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**SENATE BILL NO. 72**  
Offered January 10, 2024  
Prefiled December 28, 2023

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.*

Patron—McPike; Delegate: Coyner

Referred to Committee on Education and Health

**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.

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"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.

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60 charge of a child.

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

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

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

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

75 "Superintendent" means the Superintendent of Public Instruction.

76 **§ 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state**  
77 **regulations.**

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

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

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

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

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

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

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

114 When the Board determines through its review process that the failure of schools within a division to meet  
115 the standards established by the Board is related to division-level failure to implement the Standards of  
116 Quality or other division-level action or inaction, the Board may require a division-level academic review.  
117 After the conduct of such review and within the time specified by the Board, each school board shall enter  
118 into a memorandum of understanding with the Board and shall subsequently submit to the Board for approval  
119 a corrective action plan, consistent with criteria established by the Board setting forth specific actions and a

120 schedule designed to ensure that schools within its school division meet the standards established by the  
 121 Board. If the Board determines that the proposed corrective action plan is not sufficient to enable all schools  
 122 within the division to meet the standards established by the Board, the Board may return the plan to the local  
 123 school board with directions to submit an amended plan pursuant to Board guidance. Such corrective action  
 124 plans shall be part of the relevant school division's comprehensive plan pursuant to § 22.1-253.13:6.

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

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

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

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

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

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

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

172 The Board shall include in the student outcome and growth measures that are required by the standards of  
 173 accreditation the required assessments for various grade levels and classes, including the completion of the  
 174 alternative assessments implemented by each local school board, in accordance with the Standards of  
 175 Learning. These assessments shall include end-of-course or end-of-grade tests for English, mathematics,  
 176 science, and history and social science and may be integrated to include multiple subject areas.

177 The Standards of Learning assessments administered to students in grades three through eight shall not  
 178 exceed (i) reading and mathematics in grades three and four; (ii) reading, mathematics, and science in grade  
 179 five; (iii) reading and mathematics in grades six and seven; (iv) reading, writing, and mathematics in grade  
 180 eight; (v) science after the student receives instruction in the grade six science, life science, and physical

181 science Standards of Learning and before the student completes grade eight; and (vi) Virginia Studies and  
182 Civics and Economics once each at the grade levels deemed appropriate by each local school board. The  
183 reading and mathematics assessments administered to students in grades three through eight shall be through-  
184 year growth assessments.

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

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

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

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

207 The Standards of Learning requirements, including all related assessments, shall be waived for any  
208 student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to §  
209 30-231.2, who is enrolled in a preparation program for a high school equivalency examination approved by  
210 the Board or in an adult basic education program or an adult secondary education program to obtain the high  
211 school diploma or a high school equivalency certificate.

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

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

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

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

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

231 Records and other information furnished to or prepared by the Board during the conduct of a review or  
232 investigation may be withheld pursuant to subdivision 10 of § 2.2-3705.3. However, this section shall not  
233 prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of  
234 permitting such board or superintendent to consider or to take personnel action with regard to an employee or  
235 (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the  
236 identity of any person making a complaint or supplying information to the Board on a confidential basis and  
237 (b) does not compromise the security of any test mandated by the Board. Any local school board or division  
238 superintendent receiving such records or other information shall, upon taking personnel action against a  
239 relevant employee, place copies of such records or information relating to the specific employee in such  
240 person's personnel file.

241 Notwithstanding any other provision of state law, no test or examination authorized by this section,

242 including the Standards of Learning assessments, shall be released or required to be released as minimum  
 243 competency tests, if, in the judgment of the Board, such release would breach the security of such test or  
 244 examination or deplete the bank of questions necessary to construct future secure tests.

