

SENATE BILL NO. 1175

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education

on February 13, 2023)

(Patron Prior to Substitute--Senator Lucas)

A BILL to amend and reenact §§ 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:5, and 22.1-253.13:6, as they shall become effective, of the Code of Virginia, relating to student literacy measures; scope; students in grades four through eight.

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:5, and 22.1-253.13:6, as they shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 22.1-253.13:1. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) 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 the Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board of Education find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, Section 1 of the Constitution of Virginia.

B. The Board of Education shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school

27 and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of
28 Learning for English, mathematics, science, and history and social science. The Standards of Learning
29 shall not be construed to be regulations as defined in § 2.2-4001.

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

36 The English Standards of Learning for reading in kindergarten through grade ~~three~~ five shall ~~be~~
37 ~~based on components of effective reading instruction, to include, at a minimum, phonemic awareness,~~
38 ~~systematic phonics, fluency, vocabulary development, and text comprehension~~ align with evidence-based
39 literacy instruction and science-based reading research.

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

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

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

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

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

67 The Board of Education shall include in the Standards of Learning for health instruction in
68 emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator,
69 including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such
70 instruction shall be based on the current national evidence-based emergency cardiovascular care
71 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a
72 program developed by the American Heart Association or the American Red Cross. No teacher who is in
73 compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of
74 cardiopulmonary resuscitation to provide instruction for non-certification.

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

80 The Board shall establish content standards and curriculum guidelines for courses in career
81 investigation in elementary school, middle school, and high school. Each school board shall (i) require
82 each middle school student to take at least one course in career investigation or (ii) select an alternate
83 means of delivering the career investigation course to each middle school student, provided that such
84 alternative is equivalent in content and rigor and provides the foundation for such students to develop their
85 academic and career plans. Any school board may require (a) such courses in career investigation at the
86 high school level as it deems appropriate, subject to Board approval as required in subsection A of § 22.1-
87 253.13:4, and (b) such courses in career investigation at the elementary school level as it deems
88 appropriate. The Board shall develop and disseminate to each school board career investigation resource
89 materials that are designed to ensure that students have the ability to further explore interest in career and
90 technical education opportunities in middle and high school. In developing such resource materials, the
91 Board shall consult with representatives of career and technical education, industry, skilled trade
92 associations, chambers of commerce or similar organizations, and contractor organizations.

93 C. Local school boards shall develop and implement a program of instruction for grades K through
94 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of
95 Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts
96 and computations, proficiency in the use of computers and related technology, computer science and
97 computational thinking, including computer coding, and scientific concepts and processes; essential skills
98 and concepts of citizenship, including knowledge of Virginia history and world and United States history,
99 economics, government, foreign languages, international cultures, health and physical education,
100 environmental issues, and geography necessary for responsible participation in American society and in
101 the international community; fine arts, which may include, but need not be limited to, music and art, and
102 practical arts; knowledge and skills needed to qualify for further education, gainful employment, or
103 training in a career or technical field; and development of the ability to apply such skills and knowledge
104 in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

105 Local school boards shall also develop and implement programs of prevention, intervention, or
106 remediation for students who are educationally at risk including, but not limited to, those who fail to

107 achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail
108 an end-of-course test required for the award of a verified unit of credit. Such programs shall include
109 components that are research-based.

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

113 Any student who fails to achieve a passing score on all of the Standards of Learning assessments
114 for the relevant grade level in grades three through eight or who fails an end-of-course test required for
115 the award of a verified unit of credit shall be required to attend a remediation program or to participate in
116 another form of remediation. Division superintendents shall require such students to take special programs
117 of prevention, intervention, or remediation, which may include attendance in public summer school
118 programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

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

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

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

141 D. Local school boards shall also implement the following:

142 1. Programs in grades K through three that emphasize developmentally appropriate learning to
143 enhance success.

144 2. Programs based on prevention, intervention, or remediation designed to increase the number of
145 students who earn a high school diploma and to prevent students from dropping out of school. Such
146 programs shall include components that are research-based.

147 3. Career and technical education programs incorporated into the K through 12 curricula that
148 include:

149 a. Knowledge of careers and all types of employment opportunities, including, but not limited to,
150 apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession,
151 and emphasize the advantages of completing school with marketable skills;

152 b. Career exploration opportunities in the middle school grades;

153 c. Competency-based career and technical education programs that integrate academic outcomes,
154 career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor
155 market needs and student interest. Career guidance shall include counseling about available employment
156 opportunities and placement services for students exiting school. Each school board shall develop and
157 implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be
158 developed with the input of area business and industry representatives and local comprehensive
159 community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with
160 the timelines established by federal law;

161 d. Annual notice on its website to enrolled high school students and their parents of (i) the
162 availability of the postsecondary education and employment data published by the State Council of Higher
163 Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to obtain a
164 nationally recognized career readiness certificate at a local public high school, comprehensive community
165 college, or workforce center; and

166 e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the
167 Commonwealth by median pay and the education, training, and skills required for each such profession
168 and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median
169 pay of program graduates. The Department of Education shall annually compile such lists and provide
170 them to each local school board.

