

23104641D

HOUSE BILL NO. 1629

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education
on January 23, 2023)

(Patron Prior to Substitute—Delegate Coyner)

A BILL to amend and reenact §§ 22.1-1, as it is currently effective and as it shall become effective, 22.1-253.13:3, and 22.1-253.13:5, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to Board of Education; creation and maintenance of Virginia Parent Data Portal; report.

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-1, as it is currently effective and as it shall become effective, 22.1-253.13:3, and 22.1-253.13:5, as it is currently effective and as it shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 22.1-1. (For expiration date, see 2022 Acts cc. 549, 550, cl. 2) Definitions.

As used in this title, unless the context requires a different meaning:

"Board" or "State Board" means the Board of Education.

"Department" means the Department of Education.

"Division superintendent" means the division superintendent of schools of a school division.

"Elementary" includes kindergarten.

"Elementary and secondary" and "elementary or secondary" include elementary, middle, and high school grades.

"Governing body" or "local governing body" means the board of supervisors of a county, council of a city, or council of a town, responsible for appropriating funds for such locality, as the context may require.

"Middle school" means separate schools for early adolescents and the middle school grades that might be housed at elementary or high schools.

"Parent" or "parents" means any parent, guardian, legal custodian, or other person having control or charge of a child.

"Person of school age" means a person who will have reached his fifth birthday on or before September 30 of the school year and who has not reached twenty years of age on or before August 1 of the school year.

"School board" means the school board that governs a school division.

"State-supported assessment" means any assessment made available statewide by the Board for administration by local school divisions to students in pre-kindergarten through grade 12, including any (i) Standards of Learning assessment described in § 22.1-253.13:3, (ii) grades three through eight reading or mathematics through-year growth assessment described in § 22.1-253.13:3, and (iii) screeners provided by the Department.

"Superintendent" means the Superintendent of Public Instruction.

§ 22.1-1. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Definitions.

As used in this title, unless the context requires a different meaning:

"Board" or "State Board" means the Board of Education.

"Department" means the Department of Education.

"Division superintendent" means the division superintendent of schools of a school division.

"Elementary" includes kindergarten.

"Elementary and secondary" and "elementary or secondary" include elementary, middle, and high school grades.

"Evidence-based literacy instruction" means structured instructional practices, including sequential, systematic, explicit, and cumulative teaching, that (i) are based on reliable, trustworthy, and valid evidence consistent with science-based reading research; (ii) are used in core or general instruction, supplemental instruction, intervention services, and intensive intervention services; (iii) have a demonstrated record of success in adequately increasing students' reading competency, vocabulary, oral language, and comprehension and in building mastery of the foundational reading skills of phonological and phonemic awareness, alphabetic principle, phonics, spelling, and text reading fluency; and (iv) are able to be differentiated in order to meet the individual needs of students.

"Governing body" or "local governing body" means the board of supervisors of a county, council of a city, or council of a town, responsible for appropriating funds for such locality, as the context may require.

"Middle school" means separate schools for early adolescents and the middle school grades that might be housed at elementary or high schools.

60 "Parent" or "parents" means any parent, guardian, legal custodian, or other person having control or
61 charge of a child.

62 "Person of school age" means a person who will have reached his fifth birthday on or before
63 September 30 of the school year and who has not reached twenty years of age on or before August 1 of
64 the school year.

65 "School board" means the school board that governs a school division.

66 "Science-based reading research" means research that (i) applies rigorous, systematic, and objective
67 observational or experimental procedures to obtain valid knowledge relevant to reading development,
68 reading instruction, and reading and writing difficulties and (ii) explains how proficient reading and
69 writing develop, why some children have difficulties developing key literacy skills, and how schools can
70 best assess and instruct early literacy, including the use of evidence-based literacy instruction practices
71 to promote reading and writing achievement.

72 *"State-supported assessment" means any assessment made available statewide by the Board for*
73 *administration by local school divisions to students in pre-kindergarten through grade 12, including any*
74 *(i) Standards of Learning assessment described in § 22.1-253.13:3, (ii) grades three through eight*
75 *reading or mathematics through-year growth assessment described in § 22.1-253.13:3, and (iii)*
76 *screeners provided by the Department.*

77 "Superintendent" means the Superintendent of Public Instruction.

