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HOUSE BILL NO. 1816

Offered January 11, 2023

Prefiled January 10, 2023

A BILL to amend and reenact § 22.1-253.13:1, as it is currently effective and as it shall become effective, of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-3320.1, relating to dangers and victims of communism; recognition; Standards of Learning and programs of instruction.

Patrons—Avoli, Austin, Ballard, Bloxom, Brewer, Campbell, E.H., Campbell, J.L., Cherry, Cordoza, Durant, Edmunds, Fariss, Fowler, Greenhalgh, Head, Hodges, Kilgore, LaRock, Leftwich, McGuire, Runion, Scott, P.A., Tata, Taylor, Walker, Wampler, Ware, Webert, Wiley, Williams and Wyatt

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:1, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.2-3320.1 as follows:

§ 2.2-3320.1. Victims of Communism Day.

The Governor shall annually issue a proclamation setting the seventh day of November as Victims of Communism Day and requiring such day to be suitably observed in each public elementary and secondary school in the Commonwealth as a day honoring the approximately 100 million individuals who have fallen victim to communist regimes around the world and to be suitably observed by a public exercise in the Capitol and elsewhere as the Governor may designate in such proclamation.

§ 22.1-253.13:1. (For expiration date, see 2022 Acts cc. 549, 550, cl. 2) Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

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

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

57 boards, the Board of Education shall conduct public hearings prior to establishing revised Standards of  
58 Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time,  
59 and place of the hearings to all local school boards and any other persons requesting to be notified of  
60 the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia  
61 Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present  
62 information prior to final adoption of any revisions of the Standards of Learning.

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

69 School boards shall implement the Standards of Learning or objectives specifically designed for their  
70 school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to  
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73 The Board of Education shall include in the Standards of Learning for history and social science the  
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79 instruction shall be based on the current national evidence-based emergency cardiovascular care  
80 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a  
81 program developed by the American Heart Association or the American Red Cross. No teacher who is  
82 in compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of  
83 cardiopulmonary resuscitation to provide instruction for non-certification.

84 With such funds as are made available for this purpose, the Board shall regularly review and revise  
85 the competencies for career and technical education programs to require the full integration of English,  
86 mathematics, science, and history and social science Standards of Learning. Career and technical  
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89 The Board shall establish content standards and curriculum guidelines for courses in career  
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93 alternative is equivalent in content and rigor and provides the foundation for such students to develop  
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95 at the high school level as it deems appropriate, subject to Board approval as required in subsection A  
96 of § 22.1-253.13:4, and (b) such courses in career investigation at the elementary school level as it  
97 deems appropriate. The Board shall develop and disseminate to each school board career investigation  
98 resource materials that are designed to ensure that students have the ability to further explore interest in  
99 career and technical education opportunities in middle and high school. In developing such resource  
100 materials, the Board shall consult with representatives of career and technical education, industry, skilled  
101 trade associations, chambers of commerce or similar organizations, and contractor organizations.

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

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

119 components that are research-based.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

184 6. Early identification of gifted students and enrollment of such students in appropriately  
185 differentiated instructional programs.

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

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

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

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

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

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

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

215 Local school divisions shall provide reading intervention services to students in kindergarten through  
216 grade three who demonstrate deficiencies based on their individual performance on the Standards of  
217 Learning reading test or any reading diagnostic test that meets criteria established by the Department of  
218 Education. Local school divisions shall report the results of the diagnostic tests to the Department of  
219 Education on an annual basis, at a time to be determined by the Superintendent of Public Instruction.  
220 Such reading intervention services shall be evidence-based, including services that are grounded in the  
221 science of reading, and include (i) the components of effective reading instruction and (ii) explicit,  
222 systematic, sequential, and cumulative instruction, to include phonemic awareness, systematic phonics,  
223 fluency, vocabulary development, and text comprehension as appropriate based on the student's  
224 demonstrated reading deficiencies. The parent of each student who receives such reading intervention  
225 services shall be notified before the services begin in accordance with the provisions of § 22.1-215.2,  
226 and the progress of each such student shall be monitored throughout the provision of services. Each  
227 student who receives such reading intervention services shall be assessed again at the end of that school  
228 year. The local school division, in its discretion, shall provide such reading intervention services prior to  
229 promoting a student from grade three to grade four. Such reading intervention services may be  
230 administered through the use of reading specialists; trained aides; trained volunteers under the  
231 supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class  
232 groups while the teacher provides direct instruction to the students who need extra assistance; and  
233 extended instructional time in the school day or school year for these students. Funds appropriated for  
234 prevention, intervention, and remediation; summer school remediation; at-risk; or early intervention  
235 reading may be used to meet the requirements of this subdivision.

236 Local school divisions shall provide algebra readiness intervention services to students in grades six  
237 through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their  
238 individual performance on any diagnostic test that has been approved by the Department of Education.  
239 Local school divisions shall report the results of the diagnostic tests to the Department of Education on  
240 an annual basis, at a time to be determined by the Superintendent of Public Instruction. Each student  
241 who receives algebra readiness intervention services will be assessed again at the end of that school

242 year. Funds appropriated for prevention, intervention, and remediation; summer school remediation;  
 243 at-risk; or algebra readiness intervention services may be used to meet the requirements of this  
 244 subdivision.

245 As used in this subdivision:

246 "Science of reading" means the study of the relationship between cognitive science and educational  
 247 outcomes.

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

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

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

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

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

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

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

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 406 not be charged tuition by the school division.

