school improvement efforts. These efforts are showing positive results for our students, and the members of the Board of Education look forward to continuing that important work.

Sincerely,



Thomas M. Jackson, Jr.  
President

## Preface

### **Statutory Authority for the Annual Report:**

The Code of Virginia, in § 22.1-18, states:

By November 15 of each year, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.

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## **Executive Summary: 2004 Annual Report on the Condition and Needs of the Public Schools in Virginia**

The *2004 Annual Report on the Condition and Needs of the Public Schools in Virginia* summarizes information on the most significant information to document the condition and needs of public schools in Virginia.

The year 2004 was a watershed year for Virginia's high school class of 2004—the first students required to pass Standards of Learning (SOL) tests to earn a diploma. The encouraging results show it is possible to now require achievement on the SOL tests to earn a high school diploma. This annual report contains a variety of information showing that Virginia's students are making steady and impressive progress in their academic performance. The report also points out the significant challenges that must be addressed in order to meet the needs of Virginia's schools and students.

Highlights of the findings regarding the condition and needs of the public schools include the following:

- More than eight out of ten Virginia public schools are now fully accredited, based on the performance of students on Standards of Learning (SOL) and other tests in English, mathematics, science, and history. Clearly, schools in Virginia are steadily improving in overall student academic performance.
- While Virginia's schools have improved significantly during the past several years, full accreditation is a goal not yet achieved by all public schools in Virginia. Eighty-four percent of the commonwealth's 1,807 schools met or exceeded the achievement objectives in the four core academic areas required for full accreditation. This is good news, but it also means that almost 300 schools statewide are yet to reach the goal of full accreditation. The schools that fell short are required to develop and implement detailed plans to address and correct problem areas, and some of these schools need additional technical assistance and resources to do an effective job in implementing their plans.
- For schools that are struggling to improve student achievement, the results of on-site reviews conducted by the Virginia Department of Education show clearly that these schools need additional help to use classroom instructional time effectively and to monitor the implementation of effective programs. Teachers and administrators also need additional assistance in using data to improve classroom instruction.
- Results of state and national tests, including performance requirements of the No Child Left Behind Act (NCLB), point to areas of strength as well as weaknesses in student academic achievement. This year, 73 percent of Virginia's public schools met or exceeded NCLB achievement objectives. African-American students, Hispanic

students, limited English proficient students, disadvantaged students, and Caucasian students all exceeded the 2003-2004 achievement objectives for reading, mathematics, and science. The results are encouraging, but the achievement gap among the student groups is persistent and troubling. Maintaining and enhancing Virginia's programs to address the achievement gap are critical needs if schools are going to help students reach their highest potential.

A major component of this year's annual report is the complete listing of the changes in the Standards of Quality (SOQ) as prescribed by the Board of Education at its meeting in November 2004. The newly prescribed provisions of the SOQ are clear and set forth new provisions regarding (1) teaching and evaluation of teachers and administrators; (2) testing; (3) analysis and use of data; and (4) remediation. The fiscal impact of the prescribed changes at both the state and local levels is not expected to be significant. The full text of the prescribed amendments is included in the appendix to the report.

The report closes with an overview of the needs of Virginia's public schools for 2005 and beyond, which include the following:

- Fully funding the state share of the Standards of Quality;
- Closing the achievement gap;
- Ensuring meaningful, on-going professional development for teachers and administrators;
- Coping with the huge growth in the population of students who do not speak English;
- Assisting chronically low-performing schools and students;
- Ensuring that all children learn to read at grade level;
- Implementing and meeting the requirements of the *No Child Left Behind Act of 2001*;
- Developing, implementing, and using a student-level data base;
- Helping the "hard-to-staff" schools; and
- Advocating for higher teacher salaries and helping schools recruit and retain highly qualified teachers.



## **Improving Schools and Measuring Success**

The Board of Education's goal is for all students to reach their highest potential as learners and as responsible young citizens of the commonwealth. In Virginia, academic standards are in place, and educators are implementing them. Virginia has a valid and reliable assessment system to gauge student progress, and accountability goals are set for English, mathematics, science, and history and social science. Thus, the groundwork for excellence is in place.

While this year's achievement results are encouraging, much is yet to be accomplished. The persistence and hard work of countless individuals — qualities that distinguish virtually all successful endeavors— have helped Virginia's students achieve at impressive levels. Teachers and students across the state are stepping up to the challenge. Now the question becomes: How do we build on this success, sustain it, and go beyond current achievement levels?

### **The Class of 2004: Virginia's Students Rise to the Challenge of Higher Standards**

More than 94 percent of the high school seniors who made up in the class of 2004 graduated this year. This is an important milestone because members of the class of 2004 were the first students required to pass Standards of Learning tests to earn a diploma. Even with the tougher achievement requirements, the percentage of seniors who earned a diploma in 2004 is only two-tenths of a percentage point less than the previous five years' average of 94.5 percent. In 2003, 95.2 percent of the students in the senior class earned a diploma. In 2002, 94.3 percent of seniors earned a diploma—the same percentage as 2004, when the new graduation requirements took effect.

Approximately 1,500 more students with disabilities completed high school in 2004 than in the previous year, indicating that the Modified Standard Diploma is serving its intended purpose of motivating these students to stay in school while recognizing their achievement.

Another significant achievement of the Class of 2004 is that, for the first time since 2002 when Virginia began phasing-in higher graduation standards that include more rigorous course work, more students earned an Advanced Studies Diploma than a Standard Diploma. In 2004, 34,242 students earned Advanced Studies Diplomas and 33,809 students earned Standard Diplomas. The fact that more students graduated with advanced diplomas shows that higher academic standards are encouraging the development of a culture of achievement in Virginia's high schools. Moreover, the increase in advanced diplomas corresponds with a sharp rise in the number of Virginia high school students taking Advanced Placement and other college-level courses.

These results show it is possible to require achievement on the Standards of Learning tests to earn a high school diploma and not face a graduation crisis. Clearly, Virginia's schools are headed in the right direction.

## Board of Education's Accomplishments in 2004

Virginia's public schools are becoming better for three basic reasons. First, Virginia has identified the academic standards that teachers should teach and students should learn. Second, Virginia's schools are devoting their fiscal and human resources to teaching and learning the academic standards. Third, teachers and students across Virginia are working hard to meet higher expectations. The Board of Education seeks to do its part to keep the forward momentum going. In that light, the Board has defined six major priorities, which are included in the Board of Education's Six-Year Plan adopted in January 2003, and the Board is moving forward to address each of the six priorities.

Priority 1: We will strengthen Virginia's public schools by providing challenging academic standards for all students. Highlights of recent Board of Education actions include:

- Approved the list of K-5 Reading textbooks and Science textbooks and instructional materials recommended for state adoption. Committees of Virginia educators received examination copies of the textbooks and completed detailed analyses to correlate the Standards of Learning objectives with the content of the textbooks. The textbooks that contained solid correlations to the state's Standards of Learning were then approved for state adoption.
- Initiated the process to review the recommended textbooks for 6-12 English and Literature, K-12 Mathematics, and Foreign Language. This cycle of reviews will be completed in January 2005.
- Initiated the process to promulgate regulations for awarding the General Achievement Diploma, which establishes requirements for the award of a general achievement diploma for those persons who have (i) achieved a passing score on the GED examination; and (ii) successfully completed an education and training program designated by the Board of Education.
- Approved alternative accreditation plans for two school divisions following extensive reviews of the proposals and on-site visits by Department of Education staff members.

Priority 2: We will enhance the academic program and the quality standards for public education in Virginia. Highlights of recent Board of Education actions include:

- Presented amended Standards of Quality at the 2004 session of the General Assembly. Many of the amendments prescribed by the Board were adopted and funded by the legislature, including provisions for five elementary resource teachers per 1,000 students; one support technology position per 1,000 students the first year, and one support technology position and one instructional technology position per 1,000 students the second year; one quarter of the daily planning period for teachers at the middle and high school level the first year, and the full daily planning period for teachers at the middle and high school levels the second year.

- Prescribed additional revisions to the Standards of Quality and forwarded the amended SOQ to the 2005 General Assembly for consideration and final adoption.
- Adopted criteria and procedures for conducting division-level academic reviews and improved the procedures used in conducting school-level reviews.
- Revised standards for guidance programs: The *Standards for School Counseling Programs in Virginia Public Schools* are arranged in three domains: academic development, career development, and personal/social development and in four grade groups: Kindergarten- 3rd, 4th and 5th, 6th - 8th, and 9th - 12th.
- Adopted *Guidelines for the Establishment of Joint or Regional Continuation High School Programs*. Joint or regional programs that provide options that go beyond the twelfth grade for students who have not met the requirements for a high school diploma by the completion of twelfth grade.
- Revised the criteria and a process for the Board of Education to review charter school applications, consistent with existing state law.
- Approved the Stanford English Language Proficiency test and certain locally developed and/or selected instruments to measure the English language proficiency of Limited English Proficient students.
- Approved the criteria and process for adopting instructional methods or models/programs that have been proven to be effective in assisting schools accredited with warning in English or mathematics.
- Received the recommendations from the joint committee to study feasibility of developing a curriculum for nutrition and exercise for K-12 students.

Priority 3: We will continue efforts to enhance the training, recruitment, and retention of highly qualified teachers and administrators. Highlights of recent Board of Education actions include:

- Adopted criteria for the alternate route program for highly qualified teachers.
- Adopted a recommendation of the Advisory Board for Teacher Education and Licensure to set a cut-score of 165 for the *School Leaders Licensure Assessment (SLLA)* to be effective July 1, 2005, for principals and assistant principals.
- Participated in developing a regional cooperative for teacher licensing.
- Formed a consortium of surrounding states to create the Meritorious New Teacher Candidate designation for graduates of approved teacher education programs to

provide a symbol of excellence to be noted on the initial license of exceptionally well-prepared and high-performing new teachers.

- Established Proficiency Levels for the American Council on Teaching Foreign Languages (ACTFL) Oral Proficiency Interview and Writing Proficiency Test.
- Supported efforts to attract, train, and retain skilled and diverse teachers through the Teacher Quality Enhancement project. Highlights of this comprehensive program include:
  - ✓ The STEP program, which help teacher education programs ensure that their graduates know their subjects, know how to teach their subjects, and know how to assess student learning.
  - ✓ The Praxis I Tutorial Assistance Program for prospective teachers who have not achieved passing scores on Praxis I;
  - ✓ Incentive-based funding for teacher preparation programs to help increase the number of teacher education graduates in the state's critical shortage areas, particularly mathematics, chemistry, earth science, reading, Spanish, middle grades, library media, music education, special education, technology education, and English;
  - ✓ The Teacher Mentoring Pilot Program encourages school divisions to adopt proven, research-based teacher mentoring and/or induction programs in accordance with their instructional needs and circumstances;
  - ✓ The proposed multi-tiered licensure system to establish standards of what teachers should know and be able to do at different stages of their professional careers;
  - ✓ Performance based assessments for transitioning through three proposed teaching tiers: Teacher, Career Teacher, and Teacher Leader.
  - ✓ Teachers of Promise, which provides prospective teachers with an exemplary professional development experience and mentors during their first year in the classroom.

Priority 4: We will support accountability and continuous improvement in all schools. Highlights of recent Board of Education actions include:

- Sought and received new authority that modifies the current school compliance process within the Standards of Quality to authorize the Board of Education to require an academic review of any school division that, through the school academic review process, fails to implement the SOQ. The new provisions also require the reviewed school division to submit for approval by the Board a corrective action plan setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status.
- Established the Plain English and Mathematics test as a substitute test of numeracy for certain students with disabilities who are pursuing the Modified Standard Diploma.

- Established or revised cut scores for the following tests:
  - ✓ History Standards of Learning tests based on the 2001 standards revision
  - ✓ Workkeys: Reading for Information, Workkeys: Applied Mathematics, and ACT: EXPLORE as substitute tests for the literacy and numeracy requirements of the Modified Standard Diploma
  - ✓ “Plain English” Standards of Learning Mathematics tests for grades 3, 5, and 8
  - ✓ Reading subtest of the Stanford English Language Proficiency Test when used as a substitute for the Standards of Learning grade 3 English test and the grade 5 and 8 Standards of Learning reading tests

Priority 5: We will assist teachers to improve the reading skills of all students, especially those at the early grades. Highlights of recent Board of Education actions include:

- Established a reading assessment for elementary teachers: In April 2003, the Board of Education adopted a recommendation of the Advisory Board on Teacher Education and Licensure to require a reading instructional assessment for elementary preK-3 and preK-6 teachers and special education teachers, and reading specialists no later than July 1, 2004. This test is now being administered to new licensure candidates. In June 2004, the Board of Education modified its policy to exempt from the required assessment teachers of early childhood special education, teachers of students with severe disabilities, and speech language pathologists.

Priority 6: We will provide leadership for implementing the provisions of the *No Child Left Behind Act* (NCLB) smoothly and with minimal disruption to local school divisions. Highlights of recent Board of Education actions include:

- Developed and implemented an achievement recognition award for Title I schools for local school divisions that exceed adequate yearly progress (AYP) requirements.
- Approved criteria for High Objective Uniform State Standard of Evaluation (HOUSSE) for Virginia.
- Negotiated with the U.S. Department of Education (USED) regarding regulations limiting the number of students with disabilities whose proficient score on state assessments based on alternate achievement standards could be counted in calculating AYP. In Virginia, this is the Virginia Alternate Assessment Program (VAAP). The limit set by USED is one percent of the students tested at the applicable grade levels. Under the provision that permits states to request an exception to this cap, the Board negotiated at 1.13 percent cap.
- Modified the process for calculating and reporting the AYP status of “small n schools,” which are those schools with 50 or fewer students enrolled in the tested grades or courses.

- Adopted the guidelines for sanctions/corrective actions for school divisions in improvement status, as required by the *No Child Left Behind Act of 2001*. While no school divisions in Virginia are in this situation, current guidance from the U.S. Education Department suggested that states also must address sanctions for school divisions not receiving Title I funds.

