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SENATE BILL NO. 1175

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education
on February 13, 2023)

(Patron Prior to Substitute—Senator Lucas)

A *BILL to amend and reenact §§ 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:5, and 22.1-253.13:6, as they shall become effective, of the Code of Virginia, relating to student literacy measures; scope; students in grades four through eight.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:5, and 22.1-253.13:6, as they shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 22.1-253.13:1. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

A. The General Assembly and the Board of ~~Education~~ believe that the fundamental goal of the public schools of the Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board of ~~Education~~ find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, Section 1 of the Constitution of Virginia.

B. The Board of ~~Education~~ shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § 2.2-4001.

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning, including problem solving and decision making; proficiency in the use of computers and related technology; computer science and computational thinking, including computer coding; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade ~~three~~ *five* shall be based on components of effective reading instruction, to include, at a minimum, phonemic awareness, systematic phonics, fluency, vocabulary development, and text comprehension *align with evidence-based literacy instruction and science-based reading research.*

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board of ~~Education~~ shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

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 revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice 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 the Standards of Learning 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 the Standards of Learning.

In addition, the Department of ~~Education~~ shall make available and maintain a website, either separately or through an existing website utilized by the Department of ~~Education~~, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

60 School boards shall implement the Standards of Learning or objectives specifically designed for their
61 school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to
62 achieve the educational objectives established by the school division at appropriate age or grade levels.
63 The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

64 The Board of ~~Education~~ shall include in the Standards of Learning for history and social science the
65 study of contributions to society of diverse people. For the purposes of this subsection, "diverse"
66 includes consideration of disability, ethnicity, race, and gender.

67 The Board of ~~Education~~ shall include in the Standards of Learning for health instruction in
68 emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator,
69 including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such
70 instruction shall be based on the current national evidence-based emergency cardiovascular care
71 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a
72 program developed by the American Heart Association or the American Red Cross. No teacher who is
73 in compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of
74 cardiopulmonary resuscitation to provide instruction for non-certification.

75 With such funds as are made available for this purpose, the Board shall regularly review and revise
76 the competencies for career and technical education programs to require the full integration of English,
77 mathematics, science, and history and social science Standards of Learning. Career and technical
78 education programs shall be aligned with industry and professional standard certifications, where they
79 exist.

80 The Board shall establish content standards and curriculum guidelines for courses in career
81 investigation in elementary school, middle school, and high school. Each school board shall (i) require
82 each middle school student to take at least one course in career investigation or (ii) select an alternate
83 means of delivering the career investigation course to each middle school student, provided that such
84 alternative is equivalent in content and rigor and provides the foundation for such students to develop
85 their academic and career plans. Any school board may require (a) such courses in career investigation
86 at the high school level as it deems appropriate, subject to Board approval as required in subsection A
87 of § 22.1-253.13:4, and (b) such courses in career investigation at the elementary school level as it
88 deems appropriate. The Board shall develop and disseminate to each school board career investigation
89 resource materials that are designed to ensure that students have the ability to further explore interest in
90 career and technical education opportunities in middle and high school. In developing such resource
91 materials, the Board shall consult with representatives of career and technical education, industry, skilled
92 trade associations, chambers of commerce or similar organizations, and contractor organizations.

93 C. Local school boards shall develop and implement a program of instruction for grades K through
94 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of
95 ~~Education~~. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts
96 and computations, proficiency in the use of computers and related technology, computer science and
97 computational thinking, including computer coding, and scientific concepts and processes; essential skills
98 and concepts of citizenship, including knowledge of Virginia history and world and United States
99 history, economics, government, foreign languages, international cultures, health and physical education,
100 environmental issues, and geography necessary for responsible participation in American society and in
101 the international community; fine arts, which may include, but need not be limited to, music and art,
102 and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or
103 training in a career or technical field; and development of the ability to apply such skills and knowledge
104 in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

105 Local school boards shall also develop and implement programs of prevention, intervention, or
106 remediation for students who are educationally at risk including, but not limited to, those who fail to
107 achieve a passing score on any Standards of Learning assessment in grades three through eight or who
108 fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include
109 components that are research-based.

110 Any student who achieves a passing score on one or more, but not all, of the Standards of Learning
111 assessments for the relevant grade level in grades three through eight may be required to attend a
112 remediation program.

113 Any student who fails to achieve a passing score on all of the Standards of Learning assessments for
114 the relevant grade level in grades three through eight or who fails an end-of-course test required for the
115 award of a verified unit of credit shall be required to attend a remediation program or to participate in
116 another form of remediation. Division superintendents shall require such students to take special
117 programs of prevention, intervention, or remediation, which may include attendance in public summer
118 school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

119 Remediation programs shall include, when applicable, a procedure for early identification of students
120 who are at risk of failing the Standards of Learning assessments in grades three through eight or who
121 fail an end-of-course test required for the award of a verified unit of credit. Such programs may also

122 include summer school for all elementary and middle school grades and for all high school academic
123 courses, as defined by regulations promulgated by the Board of Education, or other forms of
124 remediation. Summer school remediation programs or other forms of remediation shall be chosen by the
125 division superintendent to be appropriate to the academic needs of the student. Students who are
126 required to attend such summer school programs or to participate in another form of remediation shall
127 not be charged tuition by the school division.

128 The requirement for remediation may, however, be satisfied by the student's attendance in a program
129 of prevention, intervention or remediation that has been selected by his parent, in consultation with the
130 division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii)
131 a special program that has been determined to be comparable to the required public school remediation
132 program by the division superintendent. The costs of such private school remediation program or other
133 special remediation program shall be borne by the student's parent.

