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## HOUSE BILL NO. 1149

Offered January 25, 1994

A BILL to amend and reenact §§ 22.1-253.13:3 and 22.1-253.13:4 of the Code of Virginia, relating to the Literacy Passport Tests.

Patrons—Marshall and Parrish; Senator: Colgan

Referred to Committee on Education

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

**1. That §§ 22.1-253.13:3 and 22.1-253.13:4 of the Code of Virginia are amended and reenacted as follows:**

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

A. The General Assembly recognizes the need for the Board of Education to prescribe requirements to ensure that student progress is measured and that school boards and school personnel are accountable.

B. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 9-6.14:1 et seq.) which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs, administrative and instructional staffing levels and positions, pupil personnel services, special education program standards, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia. In revising the standards for accreditation, the Board shall seek to set pupil-teacher ratios for educable mentally retarded (EMR) pupils that do not exceed the pupil-teacher ratios for self-contained classes for pupils with specific learning disabilities. The Board shall review annually the accreditation status of all schools in the Commonwealth.

C. The Board shall also establish requirements for certification of teachers, principals, supervisors and other professional staff and determine eligibility for appointment as a local division superintendent.

D. The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements. One year following the approval by the Board of such criteria, the Superintendent of Public Instruction shall annually identify to the Board those school divisions and schools that exceed or do not meet the approved criteria. The Superintendent of Public Instruction shall assist local school boards in the implementation of action plans for increasing educational performance in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent of Public Instruction shall monitor the implementation of and report to the Board of Education on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

E. In order to assess the educational progress of students, the Board of Education shall also (i) develop appropriate assessments which may include criterion-referenced tests and alternative assessment instruments which may be used by classroom teachers; (ii) prescribe and provide measures, which may include nationally normed tests, to be designated as the Virginia State Assessment Program, which shall be used to identify students who score in the bottom quartile at selected grade levels; and (iii) prescribe and provide literacy tests in reading, writing and mathematics which shall be administered to students in grade six and to students who have not successfully passed them in grades seven and eight. *The Board shall establish criteria for grading the literacy test in writing which shall require that greater weight be given to the accurate application of grammatical and organizational skills, syntax, and logic. The Board shall ensure that regulations governing the literacy test program require that the parent, guardian or person having control or charge of a child shall have the right to review all test papers and scores of the student and the criteria for grading the literacy tests in reading, writing, and mathematics, and to appeal the decision of the test administrator and the school board.*

F. Each local school board shall maintain schools which meet the standards of accreditation as prescribed by the Board of Education. The accreditation status of all schools in each local school division shall be reviewed annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the criteria for determining effectiveness as approved by the Board.

G. Each local school board shall also provide teachers and principals with (i) periodic in-service training in preparing tests and other assessment measures and (ii) methods for assessing the progress of

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60 individual students, including Standards of Learning assessment materials or other criterion-referenced  
61 tests which match locally developed objectives.

62 H. In order to assess the educational progress of students as individuals and as groups, each local  
63 school board shall require the administration of appropriate assessments, which may include  
64 criterion-referenced tests, teacher-made tests and alternative assessment instruments and shall include the  
65 Virginia State Assessment Program, the Virginia Literacy Testing Program, and the National Assessment  
66 of Educational Progress state-by-state assessment. Each school board shall analyze and report annually,  
67 in compliance with any criteria which may be established by the Board of Education, the results from  
68 the Virginia State Assessment Program and the Virginia State Literacy Testing Program to the public.

69 § 22.1-253.13:4. (Effective July 1, 1994) Standard 4. Literacy passports, diplomas and certificates.

70 A. The General Assembly and the Board of Education recognize the need to reduce the illiteracy rate  
71 in the Commonwealth and the need to prescribe requirements for completion of high school programs  
72 and, to this end, establish the requirement for a Literacy Passport for all students prior to grade nine and  
73 criteria for diplomas and certificates.

74 B. Each local school board shall award Literacy Passports to all students, including handicapped  
75 students, who achieve passing scores on the literacy tests established by the Board of Education.  
76 Reasonable accommodation to take the literacy tests shall be provided as needed for handicapped  
77 students. In order to be promoted to grade nine, students shall be required to obtain a Literacy Passport,  
78 except for those students who are identified as handicapped and are progressing according to their  
79 individualized education programs. *Students who pass either of the literacy tests, participate in*  
80 *remediation in the subjects failed on the literacy tests, and earn passing grades in mathematics, science,*  
81 *history, and English during the first grading period in the ninth grade shall be classified as a ninth*  
82 *grade student for the remainder of the school year. Such student shall be allowed to keep such*  
83 *classification and participate in extracurricular activities for so long as passing grades in such subjects*  
84 *are maintained or the student earns passing scores on the literacy tests.*

85 C. Each local school board shall award diplomas to all secondary school students who earn the units  
86 of credit prescribed by the Board of Education, pass the prescribed literacy tests and meet such other  
87 requirements as may be prescribed by the local school board and approved by the Board of Education.  
88 Provisions shall be made for students who transfer between secondary schools as outlined in the  
89 standards for accreditation. Further, reasonable accommodation to meet the requirements for diplomas  
90 shall be provided for otherwise qualified handicapped students as needed.

91 D. Students identified as handicapped who complete the requirements of their individualized  
92 education programs shall be awarded special diplomas by local school boards.

93 E. Students who have completed a prescribed course of study as defined by the local school board  
94 shall be awarded certificates by local school boards if they do not qualify for diplomas.