## **Compliance with the Requirements of the Standards of Quality**

Each year, staff members of the Department of Education collect self-assessment data from school divisions on their compliance with the provisions of § 22.1-253.13:1 through 22.1-253.13:8 of the Code of Virginia (Standards of Quality). In 1994, a simplified method of collecting information was developed to determine compliance with the SOQ that parallels the accreditation system. The chairman of the school board and division superintendent certify compliance with the standards to the Department of Education.

Where divisions indicate less than full compliance with the standards, corrective action plans for the noncompliance items are required. See Appendix E for a listing of the information and data used by the Department of Education staff to monitor and verify compliance.

Listed below are the school divisions that reported noncompliance with provisions of the SOQ. The data are for the 2003-2004 school year and for the Standards of Quality that were in effect as of July 1, 2003.

### **§ 22.1-253.13:1 Standard 1. Basic skills, selected programs, and instructional personnel.**

Three of Virginia's 132 divisions reported that divisionwide pupil-teacher ratios exceeded the maximum permitted under the SOQ: Buckingham County, Bristol City, and Virginia Beach.

Greensville County reported that not all teachers were fully licensed in their content teaching areas.

### **§ 22.1-253.13:2. Standard 2. Support services.**

All 132 divisions reported compliance with the requirements of Standard 2.

### **§ 22.1-253.13:3 Standard 3. Accreditation, other standards and evaluation.**

Of the state's 132 school divisions, 77 divisions (58 percent) have at least one school that is rated Accredited with Warning (See Appendix B for a complete list of schools rated Accredited with Warning). The divisions that have a least one school rated Accredited with Warning and, therefore, not in compliance with Standard 3 of the SOQ are as follows:

Accomack County  
Alexandria City  
Amelia County  
Amherst County  
Arlington County  
Augusta County  
Bedford County  
Bland County  
Botetourt County  
Bristol City  
Brunswick County  
Buchanan County  
Buckingham County  
Campbell County  
Caroline County  
Carroll County  
Charles City County  
Charlottesville City  
Chesapeake City  
Chesterfield County  
Colonial Beach  
Covington City  
Culpeper County  
Cumberland County  
Danville City  
Dickenson County  
Dinwiddie County  
Essex County  
Fairfax County  
Fauquier County  
Franklin City  
Fredericksburg City  
Giles County  
Grayson County  
Greensville County  
Halifax County  
Hampton City  
Henrico County  
Henry County

Hopewell City  
Isle of Wight County  
King and Queen County  
Lancaster County  
Lee County  
Lunenburg County  
Lynchburg City  
Martinsville City  
Mecklenburg County  
Montgomery County  
Nelson County  
New Kent County  
Newport News City  
Norfolk City  
Northampton County  
Northumberland County  
Petersburg City  
Pittsylvania County  
Portsmouth City  
Prince Edward County  
Prince William County  
Pulaski County  
Richmond City  
Roanoke City  
Rockbridge County  
Smyth County  
Southampton County  
Spotsylvania County  
Suffolk City  
Surry County  
Sussex County  
Tazewell County  
Virginia Beach City  
Washington County  
Waynesboro City  
Westmoreland County  
Wise County  
Wythe County

**§ 22.1-253.13:4. Standard 4. Diplomas and Certificates; class rankings.**

All divisions reported compliance with this Standard 4.

**§ 22.1-253.13:5. Standard 5. Training and professional development.**

All divisions reported compliance with this Standard 5.

**§ 22.1-253.13:6. Standard 6. Planning and public involvement.**

Nine divisions (listed below) reported noncompliance with Standard 6. All noncompliance issues related to the six-year plan not meeting the requirements of the SOQ.

Accomack County  
Amherst County  
Charles City County  
Danville City  
Madison County

Northampton County  
Portsmouth City  
Rappahannock County  
Westmoreland County

**§ 22.1-253.13:7. Policy Manual.**

Two divisions reported noncompliance with the provisions of the SOQ regarding policy manuals: Albemarle County and Danville City.

**Compliance with the Requirements of the Standards of Accreditation**

More than eight out of ten public schools in Virginia are now fully accredited, based on the performance of students last year on Standards of Learning (SOL) and other tests in English, mathematics, science, and history. The number of elementary schools achieving the commonwealth's highest school-quality rating also increased, even though the requirements for achievement in reading, history, and science were higher than in previous years. For the past six years that the current accreditation requirements have been in place, Virginia's public schools have steadily improved, as may be seen in the following table.

**Percent of Public Schools Rated Fully Accredited: 1998-2004**

<b>Year</b>	<b>Percent of Public Schools</b>
1998	2 %
1999	6.5 %
2000	22.6 %
2001	39.7 %
2002	64.2 %
2003	78 %
2004	84 %

For 2004, students in 1,514 or 84 percent of the commonwealth's 1,807 schools that earned accreditation ratings met or exceeded the achievement objectives in the four core academic areas required for full accreditation. The schools that fell short of full accreditation are required to develop and implement detailed plans to address and correct problem areas.

The accreditation ratings reflect several provisions of the commonwealth's accreditation standards that became effective with ratings earned during the 2003-2004 school year.



- A combined accreditation pass rate of at least 75 percent on English tests in grades 3 and 5 is now required for full accreditation. Elementary schools also must achieve an accreditation pass rate of at least 70 percent in mathematics and in grade 5 science and grade 5 history, and pass rates of at least 50 percent in grade 3 science and grade 3 history. Previously, the science and history scores of students in grade 3 counted only if they improved the school's rating.
- The provisional accreditation categories for ratings earned during 1999-2000 through 2002-2003 no longer exist. Schools are now either fully accredited or accredited with warning, except in the cases of alternative schools with approved or pending alternative accreditation plans.

The number and percentage of elementary schools achieving full accreditation increased despite the higher accreditation requirements for elementary-level English, history, and science. In 2004, 1002 or 87 percent of the state's 1,156 elementary schools that earned accreditation ratings during 2003-2004 are fully accredited. Last year, 932 or 81 percent of Virginia's 1,153 elementary schools were fully accredited, based on achievement during 2002-2003.

Fifteen percent, or 270 of the schools that earned ratings last year are accredited with warning for 2004-2005, compared with 51 last year. Sixty percent, or 163 of the schools now on academic warning were provisionally accredited last year, while 166 of last year's provisionally accredited schools are now fully accredited.

The accreditation status of 16 middle schools is under review pending further analysis by the Department of Education. The ratings of four alternative schools, with approved or pending requests to the Board of Education for alternative accreditation plans, remain to be determined at the time of this writing. Three schools received no accreditation determination because of insufficient data.

The accreditation ratings for Virginia's public schools are based on the achievement of students on Standards of Learning assessments and approved substitute tests administered during the summer and fall of 2003 and the spring of 2004 in English, mathematics, history/social science, and science or on overall achievement during the three most recent years. The results of tests administered in each subject area are combined to produce overall passing percentages in English, mathematics, history, and science, with the exceptions noted above for achievement in grade 3 history and science.

Accreditation ratings also may reflect adjustments made for schools that successfully remediate students who initially fail reading, or mathematics tests. Adjustments also may be made for students with limited English proficiency and for students who have recently transferred into a Virginia public school.

See Appendix B for a listing of the schools that received the Accredited with Warning rating. These are the schools that need additional technical assistance and resources in order to improve their student performance.

## **Condition and Needs of Virginia's Lowest Performing Schools and School Divisions**

Beginning with the 2000-2001 school year, any school rated Accredited with Warning has been required to undergo an academic review, an on-site review conducted by an independent team of professional educators. Each review consists of an initial visit, an on-site review, and follow-up visits. Following the team's on-site review, detailed reports are generated citing specific areas of strength, areas for improvement, and essential actions that should be taken to correct the weaknesses. Schools undergoing the reviews are then required to develop and implement a school improvement plan, which must outline specific actions the school staff will implement to correct each area of weakness.

The number of schools rated Accredited with Warning decreased from 211 schools in 2000-2001 to 47 schools in 2003-2004. Of the 47 schools receiving academic reviews, 33 have been warned in at least two of the last three years. See Appendix B for a listing of the schools that received the Accredited with Warning rating.

### Overall Findings:

As in previous years, schools rated Accredited with Warning needed more help in applying effective strategies for using their classroom instructional time productively. Using data also continues to be an area for improvement in warned schools, although improvement over last year is seen. However, establishing systems for monitoring the implementation and effectiveness of new programs is an area of need in warned schools.

### Areas of Strength:

An analysis of data revealed that areas of strength were in use of instructional time, curriculum alignment, and school improvement planning.

### Areas Needing Improvement:

Review results reveal three main areas in need of improvement, as follows:

#### 1. Use of classroom instructional time:

- Engaging students in learning activities
- Maximizing time on task
- Differentiating strategies

#### 2. Having systems for monitoring and adjusting implementation of initiatives:

- Implementing new practices learned through professional development activities
- Observing classroom instruction and providing feedback
- Monitoring implementation of school improvement plan strategies

#### 3. Analyzing and using data:

- Determining if initiatives are being implemented as intended
- Determining effectiveness of programs in improving student achievement
- Providing evidence of implementation of school improvement plan strategies

In addition to the school-level reviews, the Board of Education also has authority to conduct division-level reviews if there is sufficient evidence that problems in meeting the accreditation requirements are systemwide and, thus, must be addressed at the division's central office level. The purposes of the division-level academic review are to: 1) gather data and other information to determine whether the local school board meeting its responsibilities under the SOQ; 2) provide the local school board with essential actions upon which they will base goals and strategies for correcting any areas of noncompliance with the SOQ and for improving educational performance as part of the required corrective action plan; and 3) monitor, enforce and report on the local school board's development and implementation of the required corrective action plan. To date, two school divisions, Lee County and Petersburg City, have requested and received division-level academic reviews.

## **Condition and Needs of Virginia's Schools as Identified by State and National Test Results**

### Advanced Placement Test Results:

The number of Virginia public school students taking at least one AP examination has increased by more than 20 percent since 2000. The number of Virginia high school students who took Advanced Placement (AP) examinations jumped by 7.8 percent this year. The number of tests taken that qualified the student for college credit increased 9.2 percent over 2003.

The number of Virginia's African-American public school students taking at least one AP examination rose 5.7 percent in 2004, and 1,445 of the tests taken by African-Americans received a grade of 3 or better, an increase of 10.4 percent over the previous year. In addition, more of Virginia's Hispanic public school students are taking AP courses and qualifying for college credit. The number of Hispanic students taking at least one AP examination rose 8.2 percent in 2004. Of the 2,509 AP tests taken by Hispanic public school students during 2004, 1,495 received a grade of 3 or above, which represented a 9.9 percent increase in the number of tests qualifying for college credit taken by Hispanic students.

Approximately 75 percent of Virginia high schools offer Advanced Placement courses. Other students can take classes through the virtual Advanced Placement school, which gives them access to courses online.

### 2004 SAT-I Results:

The average scores of Virginia students on the verbal and mathematics portions of the SAT I in 2004 were little changed from last year. Public school students achieved an average verbal score of 512, which also represented a one-point increase over the previous year. The national average on the verbal portion of the SAT-I was 504 for public school students. The national averages were up a point when compared with 2003. The average score of public school students in Virginia on the mathematics portion of the test was 506, which was down two points compared with 2003. The national average score on the mathematics portion of the SAT I for 2004 was 513 for public school

students. The national average for mathematics on the SAT-I was unchanged for public school students. The average score of Virginia public school students on the verbal portion of the SAT-I has increased by six points since 2000 and the average score on the mathematics portion of the test has increased by nine points.

A key statistic to know about Virginia's SAT results is that Virginia has a high participation rate. In fact, Virginia ranked 12th in the nation and second in the South (Georgia was 11th) for SAT participation in 2003-2004. Seventy-one percent of Virginia high school seniors took the SAT during 2003-2004. During 2000-2001, 68 percent of Virginia high school seniors took the SAT.

### **Condition and Needs of Virginia's Schools as Identified by the Adequate Yearly Progress Results for Virginia's Schools**

Seventy-three percent of Virginia's public schools met or exceeded *No Child Left Behind Act of 2001* (NCLB) achievement objectives during the 2003-2004 school year. Of the 1,831 public schools, 1,333 (73 percent) met the federal education law's complex requirements for Adequate Yearly Progress (AYP). This represents an improvement over 2002-2003, when 58 percent of the commonwealth's public schools met the requirements for AYP.

As a state, Virginia met 28 of the 29 AYP objectives. African-American students, Hispanic students, LEP students, disadvantaged students, and Caucasian students all exceeded the 2003-2004 objectives for reading, mathematics, and science. Gains in mathematics achievement were especially notable, with the percentage of Virginia students making the Annual Measurable Objectives in mathematics tests increasing to 82 percent, compared with 78 percent during 2002-2003.

Of the 460 schools that did not make AYP during 2003-2004, 170 met all but one of the federal law's 29 objectives for achievement, participation in statewide testing, attendance, and/or graduation. One hundred thirty-six schools met all but two benchmarks, and 80 schools met all but three of the 29 AYP objectives. Taken together, 1,643, or 90 percent of Virginia's schools either made AYP or achieved at least 26 of the objectives.

Highlights of the AYP results show that:

- All student subgroups in Virginia made the Annual Measurable Objectives in mathematics.
- Overall achievement in reading remained steady, with 79 percent of Virginia students meeting the Annual Measurable Objectives in reading during 2003-2004. Students with disabilities constituted the only subgroup that did not meet the Annual Measurable Objectives in reading.
- Eighty-four percent of Virginia students met the Annual Measurable Objectives in science, compared with 81 percent during 2002-2003. All student subgroups showed improved performance in science.
- Twenty-nine of Virginia's 132 school divisions made AYP during 2003-2004, compared with 21 during the previous year.

- Of the 103 school divisions that did not make AYP, 28 met all but one of the 29 objectives for achievement and participation in testing for reading and mathematics.
- Nearly seven out of ten Title I schools in Virginia made AYP during 2003-2004.
- Eighty-eight Title I schools entered their first year of improvement based on achievement in reading and/or mathematics in 2003-2004 and must offer students the option of transferring to a higher-performing public school for the 2004-2005 school year.
- Sixteen Title I schools entered year two of improvement status, and in addition to offering transfers, also must provide supplemental education services or tutoring free-of-charge to children who request these services.
- Fifteen Title I schools entered year three of improvement status. These schools must offer transfers, supplemental educational services, and take at least one of several corrective actions specified in the law to raise student achievement.

