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## SENATE BILL NO. 1057

Offered January 23, 1995

A *BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to the Standards of Quality.*

Patrons—Bell, Earley and Stolle; Delegates: Albo, Dudley, Katzen, Morgan, Purkey, Wagner and Way

Referred to the Committee on Education and Health

Whereas, the General Assembly and the Board of Education believe that Virginia's students can and must achieve high academic standards and expectations; and

Whereas, the General Assembly and the Board of Education believe that the academic achievement and performance of Virginia's students should be measured by these standards; and

Whereas, the General Assembly and the Board of Education believe that school divisions should be accountable to parents and the public for achieving these standards and expectations; and

Whereas, the General Assembly and the Board of Education believe that the Commonwealth should accredit and allow flexibility to schools whose students achieve these high standards and expectations; now, therefore,

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

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

§ 22.1-253.13:1. Standard 1. Basic skills, selected programs, and instructional personnel.

A. The General Assembly and the Board of Education believe that the fundamental goal of the public schools of this Commonwealth must be to enable each student to develop the skills that are necessary for success in school and in preparation for life, and find that the quality of education is dependent upon the provision of the appropriate working environment, benefits, and salaries necessary to ensure the availability of high quality instructional personnel and adequate commitment of other resources.

B. The Board of Education shall ~~establish~~ *promulgate regulations pursuant to the Administrative Process Act (§ 9-6.14:1 et seq.) establishing* educational objectives to implement the development of the skills that are necessary for success in school and for preparation for life in the years beyond. ~~The current~~ *These* educational objectives, ~~shall be~~ known as the Standards of Learning; ~~shall not be construed to be regulations as defined in § 9-6.14:4; however, the Board of Education may, from time to time, revise these educational objectives. In order 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 new educational objectives. Thirty days prior to conducting such hearings, the Board shall give written notice by mail 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 these educational objectives 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 these educational objectives.~~

The Board shall seek to ensure that any revised educational objectives are consistent with the world's highest educational standards. However, no revisions shall be implemented prior to July 1, 1994. These objectives shall include, but not be limited to, basic skills of communication, computation and critical reasoning including problem solving and decision making, and the development of personal qualities such as self-esteem, sociability, self-management, integrity, and honesty. School boards shall *design curriculum and adopt instructional methods and materials to implement these objectives or, and may adopt additional objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements.* Students shall be expected to achieve the educational objectives utilized by the school division *prescribed by the Board* at appropriate age or grade levels. With such funds as are available for this purpose, the Board of Education may *prescribe assessment methods to determine the level of achievement of these objectives by all students.*

C. Local school boards shall develop and implement a program of instruction for grades K through 12 which emphasizes reading, writing, speaking, mathematical concepts and computations, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of history, economics, government, foreign languages, international cultures, health, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts and practical arts; knowledge and skills needed to qualify for further education and employment or, in the case of some handicapped children, to qualify for appropriate training; and development of the ability to apply such skills and knowledge in preparation for eventual employment

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60 and lifelong learning.

61 Local school boards shall also develop and implement programs of prevention, intervention, or  
62 remediation for students who are educationally at risk including, but not limited to, those whose scores  
63 are in the bottom national quartile on Virginia State Assessment Program Tests, or who do not pass the  
64 literacy test prescribed by the Board of Education. Division superintendents may require such students to  
65 take special programs of prevention, intervention, or remediation which may include attendance in public  
66 summer school sessions. Students required to attend such summer school sessions shall not be charged  
67 tuition. Based on the number of students attending and the Commonwealth's share of the per pupil costs,  
68 additional state funds shall be provided for summer remediation programs as set forth in the  
69 appropriation act.

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

71 1. Programs in grades K through 3 which emphasize developmentally appropriate learning to enhance  
72 success.

73 2. Programs based on prevention, intervention, or retrieval designed to increase the number of  
74 students who earn a high school diploma or general education development (GED) certificate. As  
75 provided in the appropriation act, state funding, in addition to basic aid, shall be allocated to support  
76 programs grounded in sound educational policy to reduce the number of students who drop out of  
77 school.