171 4. Educational objectives in middle and high school that emphasize economic education and
172 financial literacy pursuant to § 22.1-200.03.

173 5. Early identification of students with disabilities and enrollment of such students in appropriate
174 instructional programs consistent with state and federal law.

175 6. Early identification of gifted students and enrollment of such students in appropriately
176 differentiated instructional programs.

177 7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere
178 in these standards. Such students shall be counted in average daily membership (ADM) in accordance
179 with the regulations of the Board of Education.

180 8. Adult education programs for individuals functioning below the high school completion level.
181 Such programs may be conducted by the school board as the primary agency or through a collaborative
182 arrangement between the school board and other agencies.

183 9. A plan to make achievements for students who are educationally at risk a divisionwide priority
184 that shall include procedures for measuring the progress of such students.

185 10. An agreement for postsecondary degree attainment with a comprehensive community college
186 in the Commonwealth specifying the options for students to complete an associate degree or a one-year
187 Uniform Certificate of General Studies from a comprehensive community college concurrent with a high

188 school diploma. Such agreement shall specify the credit available for dual enrollment courses and
189 Advanced Placement courses with qualifying exam scores of three or higher.

190 11. A plan to notify students and their parents of the availability of dual enrollment and advanced
191 placement classes; career and technical education programs, including internships, externships,
192 apprenticeships, credentialing programs, certification programs, licensure programs, and other work-
193 based learning experiences; the International Baccalaureate Program and Academic Year Governor's
194 School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the
195 availability of financial assistance to low-income and needy students to take the advanced placement and
196 International Baccalaureate examinations. This plan shall include notification to students and parents of
197 the agreement with a comprehensive community college in the Commonwealth to enable students to
198 complete an associate degree or a one-year Uniform Certificate of General Studies concurrent with a high
199 school diploma.

200 12. Identification of students with limited English proficiency and enrollment of such students in
201 appropriate instructional programs, which programs may include dual language programs whereby such
202 students receive instruction in English and in a second language.

203 13. Early identification, diagnosis, and assistance for students with mathematics problems and
204 provision of instructional strategies and mathematics practices that benefit the development of
205 mathematics skills for all students.

206 Local school divisions shall provide algebra readiness intervention services to students in grades
207 six through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their
208 individual performance on any diagnostic test that has been approved by the Department of Education.
209 Local school divisions shall report the results of the diagnostic tests to the Department of Education on an
210 annual basis, at a time to be determined by the Superintendent of Public Instruction. Each student who
211 receives algebra readiness intervention services will be assessed again at the end of that school year. Funds
212 appropriated for prevention, intervention, and remediation; summer school remediation; at-risk; or algebra
213 readiness intervention services may be used to meet the requirements of this subdivision.

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

216 15. A program of physical activity available to all students in grades kindergarten through five
217 consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school
218 year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on
219 average during the regular school year. Such program may include any combination of (i) physical
220 education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities
221 deemed appropriate by the local school board. Each local school board shall implement such program
222 during the regular school year. Any physical education class offered to students in grades seven and eight
223 shall include at least one hour of personal safety training per school year in each such grade level that is
224 developed and delivered in partnership with the local law-enforcement agency and consists of situational
225 safety awareness training and social media education.

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

228 17. The collection and analysis of data and the use of the results to evaluate and make decisions
229 about the instructional program.

230 18. A program of instruction in the high school Virginia and U.S. Government course on all
231 information and concepts contained in the civics portion of the U.S. Naturalization Test.

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

241 initiatives promoting family and community involvement, and potential funding and support sources. Such
242 unit may also provide resources supporting professional development for administrators and teachers. In
243 providing such information, resources, and other services to school divisions, the unit shall give priority
244 to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning
245 assessments.

246 F. Each local school board may enter into agreements for postsecondary course credit, credential,
247 certification, or license attainment, hereinafter referred to as College and Career Access Pathways
248 Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher
249 education or educational institutions established pursuant to Title 23.1 that offer a career and technical
250 education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part
251 of the career and technical education curriculum that lead to course credit or an industry-recognized
252 credential, certification, or license concurrent with a high school diploma; (ii) specify the credit,
253 credentials, certifications, or licenses available for such courses; and (iii) specify available options for
254 students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community
255 colleges concurrent with the pursuit of a high school diploma and receive college credit and high school
256 credit for successful completion of any such program.