Local school divisions are obligated to ensure that Title I schools in improvement implement sanctions required under the *No Child Left Behind Act of 2001*. NCLB requires school divisions to identify for improvement Title I schools that, for two consecutive years and in subsequent years, do not make adequate yearly progress (AYP) in the same subject area(s)- reading and/or mathematics.

Certain Title I schools are currently designated as “Year One,” “Year Two,” or “Year Three” School Improvement schools based on 2003-2004 state assessment results. These schools must offer or continue to offer the public school choice option to all students in Targeted Assistance and Schoolwide Program schools. “Year Two” and “Year Three” schools are also required to provide supplemental educational services (tutorial services) to eligible low-income students. The providers of these services must be selected from the Board of Education approved list, which the Board updates quarterly.

The Department of Education staff members have devoted a significant amount of time providing technical assistance to these schools, and the Board of Education has followed the process closely.

### **Prescribed Revisions to the Standards of Quality: Recommendations and Rationale**

At its planning session in April 2004, the Board of Education initiated a discussion of the provisions contained in the Standards of Quality as prescribed by the Board of Education. Following public hearings and discussions with statewide organizations, the Board of Education adopted revised Standards of Quality. Adopted in November 2004, the new provisions are clear and set forth requirements for (1) teaching and evaluation of teachers and administrators; (2) testing; (3) analysis and use of data; (4) remediation. The new provisions will be presented to the 2005 session of the General Assembly for consideration. Appendix D contains the full text of the amendments prescribed by the Board of Education.

The fiscal impact of the prescribed changes at both the state and local levels is not expected to be significant.

In accordance with § 22.1-18 of the Code of Virginia, the proposed revisions to the Standards of Quality will be submitted to the Governor and the General Assembly for consideration by the 2005 General Assembly.

## **Assistance and Support from the Governor and the General Assembly**

Gubernatorial leadership and General Assembly support have given the Board of Education new authority and resources to help address the condition and needs of the public schools. Highlights of the support and assistance that directly address the important needs of Virginia's schools and students include the actions listed below.

### **2004-2006 Biennial Budget:**

The General Assembly's adopted budget for the 2004-2006 biennium significantly increases state funding for public education, providing \$1.5 billion in additional funding for the public schools. As a part of its adopted budget, the 2004 General Assembly passed legislation recommended by the Board of Education to amend the Standards of Quality (SOQ). The following changes were addressed during the 2004 session:

- Funding five elementary resource teacher positions per 1,000 students in kindergarten through grade five for art, music, and physical education;
- Funding one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties for all middle and high school teachers; and
- Funding two technology positions per 1,000 students in kindergarten through grade 12 division-wide.
- Revising the funding formula for the calculation of support for SOQ prevention, intervention, and remediation.

In addition to the additional SOQ funding, the budget also provides \$100,000 towards a capital needs assessment and feasibility study for consolidating the state's two existing schools for the deaf, blind, and multi-disabled. Another important addition was the increase in the number of instructional positions from 10 to 17 per 1,000 students for whom English is a second language.

The following page contains a chart showing the funding provided by the General Assembly for the Board's recommended changes.

**Board of Education Recommended Changes to the Standards of Quality Funding Provided in the 2004-2006 Budget**

SOQ Provision Prescribed by the Board of Education	FY 2005 State Funding	FY 2006 State Funding
Revised methodology to fund the SOQ prevention, intervention, and remediation program	\$63.8 million	\$64.4 million
Five elementary resource teachers per 1,000 students	\$74.2 million	\$75.5 million
One quarter of the daily planning period for teachers at the middle and high school level the first year, and the full daily planning period for teachers at the middle and high school levels the second year;	\$27.0 million	\$128.9 million
One support technology position per 1,000 students in grades K-12	\$4.6 million	\$4.7 million
One support technology position and one instructional technology position per 1,000 students in fiscal year 2006 only		\$11.2 million
<b>Total</b>	<b>\$169.6 million</b>	<b>\$284.7 million</b>

**Governor Warner's Education Initiatives:**

To realize the enormous potential of Virginia's young people and to help meet the needs of Virginia's public schools, Governor Warner initiated a series of school improvement initiatives. The programs offer students and teachers greater opportunities for success, especially for those students who are struggling to meet the graduation requirements for verified credits. Highlights of the programs include:

- ✓ Project Graduation Regional Summer Academies encompass the Summer Regional Academies (reading, writing and Algebra I), online courses in English 10 and English 11, and Spring Regional Academies.
- ✓ Summer School 2004 Scholarships for English 10 and 11 provide financial assistance to certain students to cover the fees for online English 10 or 11 summer school courses in 2004.
- ✓ The Great Virginia Teach-In held in March 2004, a first-time event in which a total of 3,824 prospective teachers participated along with 102 of 132 school divisions across Virginia.
- ✓ The turnaround specialist program equips talented principals with additional training to help improve student achievement in schools that have consistently fallen short of federal or state achievement goals.
- ✓ The Race to the GED program focuses on doubling the number of Virginians earning a GED certificate by December 2005. The Fast-Track GED reduces the time it takes to earn a GED certificate from one year to as little as 90 days.

- ✓ School Division Efficiency Reviews identify savings that can be gained in a local division through best practices in organization, human resources, facilities, finance, transportation, and technology management, thereby allowing divisions to divert administrative savings back into the classroom.
- ✓ Partnership for Achieving Successful Schools (PASS) helps 32 schools across Virginia whose performance on the SOL exams merit extra focus and help.
- ✓ Early College Scholars Program enables students in their junior or senior year to complete their high school diploma and concurrently earn a semester's worth of credits (15 credit hours) that can be used towards a college degree.
- ✓ The Path to Industry Certification provides high school seniors an opportunity to earn their high school diploma and complete technical preparation and industry certification by enrolling in tuition-free training at a Virginia community college immediately following graduation.

## **The Needs of Virginia's Public Schools: 2005 and Beyond**

The condition and needs of Virginia's public schools described in this report should be viewed as guideposts for action. While the results of student performance on a variety of objective measures echo students' strengths, the results also point toward critical areas of need that will undermine Virginia's future success if not addressed quickly and effectively. Some of the needs of the public schools that must be addressed are discussed below.

### Fully funding the state share of the Standards of Quality:

In June of 2003, the Board of Education adopted a series of changes to the Standards of Quality (SOQ) intended to improve educational standards in the Commonwealth. These changes were proposed by the Board as a result of its biennial review of the SOQ, as mandated by the *Code of Virginia*. The Board of Education spent a considerable period of time on the formulation of the SOQ policy changes during its 2003 statutorily mandated review.

The Board recommended eight changes in the SOQ following a review process that included meetings of the Board's SOQ standing committee over a nine-month period and four public hearings across the commonwealth. The 2004 General Assembly enacted and funded four of the eight changes recommended by the Board in its 2003 review, as noted above in the section entitled "Assistance and Support from the Governor and General Assembly."

However, the following policy changes were prescribed by the Board in June 2003 but not enacted or funded by the 2004 General Assembly. The Board concluded that the changes were necessary in order to: 1) provide consistent staffing requirements for principals of elementary, middle, and high schools; 2) provide for the same staffing levels for assistant principals in all elementary, middle, and high schools; 3) reduce the caseload for speech-language pathologists as the result of a review prescribed by the 2003 General Assembly; and 4) provide for reading specialists at a ratio of one position per 1,000 students to prevent or ameliorate reading deficiencies. Improving the state-funded standards in these four areas would bring the state-supported standards closer to actual practice in school divisions, but more importantly, the funded standards would reflect the Board of Education's recommended best practice. See Appendix F for additional information.



- Providing for one full-time principal in every elementary school - The current elementary principal standard in the SOQ funds one-half position up to 299 students in a school and one full-time position at 300 or more students in a school. The proposed change would provide elementary schools with the same staffing levels for principals as middle schools and high schools. The additional state cost is estimated to be \$6.6 million in fiscal year 2005 and \$6.7 million in fiscal year 2006.
- Providing for one full-time assistant principal per 400 students in all schools (K-12) - The current elementary assistant principal standard in the SOQ funds one-half position between 600 and 899 students in a school and one full-time position at 900 or more students in a school. The current middle and secondary assistant principal standard in the SOQ funds one full-time position per 600 students in a school. The additional state cost is estimated to be \$44.0 million in fiscal year 2005 and \$45.8 million in fiscal year 2006.
- Reducing the caseload for speech-language pathologists - The current caseload standard in the SOQ model would change from 68 students to 60 students per speech-language pathologist. The additional state cost is estimated to be \$3.4 million in fiscal year 2005 and \$3.3 million in fiscal year 2006.
- Providing for one reading specialist per 1,000 students (in K-12) - The cost for this initiative is determined by generating positions at one per 1,000 students division-wide for grades kindergarten to twelve. Salary and benefits are applied to these positions based on the related assignment of those positions to elementary and secondary students. The additional state cost is estimated to be \$36.7 million in fiscal year 2005 and \$37.4 million in fiscal year 2006.

Closing the achievement gap:

The "achievement gap" refers to the disparity in academic performance between groups of students. It is used to describe the troubling performance gaps between many African-American and Hispanic students, at the lower end of the performance scale, and their Caucasian, non-Hispanic peers, as well as the similar academic disparity between students from low-income and more affluent families and localities. The disparity also shows up in the performance and graduation rates for the students with disabilities compared to their non-disabled peers. The achievement gap has become a focal point of Virginia's education improvement efforts.

In Virginia, African-American and Hispanic students have made great strides in narrowing the achievement gap that separates them from their Caucasian peers. According to the Education Trust, Virginia has one of the nation's smallest achievement gaps between Caucasian and Hispanics. In 2003, Virginia's eighth-grade Hispanic students had the highest National Assessment of Educational Progress (NAEP) writing scores for Hispanic students in any state. But while Caucasian and Asian students' performance on our assessments is distributed evenly across the spectrum, from low to high, the performance of African-American and Hispanic children falls disproportionately at the lower end of the scale, and fewer of these students are meeting the standard on achievement tests.

The disparity in performance among the groups widens as the students progress through elementary to secondary schools.

Schools are employing a variety of tactics to address the gap that include reducing class sizes, expanding early childhood programs, improving the quality of teachers providing poor and minority students, and encouraging more minority students to take high-level courses. Virginia's Advanced Placement and SAT-I results show that these efforts are paying off.

The federal *No Child Left Behind Act* also takes aim at the achievement gap. It requires states to disaggregate student achievement data by subgroups of students so that performance gains for all children can be tracked. The law also contains a host of accountability measures that penalize schools that are unable to show achievement gains by all subgroups of students: students with disabilities; LEP students; economically disadvantaged students; and major racial/ethnic groups (Caucasian, African-American, and Hispanic). The hope is that these strict accountability measures will spur across-the-board gains in achievement.

Successful strategies to close the achievement gap must be emphasized in schools across the state. This requires resources, both fiscal and human. Teachers and administrators need to know how to use test and other data to understand their students' skills gaps. To do this, professional training on how to link data to instructional strategies is critical in order for teachers to understand how to use data and test results to make changes in their instructional programs.

Ensuring meaningful, on-going professional development for teachers and administrators:

Effective professional development is seen as increasingly vital to school success and teacher satisfaction. With schools today facing an array of complex challenges—from working with an increasingly diverse population of students, to integrating new technology in the classroom, to meeting Virginia's rigorous academic standards and goals—education leaders have stressed the need for teachers to be able to build on their instructional knowledge

Clearly, teachers and administrators in struggling schools need additional assistance to turn their schools around. Much assistance is provided already through initiatives of the Governor, General Assembly, and the Department of Education. Yet improving learning opportunities for all children will require more than individual talents or school-by-school efforts. It will demand systemwide approaches that touch every child in every school in every school division across the state.

For high-caliber professional development programs to take root, actions of the Board of Education must place emphasis on the importance of strong leadership on the part of the school principal. To do this successfully requires innovative and coordinated management of funding and teachers' time as well as greater financial and administrative support for struggling teachers and students.

Coping with the huge growth in the population of students who do not speak English:

With more immigrants having arrived in the United States during the 1990s than any other single decade, the number of public school students in need of additional language instruction has increased dramatically in recent years.

In Virginia, the ESL population has doubled in just the past five years, and this trend is expected to continue. Virginia's ESL students are at all stages of learning English and have varying educational backgrounds in their first languages. While the broad objectives of the English Standards of Learning will ultimately be the same for all students, those learning English as a second language often need extra time, support and exposure to English. In an effort to meet the needs of these students, school divisions have instituted a variety of programs to provide instruction in English as a second language.

In addition to Virginia's accountability requirements, provisions in the federal *No Child Left Behind Act* related to students with limited English proficiency have inspired close scrutiny of the education of those students. The law requires that states develop English-language-proficiency standards and implement English-language-proficiency tests. The state, local divisions, and schools must report the test data separately for English-language learners and show that the subgroup meets AYP targets. The Board of Education has accomplished all of these tasks. School personnel will need help to ensure careful and effective application of the new procedures and tests.

Since local divisions and the state are accountable for ensuring that English-language learners meet proficiency goals, it is more important than ever to determine the best ways of educating students with limited proficiency in English. The burgeoning numbers pose unique challenges for Virginia's educators to ensure that language-minority students achieve at high levels.

To help deal with these and related issues, the Board of Education's president has appointed an advisory committee chaired by a board member and comprised of experienced teachers and others from across the state. Examining the findings and recommendations of this advisory committee will be a high priority for the work of the Board of Education in the coming year.

#### Assisting chronically low-performing schools:

What to do about chronically low-performing schools has become an important topic for the Board of Education, strongly influencing Virginia's school improvement efforts and accountability program. The Board of Education established a special committee to study the best ways to assist such schools. The committee has met throughout 2004, and its urgency has been underscored by the accreditation requirements, which mandate a system of corrective measures for schools that fail to meet progress goals.

