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SENATE BILL NO. 706

Offered January 24, 2000

A BILL to amend and reenact § 22.1-253.13:3 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to Standard 3 of the Standards of Quality; accreditation, other standards and evaluation.

Patrons—Couric, Edwards, Howell, Lambert, Puller and Ticer; Delegates: May, Plum and Scott

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:3 of the Code of Virginia, as it is currently effective and as it shall become effective, is amended and reenacted as follows:

§ 22.1-253.13:3. (Effective until July 1, 2003) Standard 3. Accreditation, other standards and evaluation.

A. The General Assembly recognizes the need for the Board of Education to prescribe requirements to ensure that student progress is measured and that school boards and school personnel are accountable.

B. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 9-6.14:1 et seq.) which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs, administrative and instructional staffing levels and positions, pupil personnel services, special education program standards, 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.

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

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 or advanced studies high school diploma which shall include one credit in fine, performing, or practical art. The requirements for a standard high school diploma may include 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, leading to further education or preparation for employment developed by the school division consistent with Board of Education guidelines and as approved by the local school board; and

3. Establish the requirements for an advanced mathematics and technology diploma which shall consist of twenty-four credits and nine verified credits, as follows: four credits in English, two of which shall be verified credits and one of which shall be in technical writing/reading/communication skills; three verified credits in mathematics; three credits in laboratory science, one of which shall be a verified credit; three credits in history/social studies, one of which shall be a verified credit; two credits in foreign language; two credits in health and physical education; two credits in fine or practical arts, one of which shall be in a technology-related course, such as graphic design; and five credits in technology courses, two of which shall be verified credits, based on national technology certifications.

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

In revising the standards for accreditation, 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. The Board shall review annually the accreditation status of all schools in the Commonwealth.

The requirements for a standard or advanced studies high school diploma shall include one credit in fine, performing, or practical arts. The requirements for a standard high school diploma may include a concentration of courses selected from a variety of options. Such concentration may be planned to ensure the completion of a focused sequence of elective courses leading to further education or preparation for employment developed by the school division consistent with Board of Education guidelines and as approved by the local school board.

The Board's regulations on accrediting schools shall include in the minimum staffing requirements, according to the type of school and student enrollment, requirements for employment of (i) principals in

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60 elementary schools, one half-time to 299 students, one full-time at 300 students; principals in middle
61 schools, one full-time, to be employed on a twelve-month basis; principals in high schools, one
62 full-time, to be employed on a twelve-month basis; (ii) assistant principals in elementary schools, one
63 half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one
64 full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students;
65 (iii) librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;
66 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time
67 at 1000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students,
68 two full-time at 1000 students; (iv) guidance counselors in middle schools, one period per 80 students,
69 one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance
70 counselors in high schools, one period per 70 students, one full-time at 350 students, one additional
71 period per 70 students or major fraction thereof; (v) clerical personnel in elementary schools, part-time
72 to 299 students, one full-time at 300 students; clerical personnel in middle schools, one full-time and
73 one additional full-time for each 600 students beyond 200 students and one full-time for the library at
74 750 students; clerical personnel in high schools, one full-time and one additional full-time for each 600
75 students beyond 200 students and one full-time for the library at 750 students; and (vi) reading
76 specialists in elementary schools, one full-time in each elementary school at the discretion of the local
77 school board. A combined school, such as kindergarten through twelve, shall meet at all grade levels the
78 staffing requirements for the highest grade level in that school; this requirement shall apply to all staff,
79 except for guidance counselors, and shall be based on the school's total enrollment; guidance counselor
80 staff requirements shall, however, be based on the enrollment at the various school organization levels,
81 i.e., middle or high school. The Board of Education may grant waivers from these staffing levels upon
82 request from local school boards seeking to implement experimental or innovative programs that are not
83 consistent with these staffing levels.

84 C. The Board shall also establish requirements for ~~certification~~ licensure of teachers, principals,
85 supervisors and other professional staff and determine eligibility for appointment as a local division
86 superintendent.

