

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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An Act to amend and reenact §§ 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:5, and 22.1-253.13:6, as they shall become effective, of the Code of Virginia, relating to student literacy measures; scope; students in grades four through eight.

[S 1175]

Approved

Be it enacted by the General Assembly of Virginia:  
1. That §§ 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:5, and 22.1-253.13:6, as they shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 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.

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~~ eight shall be based on components of effective reading instruction, to include, at a minimum, phonemic awareness, systematic phonics, fluency, vocabulary development, and text comprehension align with evidence-based literacy instruction and science-based reading research.

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

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

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

57 facilitate the submission of recommendations by educators.

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

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

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

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

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

91 C. Local school boards shall develop and implement a program of instruction for grades K through  
92 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of  
93 Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts  
94 and computations, proficiency in the use of computers and related technology, computer science and  
95 computational thinking, including computer coding, and scientific concepts and processes; essential skills  
96 and concepts of citizenship, including knowledge of Virginia history and world and United States  
97 history, economics, government, foreign languages, international cultures, health and physical education,  
98 environmental issues, and geography necessary for responsible participation in American society and in  
99 the international community; fine arts, which may include, but need not be limited to, music and art,  
100 and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or  
101 training in a career or technical field; and development of the ability to apply such skills and knowledge  
102 in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

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

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

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

117 Remediation programs shall include, when applicable, a procedure for early identification of students

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

177 8. Adult education programs for individuals functioning below the high school completion level.  
 178 Such programs may be conducted by the school board as the primary agency or through a collaborative

179 arrangement between the school board and other agencies.

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

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

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

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

200 13. Early identification, diagnosis, and assistance for students with mathematics problems and  
201 provision of instructional strategies and mathematics practices that benefit the development of  
202 mathematics skills for all students.

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

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

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

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

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

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

230 E. From such funds as may be appropriated or otherwise received for such purpose, there shall be  
231 established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the  
232 resources and technical assistance to increase the capacity for school divisions to deliver quality  
233 instruction; and (iii) assist school divisions in implementing those programs and practices that will  
234 enhance pupil academic performance and improve family and community involvement in the public  
235 schools. Such unit shall identify and analyze effective instructional programs and practices and  
236 professional development initiatives; evaluate the success of programs encouraging parental and family  
237 involvement; assess changes in student outcomes prompted by family involvement; and collect and  
238 disseminate among school divisions information regarding effective instructional programs and practices,  
239 initiatives promoting family and community involvement, and potential funding and support sources.

240 Such unit may also provide resources supporting professional development for administrators and  
 241 teachers. In providing such information, resources, and other services to school divisions, the unit shall  
 242 give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of  
 243 Learning assessments.

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

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

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

266 2. A reading specialist, in collaboration with the teacher of any student who receives reading  
 267 intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor  
 268 student progress on a student reading plan. The parent of each student who receives reading intervention  
 269 services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the  
 270 development of the student reading plan. Each student reading plan (i) shall follow the Department  
 271 template created pursuant to subdivision H 3; (ii) shall document such reading intervention services; (iii)  
 272 shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined  
 273 or identified by diagnostic assessment data or the ~~early~~ *literacy* screener provided or approved by the  
 274 Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific  
 275 measures that will be used to evaluate and monitor the student's reading progress; (d) the specific  
 276 evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and  
 277 materials that will be provided to the student's parent to support the student to make reading progress;  
 278 and (f) any additional services the teacher deems available and appropriate to accelerate the student's  
 279 reading skill development; and (iv) may include the following services for the student: instruction from  
 280 a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with  
 281 support from an aide ~~or~~, extended instructional time in the school day or school year, *or, for students in*  
 282 *grades six through eight, a literacy course, in addition to the course required by the Standards of*  
 283 *Learning in English, that provides the specific evidence-based literacy instruction identified in the*  
 284 *student's reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice*  
 285 *before services begin and a copy of the student reading plan.*

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

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

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

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

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

295 2. The Department shall develop a list of core literacy curricula, supplemental instruction practices  
 296 and programs, and intervention programs that consist of evidence-based literacy instruction aligned with  
 297 science-based reading research *for students in kindergarten through grade eight*. The list shall be  
 298 approved by the Board;

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

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

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

307 **§ 22.1-253.13:2. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 2. Instructional,**  
 308 **administrative, and support personnel.**

309 A. The Board shall establish requirements for the licensing of teachers, principals, superintendents,  
 310 and other professional personnel.