Even as the Board of Education works to formulate helpful policies, the federal *No Child Left Behind Act* has added a significant new dimension to the treatment of low-performing schools. Within its accountability framework, the law incorporates a number of sanctions that schools and school divisions and the state as a whole must administer to struggling schools that receive funding under the federal Title I program students.

#### Ensuring that all children learn to read at grade level:

Virginia participates in the Reading First initiative authorized under the *No Child Left Behind Act*. Reading First requires that states spend federal money under the act to promote those instructional methods and materials with sound evidence that they work. Virginia's programs for teaching reading emphasize phonics, phonemic awareness, fluency, vocabulary, and comprehension.

If students can't read, they can't succeed. While Virginia's students have made significant progress, students can and must do better in reading because reading is the single most essential skill for children to learn in school.

The Board of Education's goal is to raise substantially the percentage of children in elementary schools who attain sufficient reading skills to be successful in school and later in life. This is an on-going challenge.

Implementing and meeting the requirements of the *No Child Left Behind Act of 2001*:

The *No Child Left Behind Act* has expanded the federal role in education and has become a focal point of education policy. Coming at a time of wide public concern about the state of education, the legislation sets in place requirements that reach into virtually every public school in America. It takes particular aim at improving the educational performance of disadvantaged students. At the core of the *No Child Left Behind Act* are a number of measures designed to drive broad gains in student achievement and to hold states and schools more accountable for student progress. This represents significant changes to the education landscape and presents particular challenges to the state and the localities in terms of annual testing programs, expectations for academic progress, teacher qualifications, and accountability to the public.

The Board of Education has expressed overall support for the law's stringent accountability mandates as important levers improving performance for all children. The Board has worked diligently in its efforts to ensure that the state complies with all requirements of the *No Child Left Behind Act*. Virginia is on track in that regard. The challenge now becomes having the capacity to help the schools identified as missing adequate yearly progress targets.

Developing, implementing, and using a student-level data base:

To make sound, data-driven educational decisions on behalf of their students, schools and school divisions need access to student records and other educational data that provide a written picture of a student's academic performance. Virginia is working to improve the quality and uniformity of data, and to increase ease of reporting through automation.

Helping the "hard-to-staff" schools:

"Hard-to-staff" schools are defined as those that have great difficulty in finding and retaining qualified and effective teachers. Many hard-to-staff schools are high-poverty inner-city schools or rural schools that, as a consequence of their location in economically depressed or isolated districts, offer comparatively low salaries and lack the amenities with which other divisions attract and retain teachers. This makes it difficult not only for the schools to maintain stability, but also to develop a strong learning environment.

In 2004, Virginia had 230 schools defined as "hard-to-staff" and these schools present unique challenges to the state as a whole.

Advocating for higher teacher salaries and helping schools recruit and retain highly qualified teachers:

The Board of Education supports providing additional state funding for teacher salaries as an essential part of recruiting and retaining teachers of the highest quality. The *No Child Left Behind Act* emphasizes teacher quality as a factor in improving student achievement. Virginia is in the process of implementing its plan to ensure that all teachers (100 percent) of core academic subjects meet the federal definition of highly qualified by the end of the 2005-2006 school year. To get the highest quality teachers, salaries for teachers must be competitive with other comparable professions.

Getting teachers with content preparation in every classroom, continuing to improve the licensure of teachers, providing beginning teachers with mentors and others are essential to attract and retain high quality professionals in the state's teaching force.

Based on the 2002-2003 data, Virginia ranked 21st in the nation in average teacher salaries, with Virginia's average classroom salary falling \$3,152 (6.9 percent) below the national average.

See the chart on the following page for additional information.

### Virginia Average Classroom Salaries Compared to the National Average

Year	Va. Average (Actual)	Va. Percentage Change Over Prior Year	National Average	National Percentage Change Over Prior Year	National vs. Va. Dollar Difference	National vs. Va. Percentage Difference	Virginia National Ranking
1994-95	\$33,987	2.5%	\$36,802	2.9%	(\$2,815)	(7.6%)	26
1995-96	\$34,792	2.4%	\$37,560	2.1%	(\$2,768)	(7.4%)	27
1996-97	\$35,536	2.1%	\$38,554	2.6%	(\$3,018)	(7.8%)	26
1997-98	\$36,428	2.5%	\$39,477	2.4%	(\$3,049)	(7.7%)	26
1998-99	\$37,527	3.0%	\$40,582	2.8%	(\$3,055)	(7.5%)	26
1999-00	\$38,744	3.2%	\$41,702	2.8%	(\$2,958)	(7.1%)	25
2000-01	\$40,247	3.9%	\$42,929	2.9%	(\$2,682)	(7.1%)	24
2001-02	\$41,752	3.7%	\$44,499	2.7%	(\$2,748)	(6.2%)	24
2002-03	\$42,778	2.5%	\$45,930	2.7%	(\$3,152)	(6.9%)	21
2003-04 (Estimate)	\$44,628	4.3%	N/A	N/A	N/A	N/A	N/A

Sources:

a.) Virginia Department of Education: Schedule I from the 2002-2003 Annual School Report.

b.) National Education Association (NEA): Rankings of the States 2002 and Estimates of School Statistics 2003, Update.

## **APPENDICES**

**Appendix A:  
Virginia's Public Schools: Demographic and Statistical Data**

**Appendix B:  
Schools Rated Accredited with Warning: 2004**

**Appendix C:  
Standards of Quality – as of July 1, 2004**

**Appendix D:  
Full Text of the Proposed Changes to the Standards of Quality, Adopted by the  
Board of Education on November 17, 2004**

**Appendix E:  
List of Data and Reports Used to Document the Condition and Needs of the  
Public Schools in Virginia and Compliance with the  
Standards of Quality**

**Appendix F:  
Changes to the Standards of Quality Prescribed by the Board of Education on  
June 25, 2003, and not Funded by the 2004 Session of the General Assembly**

## **Appendix A: Virginia's Public Schools: Demographic and Statistical Data**

Enrollment in the public schools statewide (September 30 fall membership report):

2003: 1,192,539  
2002: 1,176,557  
2001: 1,163,094  
2000: 1,144,913

Statewide student attendance rates:

2003-2004: 95.0 percent  
2002-2003: 94.9 percent

Enrollment in the Virginia Preschool Initiative:

Last year, the initiative served 5,858 4-year-olds in Virginia. For 2004, additional state funds were provided to make the Virginia Preschool Initiative available to an additional 1,500. Virginia's Preschool Initiative supplements the work of the federally funded Head Start program, which served more than 70,000 children last year. The initiative requires localities to match the funds they receive through the program, either monetarily or by providing classroom spaces, administrative support or other necessities.

Enrollment in English as a Second Language Programs (ESL) statewide:

2003: 60,306  
2002: 49,840  
2001: 43,535  
2000: 36,799

Enrollment in Career and Technical Education (CTE) Programs:

2003-04: 585,115  
2002-03: 574,686

(Note: Students are counted for each CTE class taken; therefore, some students are counted more than once.)

Enrollment in Special Education Programs:

2003: 172,525  
2002: 169,303  
2001: 164,878

Enrollment in Gifted Education programs:

2002-2003: 147,832



Number of students eligible for free or reduced price lunch program (as of October 31, 2003):

<b>Program</b>	<b>Number of Eligible Students</b>	<b>Percent of Statewide School Enrollment</b>
Free lunch	290,408	25.30%
Reduced-price lunch	84,029	7.32%
Total	374,437	32.63%

Total number of home-schooled students in Virginia:

2003-2004: 18,102

2002-2003: 16,542

Total number of Virginia's students with religious exemption from school attendance:

2003-2004: 5,628

2002-2003: 5,479

Number of students who transferred under the choice provision under the *No Child Left Behind Act of 2001* for the 2003-2004 School Year:

- Number of schools in the state that received Title I funds: 791
- Number of students enrolled in all schools in the state that received Title I funds: 349,938
- Number of Title I schools in the state that had at least one student transfer to other schools under the school choice provision of NCLB: 31
- Number of students who transferred to other schools in the state because of the school choice provision of NCLB: 432

Staffing trends:

- Highly qualified teachers in Virginia for the 2003-2004 school year:
  - ✓ 94.5 percent of classes were taught by highly qualified teachers.
  - ✓ 92.2 percent of classes were taught by highly qualified teachers in high poverty schools.
  - ✓ 96.5 percent of classes were taught by highly qualified teachers in low poverty schools.
- Highest degrees held by teachers in Virginia (2003-04 school year):
  - ✓ 56.8 percent hold bachelor's degrees (compared to 56.3 in 2002-03 school year)
  - ✓ 41.9 percent hold master's degrees (compared to 42.3 in the 2002-03 school year)
  - ✓ 0.5 percent hold doctorate degrees (compared to 0.6 in the 2002-03 school year)
  - ✓ 0.8 percent unknown--These teachers should be those holding technical professional licenses without degrees.

- Provisional and Special Education Conditional Licenses (2003-2004 school year):
  - ✓ 8.0 percent of teachers were teaching on provisional licenses (compared to 9.2 the 2002-03 school year).
  - ✓ 2.1 percent of teachers were teaching on special education conditional licenses (compared to 2.5 percent in the 2002-03 school year).

Graduation rate for 2002-2003:

- Female: 85.4 percent
- Male: 78.5 percent
- African-American: 75.2 percent
- Hispanic: 72.2 percent
- Caucasian: 84.5 percent
- All students: 81.9 percent

Note: Graduation rates reflect only students who receive Standard or Advanced Studies Diplomas and are calculated by dividing the number of students receiving a diploma during a school year by the total of the following:

- The number of students receiving a diploma, certificate of attendance, or GED;
- The number of students who dropped out in grade 12;
- The number of students in grade 11 who dropped out during the previous year;
- The number of students in grade 10 who dropped out two years earlier; and
- The number of students in grade 9 who dropped out three years earlier.

Type of diploma awarded to graduates: 1999-2000 through 2002-2003:

Completion Type	1999-2002	2000-2001	2001-2002	2002-2003	2003-2004
Advanced Studies Diploma	51.82%	52.57%	46.19%	46.17%	47.5%
Standard Diploma	43.56%	41.77%	47.03%	47.16%	46.9%
Special Diploma	1.86%	1.93%	2.49%	2.67%	3.6%
Modified Standard Diploma	N/A	.05%	0.31%	0.54%	1.9%
Certificate of Program Completion	0.99%	0.88%	0.86%	0.90%	N/A
Did Not Graduate	4.38%	3.62%	4.41%	4.71%	5.7%

Dropout rate:

- 2002-2003: 2.17 percent
- 2001-2002: 2.02 percent

School safety data:

A total 344,184 incidents of discipline, crime, and violence were reported for the 2002-2003 school year. Over three-quarters of offenses reported (78.44%) were disorderly conduct offenses. Fighting not resulting in injury accounted for 7.24% of all offenses, followed by threat/intimidation (2.61%), tobacco products violations (1.87%), battery with no weapon (1.80%), and bullying (1.49%). Accounting for less than one percent of offenses reported were drug offenses (0.98%), vandalism (0.93%), sexual offenses (0.90%) and other weapons (0.58%). Offenses accounting for less than one-half of one percent of offenses reported included fighting with injury [(0.40%), battery against staff (0.38%), alcohol-related offenses

(0.30%), trespassing (0.19%), toy/look-alike gun (0.10%), breaking and entering (0.10%), and gang activity (.05%). The total of all remaining offenses accounted for less than 1/10 of one percent of offenses reported. No homicide, kidnapping, or rape was reported.

Funding Information:

**General Fund (GF) Legislative Appropriations—  
Total State, Total K-12, Total Direct Aid to Public Education:  
FY 1988 through 2006**

Fiscal Year	Total GF Appropriation for Operating Expenses	Total K-12 GF Appropriation	Total K-12 GF Appropriation as a % of Total Operating	Total Direct Aid to Public Education GF Appropriation	Total Direct Aid to Public Education GF Appropriation as a % of Total Operating
1988	4,943,301,387	1,869,081,112	37.8%	1,842,898,944	37.3%
1989	5,618,701,225	2,013,232,361	35.8%	1,981,462,297	35.3%
1990	5,989,106,774	2,116,706,762	35.3%	2,084,659,818	34.8%
1991	6,314,845,900	2,274,587,302	36.0%	2,238,136,351	35.4%
1992	6,140,461,303	2,134,158,371	34.8%	2,100,690,687	34.2%
1993	6,401,500,158	2,309,341,235	36.1%	2,277,939,527	35.6%
1994	6,777,293,077	2,367,680,463	34.9%	2,335,701,684	34.5%
1995	7,355,695,733	2,547,067,019	34.6%	2,514,736,974	34.2%
1996	7,597,249,960	2,686,990,223	35.4%	2,658,572,757	35.0%
1997	8,134,360,672	2,930,985,574	36.0%	2,895,766,099	35.6%
1998	8,715,476,981	3,082,072,592	35.4%	3,046,807,462	35.0%
1999	9,967,431,115	3,534,978,628	35.5%	3,489,301,374	35.0%
2000	11,093,396,991	3,720,945,765	33.5%	3,673,762,807	33.1%
2001	12,283,610,813	4,007,068,597	32.6%	3,942,411,254	32.1%
2002	12,013,820,347	3,959,806,011	33.0%	3,895,682,317	32.4%
2003	12,105,186,620	3,980,489,954	32.9%	3,923,268,185	32.4%
2004	12,370,158,175	4,129,120,033	33.4%	4,069,907,268	32.9%
2005	13,379,200,378	4,747,197,238	35.5%	4,681,326,289	35.0%
2006	13,846,053,972	4,995,664,266	36.1%	4,923,233,361	35.6%

(See notes on next page)

Notes:

(Total For Part 1: Operating Expenses) in the appropriation act.

"Total K-12 GF Appropriation" is the total legislative general fund appropriation for Department of Education Central Office, Direct Aid to Public Education, and the two schools for the deaf and the blind.

"Total Direct Aid GF Appropriation" is the total legislative general fund appropriation for Direct Aid to Public Education.

