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SENATE BILL NO. 67

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education
on February 13, 2006)

(Patron Prior to Substitute—Senator Whipple)

A BILL to amend and reenact §§ 22.1-199.2 and 22.1-254.01 of the Code of Virginia, relating to remediation programs.

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-199.2 and 22.1-254.01 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-199.2. Standards for remediation programs established; reporting required.

A. The Board of Education shall promulgate regulations for establishing standards for remediation programs that receive state funding, without regard to state funding designations, which shall be designed to strengthen and improve the effectiveness of such programs in increasing the scholastic achievement of students with academic deficiencies. Such standards shall require (i) school divisions to evaluate remediation programs, annually, in terms of the pass rate on the Standards of Learning tests and (ii) that school divisions report, on such forms as may be required by the Board for such purpose, data pertaining to the demographic and educational characteristics of students who have been identified for remediation pursuant to subsection C of § 22.1-253.13:1, or clause (ii) of subsection A of § 22.1-254, and § 22.1-254.01. Data submitted to the Board shall include, but not be limited to, the number of students failing any Standards of Learning assessments for grades three, five, and through eight and any end-of-course tests required for the award of a verified unit of credit required for the student's graduation; a demographic profile of the students attending such programs; the academic status of each such student; the types of instruction offered, the length of the program, and the local costs of the program; the number of ungraded and disabled students, and those with limited English proficiency (ESL); and the number of students failing the Standards of Learning assessments for grades three, five, and through eight or end-of-course tests required for the award of a verified unit of credit required for the student's graduation who attend remediation programs. School divisions shall also report to the Board the number of students who successfully complete the objectives of remedial programs that they attended due to their performance on the Standards of Learning assessments.

The Board shall also establish in regulations, a formula for determining the level of funding necessary to assist school divisions in providing transportation services to students required to attend remediation programs.

B. The Board of Education shall cause the collection, compilation, and analysis of the data required to be reported by local school divisions in subsection A of this section to accomplish a statewide review and evaluation of remediation programs. The Board shall report its analysis of the data submitted by school divisions and a statewide assessment of remediation programs, and any recommendations, to the Governor and the General Assembly annually, prior to the commencement of the regular session of the General Assembly.

§ 22.1-254.01. Certain students required to attend summer school or after-school sessions.

In the event that a student is required to take a special program of prevention, intervention, or remediation in a public summer school program or to participate in another form of remediation as provided in subsection C of § 22.1-253.13:1 and in accordance with clause (ii) of subsection A of § 22.1-254, and the division superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three, five, or eight, or promotion is directly related to the student's attendance in such summer school program or participation in another form of remediation, and after a reasonable effort to seek the student's attendance in such session has failed, including direct notification of the parents or guardians of such student of the attendance requirement and failure of the parents or guardians to secure the student's attendance, the division superintendent may seek immediate compliance with the compulsory school attendance law as set forth in § 22.1-254 after a reasonable effort to seek the student's attendance in the summer school program or after-school session has failed, including direct notification of the parents of such student of the attendance requirement and failure of the parents to secure the student's attendance, when:

1. A student is required to take a special program of prevention, intervention, or remediation in a public summer school program or to participate in another form of remediation as provided in subsection C of § 22.1-253.13:1 and in accordance with clause (ii) of subsection A of § 22.1-254; and

2. The division superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three through eight, or promotion is related directly to the student's attendance in the summer school program or participation

60 *in another form of remediation.*