311 B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

312 C. Each school board shall assign licensed instructional personnel in a manner that produces  
 313 divisionwide ratios of students in average daily membership to full-time equivalent teaching positions,  
 314 excluding special education teachers, principals, assistant principals, school counselors or certain other  
 315 licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the  
 316 following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average  
 317 daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be  
 318 assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30  
 319 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv)  
 320 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime  
 321 the number of students in a class exceeds the class size limit established by this subsection, the local  
 322 school division shall notify the parent of each student in such class of such fact no later than 10 days  
 323 after the date on which the class exceeded the class size limit. Such notification shall state the reason  
 324 that the class size exceeds the class size limit and describe the measures that the local school division  
 325 will take to reduce the class size to comply with this subsection.

326 Within its regulations governing special education programs, the Board shall seek to set pupil/teacher  
 327 ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained  
 328 classes for pupils with specific learning disabilities.

329 Further, school boards shall assign instructional personnel in a manner that produces schoolwide  
 330 ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in  
 331 middle schools and high schools. School divisions shall provide all middle and high school teachers with  
 332 one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

333 D. Each local school board shall employ with state and local basic, special education, gifted, and  
 334 career and technical education funds a minimum number of licensed, full-time equivalent instructional  
 335 personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation  
 336 act.

337 E. In addition to the positions supported by basic aid and in support of regular school year programs  
 338 of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be  
 339 provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K  
 340 through 12 who are identified as needing prevention, intervention, and remediation services. State  
 341 funding for prevention, intervention, and remediation programs provided pursuant to this subsection and  
 342 the appropriation act may be used to support programs for educationally at-risk students as identified by  
 343 the local school boards.

344 To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may  
 345 employ mathematics teacher specialists to provide the required algebra readiness intervention services.  
 346 School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner  
 347 shall only employ instructional personnel licensed by the Board of Education.

348 F. In addition to the positions supported by basic aid and those in support of regular school year  
 349 programs of prevention, intervention, and remediation, state funding, pursuant to the general  
 350 appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the  
 351 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii)  
 352 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000  
 353 students identified as having limited English proficiency, which positions may include dual language  
 354 teachers who provide instruction in English and in a second language.

355 To provide flexibility in the instruction of English language learners who have limited English  
 356 proficiency and who are at risk of not meeting state accountability standards, school divisions may use  
 357 state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to  
 358 employ additional English language learner teachers or dual language teachers to provide instruction to  
 359 identified limited English proficiency students. Using these funds in this manner is intended to  
 360 supplement the instructional services provided in this section. School divisions using the SOQ  
 361 Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel

362 licensed by the Board of Education.

363 G. In addition to the full-time equivalent positions required elsewhere in this section, each local  
 364 school board shall employ one reading specialist for each 550 students in kindergarten through grade  
 365 ~~three~~ *five and one reading specialist for each 1,100 students in grades six through eight*. Each such  
 366 reading specialist shall have training in science-based reading research and evidence-based literacy  
 367 instruction practices. In addition, each such reading specialist shall have training in the identification of  
 368 and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or  
 369 a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist  
 370 shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to  
 371 help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at  
 372 different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory,  
 373 explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations,  
 374 and assistive technology supports for students with dyslexia.

375 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ  
 376 reading specialists to provide the required reading intervention services. School divisions using the Early  
 377 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed  
 378 by the Board of Education. *Local school divisions that employ a sufficient number of reading specialists*  
 379 *to meet this staffing standard may assign reading specialists to grade levels according to grade levels*  
 380 *with greatest need, regardless of the individual staffing standards established for grades kindergarten*  
 381 *through five and six through eight*.