Notes (con't):

The general fund appropriation for Comprehensive Services Act (CSA) is deducted from the Direct Aid totals for FY 1995 and FY 1996 since CSA was appropriated within Direct Aid for those years but outside Direct Aid in subsequent years.

For FY 1997 through FY 2006, CSA appropriations are not included.

The Direct Aid appropriation for FY 1999 and FY 2000 includes \$55.0 million per year for school construction grants appropriated under Item 554 of Chapter 1072.

## Appendix B: Schools Rated Accredited with Warning: 2004

ACCOMACK COUNTY	KEGOTANK ELEM..	Warned
ALEXANDRIA CITY	CORA KELLY MAGNET EL	Warned
	JEFFERSON-HOUSTON EL	Warned
	MAURY ELEM.	Warned
	PATRICK HENRY ELEM.	Warned
AMELIA COUNTY	AMELIA COUNTY ELEM.	Warned
AMHERST COUNTY	CENTRAL ELEM.	Warned
ARLINGTON COUNTY	GUNSTON MIDDLE	Warned
	HOFFMAN-BOSTON ELEM.	Warned
AUGUSTA COUNTY	NORTH RIVER ELEM.	Warned
BEDFORD COUNTY	BEDFORD MIDDLE	Warned
	BODY CAMP ELEM.	Warned
BLAND COUNTY	ROCKY GAP ELEM.	Warned
	ROCKY GAP HIGH	Warned
BOTETOURT COUNTY	EAGLE ROCK ELEM.	Warned
BRISTOL CITY	STONEWALL JACKSON EL	Warned
	VIRGINIA MIDDLE	Warned
BRUNSWICK COUNTY	BRUNSWICK SR. HIGH	Warned
	JAMES S. RUSSELL JR.	Warned
	RED OAK ELEM.	Warned
	STURGEON ELEM.	Warned
	TOTARO ELEM.	Warned
BUCHANAN COUNTY	COUNCIL ELEM.	Warned
	COUNCIL HIGH	Warned
	GRUNDY HIGH	Warned
	HURLEY HIGH	Warned
	HURLEY MIDDLE	Warned
	RIVERVIEW ELEM/MIDDLE	Warned
	TWIN VALLEY ELEM/MIDDLE	Warned
BUCKINGHAM COUNTY	BUCKINGHAM CO. MIDDLE	Warned
	DILLWYN ELEM.	Warned
	DILLWYN PRIMARY	Warned
CAMPBELL COUNTY	CONCORD ELEM.	Warned
	RUSTBURG MIDDLE	Warned
CAROLINE COUNTY	CAROLINE HIGH	Warned
	CAROLINE MIDDLE	Warned
CARROLL COUNTY	CARROLL COUNTY INT.	Warned
	GLADEVILLE ELEM.	Warned
	HILLSVILLE ELEM.	Warned
	OAKLAND ELEM.	Warned
	ST. PAUL SCHOOL	Warned
CHARLES CITY COUNTY	CHARLES CITY CO. ELE	Warned
	CHARLES CITY CO. MIDDLE	Warned
CHARLOTTESVILLE CITY	BUFORD MIDDLE	Warned
	BURNLEY-MORAN ELEMEN	Warned
	CHARLOTTESVILLE HIGH	Warned
	CLARK ELEM.	Warned
	WALKER UPPER ELEM.	Warned

CHESAPEAKE CITY	GEORGETOWN PRIMARY	Warned
	OSCAR SMITH MIDDLE	Warned
	SOUTHWESTERN ELEM.	Warned
	THURGOOD MARSHALL EL	Warned
CHESTERFIELD COUNTY	CHESTERFIELD COMMUNI	Warned
COLONIAL BEACH	COLONIAL BEACH HIGH	Warned
COVINGTON CITY	COVINGTON HIGH	Warned
	EDGEMONT PRIMARY	Warned
CULPEPER COUNTY	CULPEPER MIDDLE	Warned
CUMBERLAND COUNTY	CUMBERLAND ELEM.	Warned
	CUMBERLAND HIGH	Warned
DANVILLE CITY	G. L. H. JOHNSON ELE	Warned
	GLENWOOD ELEM.	Warned
	GROVE PARK ELEM.	Warned
	IRVIN W. TAYLOR ELEM	Warned
	WOODBERRY HILLS ELEM	Warned
DICKENSON COUNTY	ERVINTON HIGH	Warned
	SANDLICK ELEM.	Warned
DINWIDDIE COUNTY	DINWIDDIE COUNTY MIDDLE	Warned
ESSEX COUNTY	ESSEX INT.	Warned
FAIRFAX COUNTY	BUCKNELL ELEM.	Warned
	GRAHAM ROAD ELEM.	Warned
	HYBLA VALLEY ELEM.	Warned
	MOUNT VERNON WOODS E	Warned
	RIVERSIDE ELEM.	Warned
	WEYANOKE ELEM.	Warned
FAUQUIER COUNTY	CEDAR LEE MIDDLE	Warned
FRANKLIN CITY	FRANKLIN HIGH	Warned
	S. P. MORTON ELEM	Warned
FREDERICKSBRG CITY	HUGH MERCER ELEM.	Warned
GILES COUNTY	NARROWS HIGH	Warned
GRAYSON COUNTY	BAYWOOD ELEM.	Warned
	ELK CREEK ELEM.	Warned
	FRIES MIDDLE	Warned
	MT. ROGERS COMBINED	Warned
	PROVIDENCE ELEM.	Warned
GREENSVILLE COUNTY	BELFIELD ELEM.	Warned
	EDWARD W. WYATT MIDD	Warned
	GREENSVILLE ELEM	Warned
	ZION ALTERNATIVE ED	Warned
HALIFAX COUNTY	HALIFAX ELEM.	Warned
	MEADVILLE ELEM.	Warned
	SINAI ELEM.	Warned
	SYDNOR JENNINGS ELEM	Warned
	TURBEVILLE ELEM.	Warned
	WILSON MEMORIAL ELEM	Warned

HAMPTON CITY	ABERDEEN ELEM.	Warned
	C. ALTON LINDSAY MIDDLE	Warned
	C. VERNON SPRATLEY M	Warned
	CESAR TARRANT ELEM.	Warned
	FRANCIS MALLORY ELEM	Warned
	HAMPTON HARBOUR ACAD	Warned
	JOHN TYLER ELEM.	Warned
	WYTHE ELEM.	Warned
HENRICO COUNTY	FAIRFIELD MIDDLE	Warned
	L. DOUGLAS WILDER MI	Warned
	LABURNUM ELEM.	Warned
	MT. VERNON MIDDLE	Warned
	NEW BRIDGE SCHOOL	Warned
	RATCLIFFE ELEM.	Warned
	ROLFE MIDDLE	Warned
	VA. RANDOLPH COMM. H	Warned
HENRY COUNTY	SANVILLE ELEM.	Warned
HOPEWELL CITY	DUPONT ELEM.	Warned
ISLE OF WIGHT COUNTY	WINDSOR MIDDLE	Warned
KING & QUEEN COUNTY	CENTRAL HIGH	Warned
	KING GEORGE ELEM.	Warned
	KING GEORGE MIDDLE	Warned
LANCASTER COUNTY	LANCASTER MIDDLE	Warned
LEE COUNTY	JONESVILLE MIDDLE	Warned
	THOMAS WALKER HIGH	Warned
LUNENBURG COUNTY	KENBRIDGE ELEM.	Warned
	LUNENBURG MIDDLE	Warned
	VICTORIA ELEM.	Warned
LYNCHBURG CITY	PAUL L. DUNBAR MID.	Warned
MARTINSVILLE CITY	ALBERT HARRIS INTERMEDIATE	Warned
	CLEARVIEW ELEM.	Warned
	DRUID HILLS ELEM.	Warned
MECKLENBURG COUNTY	BLUESTONE HIGH	Warned
	PARK VIEW MIDDLE	Warned
MONTGOMERY COUNTY	BELVIEW ELEM.	Warned
	CHRISTIANSBURG ELEM.	Warned
	CHRISTIANSBURG MIDDLE	Warned
	CHRISTIANSBURG PRIMA	Warned
	FALLING BRANCH ELEM.	Warned
	KIPPS ELEM.	Warned
	PRICES FORK ELEM.	Warned
	SHAWSVILLE ELEM.	Warned
	SHAWSVILLE MIDDLE	Warned
NELSON COUNTY	NELSON COUNTY HIGH	Warned
	NELSON MIDDLE	Warned
	TYE RIVER ELEM.	Warned
NEW KENT COUNTY	NEW KENT MIDDLE	Warned

NEWPORT NEWS CITY	CARVER ELEM.	Warned
	HIDENWOOD ELEM.	Warned
	HOMER L. HINES MIDDLE	Warned
	HORACE H. EPES ELEM.	Warned
	HUNTINGTON MIDDLE	Warned
	L. F. PALMER ELEM.	Warned
	LEE HALL ELEM.	Warned
	MARY PASSAGE MIDDLE	Warned
	RIVERSIDE ELEM.	Warned
	SOUTH MORRISON ELEM.	Warned
NORFOLK CITY	BOWLING PARK ELEM.	Warned
	CAMPOSTELLA ELEM.	Warned
	CHESTERFIELD ACADEMY	Warned
	COLEMAN PLACE ELEM.	Warned
	DREAMKEEPERS ACADEMY	Warned
	JACOX ELEM.	Warned
	JAMES MONROE ELEM.	Warned
	LAKE TAYLOR MIDDLE	Warned
	LINDENWOOD ELEM.	Warned
	ROSEMONT MIDDLE	Warned
	RUFFNER MIDDLE	Warned
	SUBURBAN PARK ELEM.	Warned
	YOUNG PARK ELEM.	Warned
NORTHAMPTON COUNTY	NORTHAMPTON MIDDLE	Warned
NORTHUMBERLAND COUNTY	NORTHUMBERLAND HIGH	Warned
PETERSBURG CITY	A. P. HILL ELEM.	Warned
	BLANDFORD ELEM.	Warned
	J. E. B. STUART ELEM	Warned
	PEABODY MIDDLE	Warned
	PETERSBURG HIGH	Warned
	ROBERT E. LEE ELEM.	Warned
	VERNON JOHNS SCHOOL	Warned
	VIRGINIA AVENUE ELEM	Warned
	WALNUT HILL ELEM.	Warned
	WESTVIEW ELEM.	Warned
PITTSYLVANIA COUNTY	CHATHAM ELEM.	Warned
	CHATHAM MIDDLE	Warned
	DAN RIVER MIDDLE	Warned
	GRETNA MIDDLE	Warned
	SOUTHSIDE ELEM.	Warned
PORTSMOUTH CITY	CHURCHLAND ACADEMY E	Warned
	CHURCHLAND MIDDLE	Warned
	CRADOCK MIDDLE	Warned
	DOUGLASS PARK ELEM.	Warned
	HODGES MANOR ELEM.	Warned
	HUNT-MAPP MIDDLE	Warned
	I. C. NORCOM HIGH	Warned
	JAMES HURST ELEM.	Warned



Portsmouth City (con't)	LAKEVIEW ELEM.	Warned
	S.H. CLARKE ACADEMY	Warned
	WESTHAVEN ELEM.	Warned
	WM. E. WATERS MIDDLE	Warned
	WOODROW WILSON HIGH	Warned
PRINCE EDWARD COUNTY	PRINCE EDWARD MIDDLE	Warned
PRINCE WILLIAM COUNTY	C. A. SINCLAIR ELEM.	Warned
	KERRYDALE ELEM.	Warned
	YORKSHIRE ELEM.	Warned
PULASKI COUNTY	CRITZER ELEM.	Warned
	PULASKI MIDDLE	Warned
	RIVERLAWN ELEM.	Warned
	SNOWVILLE ELEM.	Warned
RICHMOND CITY	ADULT CAREER DEV. CT	Warned
	AMELIA STREET SP ED	Warned
	ARMSTRONG HIGH	Warned
	CHANDLER MIDDLE	Warned
	G. H. REID ELEM.	Warned
	GEORGE W. CARVER ELE	Warned
	GEORGE WYTHE HIGH	Warned
	J. L. FRANCIS ELEM.	Warned
	PATRICK HENRY ELEM.	Warned
	RICHMOND ALTERNATIVE	Warned
	SUMMER HILL/RUFFIN R	Warned
	THOMAS C. BOUSHALL M	Warned
ROANOKE CITY	ADDISON AEROSPACE MA	Warned
	BLUE RIDGE TECHNICAL	Warned
	FALLON PARK ELEM.	Warned
	FOREST PARK MAGNET	Warned
	GARDEN CITY ELEM.	Warned
	HUFF LANE MICROVILLA	Warned
	HURT PARK ELEM.	Warned
	NOEL C. TAYLOR LRNG.	Warned
	OAKLAND INTERMEDIATE	Warned
	PRESTON PARK PRIMARY	Warned
	ROANOKE ACDMY/MATH &	Warned
	ROUND HILL MONTESSOR	Warned
	STONEWALL JACKSON MI	Warned
	VIRGINIA HEIGHTS ELE	Warned
	WESTSIDE ELEM.	Warned
ROCKBRIDGE COUNTY	FAIRFIELD ELEM.	Warned
	MAURY RIVER MIDDLE	Warned
SMYTH COUNTY	CHILHOWIE MIDDLE	Warned
	MARION MIDDLE	Warned
	NORTHWOOD MIDDLE	Warned
	SUGAR GROVE COMBINED	Warned
SOUTHAMPTON COUNTY	SOUTHAMPTON MIDDLE	Warned
SPOTSYLVANIA COUNTY	BERKELEY ELEM.	Warned
	REGIONAL HIGH	Warned

SUFFOLK CITY	ELEPHANT'S FORK ELEM	Warned
	JOHN F. KENNEDY MIDD	Warned
	KING'S FORK MIDDLE	Warned
	LAKELAND HIGH	Warned
	NANSEMOND PARKWAY EL	Warned
	NANSEMOND RIVER HIGH	Warned
	SOUTHWESTERN ELEM.	Warned
SURRY COUNTY	LUTHER P. JACKSON MI	Warned
SUSSEX COUNTY	ANNIE B. JACKSON ELE	Warned
	ELLEN W. CHAMBLISS E	Warned
	JEFFERSON ELEM.	Warned
	SUSSEX CENTRAL HIGH	Warned
	SUSSEX CENTRAL MIDDLE	Warned
TAZEWELL COUNTY	NORTH TAZEWELL ELEM.	Warned
	POCAHONTAS HIGH	Warned
	RAVEN ELEM.	Warned
	RICHLANDS MIDDLE	Warned
	SPRINGVILLE ELEM.	Warned
	TAZEWELL MIDDLE	Warned
VIRGINIA BEACH CITY	NEWTOWN ROAD ELEM.	Warned
WASHINGTON COUNTY	RHEA VALLEY ELEM.	Warned
WAYNESBORO CITY	KATE COLLINS	Warned
	WENONAH ELEM.	Warned
	WILLIAM PERRY ELEM.	Warned
WESTMORELAND COUNTY	COPELE ELEM.	Warned
	WASHINGTON & LEE HIGH	Warned
	WASHINGTON DISTRICT	Warned
WISE COUNTY	APPALACHIA HIGH	Warned
	COEBURN MIDDLE	Warned
WYTHE COUNTY	JACKSON MEMORIAL ELE	Warned
	MAX MEADOWS ELEM.	Warned
	RURAL RETREAT MIDDLE	Warned

## **Appendix C: Standards of Quality Code of Virginia – as of July 1, 2004**

Web site: [http://www.pen.k12.va.us/VDOE/VA Board/Standards/](http://www.pen.k12.va.us/VDOE/VA_Board/Standards/)

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

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

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

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

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

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

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

Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department of Education shall make available and maintain a website, either separately or through an existing website utilized by the Department of Education, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels.