257 G. Each local school board shall provide a program of literacy instruction that is aligned with
258 science-based reading research and provides evidenced-based literacy instruction to students in
259 kindergarten through grade ~~three~~ eight and is consistent with the school board's literacy plan as required
260 by subsection B of § 22.1-253.13:6. Pursuant to such program:

261 1. Each local school board shall provide reading intervention services to students in kindergarten
262 through grade ~~three~~ eight who demonstrate substantial deficiencies based on their individual performance
263 on the Standards of Learning reading assessment or ~~an early~~ a literacy screener provided or approved by
264 the Department. Such reading intervention services shall consist of evidence-based literacy instruction,
265 align with science-based reading research, and be documented for each student in a written student reading
266 plan, consistent with the requirements in subdivision 2 and the list developed by the Department pursuant
267 to subdivision H 2.

268 2. A reading specialist, in collaboration with the teacher of any student who receives reading
269 intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor
270 student progress on a student reading plan. The parent of each student who receives reading intervention
271 services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the
272 development of the student reading plan. Each student reading plan (i) shall follow the Department
273 template created pursuant to subdivision H 3; (ii) shall document such reading intervention services; (iii)
274 shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined
275 or identified by diagnostic assessment data or the ~~early~~ literacy screener provided or approved by the
276 Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific
277 measures that will be used to evaluate and monitor the student's reading progress; (d) the specific evidence-
278 based literacy instruction that the student will receive; (e) the strategies, resources, and materials that will
279 be provided to the student's parent to support the student to make reading progress; and (f) any additional
280 services the teacher deems available and appropriate to accelerate the student's reading skill development;
281 and (iv) may include the following services for the student: instruction from a reading specialist, trained
282 aide, computer-based reading tutorial program, or classroom teacher with support from an aide ~~or~~,
283 extended instructional time in the school day or school year, or, for students in grades six through eight, a
284 literacy course, in addition to the course required by the Standards of Learning in English, that provides
285 the specific evidence-based literacy instruction identified in the student's reading plan. In accordance with
286 § 22.1-215.2, the parent of each student shall receive notice before services begin and a copy of the student
287 reading plan.

288 3. Each student who receives such reading intervention services shall be assessed utilizing either
289 the ~~early~~ literacy screener provided or approved by the Department or the grade-level reading Standards
290 of Learning assessment again at the end of that school year.

291 4. ~~The local school board shall provide such reading intervention services prior to promoting a~~
292 ~~student from grade three to grade four.~~

293 5. ~~Funds~~ appropriated for prevention, intervention, and remediation, summer school remediation,
294 the at-risk add-on, or early intervention reading may be used to meet the requirements of this subsection.

295 H. In order to assist local school boards to implement the provisions of subsection G:

296 1. The Board shall provide guidance on the content of student reading plans;

297 2. The Department shall develop a list of core literacy curricula, supplemental instruction practices
298 and programs, and intervention programs that consist of evidence-based literacy instruction aligned with
299 science-based reading research for students in kindergarten through grade eight. The list shall be approved
300 by the Board;

301 3. The Department shall develop a template for student reading plans that aligns with the
302 requirements of subsection G;

303 4. The Department shall develop and implement a plan for the annual collection and public
304 reporting of division-level and school-level literacy data, at a time to be determined by the Superintendent,
305 to include results on the ~~early literacy screener~~ screeners provided or approved by the Department and the
306 reading Standards of Learning assessments; and

307 5. The Department shall provide free online evidence-based literacy instruction resources that can
308 be accessed by parents and local school boards to support student literacy development at home.

309 **§ 22.1-253.13:2. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 2. Instructional,**
310 **administrative, and support personnel.**

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

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

315 C. Each school board shall assign licensed instructional personnel in a manner that produces
316 divisionwide ratios of students in average daily membership to full-time equivalent teaching positions,
317 excluding special education teachers, principals, assistant principals, school counselors or certain other
318 licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the following
319 ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily
320 membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the
321 class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to

322 one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English
323 classes in grades six through 12. After September 30 of any school year, anytime the number of students
324 in a class exceeds the class size limit established by this subsection, the local school division shall notify
325 the parent of each student in such class of such fact no later than 10 days after the date on which the class
326 exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class
327 size limit and describe the measures that the local school division will take to reduce the class size to
328 comply with this subsection.