78 **§ 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state**
79 **regulations.**

80 A. The Board shall promulgate regulations establishing standards for accreditation pursuant to the
81 Administrative Process Act (§ 2.2-4000 et seq.), which shall include (i) student outcome and growth
82 measures, (ii) requirements and guidelines for instructional programs and for the integration of
83 educational technology into such instructional programs, (iii) administrative and instructional staffing
84 levels and positions, including staff positions for supporting educational technology, (iv) student
85 services, (v) auxiliary education programs such as library and media services, (vi) requirements for
86 graduation from high school, (vii) community relations, and (viii) the philosophy, goals, and objectives
87 of public education in the Commonwealth.

88 The Board shall promulgate regulations establishing standards for accreditation of public virtual
89 schools under the authority of the local school board that enroll students full time.

90 The Board's regulations establishing standards for accreditation shall ensure that the accreditation
91 process is transparent and based on objective measurements and that any appeal of the accreditation
92 status of a school is heard and decided by the Board.

93 The Board shall review annually the accreditation status of all schools in the Commonwealth. The
94 Board shall review the accreditation status of a school once every three years if the school has been
95 fully accredited for three consecutive years. Upon such triennial review, the Board shall review the
96 accreditation status of the school for each individual year within that triennial review period. If the
97 Board finds that the school would have been accredited every year of that triennial review period the
98 Board shall accredit the school for another three years. The Board may review the accreditation status of
99 any other school once every two years or once every three years, provided that any school that receives
100 a multiyear accreditation status other than full accreditation shall be covered by a Board-approved
101 multiyear corrective action plan for the duration of the period of accreditation. Such multiyear corrective
102 action plan shall include annual written progress updates to the Board. A multiyear accreditation status
103 shall not relieve any school or division of annual reporting requirements.

104 Each local school board shall maintain schools that are fully accredited pursuant to the standards for
105 accreditation as prescribed by the Board. Each local school board shall report the accreditation status of
106 all schools in the local school division annually in public session.

107 The Board shall establish a review process to assist any school that does not meet the standards
108 established by the Board. The relevant school board shall report the results of such review and any
109 annual progress reports in public session and shall implement any actions identified through such review
110 and utilize them for improvement planning.

111 The Board shall establish a corrective action plan process for any school that does not meet the
112 standards established by the Board. Such process shall require (a) each school board to submit a
113 corrective action plan for any school in the local school division that does not meet the standards
114 established by the Board and (b) any school board that fails to demonstrate progress in developing or
115 implementing any such corrective action plan to enter into a memorandum of understanding with the
116 Board.

117 When the Board determines through its review process that the failure of schools within a division to
118 meet the standards established by the Board is related to division-level failure to implement the
119 Standards of Quality or other division-level action or inaction, the Board may require a division-level
120 academic review. After the conduct of such review and within the time specified by the Board, each
121 school board shall enter into a memorandum of understanding with the Board and shall subsequently

submit to the Board for approval a corrective action plan, consistent with criteria established by the Board setting forth specific actions and a schedule designed to ensure that schools within its school division meet the standards established by the Board. If the Board determines that the proposed corrective action plan is not sufficient to enable all schools within the division to meet the standards established by the Board, the Board may return the plan to the local school board with directions to submit an amended plan pursuant to Board guidance. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § 22.1-253.13:6.

B. The Superintendent shall develop, subject to revision by the Board, criteria for determining and recognizing educational performance in the Commonwealth's local school divisions and public schools. The portion of such criteria that measures individual student growth shall become an integral part of the accreditation process for schools in which any grade level in the grade three through eight range is taught. The Superintendent shall annually report to the Board on the accreditation status of all school divisions and schools. Such report shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance and individual student growth in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent shall assist local school boards in the implementation of action plans for increasing educational performance and individual student growth in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent shall monitor the implementation of and report to the Board on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall, with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments. In lieu of a one-time end-of-year assessment, the Board shall establish, for the purpose of providing measures of individual student growth over the course of the school year, a through-year growth assessment system, aligned with the Standards of Learning, for the administration of reading and mathematics assessments in grades three through eight. Such through-year growth assessment system shall include at least one beginning-of-year, one mid-year, and one end-of-year assessment in order to provide individual student growth scores over the course of the school year, but the total time scheduled for taking all such assessments shall not exceed 150 percent of the time scheduled for taking a single end-of-year proficiency assessment. The Department shall ensure adequate training for teachers and principals on how to interpret and use student growth data from such assessments to improve reading and mathematics instruction in grades three through eight throughout the school year. With such funds and content as are available for such purpose, such through-year growth assessment system shall provide accurate measurement of a student's performance, through computer adaptive technology, using test items at, below, and above the student's grade level as necessary.

The Board shall also provide the option of industry certification and state licensure examinations as a student-selected credit.