382 H. Each local school board shall employ, at a minimum, the following full-time equivalent positions  
 383 for any school that reports fall membership, according to student enrollment:

384 1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students;  
 385 principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high  
 386 schools, one full-time, to be employed on a 12-month basis;

387 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900  
 388 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals  
 389 in high schools, one full-time for each 600 students; and school divisions that employ a sufficient  
 390 number of assistant principals to meet this staffing requirement may assign assistant principals to schools  
 391 within the division according to the area of greatest need, regardless of whether such schools are  
 392 elementary, middle, or secondary;

393 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;  
 394 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time  
 395 at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students,  
 396 two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to  
 397 meet this staffing requirement may assign librarians to schools within the division according to the area  
 398 of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

399 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten  
 400 through 12.

401 However, in order to meet the staffing requirements set forth in this subdivision, any local school  
 402 board (i) may employ, under a provisional license issued by the Department for three school years with  
 403 an allowance for an additional two-year extension with the approval of the division superintendent, any  
 404 professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board  
 405 of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling  
 406 professional with appropriate experience and training, provided that any such individual makes progress  
 407 toward completing the requirements for full licensure as a school counselor during such period of  
 408 employment or (ii) in the event that the school board does not receive any application from a licensed  
 409 school counselor, professional counselor, clinical social worker, or psychologist or another licensed  
 410 counseling professional with appropriate experience and training to fill a school counselor vacancy in the  
 411 school division, may enter into an annual contract with another entity for the provision of school  
 412 counseling services by a licensed professional counselor, clinical social worker, or psychologist or  
 413 another licensed counseling professional with appropriate experience and training. Local school boards  
 414 that employ a sufficient number of individuals to meet the staffing requirements set forth in this  
 415 subdivision may assign such individuals to schools within the division according to the area of greatest  
 416 need, regardless of whether such schools are elementary, middle, or high schools.

417 I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades  
 418 kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

419 J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades  
 420 kindergarten through 12, one to provide technology support and one to serve as an instructional  
 421 technology resource teacher.

422 To provide flexibility, school divisions may use the state and local funds for instructional technology

423 resource teachers to employ a data coordinator position, an instructional technology resource teacher  
 424 position, or a data coordinator/instructional resource teacher blended position. The data coordinator  
 425 position is intended to serve as a resource to principals and classroom teachers in the area of data  
 426 analysis and interpretation for instructional and school improvement purposes, as well as for overall data  
 427 management and administration of state assessments. School divisions using these funds in this manner  
 428 shall employ only instructional personnel licensed by the Board of Education.

429 K. Local school boards may employ additional positions that exceed these minimal staffing  
 430 requirements. These additional positions may include, but are not limited to, those funded through the  
 431 state's incentive and categorical programs as set forth in the appropriation act.

432 L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing  
 433 requirements for the highest grade level in that school; this requirement shall apply to all staff, except  
 434 for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be  
 435 based on the school's total enrollment. The Board of Education may grant waivers from these staffing  
 436 levels upon request from local school boards seeking to implement experimental or innovative programs  
 437 that are not consistent with these staffing levels.

438 M. School boards shall, however, annually, on or before December 31, report to the public (i) the  
 439 actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the  
 440 current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local  
 441 school division by school for the current school year. Actual pupil/teacher ratios shall include only the  
 442 teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School  
 443 boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any  
 444 classes funded through the voluntary kindergarten through third grade class size reduction program shall  
 445 be identified as such classes. Any classes having waivers to exceed the requirements of this subsection  
 446 shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to  
 447 ensure the confidentiality of all teacher and pupil identities.

448 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the  
 449 relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving  
 450 home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time  
 451 basis in any mathematics, science, English, history, social science, career and technical education, fine  
 452 arts, foreign language, or health education or physical education course shall be counted in the ADM in  
 453 the relevant school division on a pro rata basis as provided in the appropriation act. Each such course  
 454 enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home  
 455 school student shall be counted as more than one-half a student for purposes of such pro rata  
 456 calculation. Such calculation shall not include enrollments of such students in any other public school  
 457 courses.

458 O. Each school board shall provide at least three specialized student support positions per 1,000  
 459 students. For purposes of this subsection, specialized student support positions include school social  
 460 workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior  
 461 analysts, and other licensed health and behavioral positions, which may either be employed by the  
 462 school board or provided through contracted services.

463 P. Each local school board shall provide those support services that are necessary for the efficient  
 464 and cost-effective operation and maintenance of its public schools.