134 The Board of Education shall establish standards for full funding of summer remedial programs that
135 shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof
136 required for full funding and an assessment system designed to evaluate program effectiveness. Based on
137 the number of students attending and the Commonwealth's share of the per pupil instructional costs,
138 state funds shall be provided for the full cost of summer and other remediation programs as set forth in
139 the appropriation act, provided such programs comply with such standards as shall be established by the
140 Board, pursuant to § 22.1-199.2.

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

142 1. Programs in grades K through three that emphasize developmentally appropriate learning to
143 enhance success.

144 2. Programs based on prevention, intervention, or remediation designed to increase the number of
145 students who earn a high school diploma and to prevent students from dropping out of school. Such
146 programs shall include components that are research-based.

147 3. Career and technical education programs incorporated into the K through 12 curricula that include:

148 a. Knowledge of careers and all types of employment opportunities, including, but not limited to,
149 apprenticeships, entrepreneurship and small business ownership, the military, and the teaching
150 profession, and emphasize the advantages of completing school with marketable skills;

151 b. Career exploration opportunities in the middle school grades;

152 c. Competency-based career and technical education programs that integrate academic outcomes,
153 career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor
154 market needs and student interest. Career guidance shall include counseling about available employment
155 opportunities and placement services for students exiting school. Each school board shall develop and
156 implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be
157 developed with the input of area business and industry representatives and local comprehensive
158 community colleges and shall be submitted to the Superintendent of Public Instruction in accordance
159 with the timelines established by federal law;

160 d. Annual notice on its website to enrolled high school students and their parents of (i) the
161 availability of the postsecondary education and employment data published by the State Council of
162 Higher Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to
163 obtain a nationally recognized career readiness certificate at a local public high school, comprehensive
164 community college, or workforce center; and

165 e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the
166 Commonwealth by median pay and the education, training, and skills required for each such profession
167 and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median
168 pay of program graduates. The Department of Education shall annually compile such lists and provide
169 them to each local school board.

170 4. Educational objectives in middle and high school that emphasize economic education and financial
171 literacy pursuant to § 22.1-200.03.

172 5. Early identification of students with disabilities and enrollment of such students in appropriate
173 instructional programs consistent with state and federal law.

174 6. Early identification of gifted students and enrollment of such students in appropriately
175 differentiated instructional programs.

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

179 8. Adult education programs for individuals functioning below the high school completion level.
180 Such programs may be conducted by the school board as the primary agency or through a collaborative
181 arrangement between the school board and other agencies.

182 9. A plan to make achievements for students who are educationally at risk a divisionwide priority

183 that shall include procedures for measuring the progress of such students.

184 10. An agreement for postsecondary degree attainment with a comprehensive community college in
185 the Commonwealth specifying the options for students to complete an associate degree or a one-year
186 Uniform Certificate of General Studies from a comprehensive community college concurrent with a high
187 school diploma. Such agreement shall specify the credit available for dual enrollment courses and
188 Advanced Placement courses with qualifying exam scores of three or higher.

189 11. A plan to notify students and their parents of the availability of dual enrollment and advanced
190 placement classes; career and technical education programs, including internships, externships,
191 apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based
192 learning experiences; the International Baccalaureate Program and Academic Year Governor's School
193 Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability
194 of financial assistance to low-income and needy students to take the advanced placement and
195 International Baccalaureate examinations. This plan shall include notification to students and parents of
196 the agreement with a comprehensive community college in the Commonwealth to enable students to
197 complete an associate degree or a one-year Uniform Certificate of General Studies concurrent with a
198 high school diploma.

199 12. Identification of students with limited English proficiency and enrollment of such students in
200 appropriate instructional programs, which programs may include dual language programs whereby such
201 students receive instruction in English and in a second language.

202 13. Early identification, diagnosis, and assistance for students with mathematics problems and
203 provision of instructional strategies and mathematics practices that benefit the development of
204 mathematics skills for all students.

205 Local school divisions shall provide algebra readiness intervention services to students in grades six
206 through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their
207 individual performance on any diagnostic test that has been approved by the Department of Education.
208 Local school divisions shall report the results of the diagnostic tests to the Department of Education on
209 an annual basis, at a time to be determined by the Superintendent of Public Instruction. Each student
210 who receives algebra readiness intervention services will be assessed again at the end of that school
211 year. Funds appropriated for prevention, intervention, and remediation; summer school remediation;
212 at-risk; or algebra readiness intervention services may be used to meet the requirements of this
213 subdivision.

214 14. Incorporation of art, music, and physical education as a part of the instructional program at the
215 elementary school level.

216 15. A program of physical activity available to all students in grades kindergarten through five
217 consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular
218 school year and available to all students in grades six through 12 with a goal of at least 150 minutes per
219 week on average during the regular school year. Such program may include any combination of (i)
220 physical education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical
221 activities deemed appropriate by the local school board. Each local school board shall implement such
222 program during the regular school year. Any physical education class offered to students in grades seven
223 and eight shall include at least one hour of personal safety training per school year in each such grade
224 level that is developed and delivered in partnership with the local law-enforcement agency and consists
225 of situational safety awareness training and social media education.

226 16. A program of student services for kindergarten through grade 12 that shall be designed to aid
227 students in their educational, social, and career development.

228 17. The collection and analysis of data and the use of the results to evaluate and make decisions
229 about the instructional program.

230 18. A program of instruction in the high school Virginia and U.S. Government course on all
231 information and concepts contained in the civics portion of the U.S. Naturalization Test.