The Department shall make available to school divisions Standards of Learning assessments typically administered by high schools by December 1 of the school year in which such assessments are to be administered or when newly developed assessments are available, whichever is later.

The Board shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, or limit the ability to test students on demand and provide immediate results in the web-based assessment system.

The Board shall prescribe alternative methods of Standards of Learning assessment administration for children with disabilities, as that term is defined in § 22.1-213, who meet criteria established by the Board to demonstrate achievement of the Standards of Learning. An eligible student's Individual Education Program team shall make the final determination as to whether an alternative method of administration is appropriate for the student.

The Board shall include in the student outcome and growth measures that are required by the standards of accreditation the required assessments for various grade levels and classes, including the completion of the alternative assessments implemented by each local school board, in accordance with the Standards of Learning. These assessments shall include end-of-course or end-of-grade tests for

183 English, mathematics, science, and history and social science and may be integrated to include multiple
184 subject areas.

185 The Standards of Learning assessments administered to students in grades three through eight shall
186 not exceed (i) reading and mathematics in grades three and four; (ii) reading, mathematics, and science
187 in grade five; (iii) reading and mathematics in grades six and seven; (iv) reading, writing, and
188 mathematics in grade eight; (v) science after the student receives instruction in the grade six science, life
189 science, and physical science Standards of Learning and before the student completes grade eight; and
190 (vi) Virginia Studies and Civics and Economics once each at the grade levels deemed appropriate by
191 each local school board. The reading and mathematics assessments administered to students in grades
192 three through eight shall be through-year growth assessments.

193 Each school board shall annually certify that it has provided instruction and administered an
194 alternative assessment, consistent with Board guidelines, to students in grades three through eight in
195 each Standards of Learning subject area in which a Standards of Learning assessment was not
196 administered during the school year. Such guidelines shall (a) incorporate options for age-appropriate,
197 authentic performance assessments and portfolios with rubrics and other methodologies designed to
198 ensure that students are making adequate academic progress in the subject area and that the Standards of
199 Learning content is being taught; (b) permit and encourage integrated assessments that include multiple
200 subject areas; and (c) emphasize collaboration between teachers to administer and substantiate the
201 assessments and the professional development of teachers to enable them to make the best use of
202 alternative assessments.

203 Local school divisions shall provide targeted mathematics remediation and intervention to students in
204 grades six through eight who show computational deficiencies as demonstrated by their individual
205 performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures
206 non-calculator computational skills.

207 The Department shall award recovery credit to any student in grades three through eight who
208 performs below grade level on a Standards of Learning assessment in English reading or mathematics,
209 receives remediation, and subsequently retakes and performs at or above grade level on such an
210 assessment, including any such student who subsequently retakes such an assessment on an expedited
211 basis.

212 In addition, to assess the educational progress of students, the Board shall (1) develop appropriate
213 assessments, which may include criterion-referenced tests and other assessment instruments that may be
214 used by classroom teachers; (2) select appropriate industry certification and state licensure examinations;
215 and (3) prescribe and provide measures, which may include nationally normed tests to be used to
216 identify students who score in the bottom quartile at selected grade levels.

217 The Standards of Learning requirements, including all related assessments, shall be waived for any
218 student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to
219 § 30-231.2, who is enrolled in a preparation program for a high school equivalency examination
220 approved by the Board or in an adult basic education program or an adult secondary education program
221 to obtain the high school diploma or a high school equivalency certificate.

222 The Department shall develop processes for informing school divisions of changes in the Standards
223 of Learning.

224 The Board may adopt special provisions related to the administration and use of any Standards of
225 Learning test or tests in a content area as applied to accreditation ratings for any period during which
226 the Standards of Learning content or assessments in that area are being revised and phased in. Prior to
227 statewide administration of such tests, the Board shall provide notice to local school boards regarding
228 such special provisions.

229 The Board shall not include in its calculation of the passage rate for a Standards of Learning
230 assessment or the level of achievement of the Standards of Learning objectives for an individual student
231 growth assessment for the purposes of state accountability any student whose parent has decided to not
232 have his child take such Standards of Learning assessment, unless such exclusions would result in the
233 school's not meeting any required state or federal participation rate.

234 D. The Board may pursue all available civil remedies pursuant to § 22.1-19.1 or administrative action
235 pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of test materials or test
236 results.

237 The Board may initiate or cause to be initiated a review or investigation of any alleged breach in
238 security, unauthorized alteration, or improper administration of tests, including the exclusion of students
239 from testing who are required to be assessed, by local school board employees responsible for the
240 distribution or administration of the tests.

