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HOUSE BILL NO. 2137

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, relating to early student literacy; school boards; submission and posting of reading intervention materials.

Patrons—Delaney, Adams, D.M., Bennett-Parker, Clark, Coyner, Guzman, Kory, Maldonado, Roem, Shin, Simon, Simonds and Williams Graves

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 as follows:

§ 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 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

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58 the Standards of Learning, when under review by the Board according to its established schedule, and
59 related assessments required by the Standards of Quality pursuant to this chapter. Such website shall
60 facilitate the submission of recommendations by educators.

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

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

68 The Board of Education shall include in the Standards of Learning for health instruction in
69 emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator,
70 including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such
71 instruction shall be based on the current national evidence-based emergency cardiovascular care
72 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a
73 program developed by the American Heart Association or the American Red Cross. No teacher who is
74 in compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of
75 cardiopulmonary resuscitation to provide instruction for non-certification.

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

81 The Board shall establish content standards and curriculum guidelines for courses in career
82 investigation in elementary school, middle school, and high school. Each school board shall (i) require
83 each middle school student to take at least one course in career investigation or (ii) select an alternate
84 means of delivering the career investigation course to each middle school student, provided that such
85 alternative is equivalent in content and rigor and provides the foundation for such students to develop
86 their academic and career plans. Any school board may require (a) such courses in career investigation
87 at the high school level as it deems appropriate, subject to Board approval as required in subsection A
88 of § 22.1-253.13:4, and (b) such courses in career investigation at the elementary school level as it
89 deems appropriate. The Board shall develop and disseminate to each school board career investigation
90 resource materials that are designed to ensure that students have the ability to further explore interest in
91 career and technical education opportunities in middle and high school. In developing such resource
92 materials, the Board shall consult with representatives of career and technical education, industry, skilled
93 trade associations, chambers of commerce or similar organizations, and contractor organizations.

94 C. Local school boards shall develop and implement a program of instruction for grades K through
95 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of
96 Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts
97 and computations, proficiency in the use of computers and related technology, computer science and
98 computational thinking, including computer coding, and scientific concepts and processes; essential skills
99 and concepts of citizenship, including knowledge of Virginia history and world and United States
100 history, economics, government, foreign languages, international cultures, health and physical education,
101 environmental issues, and geography necessary for responsible participation in American society and in
102 the international community; fine arts, which may include, but need not be limited to, music and art,
103 and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or
104 training in a career or technical field; and development of the ability to apply such skills and knowledge
105 in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

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

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

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

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

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

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

D. Local school boards shall also implement the following:

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

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;

c. Competency-based career and technical education programs that integrate academic outcomes, career guidance, and job-seeking skills for all secondary students. Programs shall 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 comprehensive community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law;

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

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

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

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

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

7. 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.

8. Adult education programs for individuals functioning below the high school completion level.

181 Such programs may be conducted by the school board as the primary agency or through a collaborative
182 arrangement between the school board and other agencies.

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

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

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

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

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

206 Local school divisions shall provide reading intervention services to students in kindergarten through
207 grade three who demonstrate deficiencies based on their individual performance on the Standards of
208 Learning reading test or any reading diagnostic test that meets criteria established by the Department of
209 Education. Local school divisions shall report the results of the diagnostic tests to the Department of
210 Education on an annual basis, at a time to be determined by the Superintendent of Public Instruction.
211 Such reading intervention services shall be evidence-based, including services that are grounded in the
212 science of reading, and include (i) the components of effective reading instruction and (ii) explicit,
213 systematic, sequential, and cumulative instruction, to include phonemic awareness, systematic phonics,
214 fluency, vocabulary development, and text comprehension as appropriate based on the student's
215 demonstrated reading deficiencies. *Each local school board shall submit to the Department before the*
216 *start of each school year and shall resubmit as necessary to maintain currency the following*
217 *information: (a) a description of the reading intervention materials and core reading curriculum to be*
218 *used at each of the schools within such school division and (b) the job description and contact*
219 *information for any reading specialist employed by such school division pursuant to subsection G of*
220 *§ 22.1-253.13:2 and for any dyslexia specialist employed by such school division. The Department shall*
221 *publicly post on the Department website the information submitted by each local school board set out in*
222 *clauses (a) and (b) and shall update its website as necessary to ensure such information is easily*
223 *accessible, accurate, and current. Each local school board shall post, maintain, and update as necessary*
224 *on such school board's website a link to the page on the Department's website on which the information*
225 *set out in clauses (a) and (b) is posted.* The parent of each student who receives such reading
226 intervention services shall be notified before the services begin in accordance with the provisions of
227 § 22.1-215.2, and the progress of each such student shall be monitored throughout the provision of
228 services. Each student who receives such reading intervention services shall be assessed again at the end
229 of that school year. The local school division, in its discretion, shall provide such reading intervention
230 services prior to promoting a student from grade three to grade four. Such reading intervention services
231 may be administered through the use of reading specialists; trained aides; trained volunteers under the
232 supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class
233 groups while the teacher provides direct instruction to the students who need extra assistance; and
234 extended instructional time in the school day or school year for these students. Funds appropriated for
235 prevention, intervention, and remediation; summer school remediation; at-risk; or early intervention
236 reading may be used to meet the requirements of this subdivision.

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

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

As used in this subdivision:

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

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

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

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

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

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

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.