232 E. From such funds as may be appropriated or otherwise received for such purpose, there shall be
233 established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the
234 resources and technical assistance to increase the capacity for school divisions to deliver quality
235 instruction; and (iii) assist school divisions in implementing those programs and practices that will
236 enhance pupil academic performance and improve family and community involvement in the public
237 schools. Such unit shall identify and analyze effective instructional programs and practices and
238 professional development initiatives; evaluate the success of programs encouraging parental and family
239 involvement; assess changes in student outcomes prompted by family involvement; and collect and
240 disseminate among school divisions information regarding effective instructional programs and practices,
241 initiatives promoting family and community involvement, and potential funding and support sources.
242 Such unit may also provide resources supporting professional development for administrators and
243 teachers. In providing such information, resources, and other services to school divisions, the unit shall
244 give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of

245 Learning assessments.

246 F. Each local school board may enter into agreements for postsecondary course credit, credential,
247 certification, or license attainment, hereinafter referred to as College and Career Access Pathways
248 Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher
249 education or educational institutions established pursuant to Title 23.1 that offer a career and technical
250 education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part
251 of the career and technical education curriculum that lead to course credit or an industry-recognized
252 credential, certification, or license concurrent with a high school diploma; (ii) specify the credit,
253 credentials, certifications, or licenses available for such courses; and (iii) specify available options for
254 students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community
255 colleges concurrent with the pursuit of a high school diploma and receive college credit and high school
256 credit for successful completion of any such program.

257 G. Each local school board shall provide a program of literacy instruction that is aligned with
258 science-based reading research and provides evidenced-based literacy instruction to students in
259 kindergarten through grade ~~three~~ *eight* and is consistent with the school board's literacy plan as required
260 by subsection B of § 22.1-253.13:6. Pursuant to such program:

261 1. Each local school board shall provide reading intervention services to students in kindergarten
262 through grade ~~three~~ *eight* who demonstrate substantial deficiencies based on their individual performance
263 on the Standards of Learning reading assessment or ~~an early a~~ literacy screener provided or approved by
264 the Department. Such reading intervention services shall consist of evidence-based literacy instruction,
265 align with science-based reading research, and be documented for each student in a written student
266 reading plan, consistent with the requirements in subdivision 2 and the list developed by the Department
267 pursuant to subdivision H 2.

268 2. A reading specialist, in collaboration with the teacher of any student who receives reading
269 intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor
270 student progress on a student reading plan. The parent of each student who receives reading intervention
271 services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the
272 development of the student reading plan. Each student reading plan (i) shall follow the Department
273 template created pursuant to subdivision H 3; (ii) shall document such reading intervention services; (iii)
274 shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined
275 or identified by diagnostic assessment data or the ~~early~~ literacy screener provided or approved by the
276 Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific
277 measures that will be used to evaluate and monitor the student's reading progress; (d) the specific
278 evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and
279 materials that will be provided to the student's parent to support the student to make reading progress;
280 and (f) any additional services the teacher deems available and appropriate to accelerate the student's
281 reading skill development; and (iv) may include the following services for the student: instruction from
282 a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with
283 support from an aide ~~or~~, extended instructional time in the school day or school year, *or, for students in*
284 *grades six through eight, a literacy course, in addition to the course required by the Standards of*
285 *Learning in English, that provides the specific evidence-based literacy instruction identified in the*
286 *student's reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice*
287 *before services begin and a copy of the student reading plan.*

288 3. Each student who receives such reading intervention services shall be assessed utilizing either the
289 ~~early~~ literacy screener provided or approved by the Department or the grade-level reading Standards of
290 Learning assessment again at the end of that school year.

291 4. ~~The local school board shall provide such reading intervention services prior to promoting a~~
292 ~~student from grade three to grade four.~~

293 5. Funds appropriated for prevention, intervention, and remediation, summer school remediation, the
294 at-risk add-on, or early intervention reading may be used to meet the requirements of this subsection.

295 H. In order to assist local school boards to implement the provisions of subsection G:

296 1. The Board shall provide guidance on the content of student reading plans;

297 2. The Department shall develop a list of core literacy curricula, supplemental instruction practices
298 and programs, and intervention programs that consist of evidence-based literacy instruction aligned with
299 science-based reading research *for students in kindergarten through grade eight*. The list shall be
300 approved by the Board;

301 3. The Department shall develop a template for student reading plans that aligns with the
302 requirements of subsection G;

303 4. The Department shall develop and implement a plan for the annual collection and public reporting
304 of division-level and school-level literacy data, at a time to be determined by the Superintendent, to
305 include results on the ~~early~~ literacy ~~screener~~ *screeners* provided or approved by the Department and the

306 reading Standards of Learning assessments; and

307 5. The Department shall provide free online evidence-based literacy instruction resources that can be
308 accessed by parents and local school boards to support student literacy development at home.

309 § 22.1-253.13:2. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) **Standard 2. Instructional,**
310 **administrative, and support personnel.**

311 A. The Board shall establish requirements for the licensing of teachers, principals, superintendents,
312 and other professional personnel.

313 B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

314 C. Each school board shall assign licensed instructional personnel in a manner that produces
315 divisionwide ratios of students in average daily membership to full-time equivalent teaching positions,
316 excluding special education teachers, principals, assistant principals, school counselors or certain other
317 licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the
318 following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average
319 daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be
320 assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30
321 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv)
322 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime
323 the number of students in a class exceeds the class size limit established by this subsection, the local
324 school division shall notify the parent of each student in such class of such fact no later than 10 days
325 after the date on which the class exceeded the class size limit. Such notification shall state the reason
326 that the class size exceeds the class size limit and describe the measures that the local school division
327 will take to reduce the class size to comply with this subsection.