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

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

104 The Department of Education shall conduct technical assistance visits for local school divisions.
105 Schools accredited with a warning shall be given priority for such assistance, which shall include an
106 analysis of relevant school data and the development and implementation of improvement plans to assist
107 such schools in improving their accreditation status.

108 E. In order to assess the educational progress of students, the Board of Education shall also (i)
109 develop appropriate assessments, which may include criterion-referenced tests and alternative assessment
110 instruments which may be used by classroom teachers; (ii) prescribe and provide measures, which may
111 include nationally normed tests, to be designated as the Virginia State Assessment Program, which shall
112 be used to identify students who score in the bottom quartile at selected grade levels; and (iii) prescribe
113 and provide literacy tests in reading, writing and mathematics which shall be administered to students in
114 grade six and to students who have not successfully passed them in grades seven and eight. The Board
115 of Education is authorized to pursue all available civil remedies for breaches in test security.

116 F. Each local school board shall maintain schools which meet the standards of accreditation as
117 prescribed by the Board of Education. The accreditation status of all schools in each local school
118 division shall be reviewed annually in public session. Within the time specified by the Board of
119 Education, each school board shall submit corrective action plans for any schools within its school
120 division that have been designated as not meeting the criteria for determining effectiveness as approved
121 by the Board.

G. Each local school board shall also provide teachers and principals with (i) periodic in-service training in preparing tests and other assessment measures and (ii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests which match locally developed objectives.

H. In order 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 Virginia State Assessment Program, the Virginia State Literacy Testing Program, 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 which may be established by the Board of Education, the results from the Virginia State Assessment Program, the Standards of Learning Assessments, and the Virginia State Literacy Testing Program to the public.

I. To 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, and from such funds as may be appropriated for such purpose, there shall be established within the Department of Education a unit to conduct evaluative studies and to provide the resources and technical assistance to increase the capacity of school divisions to deliver quality instruction. 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 seventy percent passing rate on (i) all three Literacy Passport tests by students taking these tests for the first time or (ii) the Standards of Learning assessment tests.

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

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 or advanced studies high school diploma which shall include one credit in fine, performing, or practical arts. The requirements for a standard high school diploma shall, however, include at least two sequential electives and may include a concentration of courses selected from a variety of options; the concentration of courses may be planned to ensure the completion of a focused sequence of elective courses, leading to further education or preparation for employment developed by the school division consistent with Board of Education guidelines and as approved by the local school board; and*

3. *Establish the requirements for an advanced mathematics and technology diploma which shall consist of twenty-four credits and nine verified credits, as follows: four credits in English, two of which shall be verified credits and one of which shall be in technical writing/reading/communication skills; three verified credits in mathematics; three credits in laboratory science, one of which shall be a verified credit; three credits in history/social studies, one of which shall be a verified credit; two credits in foreign language; two credits in health and physical education; two credits in fine or practical arts, one of which shall be in a technology-related course, such as graphic design; and five credits in technology courses, two of which shall be verified credits, based on national technology certifications.*

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

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The Board's regulations on accrediting schools shall include in the minimum staffing requirements, according to the type of school and student enrollment, requirements for employment of (i) 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 twelve-month basis; principals in high schools, one full-time, to be employed on a twelve-month basis; (ii) 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; (iii) 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 1000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1000 students; (iv) 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; (v) 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; and (vi) reading specialists in elementary schools, one full-time in each elementary school at the discretion of the local school board. A combined school, such as kindergarten through twelve, 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., 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.

C. The Board shall also establish requirements for certification/licensure of teachers, principals, supervisors and other professional staff and determine eligibility for appointment as a local division superintendent.

D. 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. One year following the approval by the Board of such criteria, 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.

The Department of Education shall conduct technical assistance visits for local school divisions. Schools accredited with a warning shall be given priority for such assistance, which shall include an analysis of relevant school data and the development and implementation of improvement plans to assist such schools in improving their accreditation status.

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