

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 22.1-253.13:1 and 22.1-298.1 of the Code of Virginia, relating to*
3 *teacher licensure renewal; college credit.*

4 [H 1320]
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That §§ 22.1-253.13:1 and 22.1-298.1 of the Code of Virginia are amended and reenacted as**
8 **follows:**

9 **§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and**
10 **other educational objectives.**

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

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

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

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

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

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

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

55 School boards shall implement the Standards of Learning or objectives specifically designed for their
56 school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to

57 achieve the educational objectives established by the school division at appropriate age or grade levels.
58 The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

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

62 The Board of Education shall include in the Standards of Learning for health instruction in
63 emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator,
64 including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such
65 instruction shall be based on the current national evidence-based emergency cardiovascular care
66 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a
67 program developed by the American Heart Association or the American Red Cross. No teacher who is
68 in compliance with subdivision D 4 5 of § 22.1-298.1 shall be required to be certified as a trainer of
69 cardiopulmonary resuscitation to provide instruction for non-certification.

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

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

87 Local school boards shall also develop and implement programs of prevention, intervention, or
88 remediation for students who are educationally at risk including, but not limited to, those who fail to
89 achieve a passing score on any Standards of Learning assessment in grades three through eight or who
90 fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include
91 components that are research-based.

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

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

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

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

116 The Board of Education shall establish standards for full funding of summer remedial programs that
117 shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof

118 required for full funding and an assessment system designed to evaluate program effectiveness. Based on
119 the number of students attending and the Commonwealth's share of the per pupil instructional costs,
120 state funds shall be provided for the full cost of summer and other remediation programs as set forth in
121 the appropriation act, provided such programs comply with such standards as shall be established by the
122 Board, pursuant to § 22.1-199.2.

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

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

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

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

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

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

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

142 d. Annual notice on its website to enrolled high school students and their parents of the availability
143 of the postsecondary education and employment data published by the State Council of Higher
144 Education on its website pursuant to § 23-9.2:3.04.

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

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

149 6. Early identification of gifted students and enrollment of such students in appropriately
150 differentiated instructional programs.

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

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

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

159 10. An agreement for postsecondary degree attainment with a community college in the
160 Commonwealth specifying the options for students to complete an associate's degree or a one-year
161 Uniform Certificate of General Studies from a community college concurrent with a high school
162 diploma. Such agreement shall specify the credit available for dual enrollment courses and Advanced
163 Placement courses with qualifying exam scores of three or higher.

164 11. A plan to notify students and their parents of the availability of dual enrollment and advanced
165 placement classes, the International Baccalaureate Program, and Academic Year Governor's School
166 Programs, the qualifications for enrolling in such classes and programs, and the availability of financial
167 assistance to low-income and needy students to take the advanced placement and International
168 Baccalaureate examinations. This plan shall include notification to students and parents of the agreement
169 with a community college in the Commonwealth to enable students to complete an associate's degree or
170 a one-year Uniform Certificate of General Studies concurrent with a high school diploma.

171 12. Identification of students with limited English proficiency and enrollment of such students in
172 appropriate instructional programs.

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

176 Local school divisions shall provide reading intervention services to students in kindergarten through
177 grade three who demonstrate deficiencies based on their individual performance on the Standards of
178 Learning reading test or any reading diagnostic test that meets criteria established by the Department of

179 Education. Local school divisions shall report the results of the diagnostic tests to the Department of
 180 Education on an annual basis, at a time to be determined by the Superintendent of Public Instruction.
 181 Each student who receives early intervention reading services will be assessed again at the end of that
 182 school year. The local school division, in its discretion, shall provide such reading intervention services
 183 prior to promoting a student from grade three to grade four. Reading intervention services may include
 184 the use of: special reading teachers; trained aides; volunteer tutors under the supervision of a certified
 185 teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher
 186 provides direct instruction to the students who need extra assistance; and extended instructional time in
 187 the school day or school year for these students. Funds appropriated for prevention, intervention, and
 188 remediation; summer school remediation; at-risk; or early intervention reading may be used to meet the
 189 requirements of this subdivision.

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

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

201 15. A program of physical fitness available to all students with a goal of at least 150 minutes per
 202 week on average during the regular school year. Such program may include any combination of (i)
 203 physical education classes, (ii) extracurricular athletics, or (iii) other programs and physical activities
 204 deemed appropriate by the local school board. Each local school board shall incorporate into its local
 205 wellness policy a goal for the implementation of such program during the regular school year.

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

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

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

224 **§ 22.1-298.1. Regulations governing licensure.**

225 A. As used in this section:

226 "Alternate route to licensure" means a nontraditional route to teacher licensure available to
 227 individuals who meet the criteria specified in the regulations issued by the Board of Education.

228 "Industry certification credential" means a career and technical education credential that is earned by
 229 successfully completing a Board of Education-approved industry certification examination, being issued a
 230 state professional license, or successfully completing an occupational competency examination.

231 "Licensure by reciprocity" means a process used to issue a license to an individual coming into
 232 Virginia from another state when that individual meets certain conditions specified in the Board of
 233 Education's regulations.

