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SENATE BILL NO. 795

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education
on February 12, 2007)

(Patron Prior to Substitute—Senator Potts)

A BILL to amend and reenact § 22.1-253.13:1 and §§ 22.1-253.13:3 through 22.1-253.13:7 of the Code of Virginia, relating to the Standards of Quality.

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:1 and §§ 22.1-253.13:3 through 22.1-253.13:7 of the Code of Virginia are amended and reenacted as follows:

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

A. The General Assembly and the Board of Education believe that the fundamental goal of the public schools of this Commonwealth must be to enable each student to develop the skills that are necessary for success in school, 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 and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § 2.2-4001.

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

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

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

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

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

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

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60 The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

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

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

69 C. Local school boards shall develop and implement a program of instruction for grades K through
70 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of
71 Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts
72 and computations, proficiency in the use of computers and related technology, and scientific concepts
73 and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and
74 world and United States history, economics, government, foreign languages, international cultures, health
75 and physical education, environmental issues and geography necessary for responsible participation in
76 American society and in the international community; fine arts, which may include, but need not be
77 limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education
78 and, *gainful* employment, or to *qualify for appropriate training in a career or technical field*; and
79 development of the ability to apply such skills and knowledge in preparation for eventual employment
80 and lifelong learning *and to achieve economic self-sufficiency*.

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

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

89 Any student who fails ~~all four~~ *to achieve a passing score on all* of the Standards of Learning
90 assessments for the relevant grade level in grades three through eight *or who fails an end-of-course test*
91 *required for the award of a verified unit of credit* shall be required to attend a ~~summer school~~
92 *remediation* program or to participate in another form of remediation. Division superintendents shall
93 require such students to take special programs of prevention, intervention, or remediation, which may
94 include attendance in public summer school programs, in accordance with clause (ii) of subsection A of
95 § 22.1-254 and § 22.1-254.01.

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

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

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

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

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

121 2. Programs based on prevention, intervention, or remediation designed to increase the number of

students who earn a high school diploma and to prevent students from dropping out of school. *Such programs shall include components that are research-based.*

3. Career and technical education programs incorporated into the K through 12 curricula that include:
 a. Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;

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

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

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

5. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.

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

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

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

9. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations.

10. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs.

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

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

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

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

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

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

A. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs and for the

183 integration of educational technology into such instructional programs, administrative and instructional
184 staffing levels and positions, including staff positions for supporting educational technology, student
185 services, auxiliary education programs such as library and media services, course and credit requirements
186 for graduation from high school, community relations, and the philosophy, goals, and objectives of
187 public education in Virginia.

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

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

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

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

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

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

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

234 In prescribing such Standards of Learning assessments, the Board shall provide local school boards
235 the option of administering tests for United States History to 1877, United States History: 1877 to the
236 Present, and Civics and Economics. *The last administration of the cumulative grade eight history test*
237 *will be during the 2007-2008 academic school year. Beginning with the 2008-2009 academic year, all*
238 *school divisions shall administer the United States History to 1877, United States History: 1877 to the*
239 *Present, and Civics and Economics tests.*

240 The Board of Education shall make publicly available such assessments in a timely manner and as
241 soon as practicable following the administration of such tests, so long as the release of such assessments
242 does not compromise test security or deplete the bank of assessment questions necessary to construct
243 subsequent tests, or limit the ability to test students on demand and provide immediate results in the
244 web-based assessment system.

The Board shall include in the student outcome measures that are required by the Standards of Learning 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 history and social science.

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

The Standard of Learning requirements, including all related assessments, shall be waived for any student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to § 30-231.2, who is enrolled in a preparation program for the General Education Development (GED) certificate or in an adult basic education program to obtain the high school diploma.

The Board of Education may adopt special provisions related to the administration and use of any SOL test or tests in a content area as applied to accreditation ratings for any period during which the SOL content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board of Education shall provide notice to local school boards regarding such special provisions.

D. The Board of Education may pursue all available civil remedies pursuant to § 22.1-19.1 or administrative action pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of test materials or test results.

The Board may initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests.

Records and other information furnished to or prepared by the Board during the conduct of a review or investigation may be withheld pursuant to subdivision 12 of § 2.2-3705.3. However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.

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

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

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

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

The Board shall include requirements for the reporting of the Standards of Learning assessment scores and averages for each year as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by gender and by race or ethnicity,

306 *student subgroups on the Virginia assessment program as appropriate* and shall be reported to the
307 public within three months of their receipt. These reports (i) shall be posted on the portion of the
308 Department of Education's website relating to the School Performance Report Card, in a format and in a
309 manner that allows year-to-year comparisons, and (ii) may include the National Assessment of
310 Educational Progress state-by-state assessment.