329 Within its regulations governing special education programs, the Board shall seek to set
330 pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for
331 self-contained classes for pupils with specific learning disabilities.

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

336 D. Each local school board shall employ with state and local basic, special education, gifted, and
337 career and technical education funds a minimum number of licensed, full-time equivalent instructional
338 personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation
339 act.

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

347 To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions
348 may employ mathematics teacher specialists to provide the required algebra readiness intervention

349 services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this
350 manner shall only employ instructional personnel licensed by the Board of Education.

351 F. In addition to the positions supported by basic aid and those in support of regular school year
352 programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation
353 act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the 2020-2021
354 school year for each 1,000 students identified as having limited English proficiency and (ii) 20 full-time
355 equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000 students
356 identified as having limited English proficiency, which positions may include dual language teachers who
357 provide instruction in English and in a second language.

358 To provide flexibility in the instruction of English language learners who have limited English
359 proficiency and who are at risk of not meeting state accountability standards, school divisions may use
360 state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to
361 employ additional English language learner teachers or dual language teachers to provide instruction to
362 identified limited English proficiency students. Using these funds in this manner is intended to supplement
363 the instructional services provided in this section. School divisions using the SOQ Prevention,
364 Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by
365 the Board of Education.

366 G. In addition to the full-time equivalent positions required elsewhere in this section, each local
367 school board shall employ one reading specialist for each 550 students in kindergarten through grade ~~three~~
368 five and one reading specialist for each 1,100 students in grades six through eight. Each such reading
369 specialist shall have training in science-based reading research and evidence-based literacy instruction
370 practices. In addition, each such reading specialist shall have training in the identification of and the
371 appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related
372 disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist shall have
373 an understanding of the definition of dyslexia and a working knowledge of (i) techniques to help a student
374 on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at different ages
375 and grade levels; (iii) the basic foundation of the keys to reading, including multisensory, explicit,

376 systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations, and
377 assistive technology supports for students with dyslexia.

378 To provide reading intervention services required by § 22.1-253.13:1, school divisions may
379 employ reading specialists to provide the required reading intervention services. School divisions using
380 the Early Reading Intervention Initiative funds in this manner shall employ only instructional personnel
381 licensed by the Board of Education. Local school divisions that employ a sufficient number of reading
382 specialists to meet this staffing standard may assign reading specialists to grade levels according to grade
383 levels with greatest need, regardless of the individual staffing standards established for grades
384 kindergarten through five and six through eight.

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

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

390 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900
391 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in
392 high schools, one full-time for each 600 students; and school divisions that employ a sufficient number of
393 assistant principals to meet this staffing requirement may assign assistant principals to schools within the
394 division according to the area of greatest need, regardless of whether such schools are elementary, middle,
395 or secondary;

396 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;
397 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at
398 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two
399 full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to meet
400 this staffing requirement may assign librarians to schools within the division according to the area of
401 greatest need, regardless of whether such schools are elementary, middle, or secondary; and

402 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten
403 through 12.

404 However, in order to meet the staffing requirements set forth in this subdivision, any local school
405 board (i) may employ, under a provisional license issued by the Department for three school years with
406 an allowance for an additional two-year extension with the approval of the division superintendent, any
407 professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board
408 of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling
409 professional with appropriate experience and training, provided that any such individual makes progress
410 toward completing the requirements for full licensure as a school counselor during such period of
411 employment or (ii) in the event that the school board does not receive any application from a licensed
412 school counselor, professional counselor, clinical social worker, or psychologist or another licensed
413 counseling professional with appropriate experience and training to fill a school counselor vacancy in the
414 school division, may enter into an annual contract with another entity for the provision of school
415 counseling services by a licensed professional counselor, clinical social worker, or psychologist or another
416 licensed counseling professional with appropriate experience and training. Local school boards that
417 employ a sufficient number of individuals to meet the staffing requirements set forth in this subdivision
418 may assign such individuals to schools within the division according to the area of greatest need,
419 regardless of whether such schools are elementary, middle, or high schools.

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

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

425 To provide flexibility, school divisions may use the state and local funds for instructional
426 technology resource teachers to employ a data coordinator position, an instructional technology resource
427 teacher position, or a data coordinator/instructional resource teacher blended position. The data
428 coordinator position is intended to serve as a resource to principals and classroom teachers in the area of

429 data analysis and interpretation for instructional and school improvement purposes, as well as for overall
430 data management and administration of state assessments. School divisions using these funds in this
431 manner shall employ only instructional personnel licensed by the Board of Education.