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

§ 22.1-253.13:1. (For effective 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.

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

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311 foundation educational program. The Standards of Learning shall include, but not be limited to, the basic
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315 manage personal finances and to make sound financial decisions.

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317 components of effective reading instruction, to include, at a minimum, phonemic awareness, systematic
318 phonics, fluency, vocabulary development, and text comprehension.

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

326 To provide appropriate opportunity for input from the general public, teachers, and local school
327 boards, the Board of Education shall conduct public hearings prior to establishing revised Standards of
328 Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time,
329 and place of the hearings to all local school boards and any other persons requesting to be notified of
330 the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia
331 Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present
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349 instruction shall be based on the current national evidence-based emergency cardiovascular care
350 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a
351 program developed by the American Heart Association or the American Red Cross. No teacher who is
352 in compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of
353 cardiopulmonary resuscitation to provide instruction for non-certification.

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355 the competencies for career and technical education programs to require the full integration of English,
356 mathematics, science, and history and social science Standards of Learning. Career and technical
357 education programs shall be aligned with industry and professional standard certifications, where they
358 exist.

359 The Board shall establish content standards and curriculum guidelines for courses in career
360 investigation in elementary school, middle school, and high school. Each school board shall (i) require
361 each middle school student to take at least one course in career investigation or (ii) select an alternate
362 means of delivering the career investigation course to each middle school student, provided that such
363 alternative is equivalent in content and rigor and provides the foundation for such students to develop
364 their academic and career plans. Any school board may require (a) such courses in career investigation
365 at the high school level as it deems appropriate, subject to Board approval as required in subsection A

of § 22.1-253.13:4, and (b) such courses in career investigation at the elementary school level as it deems appropriate. The Board shall develop and disseminate to each school board career investigation resource materials that are designed to ensure that students have the ability to further explore interest in career and technical education opportunities in middle and high school. In developing such resource materials, the Board shall consult with representatives of career and technical education, industry, skilled trade associations, chambers of commerce or similar organizations, and contractor organizations.

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

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

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

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

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

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

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

D. Local school boards shall also implement the following:

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

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:

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;
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431 c. Competency-based career and technical education programs that integrate academic outcomes,
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433 market needs and student interest. Career guidance shall include counseling about available employment
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435 implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be
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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
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444 e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the
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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

who receives algebra readiness intervention services will be assessed again at the end of that school year. Funds appropriated for prevention, intervention, and remediation; summer school remediation; at-risk; or algebra readiness intervention services may be used to meet the requirements of this subdivision.

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

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

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

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

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

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.

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

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

1. Each local school board shall provide reading intervention services to students in kindergarten through grade three who demonstrate substantial deficiencies based on their individual performance on the Standards of Learning reading assessment or an early literacy screener provided or approved by the Department. Such reading intervention services shall consist of evidence-based literacy instruction, align with science-based reading research, and be documented for each student in a written student reading plan, consistent with the requirements in subdivision 2 3 and the list developed by the Department pursuant to subdivision H 2.

2. Each local school board shall submit to the Department before the start of each school year and shall resubmit as necessary to maintain currency the following information: (i) a description of the reading intervention materials and core reading curriculum to be used at each of the schools within

550 *such school division and (ii) the job description and contact information for each reading specialist*
551 *employed by such school division pursuant to subsection G of § 22.1-253.13:2 and for any dyslexia*
552 *specialist employed by such school division.*

553 3. A reading specialist, in collaboration with the teacher of any student who receives reading
554 intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor
555 student progress on a student reading plan. The parent of each student who receives reading intervention
556 services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the
557 development of the student reading plan. Each student reading plan (i) shall follow the Department
558 template created pursuant to subdivision H 3; (ii) shall document such reading intervention services; (iii)
559 shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined
560 or identified by diagnostic assessment data or the early literacy screener provided or approved by the
561 Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific
562 measures that will be used to evaluate and monitor the student's reading progress; (d) the specific
563 evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and
564 materials that will be provided to the student's parent to support the student to make reading progress;
565 and (f) any additional services the teacher deems available and appropriate to accelerate the student's
566 reading skill development; and (iv) may include the following services for the student: instruction from
567 a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with
568 support from an aide or extended instructional time in the school day or school year. In accordance with
569 § 22.1-215.2, the parent of each student shall receive notice before services begin and a copy of the
570 student reading plan.

571 ~~3.~~ 4. Each student who receives such reading intervention services shall be assessed utilizing either
572 the early literacy screener provided or approved by the Department or the grade-level reading Standards
573 of Learning assessment again at the end of that school year.

574 4. 5. The local school board shall provide such reading intervention services prior to promoting a
575 student from grade three to grade four.

576 ~~5.~~ 6. Funds appropriated for prevention, intervention, and remediation, summer school remediation,
577 the at-risk add-on, or early intervention reading may be used to meet the requirements of this subsection.

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

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

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

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

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

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

591 6. *The Department shall publicly post on the Department website the information submitted by each*
592 *local school board pursuant to subdivision G 2 and shall update its website as necessary to ensure that*
593 *such information is easily accessible, accurate, and current. Each local school board shall post,*
594 *maintain, and update as necessary on such school board's website a link to the page on the*
595 *Department's website on which the information set out in clauses (a) and (b) is posted.*