241 Records and other information furnished to or prepared by the Board during the conduct of a review
242 or investigation may be withheld pursuant to subdivision 10 of § 2.2-3705.3. However, this section shall
243 not prohibit the disclosure of records to (i) a local school board or division superintendent for the
244 purpose of permitting such board or superintendent to consider or to take personnel action with regard to

an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.

Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

E. With such funds as may be appropriated, the Board may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments, including computer-adaptive Standards of Learning assessments, for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

F. To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments, alternative assessments, and other relevant data, such as industry certification and state licensure examinations, to evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to students, which may include criterion-referenced tests and teacher-made tests and shall include the Standards of Learning assessments, the local school board's alternative assessments, and the National Assessment of Educational Progress state-by-state assessment. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board, the results from industry certification examinations and the Standards of Learning Assessments to the public.

The Board shall include requirements for the reporting of the Standards of Learning assessment data, regardless of accreditation frequency, as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by student subgroups on the Virginia assessment program as appropriate and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

G. Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board's annual report to the Governor and the General Assembly as required by § 22.1-18.

H. Any school board may request the Board for release from state regulations or, on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards for Accreditation pursuant to 8VAC20-131-280 C of the Virginia Administrative Code. Waivers of regulatory requirements may be granted by the Board based on submission of a request from the division superintendent and chairman of the local school board. The Board may grant, for a period up to five years, a waiver of regulatory requirements that are not (i) mandated by state or federal law or (ii) designed to promote health or safety. The school board shall provide in its waiver request a description of how the releases from state regulations are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The Department shall provide (a) guidance to any local school division that requests releases from state regulations and (b) information about opportunities to form partnerships with other agencies or entities to any local school division in which the school or schools granted releases from state regulations have demonstrated improvement in the quality of instruction and the achievement of students.

The Board may also grant local school boards waivers of specific requirements in § 22.1-253.13:2, based on submission of a request from the division superintendent and chairman of the local school board, permitting the local school board to assign instructional personnel to the schools with the greatest needs, so long as the school division employs a sufficient number of personnel divisionwide to meet the total number required by § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of § 22.1-253.13:2 are met. The school board shall provide in its request a description of how the waivers from specific Standards of Quality staffing standards are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The waivers may be renewed in up to five-year increments, or revoked, based on student achievement results

in the affected school or schools.

1. The Board shall, on or before July 1, 2025, create and maintain the Virginia Parent Data Portal (the Portal).

The Board shall ensure that the Portal:

1. Displays individualized student assessment data on all state-supported assessments (i) in a format that shows both current and cumulative data over time and (ii) within 45 days of a state-supported assessment window closing for each state-supported assessment;

2. Provides (i) a description of the purpose of each state-supported assessment, (ii) an explanation of how to interpret student data on each state-supported assessment, and (iii) a comparison of a student's performance on each state-supported assessment with the performance of the student's school, the student's school division, and the Commonwealth;

3. Is viewable from a mobile device in addition to a desktop computer;

4. Includes language translation to the extent practicable and accessibility features to ensure universal access;

5. Complies with relevant privacy standards, including §§ 2.2-3802 and 22.1-287.02 and 20 U.S.C. § 1232g;

6. Provides functionality to enable school division personnel to manage and restrict user access to students and their parents as defined in § 22.1-1; and

7. Provides functionality to enable local school divisions to upload additional, non-state-supported assessment data for inclusion in the Portal at the discretion of each local school division.

To support implementation of the Portal:

a. The Board shall provide guidance regarding governance of the Portal, including authorized users, user roles, data security, and division-level user management; and

b. The Department shall within 45 days of a state assessment window closing update the Portal with individualized student assessment results on all state-supported assessments and a comparison of a student's performance on each state-supported assessment with the performance of the student's school, the student's school division, and the Commonwealth.

§ 22.1-253.13:5. (For expiration date, see 2022 Acts cc. 549, 550, cl. 2) 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, principal, and superintendent evaluations shall be consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents. Evaluations shall include student academic progress as a significant component and an overall summative rating. 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 shall include an evaluation of cultural competency.

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) principals, supervisors, and division superintendents in the evaluation and documentation of teacher and principal 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; and (v) teachers and principals in parent engagement on and interpretation of student assessment data for state-supported assessments available through the Virginia Parent Data Portal specified in subsection I § 22.1-253.13:3.

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

The Department shall provide technical assistance to local school divisions to provide professional development to teachers and principals in parent engagement on and interpretation of student assessment data for state-supported assessments available through the Virginia Parent Data Portal specified in subsection I of § 22.1-253.13:3.