328 Within its regulations governing special education programs, the Board shall seek to set pupil/teacher
329 ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained
330 classes for pupils with specific learning disabilities.

331 Further, school boards shall assign instructional personnel in a manner that produces schoolwide
332 ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in
333 middle schools and high schools. School divisions shall provide all middle and high school teachers with
334 one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

335 D. Each local school board shall employ with state and local basic, special education, gifted, and
336 career and technical education funds a minimum number of licensed, full-time equivalent instructional
337 personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation
338 act.

339 E. In addition to the positions supported by basic aid and in support of regular school year programs
340 of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be
341 provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K
342 through 12 who are identified as needing prevention, intervention, and remediation services. State
343 funding for prevention, intervention, and remediation programs provided pursuant to this subsection and
344 the appropriation act may be used to support programs for educationally at-risk students as identified by
345 the local school boards.

346 To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may
347 employ mathematics teacher specialists to provide the required algebra readiness intervention services.
348 School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner
349 shall only employ instructional personnel licensed by the Board of Education.

350 F. In addition to the positions supported by basic aid and those in support of regular school year
351 programs of prevention, intervention, and remediation, state funding, pursuant to the general
352 appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the
353 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii)
354 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000
355 students identified as having limited English proficiency, which positions may include dual language
356 teachers who provide instruction in English and in a second language.

357 To provide flexibility in the instruction of English language learners who have limited English
358 proficiency and who are at risk of not meeting state accountability standards, school divisions may use
359 state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to
360 employ additional English language learner teachers or dual language teachers to provide instruction to
361 identified limited English proficiency students. Using these funds in this manner is intended to
362 supplement the instructional services provided in this section. School divisions using the SOQ
363 Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel
364 licensed by the Board of Education.

365 G. In addition to the full-time equivalent positions required elsewhere in this section, each local
366 school board shall employ one reading specialist for each 550 students in kindergarten through grade
367 ~~three~~ five and one reading specialist for each 1,100 students in grades six through eight. Each such

368 reading specialist shall have training in science-based reading research and evidence-based literacy
 369 instruction practices. In addition, each such reading specialist shall have training in the identification of
 370 and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or
 371 a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist
 372 shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to
 373 help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at
 374 different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory,
 375 explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations,
 376 and assistive technology supports for students with dyslexia.

377 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ
 378 reading specialists to provide the required reading intervention services. School divisions using the Early
 379 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed
 380 by the Board of Education. *Local school divisions that employ a sufficient number of reading specialists*
 381 *to meet this staffing standard may assign reading specialists to grade levels according to grade levels*
 382 *with greatest need, regardless of the individual staffing standards established for grades kindergarten*
 383 *through five and six through eight.*

384 H. Each local school board shall employ, at a minimum, the following full-time equivalent positions
 385 for any school that reports fall membership, according to student enrollment:

386 1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students;
 387 principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high
 388 schools, one full-time, to be employed on a 12-month basis;

389 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900
 390 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals
 391 in high schools, one full-time for each 600 students; and school divisions that employ a sufficient
 392 number of assistant principals to meet this staffing requirement may assign assistant principals to schools
 393 within the division according to the area of greatest need, regardless of whether such schools are
 394 elementary, middle, or secondary;

395 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;
 396 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time
 397 at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students,
 398 two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to
 399 meet this staffing requirement may assign librarians to schools within the division according to the area
 400 of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

401 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten
 402 through 12.

403 However, in order to meet the staffing requirements set forth in this subdivision, any local school
 404 board (i) may employ, under a provisional license issued by the Department for three school years with
 405 an allowance for an additional two-year extension with the approval of the division superintendent, any
 406 professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board
 407 of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling
 408 professional with appropriate experience and training, provided that any such individual makes progress
 409 toward completing the requirements for full licensure as a school counselor during such period of
 410 employment or (ii) in the event that the school board does not receive any application from a licensed
 411 school counselor, professional counselor, clinical social worker, or psychologist or another licensed
 412 counseling professional with appropriate experience and training to fill a school counselor vacancy in the
 413 school division, may enter into an annual contract with another entity for the provision of school
 414 counseling services by a licensed professional counselor, clinical social worker, or psychologist or
 415 another licensed counseling professional with appropriate experience and training. Local school boards
 416 that employ a sufficient number of individuals to meet the staffing requirements set forth in this
 417 subdivision may assign such individuals to schools within the division according to the area of greatest
 418 need, regardless of whether such schools are elementary, middle, or high schools.

419 I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades
 420 kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

421 J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades
 422 kindergarten through 12, one to provide technology support and one to serve as an instructional
 423 technology resource teacher.

424 To provide flexibility, school divisions may use the state and local funds for instructional technology
 425 resource teachers to employ a data coordinator position, an instructional technology resource teacher
 426 position, or a data coordinator/instructional resource teacher blended position. The data coordinator
 427 position is intended to serve as a resource to principals and classroom teachers in the area of data
 428 analysis and interpretation for instructional and school improvement purposes, as well as for overall data

429 management and administration of state assessments. School divisions using these funds in this manner
430 shall employ only instructional personnel licensed by the Board of Education.

431 K. Local school boards may employ additional positions that exceed these minimal staffing
432 requirements. These additional positions may include, but are not limited to, those funded through the
433 state's incentive and categorical programs as set forth in the appropriation act.