The Board of Education shall supplement the Standards of Learning for history and social science to ensure the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" shall include consideration of disability, ethnicity, race, and gender.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that emphasizes reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education and employment or, in the case of children with disabilities, to qualify for appropriate training; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation.

Any student who passes one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program. Any student who fails all of the Standards of Learning assessments for the relevant grade level in grades three through eight shall be required to attend a summer school program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or

his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The Board of Education shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § 22.1-199.2.

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.
2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school.
3. Career and technical education programs incorporated into the K through 12 curricula that include:
  - a. Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;
  - b. Career exploration opportunities in the middle school grades; and
  - c. Competency-based career and technical education programs that integrate academic outcomes, career guidance and job-seeking skills for all secondary students. Programs must be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.
4. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.
5. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.
6. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board of Education.
7. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.
8. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.
9. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations.
10. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs.
11. Early identification, diagnosis, and assistance for students with reading problems and provision of instructional strategies and reading practices that benefit the development of reading skills for all students.
12. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

13. A program of student services for grades kindergarten through 12 that shall be designed to aid students in their educational, social, and career development.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers.

In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

**§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.**

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12. Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for educable mentally retarded (EMR) pupils that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities. (21:1 ratio is funded for the second year).

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

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

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

prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to support 10 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.

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

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

1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students; principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high schools, one full-time, to be employed on a 12-month basis;
2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students;
3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students;
4. Guidance counselors in elementary schools, one hour per day per 100 students, one full-time at 500 students, one hour per day additional time per 100 students or major fraction thereof; guidance counselors in middle schools, one period per 80 students, one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance counselors in high schools, one period per 70 students, one full-time at 350 students, one additional period per 70 students or major fraction thereof; and
5. Clerical personnel in elementary schools, part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students.

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

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

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

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for guidance counselors, and shall be based on the school's total enrollment; guidance counselor staff requirements shall, however, be based on the enrollment at the various school organization levels, i.e., elementary, middle, or high school. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

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

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

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

For the purposes of this title, unless the context otherwise requires, "support services" shall include services provided by the school board members; the superintendent; assistant superintendents; student services (including guidance counselors, social workers, and homebound, improvement, principal's office, and library- media positions); attendance and health positions; administrative, technical, and clerical positions; operation and maintenance positions; educational technology positions; school nurses; and pupil transportation positions. Pursuant to the appropriations act, support services shall be funded from basic school aid on the basis of prevailing statewide costs.

**§ 22.1-253.13:3. Standard 3. Accreditation, other standards and evaluation.**

A. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, student services, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.

The Board shall review annually the accreditation status of all schools in the Commonwealth. Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the standards as approved by the Board.

When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's six-year improvement plan pursuant to § 22.1-253.13:6.



With such funds as are appropriated or otherwise received for this purpose, the Board shall adopt and implement an academic review process, to be conducted by the Department of Education, to assist schools that are accredited with warning. The Department shall forward a report of each academic review to the relevant local school board, and such school board shall make the results of such review available to the public.

B. The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements. The Superintendent of Public Instruction shall annually identify to the Board those school divisions and schools that exceed or do not meet the approved criteria. Such identification shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent of Public Instruction shall assist local school boards in the implementation of action plans for increasing educational performance in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent of Public Instruction shall monitor the implementation of and report to the Board of Education on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board of Education shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall (i) in consultation with the chairpersons of the eight regional superintendents' study groups, establish a timetable for administering the Standards of Learning assessments to ensure genuine end-of-course and end-of-grade testing and (ii) with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments.

In prescribing such Standards of Learning assessments, the Board shall provide local school boards the option of administering tests for United States History to 1877, United States History: 1877 to the Present, and Civics and Economics. The Board of Education shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests.

The Board shall include in the student outcome measures that are required by the Standards of Accreditation end-of-course or end-of-grade tests for various grade levels and classes, as determined by the Board, in accordance with the Standards of Learning.

These Standards of Learning assessments shall include, but need not be limited to, end-of-course or end-of-grade tests for English, mathematics, science, and history and social science. In addition, to assess the educational progress of students, the Board of Education shall (i) develop appropriate assessments, which may include criterion-referenced tests and alternative assessment instruments that may be used by classroom teachers and (ii) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels.

D. The Board of Education is authorized to pursue all available civil remedies for breaches in test security and unauthorized alteration of test materials or test results.

Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

E. With such funds as may be appropriated, the Board of Education may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

F. To assess the educational progress of students as individuals and as groups, each local school board shall require the administration of appropriate assessments, which may include criterion-referenced tests, teacher-made tests and alternative assessment instruments and shall include the Standards of Learning Assessments and the National Assessment of Educational Progress state-by-state assessment. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board of Education, the results from the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, if administered, and the Standards of Learning Assessments to the public.

The Board of Education shall not require administration of the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, except as may be selected to facilitate compliance with the requirements for home instruction pursuant to § 22.1-254.1.

The Board shall include requirements for the reporting of the Standards of Learning assessment scores and averages for each year as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by gender and by race or ethnicity, and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department of Education's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

**§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.**

A. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. Provisions shall be made for students who transfer between secondary schools and from nonpublic schools or from home instruction as outlined in the standards for accreditation. Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

In addition, each local school board may devise, vis-a-vis the award of diplomas to secondary school students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade for such required class expunged.

Each local school board shall notify the parent of rising eleventh and twelfth grade students of (i) the number of standard and verified units of credit required for graduation pursuant to the standards of accreditation and (ii) the remaining number of such units of credit the individual student requires for graduation.

B. Students identified as disabled who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards.

Each local school board shall notify the parent of such students with disabilities who have an individualized education program and who fail to meet the requirements for graduation of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13 of this title.

C. Students who have completed a prescribed course of study as defined by the local school board shall be awarded certificates of program completion by local school boards if they are not eligible to receive a standard, advanced studies, modified standard, or general achievement diploma.

Each local school board shall provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ 22.1-1 et seq.) of this title, to the parent of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation as provided in the standards of accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § 22.1-5.

D. In establishing course and credit requirements for a high school diploma, the Board shall:

1. Provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation credit requirements, which shall include Standards of Learning testing, as necessary;
2. Establish the requirements for a standard, modified standard, or advanced studies high school diploma, which shall include one credit in fine, performing, or practical arts and one credit in United States and Virginia history. The requirements for a standard high school diploma shall, however, include at least two sequential electives chosen from a concentration of courses selected from a variety of options that may be planned to ensure the completion of a focused sequence of elective courses. Students may take such focused sequence of elective courses in consecutive years or any two years of high school. Such focused sequence of elective courses shall provide a foundation for further education or training or preparation for employment and shall be developed by the school division, consistent with Board of Education guidelines and as approved by the local school board;
3. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or advanced studies diploma, that students completing elective classes into which the Standards of Learning for any required course have been integrated may take the relevant Standards of Learning test for the relevant required course and receive, upon achieving a satisfactory score on the specific Standards of Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the Board's requirement for verified credit for the required course; and
4. Establish a procedure to facilitate the acceleration of students that allows qualified students, with the recommendation of the division superintendent, without completing the 140-hour class, to obtain credit for such class upon demonstration of mastery of the course content and objectives. Having received credit for the course, the student shall be permitted to sit for the relevant Standards of Learning assessment and, upon receiving a passing score, shall earn a verified credit. Nothing in this section shall preclude relevant school division personnel from enforcing compulsory attendance in public schools.

In addition, the Board may:

- a. For the purpose of awarding verified units of credit, approve the use of additional or substitute tests for the correlated Standards of Learning assessment, such as academic achievement tests, industry certifications or state licensure examinations; and
- b. Permit students completing career and technical education programs designed to enable such students to pass such industry certification examinations or state licensure examinations to be awarded, upon obtaining satisfactory scores on such industry certification or licensure examinations, the appropriate verified units of credit for one or more career and technical education classes into which relevant Standards of Learning for various classes taught at the same level have been integrated. Such industry certification and state licensure examinations may cover relevant Standards of Learning for various required classes and may, at the discretion of the Board, address some Standards of Learning for several required classes.

E. In the exercise of its authority to recognize exemplary academic performance by providing for diploma seals, the Board of Education shall develop criteria for recognizing exemplary performance in career and technical education

programs by students who have completed the requirements for a standard or advanced studies diploma and shall award seals on the diplomas of students meeting such criteria.

In addition, the Board shall establish criteria for awarding a diploma seal for advanced mathematics and technology for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) technology courses; (ii) technical writing, reading, and oral communication skills; (iii) technology-related practical arts training; and (iv) industry, professional, and trade association national certifications.

The Board shall also establish criteria for awarding a diploma seal for excellence in civics education and understanding of our state and federal constitutions and the democratic model of government for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) successful completion of history, government, and civics courses, including courses that incorporate character education; (ii) voluntary participation in community service or extracurricular activities; and (iii) related requirements as it deems appropriate.

F. The Board shall establish, by regulation, requirements for the award of a general achievement diploma for those persons who have (i) achieved a passing score on the GED examination; (ii) successfully completed an education and training program designated by the Board of Education; and (iii) satisfied other requirements as may be established by the Board for the award of such diploma.

**§ 22.1-253.13:5. Standard 5. Teacher quality and educational leadership.**

A. Each member of the Board of Education shall participate in high-quality professional development programs on personnel, curriculum and current issues in education as part of his service on the Board.

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, the Board of Education shall develop uniform performance standards and evaluation criteria for teachers, administrators, and superintendents, which shall include standards for training in the implementation of the Standards of Learning and training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of instructional personnel.

C. The Board of Education shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents and other school staff; (ii) administrative and supervisory personnel in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on personnel, curriculum and current issues in education; and (iv) programs in Braille for teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired.

The Board shall also provide technical assistance on high-quality professional development to local school boards designed to ensure that all instructional personnel are proficient in the use of educational technology consistent with its Six-Year Educational Technology Plan for Virginia.

D. Each local school board shall require (i) its members to participate annually in high quality professional development programs on personnel, curriculum and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state or national levels.

E. Each local school board shall provide a program of high-quality professional development (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the

standards for academic performance set by the Board of Education; (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula, and (iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel. In addition, each local school board shall also provide teachers and principals with high quality professional development programs in (i) the preparation of tests and other assessment measures; (ii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (iii) instruction and remediation techniques in English, mathematics, science, and history and social science; (iv) interpreting test data for instructional purposes; and (v) technology applications to implement the Standards of Learning.

F. Schools and school divisions shall include as an integral component of their biennial plans and six- year plans, respectively, required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals.

**§ 22.1-253.13:6. Standard 6. Planning and public involvement.**

A. The Board of Education shall revise, extend and adopt biennially a statewide six- year plan that shall be developed with statewide participation. The Board shall post such plan on the Department of Education's website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying. This plan shall include the objectives of public education in Virginia, an assessment of the extent to which these objectives are being achieved, a forecast of enrollment changes and an assessment of the needs of public education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent to which these Standards of Quality have been achieved and the objectives of the statewide six-year plan have been met. The Board shall also develop, consistent with its six- year plan, a detailed six- year plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the six- year plan for educational technology and may require the revision of such plan as it deems necessary.

B. Each local school board shall revise, extend and adopt biennially a divisionwide six-year plan that shall be developed with staff and community involvement. Prior to the adoption of any divisionwide six- year plan, each local school board shall post such plan on the division's Internet website if practicable, and, in any case, shall make a hard copy of the plan available for public inspection and copying and shall conduct at least one public hearing to solicit public comment on the divisionwide plan.

The divisionwide six- year plan shall include, but shall not be limited to, (i) the objectives of the school division; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations; (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan for implementing such regional programs and services when appropriate; (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the school division's career and technical education programs, consistent with the six- year technology plan for Virginia adopted by the Board of Education; (viii) an assessment of the needs of the school division and evidence of community participation in the development of the plan; and (ix) any corrective action plan required pursuant to § 22.1-253.13:3.

A report shall be presented by each school board to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide six- year plan have been met during the previous two school years.

C. Each public school shall prepare a biennial plan, which the relevant school board shall consider in the development of its divisionwide six- year plan.

D. The Board of Education shall, in a timely manner, make available to local school boards information about where current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the Attorney General of Virginia may be located online.

**§ 22.1-253.13:7. Standard 7. School board policies.**

A. Each local school board shall maintain and follow up-to-date policies. All school board policies shall be reviewed at least every five years and revised as needed.