D. Each local school board shall require (i) its members to participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use of data in planning and decision making; and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state, or national levels, including the Standards of Quality, Board of Education regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria

for Teachers, Principals, and Superintendents.

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

In addition, each local school board shall also provide teachers and principals with high-quality professional development programs each year in (a) instructional content; (b) the preparation of tests and other assessment measures; (c) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (d) instruction and remediation techniques in English, mathematics, science, and history and social science; (e) interpreting test data for instructional purposes; (f) *parent engagement on and interpretation of student assessment data for state-supported assessments available through the Virginia Parent Data Portal specified in subsection I of § 22.1-253.13:3*; (g) technology applications to implement the Standards of Learning; and ~~(g)~~ (h) effective classroom management.

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

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

§ 22.1-253.13:5. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) 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, principal, and superintendent evaluations shall be consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents. Evaluations shall include student academic progress as a significant component and an overall summative rating. 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 shall include an evaluation of cultural competency.

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) principals, supervisors, and division superintendents in the evaluation and documentation of teacher and principal 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; (iv) teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired, in Braille; ~~and~~ (v) any individual with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist in science-based reading research and evidence-based literacy instruction; and (vi) *teachers and principals in parent engagement on and interpretation of student assessment data for state-supported assessments available through the Virginia Parent Data Portal specified in subsection I of § 22.1-253.13:3*.

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

The Department shall provide technical assistance, including literacy coaching, to local school

divisions to provide professional development in science-based reading research and evidence-based literacy instruction. The Department shall also create a list of professional development programs aligned with science-based reading research and evidence-based literacy instruction that includes programs that provide training in dyslexia for reading specialists as required by subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The Department shall provide resources to local school divisions to ensure that each division is able to provide professional development to teachers and reading specialists listed in subdivision E 2 of § 22.1-253.13:5 in one of the programs enumerated in the list approved by the Board pursuant to this subdivision and that such professional development is provided at no cost to the teachers and reading specialists.

The Department shall provide technical assistance to local school divisions to provide professional development to teachers and principals in parent engagement on and interpretation of student assessment data for state-supported assessments available through the Virginia Parent Data Portal specified in subsection I of § 22.1-253.13:3.

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

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

In addition, each local school board shall provide:

1. Teachers and principals with high-quality professional development programs each year in (a) instructional content; (b) the preparation of tests and other assessment measures; (c) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (d) instruction and remediation techniques in English, mathematics, science, and history and social science; (e) interpreting test data for instructional purposes; (f) *parent engagement on and interpretation of student assessment data for state-supported assessments available through the Virginia Parent Data Portal specified in subsection I of § 22.1-253.13:3*; (g) technology applications to implement the Standards of Learning; and ~~(g)~~ (h) effective classroom management; and

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

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

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

2. That the provisions of the first enactment of this act shall not become effective unless reenacted

491 by the 2024 Session of the General Assembly.

492 3. That a work group is hereby established for the purpose of advising the Board of Education on
493 the criteria for and process of procuring the goods and services necessary to implement the
494 Virginia Parent Data Portal as set forth in the first enactment of this act. The work group shall be
495 composed of representatives from each state-sponsored assessment, including the Virginia
496 Kindergarten Readiness Program, the pre-kindergarten through grade three literacy screener
497 (PALS), and the Standards of Learning; at least six but no more than eight parents of public
498 school students who represent a diverse array of school settings, including by grade level, region of
499 the Commonwealth, availability of technology in the local school division, and Title I status; at
500 least four but no more than six public school teachers who represents a similarly diverse array of
501 school settings; school division-level data managers; a school division-level community or parent
502 engagement representative; representatives of the Department of Education with a focus on
503 technology and assessments; a representative of the Virginia Information Technologies Agency; a
504 representative of the Virginia Longitudinal Data System; a representative of the Office of the
505 Secretary of Education; a representative of the Virginia School Counselor Association; one
506 member of the House of Delegates to be appointed by the Speaker of the House of Delegates,
507 giving preference to a member with a child enrolled in a public elementary or secondary school in
508 the Commonwealth; and one member of the Senate of Virginia to be appointed by the Senate
509 Committee on Rules, giving preference to a member with a child enrolled in a public elementary
510 or secondary school in the Commonwealth. The two members of the work group from the House
511 of Delegates and the Senate shall jointly coordinate the meetings and activities of the work group.
512 The work group shall submit a report containing its findings and any recommendations to the
513 Board of Education and the General Assembly no later than November 1, 2023.