465 For the purposes of this title, unless the context otherwise requires, "support services positions" shall  
 466 include the following:

467 1. Executive policy and leadership positions, including school board members, superintendents and  
 468 assistant superintendents;

469 2. Fiscal and human resources positions, including fiscal and audit operations;

470 3. Student support positions, including (i) social work administrative positions not included in  
 471 subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii)  
 472 homebound administrative positions supporting instruction; (iv) attendance support positions related to  
 473 truancy and dropout prevention; and (v) health and behavioral administrative positions not included in  
 474 subsection O;

475 4. Instructional personnel support, including professional development positions and library and  
 476 media positions not included in subdivision H 3;

477 5. Technology professional positions not included in subsection J;

478 6. Operation and maintenance positions, including facilities; pupil transportation positions; operation  
 479 and maintenance professional and service positions; and security service, trade, and laborer positions;

480 7. Technical and clerical positions for fiscal and human resources, student support, instructional  
 481 personnel support, operation and maintenance, administration, and technology; and

482 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at  
 483 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each

484 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in  
 485 high schools; one full-time and one additional full-time for each 600 students beyond 200 students and  
 486 one full-time for the library at 750 students. Local school divisions that employ a sufficient number of  
 487 school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to  
 488 schools within the division according to the area of greatest need, regardless of whether such schools are  
 489 elementary, middle, or secondary.

490 Pursuant to the appropriation act, support services shall be funded from basic school aid.

491 School divisions may use the state and local funds for support services to provide additional  
 492 instructional services.

493 Q. Notwithstanding the provisions of this section, when determining the assignment of instructional  
 494 and other licensed personnel in subsections C through J, a local school board shall not be required to  
 495 include full-time students of approved virtual school programs.

496 **§ 22.1-253.13:2. (Effective pursuant to Va. Const., Art. IV, § 13; for effective date, see Acts**  
 497 **2022, cc. 549, 550, cl. 2) Standard 2. Instructional, administrative, and support personnel.**

498 A. The Board shall establish requirements for the licensing of teachers, principals, superintendents,  
 499 and other professional personnel.

500 B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

501 C. Each school board shall assign licensed instructional personnel in a manner that produces  
 502 divisionwide ratios of students in average daily membership to full-time equivalent teaching positions,  
 503 excluding special education teachers, principals, assistant principals, school counselors or certain other  
 504 licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the  
 505 following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average  
 506 daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be  
 507 assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30  
 508 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv)  
 509 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime  
 510 the number of students in a class exceeds the class size limit established by this subsection, the local  
 511 school division shall notify the parent of each student in such class of such fact no later than 10 days  
 512 after the date on which the class exceeded the class size limit. Such notification shall state the reason  
 513 that the class size exceeds the class size limit and describe the measures that the local school division  
 514 will take to reduce the class size to comply with this subsection.

515 Within its regulations governing special education programs, the Board shall seek to set pupil/teacher  
 516 ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained  
 517 classes for pupils with specific learning disabilities.

518 Further, school boards shall assign instructional personnel in a manner that produces schoolwide  
 519 ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in  
 520 middle schools and high schools. School divisions shall provide all middle and high school teachers with  
 521 one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

522 D. Each local school board shall employ with state and local basic, special education, gifted, and  
 523 career and technical education funds a minimum number of licensed, full-time equivalent instructional  
 524 personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation  
 525 act.

526 E. In addition to the positions supported by basic aid and in support of regular school year programs  
 527 of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be  
 528 provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K  
 529 through 12 who are identified as needing prevention, intervention, and remediation services. State  
 530 funding for prevention, intervention, and remediation programs provided pursuant to this subsection and  
 531 the appropriation act may be used to support programs for educationally at-risk students as identified by  
 532 the local school boards.

533 To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may  
 534 employ mathematics teacher specialists to provide the required algebra readiness intervention services.  
 535 School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner  
 536 shall only employ instructional personnel licensed by the Board of Education.

537 F. In addition to the positions supported by basic aid and those in support of regular school year  
 538 programs of prevention, intervention, and remediation, state funding, pursuant to the general  
 539 appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the  
 540 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii)  
 541 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000  
 542 students identified as having limited English proficiency, which positions may include dual language  
 543 teachers who provide instruction in English and in a second language.