B. Each local school board shall ensure that policies developed giving consideration to the views of teachers, parents, and other concerned citizens and addressing the following:

1. A system of two-way communication between employees and the local school board and its administrative staff whereby matters of concern can be discussed in an orderly and constructive manner;
2. The selection and evaluation of all instructional materials purchased by the school division, with clear procedures for handling challenged controversial materials;
3. The standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights;
4. School-community communications and community involvement;
5. Guidelines to encourage parents to provide instructional assistance to their children in the home, which may include voluntary training for the parents of children in grades K through three;
6. Information about procedures for addressing concerns with the school division and recourse available to parents pursuant to § 22.1-87;
7. A cooperatively developed procedure for personnel evaluation appropriate to tasks performed by those being evaluated; and
8. Grievances, dismissals, etc., of teachers, and the implementation procedure prescribed by the General Assembly and the Board of Education, as provided in Article 3 (§ 22.1-306 et seq.) of Chapter 15 of this title, and the maintenance of copies of such procedures.

A current copy of the school division policies shall be kept in the library of each school and in any public library in that division and shall be available to employees and to the public. If such policies are maintained online, school boards shall ensure that printed copies of such policies are available to citizens who do not have online access.

C. An annual announcement shall be made in each division at the beginning of the school year and, for parents of students enrolling later in the academic year, at the time of enrollment, advising the public that the policies are available in such places.

**§ 22.1-253.13:8. Compliance.**

The Standards of Quality prescribed in this chapter shall be the only standards of quality required by Article VIII, Section 2 of the Constitution of Virginia.

Each local school board shall provide, as a minimum, the programs and services, as provided in the standards of quality prescribed above, with state and local funds as apportioned by the General Assembly in the appropriation act and to the extent funding is provided by the General Assembly.

As required by § 22.1-18, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein that have failed to establish and maintain schools meeting the existing prescribed standards of quality.

The Board of Education shall have authority to seek school division compliance with the foregoing Standards of Quality. When the Board of Education determines that a school division has failed or refused, and continues to fail or refuse, to comply with any such Standard, the Board may petition the circuit court having jurisdiction in the

school division to mandate or otherwise enforce compliance with such standard, including the development or implementation of any required corrective action plan that a local school board has failed or refused to develop or implement in a timely manner.

## Appendix D: Full Text of the Proposed Changes to the Standards of Quality, Adopted by the Board of Education on November 17, 2004

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

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

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

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

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

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

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

In addition, the Department of Education shall make available and maintain a website, either separately or through an existing website utilized by the Department of Education, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.



School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

The Board of Education shall ~~supplement~~ include in the Standards of Learning for history and social science ~~to ensure~~ the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" shall include consideration of disability, ethnicity, race, and gender.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning, and meets or exceeds requirements of the Board of Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education and employment or ~~in the case of children with disabilities,~~ to qualify for appropriate training; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation.

Any student who passes one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails all four of the Standards of Learning assessments for the relevant grade level in grades three through eight shall be required to attend a summer school program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The Board of Education shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § 22.1-199.2.

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.
2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school.
3. Career and technical education programs incorporated into the K through 12 curricula that include:
  - a. Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;
  - b. Career exploration opportunities in the middle school grades; and
  - c. Competency-based career and technical education programs that integrate academic outcomes, career guidance and job-seeking skills for all secondary students. Programs must be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.
4. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.
5. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.
6. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board of Education.
7. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.
8. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.
9. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations.
10. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs.

11. Early identification, diagnosis, and assistance for students with reading problems and provision of instructional strategies and reading practices that benefit the development of reading skills for all students.

12. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

13. A program of student services for grades kindergarten through 12 that shall be designed to aid students in their educational, social, and career development.

14. The collection and analysis of data, and the use of the results to evaluate and make decisions about the instructional program.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

**§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.**

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for ~~educable mentally retarded (EMR)~~ pupils with mental retardation that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

~~(21:1 ratio is funded for the second year—see Editor's note)~~ Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

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

shall adjust their average daily membership for kindergarten to reflect 85 percent of the total kindergarten average daily memberships, as provided in the appropriation act.

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

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to support ~~40-17~~ full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.

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

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

1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students; principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high schools, one full-time, to be employed on a 12-month basis;

2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students;

3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students;

4. Guidance counselors in elementary schools, one hour per day per 100 students, one full-time at 500 students, one hour per day additional time per 100 students or major fraction thereof; guidance counselors in middle schools, one period per 80 students, one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance counselors in high schools, one period per 70 students, one full-time at 350 students, one additional period per 70 students or major fraction thereof; and

5. Clerical personnel in elementary schools, part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students.

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

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

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

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for guidance counselors, and shall be based on the school's total enrollment; guidance counselor staff requirements shall, however, be based on the enrollment at the various school organization levels, i.e., elementary, middle, or high school. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

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

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

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

For the purposes of this title, unless the context otherwise requires, "support services" shall include services provided by the school board members; the superintendent; assistant superintendents; student services (including guidance counselors, social workers, and homebound, improvement, principal's office, and library-media positions); attendance and health positions; administrative, technical, and clerical positions; operation and maintenance positions; educational technology positions; school nurses; and pupil transportation positions.

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

### **§ 22.1-253.13:3. Standard 3. Accreditation, other standards and evaluation.**

A. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, student services, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.

The Board shall review annually the accreditation status of all schools in the Commonwealth.

Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session.

When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designated to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's ~~six-year improvement~~ comprehensive plan pursuant to § 22.1-253.13:6.

With such funds as are appropriated or otherwise received for this purpose, the Board shall adopt and implement an academic review process, to be conducted by the Department of Education, to assist schools that are accredited with warning. The Department shall forward a report of each academic review to the relevant local school board, and such school board shall ~~make report~~ the results of such academic review and the required annual progress reports available to the public in public session. The local school board shall implement any actions identified through the academic review and utilize them for improvement planning.

B. The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements. The Superintendent of Public Instruction shall annually identify to the Board those school divisions and schools that exceed or do not meet the approved criteria. Such identification shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent of Public Instruction shall assist local school boards in the implementation of action plans for increasing educational performance in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent of Public Instruction shall monitor the implementation of and report to the Board of Education on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board of Education shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall (i) in consultation with the chairpersons of the eight regional superintendents' study groups, establish a timetable for administering the Standards of Learning assessments to ensure genuine end-of-course and end-of-grade testing and (ii) with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments.

In prescribing such Standards of Learning assessments, the Board shall provide local school boards the option of administering tests for United States History to 1877, United States History: 1877 to the Present, and Civics and Economics. The Board of Education shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests.

The Board shall include in the student outcome measures that are required by the Standards of Accreditation end-of-course or end-of-grade tests for various grade levels and classes, as determined by the Board, in accordance with the Standards of Learning. These Standards of Learning assessments shall include, but need not be limited to, end-of-course or end-of-grade tests for English, mathematics, science, and history and social science.

In addition, to assess the educational progress of students, the Board of Education shall (i) develop appropriate assessments, which may include criterion-referenced tests and alternative assessment instruments that may be used by classroom teachers and (ii) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels.

D. The Board of Education is authorized to pursue all available civil remedies for breaches in test security and unauthorized alteration of test materials or test results. Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

E. With such funds as may be appropriated, the Board of Education may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

F. To assess the educational progress of students as individuals and as groups, each local school board shall require the use of relevant data to evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to all students for grade levels and courses identified by the Board of Education, which may include criterion-referenced tests, teacher-made tests and alternative assessment instruments and shall include the Standards of Learning Assessments and the National Assessment of Educational Progress state-by-state assessment. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board of Education, the results from the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, if administered, industry certification examinations, and the Standards of Learning Assessments to the public.

The Board of Education shall not require administration of the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, except as may be selected to facilitate compliance with the requirements for home instruction pursuant to § 22.1-254.1.

The Board shall include requirements for the reporting of the Standards of Learning assessment scores and averages for each year as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by gender and by race or ethnicity, and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department of Education's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

G. Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent of Public Instruction shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § 22.1-18.

#### **§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.**

A. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. Provisions shall be made for students who transfer between secondary schools and from nonpublic schools or from home instruction as outlined in the standards for accreditation. Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

In addition, each local school board may devise, vis-a-vis the award of diplomas to secondary school students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade for such required class expunged.

Each local school board shall notify the parent of rising eleventh and twelfth grade students of (i) the number of standard and verified units of credit required for graduation pursuant to the standards of accreditation and (ii) the remaining number of such units of credit the individual student requires for graduation.

B. Students identified as disabled who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards.

Each local school board shall notify the parent of such students with disabilities who have an individualized education program and who fail to meet the requirements for graduation of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13 of this title.

C. Students who have completed a prescribed course of study as defined by the local school board shall be awarded certificates of program completion by local school boards if they are not eligible to receive a standard, advanced studies, modified standard, or general achievement diploma.

Each local school board shall provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ 22.1-1 et seq.) of this title, to the parent of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation as provided in the standards of accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § 22.1-5.

D. In establishing course and credit requirements for a high school diploma, the Board shall:

1. Provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation credit requirements, which shall include Standards of Learning testing, as necessary;
2. Establish the requirements for a standard, modified standard, or advanced studies high school diploma, which shall include one credit in fine, performing, or practical arts and one credit in United States and Virginia history. The requirements for a standard high school diploma shall, however, include at least two sequential electives chosen from a concentration of courses selected from a variety of options that may be planned to ensure the completion of a focused sequence of elective courses. Students may take such focused sequence of elective courses in consecutive years or any two years of high school. Such focused sequence of elective courses shall provide a foundation for further education or training or preparation for employment and shall be developed by the school division, consistent with Board of Education guidelines and as approved by the local school board;
3. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or advanced studies diploma, that students completing elective classes into which the Standards of Learning for any required course have been integrated may take the relevant Standards of Learning test for the relevant required course and receive, upon achieving a satisfactory score on the specific Standards of Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the Board's requirement for verified credit for the required course; and
4. Establish a procedure to facilitate the acceleration of students that allows qualified students, with the recommendation of the division superintendent, without completing the 140-hour class, to obtain credit for such class upon demonstration of mastery of the course content and objectives. Having received credit for the course, the student shall be permitted to sit for the relevant Standards of Learning assessment and, upon receiving a passing score, shall earn a verified credit. Nothing in this section shall preclude relevant school division personnel from enforcing compulsory attendance in public schools.

In addition, the Board may:



a. For the purpose of awarding verified units of credit, approve the use of additional or substitute tests for the correlated Standards of Learning assessment, such as academic achievement tests, industry certifications or state licensure examinations; and

b. Permit students completing career and technical education programs designed to enable such students to pass such industry certification examinations or state licensure examinations to be awarded, upon obtaining satisfactory scores on such industry certification or licensure examinations, the appropriate verified units of credit for one or more career and technical education classes into which relevant Standards of Learning for various classes taught at the same level have been integrated. Such industry certification and state licensure examinations may cover relevant Standards of Learning for various required classes and may, at the discretion of the Board, address some Standards of Learning for several required classes.

E. In the exercise of its authority to recognize exemplary academic performance by providing for diploma seals, the Board of Education shall develop criteria for recognizing exemplary performance in career and technical education programs by students who have completed the requirements for a standard or advanced studies diploma and shall award seals on the diplomas of students meeting such criteria.

In addition, the Board shall establish criteria for awarding a diploma seal for advanced mathematics and technology for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) technology courses; (ii) technical writing, reading, and oral communication skills; (iii) technology-related practical arts training; and (iv) industry, professional, and trade association national certifications.

The Board shall also establish criteria for awarding a diploma seal for excellence in civics education and understanding of our state and federal constitutions and the democratic model of government for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) successful completion of history, government, and civics courses, including courses that incorporate character education; (ii) voluntary participation in community service or extracurricular activities; and (iii) related requirements as it deems appropriate.

F. The Board shall establish, by regulation, requirements for the award of a general achievement diploma for those persons who have (i) achieved a passing score on the GED examination; (ii) successfully completed an education and training program designated by the Board of Education; and (iii) satisfied other requirements as may be established by the Board for the award of such diploma.

**§ 22.1-253.13:5. Standard 5. ~~Teacher quality and educational leadership~~ Quality of classroom instruction and educational leadership.**

A. Each member of the Board of Education shall participate in high-quality professional development programs on personnel, curriculum and current issues in education as part of his service on the Board.

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, ~~the Board of Education shall develop uniform performance standards and evaluation criteria for teachers, administrators, and superintendents, which shall include standards for training in the implementation of the Standards of Learning and training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of instructional personnel. teacher, administrator, and superintendent evaluations shall be based on performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators, and Superintendents. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities.~~

C. The Board of Education shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents and other school staff; (ii) administrative and supervisory personnel in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on

personnel, curriculum and current issues in education; and (iv) programs in Braille for teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired.

The Board shall also provide technical assistance on high-quality professional development to local school boards designed to ensure that all instructional personnel are proficient in the use of educational technology consistent with its ~~Six-Year Educational Technology Plan for Virginia~~ comprehensive plan for educational technology.

D. Each local school board shall require (i) its members to participate annually in high-quality professional development ~~programs activities at the state, local, or national levels~~ on governance, including but not limited to personnel policies and practices; curriculum and instruction; use of data in planning and decision-making; and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state or national levels.

E. Each local school board shall provide a program of high-quality professional development (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education; (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula, and (iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel.

In addition, each local school board shall also provide teachers and principals with high-quality professional development programs each year in (i) instructional content; (ii) the preparation of tests and other assessment measures; ~~(ii)-(iii)~~ methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; ~~(iii)-(iv)~~ instruction and remediation techniques in English, mathematics, science, and history and social science; ~~(iv)-(v)~~ interpreting test data for instructional purposes; and ~~(v)-(vi)~~ technology applications to implement the Standards of Learning.

F. Schools and school divisions shall include as an integral component of their ~~biennial plans and six-year comprehensive~~ plans, ~~respectively,~~ required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals. Each school board shall require all instructional personnel to participate each year in these high quality professional development programs.

G. Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

#### **§ 22.1-253.13:6. Standard 6. Planning and public involvement.**

A. The Board of Education shall ~~revise, extend and~~ adopt ~~biennially~~ a statewide ~~six-year comprehensive, unified, long-range~~ plan based on data collection, analysis, and evaluation that shall be developed with statewide participation. The Board shall review the plan biennially and adopt any necessary revisions. The Board shall post such plan on the Department of Education's website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying.

This plan shall include the objectives of public education in Virginia including strategies for improving student achievement and then maintaining high levels of student achievement, an assessment of the extent to which these objectives are being achieved, a forecast of enrollment changes and an assessment of the needs of public education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent

to which these Standards of Quality have been achieved and the objectives of the statewide ~~six-year comprehensive~~ plan have been met. The Board shall also develop, consistent with or as a part of, its ~~six-year comprehensive~~ plan, a detailed ~~six-year comprehensive, long-range~~ plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the ~~six-year comprehensive~~ plan for educational technology and may require the revision of such plan as it deems necessary.

B. Each local school board shall ~~revise, extend and~~ adopt ~~biennially~~ a divisionwide ~~six-year comprehensive, unified, long-range~~ plan based on data collection, an analysis of the data and how the data will be utilized to improve classroom instruction and student achievement. The plan ~~that~~ shall be developed with staff and community involvement. The comprehensive plan shall include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations. Each local school board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of any divisionwide ~~six-year comprehensive~~ plan or revisions to the plan, each local school board shall post such plan or revisions on the division's Internet website if practicable, and, in any case, shall make a hard copy of the plan or revisions available for public inspection and copying and shall conduct at least one public hearing to solicit public comment on the divisionwide plan or revisions.

The divisionwide ~~six-year comprehensive~~ plan shall include, but shall not be limited to, (i) the objectives of the school division including strategies for improving student achievement and then maintaining high levels of student achievement; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations; (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan for implementing such regional programs and services when appropriate; (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the school division's career and technical education programs, consistent with or as a part of, the ~~six-year comprehensive~~ technology plan for Virginia adopted by the Board of Education; (viii) an assessment of the needs of the school division and evidence of community participation, including participation by parents, in the development of the plan; ~~and~~ (ix) any corrective action plan required pursuant to § 22.1-253.13:3; and (x) a plan for parent and family involvement to include building successful school and parent partnerships that shall be developed with staff and community involvement, including participation by parents.

A report shall be presented by each school board to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide ~~six-year comprehensive~~ plan have been met during the previous two school years.

C. Each public school shall also prepare a ~~biennial comprehensive, unified, long-range~~ plan, which the relevant school board shall consider in the development of its divisionwide ~~six-year comprehensive~~ plan.

D. The Board of Education shall, in a timely manner, make available to local school boards information about where current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the Attorney General of Virginia may be located online.

#### **§ 22.1-253.13:7. Standard 7. School board policies.**

A. Each local school board shall maintain and follow up-to-date policies. All school board policies shall be reviewed at least every five years and revised as needed.

B. Each local school board shall ensure that policies developed giving consideration to the views of teachers, parents, and other concerned citizens and addressing the following:

1. A system of two-way communication between employees and the local school board and its administrative staff whereby matters of concern can be discussed in an orderly and constructive manner;

2. The selection and evaluation of all instructional materials purchased by the school division, with clear procedures for handling challenged controversial materials;
3. The standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights;
4. School-community communications and community involvement;
5. Guidelines to encourage parents to provide instructional assistance to their children in the home, which may include voluntary training for the parents of children in grades K through three;
6. Information about procedures for addressing concerns with the school division and recourse available to parents pursuant to § 22.1-87;
7. A cooperatively developed procedure for personnel evaluation appropriate to tasks performed by those being evaluated; and
8. Grievances, dismissals, etc., of teachers, and the implementation procedure prescribed by the General Assembly and the Board of Education, as provided in Article 3 (§ 22.1-306 et seq.) of Chapter 15 of this title, and the maintenance of copies of such procedures.

A current copy of the school division policies shall be kept in the library of each school and in any public library in that division and shall be available to employees and to the public. If such policies are maintained online, school boards shall ensure that printed copies of such policies are available to citizens who do not have online access.

C. An annual announcement shall be made in each division at the beginning of the school year and, for parents of students enrolling later in the academic year, at the time of enrollment, advising the public that the policies are available in such places.

#### **§ 22.1-253.13:8. Compliance.**

The Standards of Quality prescribed in this chapter shall be the only ~~standards of quality~~ Standards of Quality required by Article VIII, Section 2 of the Constitution of Virginia.

Each local school board shall provide, as a minimum, the programs and services, as provided in the ~~standards of quality~~ Standards of Quality prescribed above, with state and local funds as apportioned by the General Assembly in the appropriation act and to the extent funding is provided by the General Assembly.

Each local school board shall report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance shall be submitted to the Board of Education by the chairman of the local school board and the division superintendent.

Noncompliance with the Standards of Quality shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § 22.1-18.

As required by § 22.1-18, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein that have failed to establish and maintain schools meeting the existing prescribed ~~standards of quality~~ Standards of Quality.

The Board of Education shall have authority to seek school division compliance with the foregoing Standards of Quality. When the Board of Education determines that a school division has failed or refused, and continues to fail or refuse, to comply with any such Standard, the Board may petition the circuit court having jurisdiction in the school division to mandate or otherwise enforce compliance with such standard, including the development or

implementation of any required corrective action plan that a local school board has failed or refused to develop or implement in a timely manner.

**Appendix E:  
List of Data and Reports Used to Document the Condition and Needs  
of the Public Schools in Virginia and Compliance with the  
Standards of Quality**

Standard	Data Available to Document Compliance
<p><b>1. Instructional programs supporting the Standards of Learning and other educational objectives.</b> Program of instruction requirements for school boards:</p> <ul style="list-style-type: none"> <li>• Implement Standards of Learning</li> <li>• Develop and implement a program of instruction for grades K-12, emphasizing essential knowledge and skills, concepts and processes, and the ability to apply the skills and knowledge in preparation for eventual employment and lifelong learning.</li> <li>• Local school boards must develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk.</li> <li>• Implement other programs, including: <ul style="list-style-type: none"> <li>○ Career and technical education programs</li> <li>○ Drop out prevention programs</li> <li>○ Special education services</li> <li>○ Programs for gifted students</li> <li>○ Programs for limited English proficient students</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Annual Report on Compliance with the SOQ (self assessment)</li> <li>• SOL test results by ethnicity, gender, disability status, and English proficiency: statewide, division-level, and school-level</li> <li>• Standardized test results for: NAEP, SAT, AP</li> <li>• Statistics on student enrollment in remedial, special education, career and technical, and gifted programs</li> <li>• Division-level and school-level AYP reports</li> <li>• Results of the academic review of schools rated “Accredited with Warning”</li> <li>• Federal program monitoring self-assessments-special education and career and technical education report</li> <li>• Special education child count</li> </ul>
<p><b>2. Instructional, administrative, and support personnel.</b></p> <ul style="list-style-type: none"> <li>• Licensed instructional personnel in subject areas</li> <li>• Staffing ratios for: <ul style="list-style-type: none"> <li>○ Students in average daily membership</li> <li>○ Educable mentally retarded students</li> <li>○ Gifted, career and technical education, and special education students</li> <li>○ At-risk students</li> <li>○ Limited English proficient students</li> <li>○ Reading specialists</li> </ul> </li> <li>• Planning periods for middle and high school teachers</li> <li>• Public reporting of pupil/teacher ratios</li> <li>• Support services</li> </ul>	<ul style="list-style-type: none"> <li>• Annual Report on Compliance with the SOQ (self-assessment)</li> <li>• Annual School Report</li> <li>• Programs for the gifted report</li> <li>• English language proficiency assessment results</li> <li>• Number of limited English proficiency, immigrant, and refugee students by language and county</li> <li>• Instructional personnel survey</li> <li>• Supply and demand survey</li> </ul>

<p><b>3. Accountability, accreditation, and assessments.</b>  Accountability requirements including:</p> <ul style="list-style-type: none"> <li>• Fully accredited schools</li> <li>• Public meetings to review accreditation status</li> <li>• Academic reviews and reporting requirements</li> <li>• Requirements for corrective action plans</li> <li>• SOL Assessment program requirements</li> <li>• NAEP assessment requirements</li> <li>• SOL test security provisions</li> </ul>	<ul style="list-style-type: none"> <li>• Annual Report on Compliance with the SOQ (self- assessment)</li> <li>• SOL test results by ethnicity, gender, disability status, and English proficiency: statewide, division-level, and school-level</li> <li>• Standardized test results for NAEP, SAT, AP</li> <li>• Statewide and school-level accreditation ratings report.</li> <li>• Statewide, division-level, and school-level AYP results and list of Title I schools identified for improvement</li> <li>• Academic reviews (school and division-wide)</li> <li>• Report on the PASS program</li> </ul>
<ul style="list-style-type: none"> <li>• Types of diplomas</li> <li>• Diploma requirements</li> <li>• Provision for diploma seals</li> <li>• Notification to parents of rising eleventh and twelfth grade students of (i) the number of standard and verified units of credit required for graduation and the remaining number of such units of credit the individual student requires for graduation.</li> <li>• Notification of the right to a free public education for students who have not reached 20 years of age to the parent of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § 22.1-5.</li> </ul>	<ul style="list-style-type: none"> <li>• Annual Report on Compliance with the SOQ (self-assessment)</li> <li>• SOL test results by ethnicity, gender, disability status, and English proficiency: statewide, division-level, and school-level</li> <li>• Standardized test results for NAEP, SAT, AP</li> <li>• Statewide and division-level: <ul style="list-style-type: none"> <li>○ Graduation rates</li> <li>○ Dropout rates</li> <li>○ AYP results</li> </ul> </li> </ul>
<p><b>5. Teacher quality and educational leadership.</b></p> <ul style="list-style-type: none"> <li>• Requirements for high-quality professional development: local board, division superintendent, and teachers</li> <li>• Local six-year plan: requirement to include recruitment, employment, and retention of high-quality personnel</li> </ul>	<ul style="list-style-type: none"> <li>• Annual Report on Compliance with the SOQ (self-assessment)</li> <li>• Statewide and division-level percentage of teachers meeting “highly qualified” requirements</li> </ul>
<p><b>6. Planning and public involvement.</b></p> <ul style="list-style-type: none"> <li>• Requirements for adoption and revision of a division six-year plan</li> <li>• Requirement for technology plan</li> <li>• Requirement for each school to prepare a biennial plan</li> <li>• Public participation</li> </ul>	<ul style="list-style-type: none"> <li>• Annual Report on Compliance with the SOQ (Self-assessment)</li> <li>• Annual Local School Division Technology Plan report</li> </ul>

<p><b>7. School board policies.</b></p> <ul style="list-style-type: none"> <li>• Requirements for maintaining, reviewing, and revising policy manual</li> <li>• Policy manual developed with public participation</li> <li>• Requirements for content of policy manual: <ul style="list-style-type: none"> <li>○ System of two-way communication</li> <li>○ Selection and evaluation of all instructional materials purchased by the school division, with clear procedures for handling challenged controversial materials</li> <li>○ Standards of student conduct and attendance and enforcement procedures</li> <li>○ School-community communications and community involvement</li> <li>○ Guidelines to encourage parents to provide instructional assistance to children in the home</li> <li>○ Procedures for addressing concerns with the school division and recourse available to parents</li> <li>○ Cooperatively developed procedure for personnel evaluation</li> <li>○ Grievances, dismissals, etc., of teachers, and the implementation procedure</li> <li>○ Copy of manual must be on file in each school library</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Annual Report on Compliance with the SOQ (self-assessment)</li> </ul>
<p><b>8. Compliance.</b></p> <ul style="list-style-type: none"> <li>• Each school board shall provide as a minimum, the programs and services provided in the SOQ.</li> <li>• The Board of Education may petition the circuit court to mandate or otherwise enforce school division compliance with the SOQ, including implementation of a corrective action plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Annual Report on Compliance with the SOQ (self-assessment)</li> <li>• Statewide and school-level accreditation ratings report including the names of schools “Accredited with Warning”</li> <li>• School-level AYP reports and list of Title I schools “in improvement”</li> <li>• Results of division-level Academic Reviews and Academic Reviews of schools rated “Accredited with Warning”</li> </ul>



## **Appendix F: Changes to the Standards of Quality Prescribed by the Board of Education on June 25, 2003, and not Funded by the 2004 Session of the General Assembly**

The following policy changes were prescribed by the Board of Education on June 25, 2003, but not enacted or funded by the 2004 General Assembly.

- **Providing for one full-time principal in every elementary school** - The current elementary principal standard in the SOQ funds one-half position up to 299 students in a school and one full-time position at 300 or more students in a school. The proposed change would provide elementary schools with the same staffing levels for principals as middle schools and high schools. The additional state cost is estimated to be \$6.6 million in fiscal year 2005 and \$6.7 million in fiscal year 2006.
  
- **Providing for one full-time assistant principal per 400 students in all schools (K-12)** - The current elementary assistant principal standard in the SOQ funds one-half position between 600 and 899 students in a school and one full-time position at 900 or more students in a school. The current middle and secondary assistant principal standard in the SOQ funds one full-time position per 600 students in a school. The additional state cost is estimated to be \$44.0 million in fiscal year 2005 and \$45.8 million in fiscal year 2006.
  
- **Reducing the caseload for speech-language pathologists** - The current caseload standard in the SOQ model would change from 68 students to 60 students per speech-language pathologist. The additional state cost is estimated to be \$3.4 million in fiscal year 2005 and \$3.3 million in fiscal year 2006.
  
- **Providing for one reading specialist per 1,000 students (in K-12)** - The cost for this initiative is determined by generating positions at one per 1,000 students division-wide for grades kindergarten to twelve. Salary and benefits are applied to these positions based on the related assignment of those positions to elementary and secondary students. The additional state cost is estimated to be \$36.7 million in fiscal year 2005 and \$37.4 million in fiscal year 2006.