434 L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing
435 requirements for the highest grade level in that school; this requirement shall apply to all staff, except
436 for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be
437 based on the school's total enrollment. The Board of Education may grant waivers from these staffing
438 levels upon request from local school boards seeking to implement experimental or innovative programs
439 that are not consistent with these staffing levels.

440 M. School boards shall, however, annually, on or before December 31, report to the public (i) the
441 actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the
442 current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local
443 school division by school for the current school year. Actual pupil/teacher ratios shall include only the
444 teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School
445 boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any
446 classes funded through the voluntary kindergarten through third grade class size reduction program shall
447 be identified as such classes. Any classes having waivers to exceed the requirements of this subsection
448 shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to
449 ensure the confidentiality of all teacher and pupil identities.

450 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the
451 relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving
452 home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time
453 basis in any mathematics, science, English, history, social science, career and technical education, fine
454 arts, foreign language, or health education or physical education course shall be counted in the ADM in
455 the relevant school division on a pro rata basis as provided in the appropriation act. Each such course
456 enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home
457 school student shall be counted as more than one-half a student for purposes of such pro rata
458 calculation. Such calculation shall not include enrollments of such students in any other public school
459 courses.

460 O. Each school board shall provide at least three specialized student support positions per 1,000
461 students. For purposes of this subsection, specialized student support positions include school social
462 workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior
463 analysts, and other licensed health and behavioral positions, which may either be employed by the
464 school board or provided through contracted services.

465 P. Each local school board shall provide those support services that are necessary for the efficient
466 and cost-effective operation and maintenance of its public schools.

467 For the purposes of this title, unless the context otherwise requires, "support services positions" shall
468 include the following:

469 1. Executive policy and leadership positions, including school board members, superintendents and
470 assistant superintendents;

471 2. Fiscal and human resources positions, including fiscal and audit operations;

472 3. Student support positions, including (i) social work administrative positions not included in
473 subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii)
474 homebound administrative positions supporting instruction; (iv) attendance support positions related to
475 truancy and dropout prevention; and (v) health and behavioral administrative positions not included in
476 subsection O;

477 4. Instructional personnel support, including professional development positions and library and
478 media positions not included in subdivision H 3;

479 5. Technology professional positions not included in subsection J;

480 6. Operation and maintenance positions, including facilities; pupil transportation positions; operation
481 and maintenance professional and service positions; and security service, trade, and laborer positions;

482 7. Technical and clerical positions for fiscal and human resources, student support, instructional
483 personnel support, operation and maintenance, administration, and technology; and

484 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at
485 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each
486 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in
487 high schools; one full-time and one additional full-time for each 600 students beyond 200 students and
488 one full-time for the library at 750 students. Local school divisions that employ a sufficient number of
489 school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to
490 schools within the division according to the area of greatest need, regardless of whether such schools are

491 elementary, middle, or secondary.

492 Pursuant to the appropriation act, support services shall be funded from basic school aid.

493 School divisions may use the state and local funds for support services to provide additional
494 instructional services.

495 Q. Notwithstanding the provisions of this section, when determining the assignment of instructional
496 and other licensed personnel in subsections C through J, a local school board shall not be required to
497 include full-time students of approved virtual school programs.

498 **§ 22.1-253.13:2. (Effective pursuant to Va. Const., Art. IV, § 13; for effective date, see Acts**
499 **2022, cc. 549, 550, cl. 2) Standard 2. Instructional, administrative, and support personnel.**

500 A. The Board shall establish requirements for the licensing of teachers, principals, superintendents,
501 and other professional personnel.

502 B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

503 C. Each school board shall assign licensed instructional personnel in a manner that produces
504 divisionwide ratios of students in average daily membership to full-time equivalent teaching positions,
505 excluding special education teachers, principals, assistant principals, school counselors or certain other
506 licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the
507 following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average
508 daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be
509 assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30
510 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv)
511 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime
512 the number of students in a class exceeds the class size limit established by this subsection, the local
513 school division shall notify the parent of each student in such class of such fact no later than 10 days
514 after the date on which the class exceeded the class size limit. Such notification shall state the reason
515 that the class size exceeds the class size limit and describe the measures that the local school division
516 will take to reduce the class size to comply with this subsection.

517 Within its regulations governing special education programs, the Board shall seek to set pupil/teacher
518 ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained
519 classes for pupils with specific learning disabilities.

520 Further, school boards shall assign instructional personnel in a manner that produces schoolwide
521 ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in
522 middle schools and high schools. School divisions shall provide all middle and high school teachers with
523 one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

524 D. Each local school board shall employ with state and local basic, special education, gifted, and
525 career and technical education funds a minimum number of licensed, full-time equivalent instructional
526 personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation
527 act.

528 E. In addition to the positions supported by basic aid and in support of regular school year programs
529 of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be
530 provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K
531 through 12 who are identified as needing prevention, intervention, and remediation services. State
532 funding for prevention, intervention, and remediation programs provided pursuant to this subsection and
533 the appropriation act may be used to support programs for educationally at-risk students as identified by
534 the local school boards.

535 To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may
536 employ mathematics teacher specialists to provide the required algebra readiness intervention services.
537 School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner
538 shall only employ instructional personnel licensed by the Board of Education.

539 F. In addition to the positions supported by basic aid and those in support of regular school year
540 programs of prevention, intervention, and remediation, state funding, pursuant to the general
541 appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the
542 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii)
543 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000
544 students identified as having limited English proficiency, which positions may include dual language
545 teachers who provide instruction in English and in a second language.