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

250 F. To assess the educational progress of students as individuals and as groups, each local school board  
 251 shall require the use of Standards of Learning assessments, alternative assessments, and other relevant data,  
 252 such as industry certification and state licensure examinations, to evaluate student progress and to determine  
 253 educational performance. Each local school shall require the administration of appropriate assessments to  
 254 students, which may include criterion-referenced tests and teacher-made tests and shall include the Standards  
 255 of Learning assessments, the local school board's alternative assessments, and the National Assessment of  
 256 Educational Progress state-by-state assessment. Each school board shall provide teachers, parents, principals,  
 257 and other school leaders with their students' results on any Standards of Learning assessment or Virginia  
 258 Alternate Assessment Program assessment as soon as practicable after the assessment is administered. Each  
 259 school board shall analyze and report annually, in compliance with any criteria that may be established by the  
 260 Board, the results from industry certification examinations and the Standards of Learning assessments to the  
 261 public.

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

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

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

287 The Board may also grant local school boards waivers of specific requirements in § 22.1-253.13:2, based  
 288 on submission of a request from the division superintendent and chairman of the local school board,  
 289 permitting the local school board to assign instructional personnel to the schools with the greatest needs, so  
 290 long as the school division employs a sufficient number of personnel divisionwide to meet the total number  
 291 required by § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of  
 292 § 22.1-253.13:2 are met. The school board shall provide in its request a description of how the waivers from  
 293 specific Standards of Quality staffing standards are designed to increase the quality of instruction and  
 294 improve the achievement of students in the affected school or schools. The waivers may be renewed in up to  
 295 five-year increments, or revoked, based on student achievement results in the affected school or schools.

296 1. *The Board shall, on or before July 1, 2025, create and maintain the Virginia Parent Data Portal (the*  
 297 *Portal). The Board shall ensure that the Portal:*

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

301 2. *Provides (i) a description of the purpose of each state-supported assessment, (ii) an explanation of how*  
 302 *to interpret student data on each state-supported assessment, and (iii) a comparison of a student's*

303 *performance on each state-supported assessment with the performance of the student's school, the student's*  
 304 *school division, and the Commonwealth;*

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

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

308 5. *Complies with relevant privacy standards, including §§ 2.2-3802 and 22.1-287.02 and 20 U.S.C. §*  
 309 *1232g;*

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

312 7. *Provides functionality to enable local school divisions to upload additional, non-state-supported*  
 313 *assessment data for inclusion in the Portal at the discretion of each local school division. To support*  
 314 *implementation of the Portal:*

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

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

321 **§ 22.1-253.13:5. (For Expiration Date, see Acts 2022, cc. 549, 550, cl. 2) Standard 5. Quality of**  
 322 **classroom instruction and educational leadership.**

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

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

333 C. *The Board of Education shall provide guidance on high-quality professional development for (i)*  
 334 *teachers, principals, supervisors, division superintendents, and other school staff; (ii) principals, supervisors,*  
 335 *and division superintendents in the evaluation and documentation of teacher and principal performance based*  
 336 *on student academic progress and the skills and knowledge of such instructional or administrative personnel;*  
 337 *(iii) school board members on personnel, curriculum and current issues in education; and (iv) programs in*  
 338 *Braille for teachers of the blind and visually impaired, in cooperation with the Virginia Department for the*  
 339 *Blind and Vision Impaired; and (v) teachers and principals in parent engagement on and interpretation of*  
 340 *student assessment data for state-supported assessments available through the Virginia Parent Data Portal*  
 341 *specified in subsection I of § 22.1-253.13:3.*

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

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

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

357 E. *Each local school board shall provide a program of high-quality professional development (i) in the use*  
 358 *and documentation of performance standards and evaluation criteria based on student academic progress and*  
 359 *skills for teachers, principals, and superintendents to clarify roles and performance expectations and to*  
 360 *facilitate the successful implementation of instructional programs that promote student achievement at the*  
 361 *school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in*  
 362 *acquiring the skills needed to work with gifted students, students with disabilities, and students who have*  
 363 *been identified as having limited English proficiency and to increase student achievement and expand the*

364 knowledge and skills students require to meet the standards for academic performance set by the Board of  
 365 Education; (iii) in educational technology for all instructional personnel which is designed to facilitate  
 366 integration of computer skills and related technology into the curricula; and (iv) for principals and supervisors  
 367 designed to increase proficiency in instructional leadership and management, including training in the  
 368 evaluation and documentation of teacher and principal performance based on student academic progress and  
 369 the skills and knowledge of such instructional or administrative personnel.