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

435 L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing
436 requirements for the highest grade level in that school; this requirement shall apply to all staff, except for
437 school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be based
438 on the school's total enrollment. The Board of Education may grant waivers from these staffing levels
439 upon request from local school boards seeking to implement experimental or innovative programs that are
440 not consistent with these staffing levels.

441 M. School boards shall, however, annually, on or before December 31, report to the public (i) the
442 actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the
443 current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local
444 school division by school for the current school year. Actual pupil/teacher ratios shall include only the
445 teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School
446 boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any
447 classes funded through the voluntary kindergarten through third grade class size reduction program shall
448 be identified as such classes. Any classes having waivers to exceed the requirements of this subsection
449 shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to
450 ensure the confidentiality of all teacher and pupil identities.

451 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in
452 the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving
453 home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time
454 basis in any mathematics, science, English, history, social science, career and technical education, fine
455 arts, foreign language, or health education or physical education course shall be counted in the ADM in

456 the relevant school division on a pro rata basis as provided in the appropriation act. Each such course
457 enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home
458 school student shall be counted as more than one-half a student for purposes of such pro rata calculation.
459 Such calculation shall not include enrollments of such students in any other public school courses.

460 O. Each school board shall provide at least three specialized student support positions per 1,000
461 students. For purposes of this subsection, specialized student support positions include school social
462 workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior
463 analysts, and other licensed health and behavioral positions, which may either be employed by the school
464 board or provided through contracted services.

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

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

469 1. Executive policy and leadership positions, including school board members, superintendents
470 and assistant superintendents;

471 2. Fiscal and human resources positions, including fiscal and audit operations;

472 3. Student support positions, including (i) social work administrative positions not included in
473 subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii)
474 homebound administrative positions supporting instruction; (iv) attendance support positions related to
475 truancy and dropout prevention; and (v) health and behavioral administrative positions not included in
476 subsection O;

477 4. Instructional personnel support, including professional development positions and library and
478 media positions not included in subdivision H 3;

479 5. Technology professional positions not included in subsection J;

480 6. Operation and maintenance positions, including facilities; pupil transportation positions;
481 operation and maintenance professional and service positions; and security service, trade, and laborer
482 positions;

483 7. Technical and clerical positions for fiscal and human resources, student support, instructional
484 personnel support, operation and maintenance, administration, and technology; and

485 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time
486 at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each
487 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in
488 high schools; one full-time and one additional full-time for each 600 students beyond 200 students and
489 one full-time for the library at 750 students. Local school divisions that employ a sufficient number of
490 school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to
491 schools within the division according to the area of greatest need, regardless of whether such schools are
492 elementary, middle, or secondary.

493 Pursuant to the appropriation act, support services shall be funded from basic school aid.

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

496 Q. Notwithstanding the provisions of this section, when determining the assignment of
497 instructional and other licensed personnel in subsections C through J, a local school board shall not be
498 required to include full-time students of approved virtual school programs.

499 **§ 22.1-253.13:2. (Effective pursuant to Va. Const., Art. IV, § 13; for effective date, see Acts**
500 **2022, cc. 549, 550, cl. 2) Standard 2. Instructional, administrative, and support personnel.**

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

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

505 C. Each school board shall assign licensed instructional personnel in a manner that produces
506 divisionwide ratios of students in average daily membership to full-time equivalent teaching positions,
507 excluding special education teachers, principals, assistant principals, school counselors or certain other
508 licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the following
509 ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily

510 membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the
511 class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to
512 one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English
513 classes in grades six through 12. After September 30 of any school year, anytime the number of students
514 in a class exceeds the class size limit established by this subsection, the local school division shall notify
515 the parent of each student in such class of such fact no later than 10 days after the date on which the class
516 exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class
517 size limit and describe the measures that the local school division will take to reduce the class size to
518 comply with this subsection.

519 Within its regulations governing special education programs, the Board shall seek to set
520 pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for
521 self-contained classes for pupils with specific learning disabilities.

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

526 D. Each local school board shall employ with state and local basic, special education, gifted, and
527 career and technical education funds a minimum number of licensed, full-time equivalent instructional
528 personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation
529 act.

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

537 To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions
538 may employ mathematics teacher specialists to provide the required algebra readiness intervention
539 services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this
540 manner shall only employ instructional personnel licensed by the Board of Education.

541 F. In addition to the positions supported by basic aid and those in support of regular school year
542 programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation
543 act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the 2020-2021
544 school year for each 1,000 students identified as having limited English proficiency and (ii) 20 full-time
545 equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000 students
546 identified as having limited English proficiency, which positions may include dual language teachers who
547 provide instruction in English and in a second language.