546 To provide flexibility in the instruction of English language learners who have limited English
547 proficiency and who are at risk of not meeting state accountability standards, school divisions may use
548 state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to
549 employ additional English language learner teachers or dual language teachers to provide instruction to
550 identified limited English proficiency students. Using these funds in this manner is intended to
551 supplement the instructional services provided in this section. School divisions using the SOQ

552 Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel
553 licensed by the Board of Education.

554 G. In addition to the full-time equivalent positions required elsewhere in this section, each local
555 school board shall employ one reading specialist for each 550 students in kindergarten through grade
556 ~~three~~ *five and one reading specialist for each 1,100 students in grades six through eight.* Each such
557 reading specialist shall have training in science-based reading research and evidence-based literacy
558 instruction practices. In addition, each such reading specialist shall have training in the identification of
559 and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or
560 a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist
561 shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to
562 help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at
563 different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory,
564 explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations,
565 and assistive technology supports for students with dyslexia.

566 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ
567 reading specialists to provide the required reading intervention services. School divisions using the Early
568 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed
569 by the Board of Education. *Local school divisions that employ a sufficient number of reading specialists*
570 *to meet this staffing standard may assign reading specialists to grade levels according to grade levels*
571 *with greatest need, regardless of the individual staffing standards established for grades kindergarten*
572 *through five and six through eight.*

573 H. Each local school board shall employ, at a minimum, the following full-time equivalent positions
574 for any school that reports fall membership, according to student enrollment:

575 1. Principals, one full-time in each elementary school, middle school, and high school, to be
576 employed on a 12-month basis;

577 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900
578 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals
579 in high schools, one full-time for each 600 students; and school divisions that employ a sufficient
580 number of assistant principals to meet this staffing requirement may assign assistant principals to schools
581 within the division according to the area of greatest need, regardless of whether such schools are
582 elementary, middle, or secondary;

583 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;
584 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time
585 at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students,
586 two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to
587 meet this staffing requirement may assign librarians to schools within the division according to the area
588 of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

589 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten
590 through 12.

591 However, in order to meet the staffing requirements set forth in this subdivision, any local school
592 board (i) may employ, under a provisional license issued by the Department for three school years with
593 an allowance for an additional two-year extension with the approval of the division superintendent, any
594 professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board
595 of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling
596 professional with appropriate experience and training, provided that any such individual makes progress
597 toward completing the requirements for full licensure as a school counselor during such period of
598 employment or (ii) in the event that the school board does not receive any application from a licensed
599 school counselor, professional counselor, clinical social worker, or psychologist or another licensed
600 counseling professional with appropriate experience and training to fill a school counselor vacancy in the
601 school division, may enter into an annual contract with another entity for the provision of school
602 counseling services by a licensed professional counselor, clinical social worker, or psychologist or
603 another licensed counseling professional with appropriate experience and training. Local school boards
604 that employ a sufficient number of individuals to meet the staffing requirements set forth in this
605 subdivision may assign such individuals to schools within the division according to the area of greatest
606 need, regardless of whether such schools are elementary, middle, or high schools.

607 I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades
608 kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

609 J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades
610 kindergarten through 12, one to provide technology support and one to serve as an instructional
611 technology resource teacher.

612 To provide flexibility, school divisions may use the state and local funds for instructional technology
613 resource teachers to employ a data coordinator position, an instructional technology resource teacher

614 position, or a data coordinator/instructional resource teacher blended position. The data coordinator
615 position is intended to serve as a resource to principals and classroom teachers in the area of data
616 analysis and interpretation for instructional and school improvement purposes, as well as for overall data
617 management and administration of state assessments. School divisions using these funds in this manner
618 shall employ only instructional personnel licensed by the Board of Education.

619 K. Local school boards may employ additional positions that exceed these minimal staffing
620 requirements. These additional positions may include, but are not limited to, those funded through the
621 state's incentive and categorical programs as set forth in the appropriation act.

622 L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing
623 requirements for the highest grade level in that school; this requirement shall apply to all staff, except
624 for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be
625 based on the school's total enrollment. The Board of Education may grant waivers from these staffing
626 levels upon request from local school boards seeking to implement experimental or innovative programs
627 that are not consistent with these staffing levels.

628 M. School boards shall, however, annually, on or before December 31, report to the public (i) the
629 actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the
630 current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local
631 school division by school for the current school year. Actual pupil/teacher ratios shall include only the
632 teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School
633 boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any
634 classes funded through the voluntary kindergarten through third grade class size reduction program shall
635 be identified as such classes. Any classes having waivers to exceed the requirements of this subsection
636 shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to
637 ensure the confidentiality of all teacher and pupil identities.

638 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the
639 relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving
640 home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time
641 basis in any mathematics, science, English, history, social science, career and technical education, fine
642 arts, foreign language, or health education or physical education course shall be counted in the ADM in
643 the relevant school division on a pro rata basis as provided in the appropriation act. Each such course
644 enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home
645 school student shall be counted as more than one-half a student for purposes of such pro rata
646 calculation. Such calculation shall not include enrollments of such students in any other public school
647 courses.

648 O. Each school board shall provide at least three specialized student support positions per 1,000
649 students. For purposes of this subsection, specialized student support positions include school social
650 workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior
651 analysts, and other licensed health and behavioral positions, which may either be employed by the
652 school board or provided through contracted services.

653 P. Each local school board shall provide those support services that are necessary for the efficient
654 and cost-effective operation and maintenance of its public schools.