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

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

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

386 **§ 22.1-253.13:5. (For Effective date, see 2022 Acts cc. 549, 550, cl. 2) Standard 5. Quality of**  
 387 **classroom instruction and educational leadership.**

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

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

398 C. The Board shall provide guidance on high-quality professional development for (i) teachers, principals,  
 399 supervisors, division superintendents, and other school staff; (ii) principals, supervisors, and division  
 400 superintendents in the evaluation and documentation of teacher and principal performance based on student  
 401 academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school  
 402 board members on personnel, curriculum and current issues in education; (iv) teachers of the blind and  
 403 visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired, in Braille;  
 404 (v) any individual with an endorsement in early/primary education preschool through grade three, elementary  
 405 education preschool through grade six, special education general curriculum kindergarten through grade 12,  
 406 special education deaf and hard of hearing preschool through grade 12, special education blindness/visual  
 407 impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a  
 408 reading specialist that builds proficiency in science-based reading research and evidence-based literacy  
 409 instruction; (vi) each teacher with an endorsement in middle education grades six through eight who teaches  
 410 English that builds proficiency in evidence-based literacy instruction and science-based reading research; ~~and~~  
 411 (vii) each middle school principal and teacher with an endorsement in middle education grades six through  
 412 eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-  
 413 based literacy instruction and science-based reading research; *and (viii) teachers and principals in parent*  
 414 *engagement on and interpretation of student assessment data for state-supported assessments available*  
 415 *through the Virginia Parent Data Portal specified in subsection I of § 22.1-253.13:3.*

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

419 The Department shall provide technical assistance, including literacy coaching, to local school divisions  
 420 to provide professional development in science-based reading research and evidence-based literacy  
 421 instruction for students in kindergarten through grade eight. The Department shall also create a list of  
 422 professional development programs aligned with science-based reading research and evidence-based literacy  
 423 instruction that includes programs that provide training in dyslexia for reading specialists as required by  
 424 subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The Department shall provide

425 resources to local school divisions to ensure that each division is able to provide professional development to  
 426 teachers and reading specialists listed in subdivision E 2 in one of the programs enumerated in the list  
 427 approved by the Board pursuant to this subdivision and that such professional development is provided at no  
 428 cost to the teachers and reading specialists.

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

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

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

454 In addition, each local school board shall provide:

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

464 2. High-quality professional development and training in science-based reading research and evidence-  
 465 based literacy instruction, from the list developed and the resources provided by the Department pursuant to  
 466 subsection C or an alternative program that consists of evidence-based literacy instruction and aligns with  
 467 science-based reading research approved by the Department, for each elementary school principal and each  
 468 teacher with an endorsement in early/primary education preschool through grade three, elementary education  
 469 preschool through grade six, special education general curriculum kindergarten through grade 12, special  
 470 education deaf and hard of hearing preschool through grade 12, special education blindness/visual  
 471 impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a  
 472 reading specialist that builds proficiency in evidence-based literacy instruction and science-based reading  
 473 research in order to aid in the licensure renewal process for such individuals; and

474 3. High-quality professional development and training in science-based reading research and evidence-  
 475 based literacy instruction, from the list developed and the resources provided by the Department pursuant to  
 476 subsection C, or an alternative program that consists of evidence-based literacy instruction and aligns with  
 477 science-based reading research approved by the Department, for (i) each teacher with an endorsement in  
 478 middle education grades six through eight who teaches English that builds proficiency in evidence-based  
 479 literacy instruction and science-based reading research and (ii) each middle school principal and teacher with  
 480 an endorsement in middle education grades six through eight who teaches mathematics, science, or history  
 481 and social science that builds an awareness of evidence-based literacy instruction and science-based reading  
 482 research.

483 F. Schools and school divisions shall include as an integral component of their comprehensive plans  
 484 required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment,  
 485 employment, and retention of qualified teachers and principals. Each school board shall require all



486 instructional personnel to participate each year in these professional development programs.

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

490 **2. That the provisions of this act shall satisfy the reenactment requirements of Chapters 652 and 653 of**  
491 **the Acts of Assembly of 2023.**

**INTRODUCED**

**SB72**