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HOUSE BILL NO. 478

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on March 5, 1998)

(Patron Prior to Substitute-Delegate Diamonstein)

A BILL to amend and reenact §§ 22.1-207.1 and 22.1-253.13:3 of the Code of Virginia, relating to family life education programs.

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-207.1 and 22.1-253.13:3 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-207.1. Family life education.

~~The Board of Education shall develop by December 1, 1987, standards of learning and curriculum guidelines for all school boards shall develop and implement a comprehensive, sequential family life education curriculum in grades K through 12. Such curriculum guidelines shall include instruction as accurate and appropriate for the age of the student in family living and community relationships, the value of postponing sexual activity, human sexuality, human reproduction, and the etiology, prevention and effects of sexually transmitted diseases. All such instruction shall be designed to promote parental involvement, foster positive self concepts and provide mechanisms for coping with peer pressure and the stresses of modern living according to the students' developmental stages and abilities. The Board shall also establish by December 1, 1987, requirements for appropriate training for teachers of family life education. Upon written parental request, opt-out shall be granted for any part or all of such family life education programs.~~

~~By December 1, 1987, the Board of Education shall provide the House Committee on Appropriations and the Senate Committee on Finance an analysis of the state and local fiscal impact of implementing a mandatory statewide family life education program and a recommended apportionment of state and local funding for such programs if not otherwise determined by law.~~

§ 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.

The Board's regulations on accrediting schools shall include, in the instructional programs, a requirement for all school boards to develop and implement a family life education program which includes instruction, as accurate and appropriate for the age of the student, in family living and community relationships, the value of postponing sexual activity, human sexuality, human reproduction, and the etiology, prevention and effects of sexually transmitted diseases and shall be designed to promote parental involvement, foster positive self-concepts, and provide mechanisms for coping with peer pressure and the stresses of modern living, according to the students' developmental stages and abilities.

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

60 educational performance in such school divisions and schools.

61 E. In order to assess the educational progress of students, the Board of Education shall also (i)
62 develop appropriate assessments which may include criterion-referenced tests and alternative assessment
63 instruments which may be used by classroom teachers; (ii) prescribe and provide measures, which may
64 include nationally normed tests, to be designated as the Virginia State Assessment Program, which shall
65 be used to identify students who score in the bottom quartile at selected grade levels; and (iii) prescribe
66 and provide literacy tests in reading, writing and mathematics which shall be administered to students in
67 grade six and to students who have not successfully passed them in grades seven and eight.

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

74 G. Each local school board shall also provide teachers and principals with (i) periodic in-service
75 training in preparing tests and other assessment measures and (ii) methods for assessing the progress of
76 individual students, including Standards of Learning assessment materials or other criterion-referenced
77 tests which match locally developed objectives.

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