544 To provide flexibility in the instruction of English language learners who have limited English

545 proficiency and who are at risk of not meeting state accountability standards, school divisions may use  
 546 state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to  
 547 employ additional English language learner teachers or dual language teachers to provide instruction to  
 548 identified limited English proficiency students. Using these funds in this manner is intended to  
 549 supplement the instructional services provided in this section. School divisions using the SOQ  
 550 Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel  
 551 licensed by the Board of Education.

552 G. In addition to the full-time equivalent positions required elsewhere in this section, each local  
 553 school board shall employ one reading specialist for each 550 students in kindergarten through grade  
 554 ~~three~~ *five and one reading specialist for each 1,100 students in grades six through eight.* Each such  
 555 reading specialist shall have training in science-based reading research and evidence-based literacy  
 556 instruction practices. In addition, each such reading specialist shall have training in the identification of  
 557 and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or  
 558 a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist  
 559 shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to  
 560 help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at  
 561 different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory,  
 562 explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations,  
 563 and assistive technology supports for students with dyslexia.

564 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ  
 565 reading specialists to provide the required reading intervention services. School divisions using the Early  
 566 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed  
 567 by the Board of Education. *Local school divisions that employ a sufficient number of reading specialists*  
 568 *to meet this staffing standard may assign reading specialists to grade levels according to grade levels*  
 569 *with greatest need, regardless of the individual staffing standards established for grades kindergarten*  
 570 *through five and six through eight.*

571 H. Each local school board shall employ, at a minimum, the following full-time equivalent positions  
 572 for any school that reports fall membership, according to student enrollment:

573 1. Principals, one full-time in each elementary school, middle school, and high school, to be  
 574 employed on a 12-month basis;

575 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900  
 576 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals  
 577 in high schools, one full-time for each 600 students; and school divisions that employ a sufficient  
 578 number of assistant principals to meet this staffing requirement may assign assistant principals to schools  
 579 within the division according to the area of greatest need, regardless of whether such schools are  
 580 elementary, middle, or secondary;

581 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;  
 582 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time  
 583 at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students,  
 584 two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to  
 585 meet this staffing requirement may assign librarians to schools within the division according to the area  
 586 of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

587 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten  
 588 through 12.

589 However, in order to meet the staffing requirements set forth in this subdivision, any local school  
 590 board (i) may employ, under a provisional license issued by the Department for three school years with  
 591 an allowance for an additional two-year extension with the approval of the division superintendent, any  
 592 professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board  
 593 of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling  
 594 professional with appropriate experience and training, provided that any such individual makes progress  
 595 toward completing the requirements for full licensure as a school counselor during such period of  
 596 employment or (ii) in the event that the school board does not receive any application from a licensed  
 597 school counselor, professional counselor, clinical social worker, or psychologist or another licensed  
 598 counseling professional with appropriate experience and training to fill a school counselor vacancy in the  
 599 school division, may enter into an annual contract with another entity for the provision of school  
 600 counseling services by a licensed professional counselor, clinical social worker, or psychologist or  
 601 another licensed counseling professional with appropriate experience and training. Local school boards  
 602 that employ a sufficient number of individuals to meet the staffing requirements set forth in this  
 603 subdivision may assign such individuals to schools within the division according to the area of greatest  
 604 need, regardless of whether such schools are elementary, middle, or high schools.

605 I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades

606 kindergarten through five to serve as elementary resource teachers in art, music, and physical education.  
607 J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades  
608 kindergarten through 12, one to provide technology support and one to serve as an instructional  
609 technology resource teacher.

610 To provide flexibility, school divisions may use the state and local funds for instructional technology  
611 resource teachers to employ a data coordinator position, an instructional technology resource teacher  
612 position, or a data coordinator/instructional resource teacher blended position. The data coordinator  
613 position is intended to serve as a resource to principals and classroom teachers in the area of data  
614 analysis and interpretation for instructional and school improvement purposes, as well as for overall data  
615 management and administration of state assessments. School divisions using these funds in this manner  
616 shall employ only instructional personnel licensed by the Board of Education.

