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SENATE BILL NO. 955

Offered January 8, 2025

Prefiled January 6, 2025

A BILL to amend and reenact §§ 22.1-1, 22.1-238, 22.1-239, 22.1-241, 22.1-242, 22.1-243, 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:3, 22.1-253.13:5, 22.1-253.13:6, and 23.1-902.1 of the Code of Virginia, relating to public schools; textbooks and other high-quality instructional materials.

Patrons—VanValkenburg; Delegate: Coyner

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-1, 22.1-238, 22.1-239, 22.1-241, 22.1-242, 22.1-243, 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:3, 22.1-253.13:5, 22.1-253.13:6, and 23.1-902.1 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-1. 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.

"Dual enrollment" means the enrollment of a qualified high school student in a postsecondary course that is creditable toward high school completion and a career certificate or an associate or baccalaureate degree at a public institution of higher education. "Dual enrollment" does not include the enrollment of a qualified high school student in a postsecondary course that is not creditable toward high school completion.

"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. "Evidence-based literacy instruction" does not include practices that instruct students to gain meaning from print through the use of (i) three-cueing, which includes semantic, syntactic, and graphophonic cues; (ii) meaning, structure, and visual cues; or (iii) visual memory for word recognition.

"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.

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

"Superintendent" means the Superintendent of Public Instruction.

"Textbooks and other high-quality instructional materials" means systematic print or digital curricula that serve as the primary curriculum basis for a grade-level subject or course and that provide (i) adequate content and materials for student mastery of corresponding Standards of Learning; (ii) instructional practices that are aligned with general and discipline-specific research evidence; (iii) assessments to monitor student mastery of curriculum content; (iv) guidance for meeting student needs including enrichment for

59 *above-grade-level students and intensification for students who are at-risk of not mastering curriculum*
 60 *content, including English language learners and students with disabilities; and (v) resources for teachers*
 61 *that develop content knowledge, support implementation of instructional practices that are based on reliable,*
 62 *trustworthy, and valid evidence and have a demonstrated record of success, and build understanding of the*
 63 *rationale for curricula components.*

64 **§ 22.1-238. Approval of textbooks and other high-quality instructional materials.**

65 A. The Board of Education shall have the authority to approve textbooks *and other high-quality*
 66 *instructional materials* suitable for use in the public schools and shall have authority to approve instructional
 67 aids and materials for use in the public schools. The Board shall publish a list of all approved textbooks *and*
 68 *other high-quality instructional materials* on its website and shall list the publisher and the current lowest
 69 wholesale price of such textbooks *and other high-quality instructional materials*.

70 B. Any school board may use textbooks *and other high-quality instructional materials* not approved by
 71 the Board provided the school board selects such ~~books~~ *textbooks and other high-quality instructional*
 72 *materials* in accordance with regulations promulgated by the Board.

73 C. ~~For the purposes of this chapter, the term "textbooks" means print or electronic media for student use~~
 74 ~~that serve as the primary curriculum basis for a grade-level subject or course.~~

75 **§ 22.1-239. Basal textbooks and other high-quality instructional materials.**

76 In approving basal textbooks *and other high-quality instructional materials* for reading in kindergarten
 77 and first grade, the Board shall report to local school boards those textbooks *and other high-quality*
 78 *instructional materials* with a minimum decodability standard based on words that students can correctly read
 79 by properly attaching speech sounds to each letter to formulate the word at 70 percent or above for such
 80 textbooks *and other high-quality instructional materials*.

81 **§ 22.1-241. Contracts with publishers.**

82 A. Local school boards shall either enter into written term contracts or issue purchase orders on an
 83 as-needed basis with publishers of textbooks *and other high-quality instructional materials* approved by the
 84 Board for use in the public schools. Such written contracts or purchase orders for textbooks *and other*
 85 *high-quality instructional materials* approved by the Board shall be exempt from the Virginia Public
 86 Procurement Act (§ 2.2-4300 et seq.).

87 The contract price shall not exceed the lowest wholesale price at which the ~~textbook or~~ textbooks *and*
 88 *other high-quality instructional materials* involved in the contract are currently bid under contract anywhere
 89 in the United States.