655 For the purposes of this title, unless the context otherwise requires, "support services positions" shall
656 include the following:

657 1. Executive policy and leadership positions, including school board members, superintendents and
658 assistant superintendents;

659 2. Fiscal and human resources positions, including fiscal and audit operations;

660 3. Student support positions, including (i) social work administrative positions not included in
661 subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii)
662 homebound administrative positions supporting instruction; (iv) attendance support positions related to
663 truancy and dropout prevention; and (v) health and behavioral administrative positions not included in
664 subsection O;

665 4. Instructional personnel support, including professional development positions and library and
666 media positions not included in subdivision H 3;

667 5. Technology professional positions not included in subsection J;

668 6. Operation and maintenance positions, including facilities; pupil transportation positions; operation
669 and maintenance professional and service positions; and security service, trade, and laborer positions;

670 7. Technical and clerical positions for fiscal and human resources, student support, instructional
671 personnel support, operation and maintenance, administration, and technology; and

672 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at
673 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each
674 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in

675 high schools; one full-time and one additional full-time for each 600 students beyond 200 students and
 676 one full-time for the library at 750 students. Local school divisions that employ a sufficient number of
 677 school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to
 678 schools within the division according to the area of greatest need, regardless of whether such schools are
 679 elementary, middle, or secondary.

680 Pursuant to the appropriation act, support services shall be funded from basic school aid.

681 School divisions may use the state and local funds for support services to provide additional
 682 instructional services.

683 Q. Notwithstanding the provisions of this section, when determining the assignment of instructional
 684 and other licensed personnel in subsections C through J, a local school board shall not be required to
 685 include full-time students of approved virtual school programs.

686 **§ 22.1-253.13:5. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 5. Quality of**
 687 **classroom instruction and educational leadership.**

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

690 B. Consistent with the finding that leadership is essential for the advancement of public education in
 691 the Commonwealth, teacher, principal, and superintendent evaluations shall be consistent with the
 692 performance standards included in the Guidelines for Uniform Performance Standards and Evaluation
 693 Criteria for Teachers, Principals, and Superintendents. Evaluations shall include student academic
 694 progress as a significant component and an overall summative rating. Teacher evaluations shall include
 695 regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations
 696 shall include identification of areas of individual strengths and weaknesses and recommendations for
 697 appropriate professional activities. Evaluations shall include an evaluation of cultural competency.

698 C. The Board of Education shall provide guidance on high-quality professional development for (i)
 699 teachers, principals, supervisors, division superintendents, and other school staff; (ii) principals,
 700 supervisors, and division superintendents in the evaluation and documentation of teacher and principal
 701 performance based on student academic progress and the skills and knowledge of such instructional or
 702 administrative personnel; (iii) school board members on personnel, curriculum and current issues in
 703 education; (iv) teachers of the blind and visually impaired, in cooperation with the Virginia Department
 704 for the Blind and Vision Impaired, in Braille; and (v) any individual with an endorsement in
 705 early/primary education preschool through grade three, elementary education preschool through grade
 706 six, special education general curriculum kindergarten through grade 12, special education deaf and hard
 707 of hearing preschool through grade 12, ~~or~~ special education blindness/visual impairments preschool
 708 through grade 12, *or English as a second language preschool through grade 12*, or as a reading
 709 specialist *that builds proficiency in science-based reading research and evidence-based literacy*
 710 *instruction; (vi) each teacher with an endorsement in middle education grades six through eight who*
 711 *teaches English that builds proficiency in evidence-based literacy instruction and science-based reading*
 712 *research; and (vii) each middle school principal and teacher with an endorsement in middle education*
 713 *grades six through eight who teaches mathematics, science, or history and social science that builds an*
 714 *awareness of evidence-based literacy instruction and science-based reading research.*

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

718 The Department shall provide technical assistance, including literacy coaching, to local school
 719 divisions to provide professional development in science-based reading research and evidence-based
 720 literacy instruction *for students in kindergarten through grade eight*. The Department shall also create a
 721 list of professional development programs aligned with science-based reading research and
 722 evidence-based literacy instruction that includes programs that provide training in dyslexia for reading
 723 specialists as required by subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The
 724 Department shall provide resources to local school divisions to ensure that each division is able to
 725 provide professional development to teachers and reading specialists listed in subdivision E 2 of
 726 ~~§ 22.1-253.13:5~~ in one of the programs enumerated in the list approved by the Board pursuant to this
 727 subdivision and that such professional development is provided at no cost to the teachers and reading
 728 specialists.

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

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

751 In addition, each local school board shall provide:

752 1. Teachers and principals with high-quality professional development programs each year in (a)
 753 instructional content; (b) the preparation of tests and other assessment measures; (c) methods for
 754 assessing the progress of individual students, including Standards of Learning assessment materials or
 755 other criterion-referenced tests that match locally developed objectives; (d) instruction and remediation
 756 techniques in English, mathematics, science, and history and social science; (e) interpreting test data for
 757 instructional purposes; (f) technology applications to implement the Standards of Learning; and (g)
 758 effective classroom management; and

759 2. High-quality professional development and training in science-based reading research and
 760 evidence-based literacy instruction, from the list developed and the resources provided by the
 761 Department pursuant to subsection C of ~~§ 22.1-253.13:5~~ or an alternative program that consists of
 762 evidence-based literacy instruction and aligns with science-based reading research approved by the
 763 Department, for each elementary school principal and each teacher with an endorsement in early/primary
 764 education preschool through grade three, elementary education preschool through grade six, special
 765 education general curriculum kindergarten through grade 12, special education deaf and hard of hearing
 766 preschool through grade 12, ~~or~~ special education blindness/visual impairments preschool through grade
 767 12, *or English as a second language preschool through grade 12, or as a reading specialist that builds*
 768 *proficiency in evidence-based literacy instruction and science-based reading research* in order to aid in
 769 the licensure renewal process for such individuals; and