617 K. Local school boards may employ additional positions that exceed these minimal staffing  
618 requirements. These additional positions may include, but are not limited to, those funded through the  
619 state's incentive and categorical programs as set forth in the appropriation act.

620 L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing  
621 requirements for the highest grade level in that school; this requirement shall apply to all staff, except  
622 for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be  
623 based on the school's total enrollment. The Board of Education may grant waivers from these staffing  
624 levels upon request from local school boards seeking to implement experimental or innovative programs  
625 that are not consistent with these staffing levels.

626 M. School boards shall, however, annually, on or before December 31, report to the public (i) the  
627 actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the  
628 current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local  
629 school division by school for the current school year. Actual pupil/teacher ratios shall include only the  
630 teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School  
631 boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any  
632 classes funded through the voluntary kindergarten through third grade class size reduction program shall  
633 be identified as such classes. Any classes having waivers to exceed the requirements of this subsection  
634 shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to  
635 ensure the confidentiality of all teacher and pupil identities.

636 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the  
637 relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving  
638 home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time  
639 basis in any mathematics, science, English, history, social science, career and technical education, fine  
640 arts, foreign language, or health education or physical education course shall be counted in the ADM in  
641 the relevant school division on a pro rata basis as provided in the appropriation act. Each such course  
642 enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home  
643 school student shall be counted as more than one-half a student for purposes of such pro rata  
644 calculation. Such calculation shall not include enrollments of such students in any other public school  
645 courses.

646 O. Each school board shall provide at least three specialized student support positions per 1,000  
647 students. For purposes of this subsection, specialized student support positions include school social  
648 workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior  
649 analysts, and other licensed health and behavioral positions, which may either be employed by the  
650 school board or provided through contracted services.

651 P. Each local school board shall provide those support services that are necessary for the efficient  
652 and cost-effective operation and maintenance of its public schools.

653 For the purposes of this title, unless the context otherwise requires, "support services positions" shall  
654 include the following:

655 1. Executive policy and leadership positions, including school board members, superintendents and  
656 assistant superintendents;

657 2. Fiscal and human resources positions, including fiscal and audit operations;

658 3. Student support positions, including (i) social work administrative positions not included in  
659 subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii)  
660 homebound administrative positions supporting instruction; (iv) attendance support positions related to  
661 truancy and dropout prevention; and (v) health and behavioral administrative positions not included in  
662 subsection O;

663 4. Instructional personnel support, including professional development positions and library and  
664 media positions not included in subdivision H 3;

665 5. Technology professional positions not included in subsection J;

666 6. Operation and maintenance positions, including facilities; pupil transportation positions; operation

667 and maintenance professional and service positions; and security service, trade, and laborer positions;  
 668 7. Technical and clerical positions for fiscal and human resources, student support, instructional  
 669 personnel support, operation and maintenance, administration, and technology; and

670 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at  
 671 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each  
 672 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in  
 673 high schools; one full-time and one additional full-time for each 600 students beyond 200 students and  
 674 one full-time for the library at 750 students. Local school divisions that employ a sufficient number of  
 675 school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to  
 676 schools within the division according to the area of greatest need, regardless of whether such schools are  
 677 elementary, middle, or secondary.

678 Pursuant to the appropriation act, support services shall be funded from basic school aid.

679 School divisions may use the state and local funds for support services to provide additional  
 680 instructional services.

681 Q. Notwithstanding the provisions of this section, when determining the assignment of instructional  
 682 and other licensed personnel in subsections C through J, a local school board shall not be required to  
 683 include full-time students of approved virtual school programs.

684 **§ 22.1-253.13:5. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 5. Quality of**  
 685 **classroom instruction and educational leadership.**

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

688 B. Consistent with the finding that leadership is essential for the advancement of public education in  
 689 the Commonwealth, teacher, principal, and superintendent evaluations shall be consistent with the  
 690 performance standards included in the Guidelines for Uniform Performance Standards and Evaluation  
 691 Criteria for Teachers, Principals, and Superintendents. Evaluations shall include student academic  
 692 progress as a significant component and an overall summative rating. Teacher evaluations shall include  
 693 regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations  
 694 shall include identification of areas of individual strengths and weaknesses and recommendations for  
 695 appropriate professional activities. Evaluations shall include an evaluation of cultural competency.