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

317 § 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.

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

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

330 Each local school board shall notify the ~~parent~~ *parents* of rising eleventh and twelfth grade students
331 of (i) the number *and subject area requirements* of standard and verified units of credit required for
332 graduation pursuant to the standards ~~of~~ *for* accreditation and (ii) the remaining number *and subject area*
333 *requirements* of such units of credit the individual student requires for graduation.

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

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

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

343 Each local school board shall provide notification of the right to a free public education for students
344 who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1
345 (§ 22.1-1 et seq.) of this title, to the parent of students who fail to graduate or who have failed to
346 achieve the number of verified units of credit required for graduation as provided in the standards ~~of~~ *for*
347 accreditation. If such student who does not graduate or achieve such verified units of credit is a student
348 for whom English is a second language, the local school board shall notify the parent of the student's
349 opportunity for a free public education in accordance with § 22.1-5.

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

351 1. Provide for the selection of integrated learning courses meeting the Standards of Learning and
352 approved by the Board to satisfy graduation credit requirements, which shall include Standards of
353 Learning testing, as necessary;

354 2. Establish the requirements for a standard, modified standard, or advanced studies high school
355 diploma, which shall include one credit in fine ~~or performing arts or practical arts~~ *career and technical*
356 *education* and one credit in United States and Virginia history. The requirements for a standard high
357 school diploma shall, however, include at least two sequential electives chosen from a concentration of
358 courses selected from a variety of options that may be planned to ensure the completion of a focused
359 sequence of elective courses. Students may take such focused sequence of elective courses in
360 consecutive years or any two years of high school. Such focused sequence of elective courses shall
361 provide a foundation for further education or training or preparation for employment and shall be
362 developed by the school division, consistent with Board of Education guidelines and as approved by the
363 local school board;

364 3. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or
365 advanced studies diploma, that students completing elective classes into which the Standards of Learning
366 for any required course have been integrated may take the relevant Standards of Learning test for the
367 relevant required course and receive, upon achieving a satisfactory score on the specific Standards of

Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the Board's requirement for verified credit for the required course;

4. Establish a procedure to facilitate the acceleration of students that allows qualified students, with the recommendation of the division superintendent, without completing the 140-hour class, to obtain credit for such class upon demonstration of mastery of the course content and objectives. Having received credit for the course, the student shall be permitted to sit for the relevant Standards of Learning assessment and, upon receiving a passing score, shall earn a verified credit. Nothing in this section shall preclude relevant school division personnel from enforcing compulsory attendance in public schools; and

5. Provide for the award of verified units of credit for passing scores on industry certifications, state licensure examinations, and national occupational competency assessments approved by the Board of Education.

School boards shall report annually to the Board of Education the number of industry certifications obtained and state licensure examinations passed, and the number shall be reported as a category on the School Performance Report Card.

In addition, the Board may:

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

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

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

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

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

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

G. (Effective October 1, 2008) To ensure the uniform assessment of high school graduation rates, the Board shall collect, analyze, and report high school graduation and dropout data using a formula prescribed by the Board.

The Board may promulgate such regulations as may be necessary and appropriate for the collection, analysis, and reporting of such data.

§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.

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

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, teacher, administrator, and superintendent evaluations shall be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators, and Superintendents. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities.

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

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

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

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

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

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

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

473 § 22.1-253.13:6. Standard 6. Planning and public involvement.

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

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

490 B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based

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

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

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

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

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

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

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

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

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

2. The selection and evaluation of all instructional materials purchased by the school division, with clear procedures for handling challenged controversial materials;

3. The standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights;

4. School-community communications and community involvement;

5. Guidelines to encourage parents to provide instructional assistance to their children in the home, which may include voluntary training for the parents of children in grades K through three;

6. Information about procedures for addressing concerns with the school division and recourse available to parents pursuant to § 22.1-87;

7. A cooperatively developed procedure for personnel evaluation appropriate to tasks performed by those being evaluated; and

8. Grievances, dismissals, etc., of teachers, and the implementation procedure prescribed by the General Assembly and the Board of Education, as provided in Article 3 (§ 22.1-306 et seq.) of Chapter 15 of this title, and the maintenance of copies of such procedures.

A current copy of the school division policies, *including the Student Conduct Policy*, shall be *posted on the division's website kept in the library of each school and in any public library in that division* and shall be available to employees and to the public. ~~If such policies are maintained online, school~~ School boards shall ensure that printed copies of such policies are available *as needed* to citizens who do not have online access.

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