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SENATE BILL NO. 206

Offered January 11, 2006

Prefiled January 10, 2006

A BILL to amend and reenact §§ 22.1-60.1, 22.1-253.13:5, and 22.1-275.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 22.1-16.4 and by adding in Chapter 6 of Title 22.1 a section numbered 22.1-70.4, relating to childhood obesity.

Patron—Edwards

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-60.1, 22.1-253.13:5, and 22.1-275.1 of the Code of Virginia are amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 22.1-16.4 and by adding in Chapter 6 of Title 22.1 a section numbered 22.1-70.4 as follows:

§ 22.1-16.4. Joint regulations on childhood obesity prevention and reduction in the public schools.

The Board of Education, in cooperation with the State Health Department, shall promulgate regulations establishing standards to facilitate the prevention and reduction of childhood obesity in the public schools. Such regulations shall include, but not be limited to, (i) statewide nutritional standards for school breakfast and lunch programs and the sale of competitive food and beverages, (ii) requirements for appropriate physical fitness and recreational activities designed to promote weight control and weight loss for students, and (iii) guidelines establishing nutritionally acceptable alternatives to the recommended Dietary Guidelines for Americans that accommodate students and school personnel with special dietary needs and restrictions.

§ 22.1-60.1. Evaluation of superintendent.

Each local school board shall evaluate the division superintendent annually consistent with the performance objectives set forth in Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators, and Superintendents as required by § 22.1-253.13:5. Such annual evaluation by the school board shall include evidence of the superintendent's compliance with the provisions of § 22.1-70.4.

§ 22.1-70.4. Instruction on health and academic-related consequences of childhood obesity required of division superintendents.

By July 1, 2008, each division superintendent shall complete instruction in the causes and health consequences resulting from overweight and obesity, including the principles of good nutrition, the benefits of lifelong physical fitness, exercise and recreation, and the relationship between nutrition, health, and learning, to facilitate the prevention and reduction of childhood obesity among students. Completion of the instruction required in this section may be satisfied through attendance at conferences, seminars, or in-service training designed to inform educators concerning the relationship between being overweight or obese, school health and physical fitness, and academic performance.

§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.

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

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, teacher, administrator, and superintendent evaluations shall be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators, and Superintendents. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities. Evaluations of superintendents shall also include evidence of compliance with the provisions of § 22.1-70.4, which requires completion of instruction to facilitate the prevention and reduction of childhood obesity in the public schools.

C. The Board of Education shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents and other school staff; (ii) administrative and supervisory personnel in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on personnel, curriculum and current issues in education; and (iv) programs in Braille for teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired.

The Board shall also provide technical assistance on high-quality professional development to local

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59 school boards designed to ensure that all instructional personnel are proficient in the use of educational
60 technology consistent with its comprehensive plan for educational technology.

61 D. Each local school board shall require (i) its members to participate annually in high-quality
62 professional development activities at the state, local, or national levels on governance, including, but
63 not limited to, personnel policies and practices; curriculum and instruction; use of data in planning and
64 decision making; and current issues in education as part of their service on the local board and (ii) the
65 division superintendent to participate annually in high-quality professional development activities at the
66 local, state or national levels.

67 E. Each local school board shall provide a program of high-quality professional development (i) in
68 the use and documentation of performance standards and evaluation criteria based on student academic
69 progress and skills for teachers and administrators to clarify roles and performance expectations and to
70 facilitate the successful implementation of instructional programs that promote student achievement at
71 the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and
72 principals in acquiring the skills needed to work with gifted students, students with disabilities, and
73 students who have been identified as having limited English proficiency and to increase student
74 achievement and expand the knowledge and skills students require to meet the standards for academic
75 performance set by the Board of Education; (iii) in educational technology for all instructional personnel
76 which is designed to facilitate integration of computer skills and related technology into the curricula,
77 and (iv) for administrative personnel designed to increase proficiency in instructional leadership and
78 management, including training in the evaluation and documentation of teacher and administrator
79 performance based on student academic progress and the skills and knowledge of such instructional or
80 administrative personnel.

81 In addition, each local school board shall also provide teachers and principals with high-quality
82 professional development programs each year in (i) instructional content; (ii) the preparation of tests and
83 other assessment measures; (iii) methods for assessing the progress of individual students, including
84 Standards of Learning assessment materials or other criterion-referenced tests that match locally
85 developed objectives; (iv) instruction and remediation techniques in English, mathematics, science, and
86 history and social science; (v) interpreting test data for instructional purposes; and (vi) technology
87 applications to implement the Standards of Learning.

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

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

95 § 22.1-275.1. School health advisory board.

96 Each school board shall establish a school health advisory board of no more than twenty members
97 which shall consist of broad-based community representation including, but not limited to, parents,
98 students, health professionals, educators, and others. The school health advisory board shall assist with
99 the development of health policy in the school division and the evaluation of the status of school health,
100 health education, the school environment, and health services.

101 The school health advisory board shall hold meetings at least semi-annually and shall annually report
102 on the status and needs of student health in the school division to any relevant school, the school board,
103 the Virginia Department of Health, and the Virginia Department of Education.

104 The local school board may request that the school health advisory board recommend to the local
105 school board procedures relating to *preventing and reducing the incidence of overweight and obese*
106 *students in the public schools, and* children with acute or chronic illnesses or conditions, including, but
107 not limited to, appropriate emergency procedures for any life-threatening conditions and designation of
108 school personnel to implement the appropriate emergency procedures. The procedures relating to
109 children with acute or chronic illnesses or conditions shall be developed with due consideration of the
110 size and staffing of the schools within the jurisdiction.