696 C. The Board of ~~Education~~ shall provide guidance on high-quality professional development for (i)  
 697 teachers, principals, supervisors, division superintendents, and other school staff; (ii) principals,  
 698 supervisors, and division superintendents in the evaluation and documentation of teacher and principal  
 699 performance based on student academic progress and the skills and knowledge of such instructional or  
 700 administrative personnel; (iii) school board members on personnel, curriculum and current issues in  
 701 education; (iv) teachers of the blind and visually impaired, in cooperation with the Virginia Department  
 702 for the Blind and Vision Impaired, in Braille; ~~and~~ (v) any individual with an endorsement in  
 703 early/primary education preschool through grade three, elementary education preschool through grade  
 704 six, special education general curriculum kindergarten through grade 12, special education deaf and hard  
 705 of hearing preschool through grade 12, ~~or~~ special education blindness/visual impairments preschool  
 706 through grade 12, *or English as a second language preschool through grade 12*, or as a reading  
 707 specialist *that builds proficiency* in science-based reading research and evidence-based literacy  
 708 instruction; (vi) *each teacher with an endorsement in middle education grades six through eight who*  
 709 *teaches English that builds proficiency in evidence-based literacy instruction and science-based reading*  
 710 *research; and (vii) each middle school principal and teacher with an endorsement in middle education*  
 711 *grades six through eight who teaches mathematics, science, or history and social science that builds an*  
 712 *awareness of evidence-based literacy instruction and science-based reading research.*

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

716 The Department shall provide technical assistance, including literacy coaching, to local school  
 717 divisions to provide professional development in science-based reading research and evidence-based  
 718 literacy instruction *for students in kindergarten through grade eight*. The Department shall also create a  
 719 list of professional development programs aligned with science-based reading research and  
 720 evidence-based literacy instruction that includes programs that provide training in dyslexia for reading  
 721 specialists as required by subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The  
 722 Department shall provide resources to local school divisions to ensure that each division is able to  
 723 provide professional development to teachers and reading specialists listed in subdivision E 2 of  
 724 ~~§ 22.1-253.13:5~~ in one of the programs enumerated in the list approved by the Board pursuant to this  
 725 subdivision and that such professional development is provided at no cost to the teachers and reading  
 726 specialists.

727 D. Each local school board shall require (i) its members to participate annually in high-quality

728 professional development activities at the state, local, or national levels on governance, including, but  
729 not limited to, personnel policies and practices; the evaluation of personnel, curriculum, and instruction;  
730 use of data in planning and decision making; and current issues in education as part of their service on  
731 the local board and (ii) the division superintendent to participate annually in high-quality professional  
732 development activities at the local, state, or national levels, including the Standards of Quality, Board of  
733 Education regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria  
734 for Teachers, Principals, and Superintendents.

735 E. Each local school board shall provide a program of high-quality professional development (i) in  
736 the use and documentation of performance standards and evaluation criteria based on student academic  
737 progress and skills for teachers, principals, and superintendents to clarify roles and performance  
738 expectations and to facilitate the successful implementation of instructional programs that promote  
739 student achievement at the school and classroom levels; (ii) as part of the license renewal process, to  
740 assist teachers and principals in acquiring the skills needed to work with gifted students, students with  
741 disabilities, and students who have been identified as having limited English proficiency and to increase  
742 student achievement and expand the knowledge and skills students require to meet the standards for  
743 academic performance set by the Board of Education; (iii) in educational technology for all instructional  
744 personnel which is designed to facilitate integration of computer skills and related technology into the  
745 curricula; and (iv) for principals and supervisors designed to increase proficiency in instructional  
746 leadership and management, including training in the evaluation and documentation of teacher and  
747 principal performance based on student academic progress and the skills and knowledge of such  
748 instructional or administrative personnel.