234 "Professional teacher's assessment" means those tests mandated for licensure as prescribed by the
 235 Board of Education.

236 "Provisional license" means a nonrenewable license issued by the Board of Education for a specified
 237 period of time, not to exceed three years, to an individual who may be employed by a school division in
 238 Virginia and who generally meets the requirements specified in the Board of Education's regulations for
 239 licensure, but who may need to take additional coursework or pass additional assessments to be fully

240 licensed with a renewable license.

241 "Renewable license" means a license issued by the Board of Education for five years to an individual
242 who meets the requirements specified in the Board of Education's regulations.

243 B. The Board of Education shall prescribe, by regulation, the requirements for the licensure of
244 teachers and other school personnel required to hold a license. Such regulations shall include
245 requirements for the denial, suspension, cancellation, revocation, and reinstatement of licensure. The
246 Board of Education shall revoke the license of any person for whom it has received a notice of
247 dismissal or resignation pursuant to subsection F of § 22.1-313 and, in the case of a person who is the
248 subject of a founded complaint of child abuse or neglect, after all rights to any appeal provided by
249 § 63.2-1526 have been exhausted. Regardless of the authority of any other agency of the Commonwealth
250 to approve educational programs, only the Board of Education shall have the authority to license
251 teachers to be regularly employed by school boards, including those teachers employed to provide
252 nursing education.

253 The Board of Education shall prescribe by regulation the licensure requirements for teachers who
254 teach only online courses, as defined in § 22.1-212.23. Such license shall be valid only for teaching
255 online courses. Teachers who hold a five-year renewable license issued by the Board of Education may
256 teach online courses for which they are properly endorsed.

257 C. The Board of Education's regulations shall include requirements that a person seeking initial
258 licensure:

259 1. Complete professional assessments as prescribed by the Board of Education;

260 2. Complete study in attention deficit disorder;

261 3. Complete study in gifted education, including the use of multiple criteria to identify gifted
262 students; and

263 4. Complete study in methods of improving communication between schools and families and ways
264 of increasing family involvement in student learning at home and at school.

265 D. In addition, such regulations shall include requirements that:

266 1. Every person seeking initial licensure or renewal of a license demonstrate proficiency in the use of
267 educational technology for instruction;

268 2. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have
269 not completed such study shall complete study in child abuse recognition and intervention in accordance
270 with curriculum guidelines developed by the Board of Education in consultation with the Department of
271 Social Services that are relevant to the specific teacher licensure routes;

272 3. Every person seeking initial licensure or renewal of a license shall receive professional
273 development in instructional methods tailored to promote student academic progress and effective
274 preparation for the Standards of Learning end-of-course and end-of-grade assessments;

275 4. *Every person seeking renewal of a license shall complete all renewal requirements, including*
276 *professional development in a manner prescribed by the Board, except that no person seeking renewal*
277 *of a license shall be required to satisfy any such requirement by completing coursework and earning*
278 *credit at an institution of higher education;*

279 5. Every person seeking initial licensure or renewal of a license shall provide evidence of completion
280 of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of
281 automated external defibrillators. The certification or training program shall be based on the current
282 national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and
283 the use of an automated external defibrillator, such as a program developed by the American Heart
284 Association or the American Red Cross. The Board shall provide a waiver for this requirement for any
285 person with a disability whose disability prohibits such person from completing the certification or
286 training;

287 ~~5.~~ 6. Every person seeking licensure with an endorsement as a teacher of the blind and visually
288 impaired shall demonstrate proficiency in reading and writing Braille; and

289 ~~6.~~ 7. Every teacher seeking initial licensure with an endorsement in the area of career and technical
290 education shall have an industry certification credential in the area in which the teacher seeks
291 endorsement.

292 E. The Board's regulations shall require that initial licensure for principals and assistant principals be
293 contingent upon passage of an assessment as prescribed by the Board.

294 F. The Board shall establish criteria in its regulations to effectuate the substitution of experiential
295 learning for coursework for those persons seeking initial licensure through an alternate route as defined
296 in Board regulations.

297 G. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of
298 a provisional license, valid for a period not to exceed three years, to any person who does not meet the
299 requirements of this section or any other requirement for licensure imposed by law.

300 H. The Board's licensure regulations shall also provide for licensure by reciprocity:

301 1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching
302 license and national certification from the National Board for Professional Teaching Standards or a
303 nationally recognized certification program approved by the Board of Education. The application for
304 such individuals shall require evidence of such valid licensure and national certification and shall not
305 require official student transcripts;

306 2. For individuals who have obtained a valid out-of-state license, with full credentials and without
307 deficiencies, that is in force at the time the application for a Virginia license is received by the
308 Department of Education. The individual must establish a file in the Department of Education by
309 submitting a complete application packet, which shall include official student transcripts. An assessment
310 of basic skills as provided in § 22.1-298.2 and service requirements shall not be imposed for these
311 licensed individuals; however, other licensing assessments, as prescribed by the Board of Education,
312 shall be required; and

313 3. The Board may include other provisions for reciprocity in its regulations.