548 To provide flexibility in the instruction of English language learners who have limited English
549 proficiency and who are at risk of not meeting state accountability standards, school divisions may use
550 state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to
551 employ additional English language learner teachers or dual language teachers to provide instruction to
552 identified limited English proficiency students. Using these funds in this manner is intended to supplement
553 the instructional services provided in this section. School divisions using the SOQ Prevention,
554 Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by
555 the Board of Education.

556 G. In addition to the full-time equivalent positions required elsewhere in this section, each local
557 school board shall employ one reading specialist for each 550 students in kindergarten through grade ~~three~~
558 five and one reading specialist for each 1,100 students in grades six through eight. Each such reading
559 specialist shall have training in science-based reading research and evidence-based literacy instruction
560 practices. In addition, each such reading specialist shall have training in the identification of and the
561 appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related
562 disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist shall have
563 an understanding of the definition of dyslexia and a working knowledge of (i) techniques to help a student

564 on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at different ages
565 and grade levels; (iii) the basic foundation of the keys to reading, including multisensory, explicit,
566 systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations, and
567 assistive technology supports for students with dyslexia.

568 To provide reading intervention services required by § 22.1-253.13:1, school divisions may
569 employ reading specialists to provide the required reading intervention services. School divisions using
570 the Early Reading Intervention Initiative funds in this manner shall employ only instructional personnel
571 licensed by the Board of Education. Local school divisions that employ a sufficient number of reading
572 specialists to meet this staffing standard may assign reading specialists to grade levels according to grade
573 levels with greatest need, regardless of the individual staffing standards established for grades
574 kindergarten through five and six through eight.

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

577 1. Principals, one full-time in each elementary school, middle school, and high school, to be
578 employed on a 12-month basis;

579 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900
580 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in
581 high schools, one full-time for each 600 students; and school divisions that employ a sufficient number of
582 assistant principals to meet this staffing requirement may assign assistant principals to schools within the
583 division according to the area of greatest need, regardless of whether such schools are elementary, middle,
584 or secondary;

585 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;
586 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at
587 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two
588 full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to meet
589 this staffing requirement may assign librarians to schools within the division according to the area of
590 greatest need, regardless of whether such schools are elementary, middle, or secondary; and

591 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten
592 through 12.

593 However, in order to meet the staffing requirements set forth in this subdivision, any local school
594 board (i) may employ, under a provisional license issued by the Department for three school years with
595 an allowance for an additional two-year extension with the approval of the division superintendent, any
596 professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board
597 of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling
598 professional with appropriate experience and training, provided that any such individual makes progress
599 toward completing the requirements for full licensure as a school counselor during such period of
600 employment or (ii) in the event that the school board does not receive any application from a licensed
601 school counselor, professional counselor, clinical social worker, or psychologist or another licensed
602 counseling professional with appropriate experience and training to fill a school counselor vacancy in the
603 school division, may enter into an annual contract with another entity for the provision of school
604 counseling services by a licensed professional counselor, clinical social worker, or psychologist or another
605 licensed counseling professional with appropriate experience and training. Local school boards that
606 employ a sufficient number of individuals to meet the staffing requirements set forth in this subdivision
607 may assign such individuals to schools within the division according to the area of greatest need,
608 regardless of whether such schools are elementary, middle, or high schools.

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

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

614 To provide flexibility, school divisions may use the state and local funds for instructional
615 technology resource teachers to employ a data coordinator position, an instructional technology resource
616 teacher position, or a data coordinator/instructional resource teacher blended position. The data
617 coordinator position is intended to serve as a resource to principals and classroom teachers in the area of

618 data analysis and interpretation for instructional and school improvement purposes, as well as for overall
619 data management and administration of state assessments. School divisions using these funds in this
620 manner shall employ only instructional personnel licensed by the Board of Education.

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

624 L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing
625 requirements for the highest grade level in that school; this requirement shall apply to all staff, except for
626 school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be based
627 on the school's total enrollment. The Board of Education may grant waivers from these staffing levels
628 upon request from local school boards seeking to implement experimental or innovative programs that are
629 not consistent with these staffing levels.

630 M. School boards shall, however, annually, on or before December 31, report to the public (i) the
631 actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the
632 current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local
633 school division by school for the current school year. Actual pupil/teacher ratios shall include only the
634 teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School
635 boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any
636 classes funded through the voluntary kindergarten through third grade class size reduction program shall
637 be identified as such classes. Any classes having waivers to exceed the requirements of this subsection
638 shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to
639 ensure the confidentiality of all teacher and pupil identities.