90 If, subsequent to the date of any contract entered into by a local school board, the prices of textbooks *and*
 91 *other high-quality instructional materials* named in the contract are reduced ~~or~~, the terms of the contract are
 92 made more favorable to purchase anywhere in the United States, or a special or other edition of any ~~book~~
 93 *textbook or other high-quality instructional material* named in the contract is sold outside of ~~Virginia~~ *the*
 94 *Commonwealth* at a lower price than contracted in the Commonwealth, the publisher shall grant the same
 95 reduction or terms to the local school board and give the local school board the option of using such special
 96 or other edition adapted for use in ~~Virginia~~ *the Commonwealth* and at the lowest price at which such special
 97 edition is sold elsewhere and the contract shall so state.

98 B. Contracts and purchase orders with publishers of textbooks *and other high-quality instructional*
 99 *materials* approved by the Board shall require the publisher to furnish ~~an~~ electronic ~~file files~~ of the ~~textbook~~
 100 *textbooks and other high-quality instructional materials* in the National Instructional Materials Accessibility
 101 Standards (NIMAS) format that will then be deposited in the National Instructional Materials Access Center
 102 (NIMAC) from which accessible versions of the particular ~~textbook~~ *textbooks and other high-quality*
 103 *instructional materials* may be produced for students with print disabilities, as defined in 20 U.S.C. § 1474.
 104 Publishers shall deliver the NIMAS ~~file files~~ of the ~~textbook~~ *textbooks and other high-quality instructional*
 105 *materials* on or before the date of delivery of the regular text ~~version~~ *versions*.

106 Contracts and purchase orders with publishers of textbooks *and other high-quality instructional materials*
 107 approved by the Board for use in grades 6-12 shall allow for the purchase of printed textbooks *and other*
 108 *high-quality instructional materials*, printed textbooks *and other high-quality instructional materials* with
 109 electronic files, or electronic textbooks *and other high-quality instructional materials* separate and apart from
 110 printed versions of the same ~~textbook~~ *textbooks and other high-quality instructional materials*. Each school
 111 board shall have the authority to purchase an assortment of textbooks *and other high-quality instructional*
 112 *materials* in any of the three forms listed above.

113 C. Every school board shall order directly from the respective publishers the textbooks *and other*
 114 *high-quality instructional materials* needed to supply the public schools in the school division. The publishers
 115 shall ship the textbooks *and other high-quality instructional materials* to the school board. The purchase
 116 price of such textbooks *and other high-quality instructional materials* shall be paid directly to the publishers
 117 by the school board.

118 D. With the approval of the local school board and the publisher, any private school within the school
 119 division that so requests may purchase from the local school board's contract with the publisher. Such private

120 school shall be fully responsible for ordering, purchasing, and receiving shipments of ~~books~~ *textbooks and*
 121 *other high-quality instructional materials* to be provided from the publisher pursuant to this section. The
 122 local school board shall be immune from any civil liability as a result of a private school purchasing from the
 123 local school board's contract.

124 **§ 22.1-242. State Board to adopt regulations.**

125 The Board shall adopt regulations governing (i) the purchase of textbooks *and other high-quality*
 126 *instructional materials* approved by it for use in the public schools directly from the publishers by school
 127 boards and (ii) the distribution of such textbooks *and other high-quality instructional materials* for the use by
 128 children attending public schools in ~~Virginia~~ *the Commonwealth*.

129 **§ 22.1-243. Distribution of textbooks and other high-quality instructional materials; charges for loss**
 130 **or damage; consumable materials.**

131 A. Each school board shall provide, free of charge, such textbooks *and other high-quality instructional*
 132 *materials* required for courses of instruction for each child attending public schools. However, a local school
 133 board may assess a reasonable fee or charge for damages or loss of school property when such property has
 134 been provided to students without charge.

135 B. Consumable materials such as workbooks, writing books, and drawing books may be purchased by
 136 school boards and either provided to students at no cost or sold to students at a retail price not to exceed
 137 seven percent added to the publisher's price. If sold, the local school board shall develop a policy ensuring
 138 that workbooks, writing books, and drawing books are furnished to students who are unable to afford them at
 139 a reduced price or free of charge.

140 C. Nothing in this section shall be construed to authorize a school board to charge fees to students for
 141 ~~instructional materials~~; textbooks; *and other high-quality instructional materials* or other materials used by a
 142 school board employee that are not directly used by a public school student.

143 **§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and**
 144 **other educational objectives.**

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

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

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

166 The English Standards of Learning for reading in kindergarten through grade eight shall align with
 167 evidence-based literacy instruction and science-based reading research.