749 In addition, each local school board shall provide:

750 1. Teachers and principals with high-quality professional development programs each year in (a)  
751 instructional content; (b) the preparation of tests and other assessment measures; (c) methods for  
752 assessing the progress of individual students, including Standards of Learning assessment materials or  
753 other criterion-referenced tests that match locally developed objectives; (d) instruction and remediation  
754 techniques in English, mathematics, science, and history and social science; (e) interpreting test data for  
755 instructional purposes; (f) technology applications to implement the Standards of Learning; and (g)  
756 effective classroom management; and

757 2. High-quality professional development and training in science-based reading research and  
758 evidence-based literacy instruction, from the list developed and the resources provided by the  
759 Department pursuant to subsection C of § 22.1-253.13:5 or an alternative program that consists of  
760 evidence-based literacy instruction and aligns with science-based reading research approved by the  
761 Department, for each elementary school principal and each teacher with an endorsement in early/primary  
762 education preschool through grade three, elementary education preschool through grade six, special  
763 education general curriculum kindergarten through grade 12, special education deaf and hard of hearing  
764 preschool through grade 12, or special education blindness/visual impairments preschool through grade  
765 12, or English as a second language preschool through grade 12, or as a reading specialist that builds  
766 proficiency in evidence-based literacy instruction and science-based reading research in order to aid in  
767 the licensure renewal process for such individuals; and

768 3. High-quality professional development and training in science-based reading research and  
769 evidence-based literacy instruction, from the list developed and the resources provided by the  
770 Department pursuant to subsection C, or an alternative program that consists of evidence-based literacy  
771 instruction and aligns with science-based reading research approved by the Department, for (i) each  
772 teacher with an endorsement in middle education grades six through eight who teaches English that  
773 builds proficiency in evidence-based literacy instruction and science-based reading research and (ii)  
774 each middle school principal and teacher with an endorsement in middle education grades six through  
775 eight who teaches mathematics, science, or history and social science that builds an awareness of  
776 evidence-based literacy instruction and science-based reading research.

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

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

784 **§ 22.1-253.13:6. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 6. Planning and**  
785 **public involvement.**

786 A. The Board of Education shall adopt a statewide comprehensive, unified, long-range plan based on  
787 data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The  
788 Board shall review the plan biennially and adopt any necessary revisions. The Board shall post the plan

789 on the Department of Education's website if practicable, and, in any case, shall make a hard copy of  
790 such plan available for public inspection and copying.

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

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

812 The divisionwide comprehensive plan shall include, but shall not be limited to, (i) the objectives of  
813 the school division, including strategies for first improving student achievement, particularly the  
814 achievement of educationally at-risk students, then maintaining high levels of student achievement; (ii)  
815 an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment  
816 changes; (iv) a plan for projecting and managing enrollment changes including consideration of the  
817 consolidation of schools to provide for a more comprehensive and effective delivery of instructional  
818 services to students and economies in school operations; (v) an evaluation of the appropriateness of  
819 establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan  
820 for implementing such regional programs and services when appropriate; (vii) a technology plan  
821 designed to integrate educational technology into the instructional programs of the school division,  
822 including the school division's career and technical education programs, consistent with, or as a part of,  
823 the comprehensive technology plan for Virginia adopted by the Board of Education; (viii) an assessment  
824 of the needs of the school division and evidence of community participation, including parental  
825 participation, in the development of the plan; (ix) any corrective action plan required pursuant to  
826 § 22.1-253.13:3; and (x) a plan for parent and family involvement to include building successful school  
827 and parent partnerships that shall be developed with staff and community involvement, including  
828 participation by parents.

829 The divisionwide comprehensive plan shall also include a divisionwide literacy plan for  
830 pre-kindergarten through grade ~~three~~ *eight*. The Board shall issue guidance on the contents of such  
831 plans. The Department shall develop a template for such plans. Each divisionwide literacy plan shall  
832 follow such template and address how the local school board will align (i) literacy professional  
833 development, (ii) core reading and literacy curriculum, and (iii) screening, supplemental instruction, and  
834 interventions with evidence-based literacy instruction practices aligned with science-based reading  
835 research and how the school board will support parents to support the literacy development of their  
836 children. When developing such divisionwide literacy plan, each local school board shall use programs  
837 from the lists developed by the Department pursuant to subsection C of § 22.1-253.13:5 and subdivision  
838 H 2 of § 22.1-253.13:1 or seek approval from the Department for the use of alternative programs that  
839 consist of evidence-based literacy instruction and align with science-based reading research.

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

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

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