78 3. Career education programs infused into the K through 12 curricula that promote knowledge of  
79 careers and all types of employment opportunities including but not limited to, apprenticeships, the  
80 military, and career education schools, and emphasize the advantages of completing school with  
81 marketable skills. School boards may include career exploration opportunities in the middle school  
82 grades.

83 4. Competency-based vocational education programs, which integrate academic outcomes, career  
84 guidance and job-seeking skills for all secondary students including those identified as handicapped that  
85 reflect employment opportunities, labor market needs, applied basic skills, job-seeking skills, and career  
86 guidance. Career guidance shall include employment counseling designed to furnish information on  
87 available employment opportunities to all students, including those identified as handicapped, and  
88 placement services for students exiting school. Each school board shall develop and implement a plan to  
89 ensure compliance with the provisions of this subsection.

90 5. Academic and vocational preparation for students who plan to continue their education beyond  
91 secondary school or who plan to enter employment.

92 6. Early identification of handicapped students and enrollment of such students in appropriate  
93 instructional programs consistent with state and federal law.

94 7. Early identification of gifted students and enrollment of such students in appropriately  
95 differentiated instructional programs.

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

99 9. Adult education programs for individuals functioning below the high school completion level.  
100 Such programs may be conducted by the school board as the primary agency or through a collaborative  
101 arrangement between the school board and other agencies.

102 10. A plan to make achievements for students who are educationally at risk a divisionwide priority  
103 which shall include procedures for measuring the progress of such students.

104 E. Each local school board shall employ with state and local basic, special education, gifted, and  
105 vocational education funds a minimum number of licensed, full-time equivalent instructional personnel  
106 for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act.  
107 Calculations of kindergarten positions shall be based on full-day kindergarten programs. Beginning with  
108 the March 31 report of average daily membership, those school divisions offering half-day kindergarten  
109 shall adjust their average daily membership for kindergarten to reflect eighty-five percent of the total  
110 kindergarten average daily memberships.

111 F. In addition to the positions supported by basic aid and in support of regular school year remedial  
112 programs, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time  
113 equivalent instructional positions for each 1,000 students in grades K through 12 estimated to score in  
114 the bottom national quartile on Virginia State Assessment Program Tests and those who fail the literacy  
115 tests prescribed by the Board. State funding for remedial programs provided pursuant to this subsection  
116 and the appropriation act may be used to support programs for educationally at-risk students as  
117 identified by the local school boards. The Board of Education shall establish criteria for identification of  
118 educationally at-risk students, which shall not be construed to be regulations as defined in § 9-6.14:4;  
119 however, the Board of Education may, from time to time, revise these identification criteria. In order to  
120 provide appropriate opportunity for input from the general public, teachers, and local school boards, the  
121 Board of Education shall conduct public hearings prior to establishing or revising such identification

criteria. Thirty days prior to conducting such hearings, the Board shall give written notice by mail 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 establish or revise such identification criteria 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 such identification criteria or revisions thereto.

G. Licensed instructional personnel shall be assigned by each school board in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) twenty-five to one in kindergarten with no class being larger than thirty students; if the average daily membership in any kindergarten class exceeds twenty-five pupils, a full-time teacher's aide shall be assigned to the class; (ii) twenty-four to one in grade one with no class being larger than thirty students; (iii) twenty-five to one in grades two and three with no class being larger than thirty students; (iv) twenty-five to one in grades four through six with no class being larger than thirty-five students; and (v) twenty-four to one in English classes in grades six through twelve.

Further, pursuant to the appropriation act, school boards may implement in kindergarten through third grade, within certain schools, lower ratios of students in average daily membership to full-time equivalent teaching positions by assigning instructional personnel in a manner that produces ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, as follows: (i) in schools having high concentrations of at-risk students, eighteen to one; and (ii) in schools having moderate concentrations of at-risk students, twenty to one. For the purposes of this subsection, "schools having high concentrations of at-risk students" and "schools having moderate concentrations of at-risk students" shall be defined in the appropriation act.

In addition, instructional personnel shall be assigned by each school board in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of twenty-five to one in middle schools and high schools.