640 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in
641 the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving
642 home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time
643 basis in any mathematics, science, English, history, social science, career and technical education, fine
644 arts, foreign language, or health education or physical education course shall be counted in the ADM in

645 the relevant school division on a pro rata basis as provided in the appropriation act. Each such course
646 enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home
647 school student shall be counted as more than one-half a student for purposes of such pro rata calculation.
648 Such calculation shall not include enrollments of such students in any other public school courses.

649 O. Each school board shall provide at least three specialized student support positions per 1,000
650 students. For purposes of this subsection, specialized student support positions include school social
651 workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior
652 analysts, and other licensed health and behavioral positions, which may either be employed by the school
653 board or provided through contracted services.

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

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

658 1. Executive policy and leadership positions, including school board members, superintendents
659 and assistant superintendents;

660 2. Fiscal and human resources positions, including fiscal and audit operations;

661 3. Student support positions, including (i) social work administrative positions not included in
662 subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii)
663 homebound administrative positions supporting instruction; (iv) attendance support positions related to
664 truancy and dropout prevention; and (v) health and behavioral administrative positions not included in
665 subsection O;

666 4. Instructional personnel support, including professional development positions and library and
667 media positions not included in subdivision H 3;

668 5. Technology professional positions not included in subsection J;

669 6. Operation and maintenance positions, including facilities; pupil transportation positions;
670 operation and maintenance professional and service positions; and security service, trade, and laborer
671 positions;

672 7. Technical and clerical positions for fiscal and human resources, student support, instructional
673 personnel support, operation and maintenance, administration, and technology; and

674 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time
675 at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each
676 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in
677 high schools; one full-time and one additional full-time for each 600 students beyond 200 students and
678 one full-time for the library at 750 students. Local school divisions that employ a sufficient number of
679 school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to
680 schools within the division according to the area of greatest need, regardless of whether such schools are
681 elementary, middle, or secondary.

682 Pursuant to the appropriation act, support services shall be funded from basic school aid.

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

685 Q. Notwithstanding the provisions of this section, when determining the assignment of
686 instructional and other licensed personnel in subsections C through J, a local school board shall not be
687 required to include full-time students of approved virtual school programs.

688 **§ 22.1-253.13:5. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 5. Quality of**
689 **classroom instruction and educational leadership.**

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

693 B. Consistent with the finding that leadership is essential for the advancement of public education
694 in the Commonwealth, teacher, principal, and superintendent evaluations shall be consistent with the
695 performance standards included in the Guidelines for Uniform Performance Standards and Evaluation
696 Criteria for Teachers, Principals, and Superintendents. Evaluations shall include student academic
697 progress as a significant component and an overall summative rating. Teacher evaluations shall include
698 regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall

699 include identification of areas of individual strengths and weaknesses and recommendations for
700 appropriate professional activities. Evaluations shall include an evaluation of cultural competency.

701 C. The Board of Education shall provide guidance on high-quality professional development for
702 (i) teachers, principals, supervisors, division superintendents, and other school staff; (ii) principals,
703 supervisors, and division superintendents in the evaluation and documentation of teacher and principal
704 performance based on student academic progress and the skills and knowledge of such instructional or
705 administrative personnel; (iii) school board members on personnel, curriculum and current issues in
706 education; (iv) teachers of the blind and visually impaired, in cooperation with the Virginia Department
707 for the Blind and Vision Impaired, in Braille; ~~and~~ (v) any individual with an endorsement in early/primary
708 education preschool through grade three, elementary education preschool through grade six, special
709 education general curriculum kindergarten through grade 12, special education deaf and hard of hearing
710 preschool through grade 12, ~~or~~ special education blindness/visual impairments preschool through grade
711 12, or English as a second language preschool through grade 12, or as a reading specialist that builds
712 proficiency in science-based reading research and evidence-based literacy instruction; (vi) each teacher
713 with an endorsement in middle education grades six through eight who teaches English that builds
714 proficiency in evidence-based literacy instruction and science-based reading research; and (vii) each
715 middle school principal and teacher with an endorsement in middle education grades six through eight
716 who teaches mathematics, science, or history and social science that builds an awareness of evidence-
717 based literacy instruction and science-based reading research.

718 The Board shall also provide technical assistance on high-quality professional development to
719 local school boards designed to ensure that all instructional personnel are proficient in the use of
720 educational technology consistent with its comprehensive plan for educational technology.