770 3. *High-quality professional development and training in science-based reading research and*
 771 *evidence-based literacy instruction, from the list developed and the resources provided by the*
 772 *Department pursuant to subsection C, or an alternative program that consists of evidence-based literacy*
 773 *instruction and aligns with science-based reading research approved by the Department, for (i) each*
 774 *teacher with an endorsement in middle education grades six through eight who teaches English that*
 775 *builds proficiency in evidence-based literacy instruction and science-based reading research and (ii)*
 776 *each middle school principal and teacher with an endorsement in middle education grades six through*
 777 *eight who teaches mathematics, science, or history and social science that builds an awareness of*
 778 *evidence-based literacy instruction and science-based reading research.*

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

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

786 **§ 22.1-253.13:6. (For effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 6. Planning and**
 787 **public involvement.**

788 A. The Board of Education shall adopt a statewide comprehensive, unified, long-range plan based on
 789 data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The
 790 Board shall review the plan biennially and adopt any necessary revisions. The Board shall post the plan
 791 on the Department of Education's website if practicable, and, in any case, shall make a hard copy of
 792 such plan available for public inspection and copying.

793 This plan shall include the objectives of public education in Virginia, including strategies for first
 794 improving student achievement, particularly the achievement of educationally at-risk students, then
 795 maintaining high levels of student achievement; an assessment of the extent to which these objectives
 796 are being achieved; a forecast of enrollment changes; and an assessment of the needs of public
 797 education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an

798 analysis of the extent to which these Standards of Quality have been achieved and the objectives of the
799 statewide comprehensive plan have been met. The Board shall also develop, consistent with, or as a part
800 of, its comprehensive plan, a detailed comprehensive, long-range plan to integrate educational
801 technology into the Standards of Learning and the curricula of the public schools in Virginia, including
802 career and technical education programs. The Board shall review and approve the comprehensive plan
803 for educational technology and may require the revision of such plan as it deems necessary.

804 B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based
805 on data collection, an analysis of the data, and how the data will be utilized to improve classroom
806 instruction and student achievement. The plan shall be developed with staff and community involvement
807 and shall include, or be consistent with, all other divisionwide plans required by state and federal laws
808 and regulations. Each local school board shall review the plan biennially and adopt any necessary
809 revisions. Prior to the adoption of any divisionwide comprehensive plan or revisions thereto, each local
810 school board shall post such plan or revisions on the division's Internet website if practicable, and, in
811 any case, shall make a hard copy of the plan or revisions available for public inspection and copying
812 and shall conduct at least one public hearing to solicit public comment on the divisionwide plan or
813 revisions.

814 The divisionwide comprehensive plan shall include, but shall not be limited to, (i) the objectives of
815 the school division, including strategies for first improving student achievement, particularly the
816 achievement of educationally at-risk students, then maintaining high levels of student achievement; (ii)
817 an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment
818 changes; (iv) a plan for projecting and managing enrollment changes including consideration of the
819 consolidation of schools to provide for a more comprehensive and effective delivery of instructional
820 services to students and economies in school operations; (v) an evaluation of the appropriateness of
821 establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan
822 for implementing such regional programs and services when appropriate; (vii) a technology plan
823 designed to integrate educational technology into the instructional programs of the school division,
824 including the school division's career and technical education programs, consistent with, or as a part of,
825 the comprehensive technology plan for Virginia adopted by the Board of Education; (viii) an assessment
826 of the needs of the school division and evidence of community participation, including parental
827 participation, in the development of the plan; (ix) any corrective action plan required pursuant to
828 § 22.1-253.13:3; and (x) a plan for parent and family involvement to include building successful school
829 and parent partnerships that shall be developed with staff and community involvement, including
830 participation by parents.

831 The divisionwide comprehensive plan shall also include a divisionwide literacy plan for
832 pre-kindergarten through grade ~~three~~ *eight*. The Board shall issue guidance on the contents of such
833 plans. The Department shall develop a template for such plans. Each divisionwide literacy plan shall
834 follow such template and address how the local school board will align (i) literacy professional
835 development, (ii) core reading and literacy curriculum, and (iii) screening, supplemental instruction, and
836 interventions with evidence-based literacy instruction practices aligned with science-based reading
837 research and how the school board will support parents to support the literacy development of their
838 children. When developing such divisionwide literacy plan, each local school board shall use programs
839 from the lists developed by the Department pursuant to subsection C of § 22.1-253.13:5 and subdivision
840 H 2 of § 22.1-253.13:1 or seek approval from the Department for the use of alternative programs that
841 consist of evidence-based literacy instruction and align with science-based reading research.

842 A report shall be presented by each school board to the public by November 1 of each
843 odd-numbered year on the extent to which the objectives of the divisionwide comprehensive plan have
844 been met during the previous two school years.

845 C. Each public school shall also prepare a comprehensive, unified, long-range plan, which the
846 relevant school board shall consider in the development of its divisionwide comprehensive plan.

847 D. The Board of ~~Education~~ shall, in a timely manner, make available to local school boards
848 information about where current Virginia school laws, Board regulations and revisions, and copies of
849 relevant Opinions of the Attorney General of Virginia may be located online.