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

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

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

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

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

- 426 3. Career and technical education programs incorporated into the K through 12 curricula that include:  
427 a. Knowledge of careers and all types of employment opportunities, including, but not limited to,  
428 apprenticeships, entrepreneurship and small business ownership, the military, and the teaching  
429 profession, and emphasize the advantages of completing school with marketable skills;  
430 b. Career exploration opportunities in the middle school grades;  
431 c. Competency-based career and technical education programs that integrate academic outcomes,  
432 career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor  
433 market needs and student interest. Career guidance shall include counseling about available employment  
434 opportunities and placement services for students exiting school. Each school board shall develop and  
435 implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be  
436 developed with the input of area business and industry representatives and local comprehensive  
437 community colleges and shall be submitted to the Superintendent of ~~Public Instruction~~ in accordance  
438 with the timelines established by federal law;  
439 d. Annual notice on its website to enrolled high school students and their parents of (i) the  
440 availability of the postsecondary education and employment data published by the State Council of  
441 Higher Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to  
442 obtain a nationally recognized career readiness certificate at a local public high school, comprehensive  
443 community college, or workforce center; and  
444 e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the  
445 Commonwealth by median pay and the education, training, and skills required for each such profession  
446 and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median  
447 pay of program graduates. The Department of ~~Education~~ shall annually compile such lists and provide  
448 them to each local school board.
- 449 4. Educational objectives in middle and high school that emphasize economic education and financial  
450 literacy pursuant to § 22.1-200.03.
- 451 5. Early identification of students with disabilities and enrollment of such students in appropriate  
452 instructional programs consistent with state and federal law.
- 453 6. Early identification of gifted students and enrollment of such students in appropriately  
454 differentiated instructional programs.
- 455 7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in  
456 these standards. Such students shall be counted in average daily membership (ADM) in accordance with  
457 the regulations of the Board of ~~Education~~.
- 458 8. Adult education programs for individuals functioning below the high school completion level.  
459 Such programs may be conducted by the school board as the primary agency or through a collaborative  
460 arrangement between the school board and other agencies.
- 461 9. A plan to make achievements for students who are educationally at risk a divisionwide priority  
462 that shall include procedures for measuring the progress of such students.
- 463 10. An agreement for postsecondary degree attainment with a comprehensive community college in  
464 the Commonwealth specifying the options for students to complete an associate degree or a one-year  
465 Uniform Certificate of General Studies from a comprehensive community college concurrent with a high  
466 school diploma. Such agreement shall specify the credit available for dual enrollment courses and  
467 Advanced Placement courses with qualifying exam scores of three or higher.
- 468 11. A plan to notify students and their parents of the availability of dual enrollment and advanced  
469 placement classes; career and technical education programs, including internships, externships,  
470 apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based  
471 learning experiences; the International Baccalaureate Program and Academic Year Governor's School  
472 Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability  
473 of financial assistance to low-income and needy students to take the advanced placement and  
474 International Baccalaureate examinations. This plan shall include notification to students and parents of  
475 the agreement with a comprehensive community college in the Commonwealth to enable students to  
476 complete an associate degree or a one-year Uniform Certificate of General Studies concurrent with a  
477 high school diploma.
- 478 12. Identification of students with limited English proficiency and enrollment of such students in  
479 appropriate instructional programs, which programs may include dual language programs whereby such  
480 students receive instruction in English and in a second language.
- 481 13. Early identification, diagnosis, and assistance for students with mathematics problems and  
482 provision of instructional strategies and mathematics practices that benefit the development of  
483 mathematics skills for all students.
- 484 Local school divisions shall provide algebra readiness intervention services to students in grades six  
485 through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their  
486 individual performance on any diagnostic test that has been approved by the Department of ~~Education~~.  
487 Local school divisions shall report the results of the diagnostic tests to the Department of ~~Education~~ on

488 an annual basis, at a time to be determined by the Superintendent of ~~Public Instruction~~. Each student  
 489 who receives algebra readiness intervention services will be assessed again at the end of that school  
 490 year. Funds appropriated for prevention, intervention, and remediation; summer school remediation;  
 491 at-risk; or algebra readiness intervention services may be used to meet the requirements of this  
 492 subdivision.

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

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

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

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

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

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

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

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

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

547 2. A reading specialist, in collaboration with the teacher of any student who receives reading  
 548 intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor

549 student progress on a student reading plan. The parent of each student who receives reading intervention  
550 services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the  
551 development of the student reading plan. Each student reading plan (i) shall follow the Department  
552 template created pursuant to subdivision H 3; (ii) shall document such reading intervention services; (iii)  
553 shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined  
554 or identified by diagnostic assessment data or the early literacy screener provided or approved by the  
555 Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific  
556 measures that will be used to evaluate and monitor the student's reading progress; (d) the specific  
557 evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and  
558 materials that will be provided to the student's parent to support the student to make reading progress;  
559 and (f) any additional services the teacher deems available and appropriate to accelerate the student's  
560 reading skill development; and (iv) may include the following services for the student: instruction from  
561 a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with  
562 support from an aide or extended instructional time in the school day or school year. In accordance with  
563 § 22.1-215.2, the parent of each student shall receive notice before services begin and a copy of the  
564 student reading plan.

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

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

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

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

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

574 2. The Department shall develop a list of core literacy curricula, supplemental instruction practices  
575 and programs, and intervention programs that consist of evidence-based literacy instruction aligned with  
576 science-based reading research. The list shall be approved by the Board;

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

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

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