721 The Department shall provide technical assistance, including literacy coaching, to local school
722 divisions to provide professional development in science-based reading research and evidence-based
723 literacy instruction for students in kindergarten through grade eight. The Department shall also create a
724 list of professional development programs aligned with science-based reading research and evidence-
725 based literacy instruction that includes programs that provide training in dyslexia for reading specialists

726 as required by subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The Department
727 shall provide resources to local school divisions to ensure that each division is able to provide professional
728 development to teachers and reading specialists listed in subdivision E ~~2 of § 22.1-253.13:5~~ in one of the
729 programs enumerated in the list approved by the Board pursuant to this subdivision and that such
730 professional development is provided at no cost to the teachers and reading specialists.

731 D. Each local school board shall require (i) its members to participate annually in high-quality
732 professional development activities at the state, local, or national levels on governance, including, but not
733 limited to, personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use
734 of data in planning and decision making; and current issues in education as part of their service on the
735 local board and (ii) the division superintendent to participate annually in high-quality professional
736 development activities at the local, state, or national levels, including the Standards of Quality, Board of
737 Education regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria for
738 Teachers, Principals, and Superintendents.

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

753 In addition, each local school board shall provide:

754 1. Teachers and principals with high-quality professional development programs each year in (a)
755 instructional content; (b) the preparation of tests and other assessment measures; (c) methods for assessing
756 the progress of individual students, including Standards of Learning assessment materials or other
757 criterion-referenced tests that match locally developed objectives; (d) instruction and remediation
758 techniques in English, mathematics, science, and history and social science; (e) interpreting test data for
759 instructional purposes; (f) technology applications to implement the Standards of Learning; and (g)
760 effective classroom management; ~~and~~

761 2. High-quality professional development and training in science-based reading research and
762 evidence-based literacy instruction, from the list developed and the resources provided by the Department
763 pursuant to subsection C ~~of § 22.1-253.13:5~~ or an alternative program that consists of evidence-based
764 literacy instruction and aligns with science-based reading research approved by the Department, for each
765 elementary school principal and each teacher with an endorsement in early/primary education preschool
766 through grade three, elementary education preschool through grade six, special education general
767 curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through
768 grade 12, ~~or~~ special education blindness/visual impairments preschool through grade 12, or English as a
769 second language preschool through grade 12, or as a reading specialist that builds proficiency in evidence-
770 based literacy instruction and science-based reading research in order to aid in the licensure renewal
771 process for such individuals; and

772 3. High-quality professional development and training in science-based reading research and
773 evidence-based literacy instruction, from the list developed and the resources provided by the Department
774 pursuant to subsection C, or an alternative program that consists of evidence-based literacy instruction
775 and aligns with science-based reading research approved by the Department, for (i) each teacher with an
776 endorsement in middle education grades six through eight who teaches English that builds proficiency in
777 evidence-based literacy instruction and science-based reading research and (ii) each middle school
778 principal and teacher with an endorsement in middle education grades six through eight who teaches

779 mathematics, science, or history and social science that builds an awareness of evidence-based literacy
780 instruction and science-based reading research.

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

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

788 **§ 22.1-253.13:6. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 6. Planning**
789 **and public involvement.**

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

795 This plan shall include the objectives of public education in Virginia, including strategies for first
796 improving student achievement, particularly the achievement of educationally at-risk students, then
797 maintaining high levels of student achievement; an assessment of the extent to which these objectives are
798 being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in
799 the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the
800 extent to which these Standards of Quality have been achieved and the objectives of the statewide
801 comprehensive plan have been met. The Board shall also develop, consistent with, or as a part of, its
802 comprehensive plan, a detailed comprehensive, long-range plan to integrate educational technology into
803 the Standards of Learning and the curricula of the public schools in Virginia, including career and
804 technical education programs. The Board shall review and approve the comprehensive plan for
805 educational technology and may require the revision of such plan as it deems necessary.

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

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

831 The divisionwide comprehensive plan shall also include a divisionwide literacy plan for pre-
832 kindergarten through grade ~~three~~ eight. The Board shall issue guidance on the contents of such plans. The

833 Department shall develop a template for such plans. Each divisionwide literacy plan shall follow such
834 template and address how the local school board will align (i) literacy professional development, (ii) core
835 reading and literacy curriculum, and (iii) screening, supplemental instruction, and interventions with
836 evidence-based literacy instruction practices aligned with science-based reading research and how the
837 school board will support parents to support the literacy development of their children. When developing
838 such divisionwide literacy plan, each local school board shall use programs from the lists developed by
839 the Department pursuant to subsection C of § 22.1-253.13:5 and subdivision H 2 of § 22.1-253.13:1 or
840 seek approval from the Department for the use of alternative programs that consist of evidence-based
841 literacy instruction and align with science-based reading research.

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

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

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

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