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

175 To provide appropriate opportunity for input from the general public, teachers, and local school boards,
 176 the Board shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior
 177 to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all
 178 local school boards and any other persons requesting to be notified of the hearings and publish notice of its
 179 intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall
 180 be given reasonable opportunity to be heard and present information prior to final adoption of any revisions

181 of the Standards of Learning.

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

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

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

194 The Board shall include in the Standards of Learning for health instruction in emergency first aid,
195 cardiopulmonary resuscitation, and the use of an automated external defibrillator, including hands-on practice
196 of the skills necessary to perform cardiopulmonary resuscitation. Such instruction shall be based on the
197 current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation
198 and the use of an automated external defibrillator, such as a program developed by the American Heart
199 Association or the American Red Cross. No teacher who is in compliance with subdivision D 3 of §
200 22.1-298.1 shall be required to be certified as a trainer of cardiopulmonary resuscitation to provide instruction
201 for non-certification.

202 The Board shall include in the Standards of Learning for physical and health education for grade nine or
203 10 research-based hazing prevention instruction, in accordance with the Standards of Learning and
204 curriculum guidelines for research-based hazing prevention instruction developed by the Board pursuant to
205 subsection B of § 22.1-207.

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

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

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

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

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

242 program.

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

249 Remediation programs shall include, when applicable, a procedure for early identification of students who
 250 are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-
 251 of-course test required for the award of a verified unit of credit. Such programs may also include summer
 252 school for all elementary and middle school grades and for all high school academic courses, as defined by
 253 regulations promulgated by the Board, or other forms of remediation. Summer school remediation programs
 254 or other forms of remediation shall be chosen by the division superintendent to be appropriate to the
 255 academic needs of the student. Students who are required to attend such summer school programs or to
 256 participate in another form of remediation shall not be charged tuition by the school division.

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

263 The Board shall establish standards for full funding of summer remedial programs that shall include, but
 264 not be limited to, the minimum number of instructional hours or the equivalent thereof required for full
 265 funding and an assessment system designed to evaluate program effectiveness. Based on the number of
 266 students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be
 267 provided for the full cost of summer and other remediation programs as set forth in the appropriation act,
 268 provided such programs comply with such standards as shall be established by the Board, pursuant to §
 269 22.1-199.2.

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

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

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

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

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

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

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

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

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

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

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

302 6. Early identification of gifted students and enrollment of such students in appropriately differentiated

303 instructional programs.

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

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

310 9. A plan to make achievements for students who are educationally at risk a divisionwide priority that
311 shall include procedures for measuring the progress of such students.

312 10. An agreement for postsecondary credit and degree attainment with any comprehensive community
313 college in the Commonwealth specifying the options for students to complete an associate degree, a one-year
314 Uniform Certificate of General Studies, or the Passport Program from a comprehensive community college
315 concurrent with a high school diploma, consistent with the requirements for the College and Career Ready
316 Virginia Program set forth in Article 5.1 (§ 22.1-237.1 et seq.) of Chapter 13. Such agreement shall specify
317 the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam
318 scores of three or higher.

319 11. A plan to notify students and their parents of the availability of dual enrollment and advanced
320 placement classes; career and technical education programs, including internships, externships,
321 apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based
322 learning experiences; the International Baccalaureate Program and Academic Year Governor's School
323 Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability of
324 financial assistance to low-income and needy students to take the advanced placement and International
325 Baccalaureate examinations. This plan shall include notification to students and parents of the College and
326 Career Ready Virginia Program established pursuant to Article 5.1. (§ 22.1-237.1 et seq.) of Chapter 13 and
327 its agreement with a comprehensive community college in the Commonwealth pursuant to subdivision 10 to
328 enable students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the
329 Passport Program concurrent with a high school diploma.

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

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

336 Local school divisions shall provide algebra readiness intervention services to students in grades six
337 through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their individual
338 performance on any diagnostic test that has been approved by the Department. Local school divisions shall
339 report the results of the diagnostic tests to the Department on an annual basis, at a time to be determined by
340 the Superintendent. Each student who receives algebra readiness intervention services will be assessed again
341 at the end of that school year. Funds appropriated for prevention, intervention, and remediation; summer
342 school remediation; at-risk; or algebra readiness intervention services may be used to meet the requirements
343 of this subdivision.

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

346 15. A program of physical activity available to all students in grades kindergarten through five consisting
347 of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and
348 available to all students in grades six through 12 with a goal of at least 150 minutes per week on average
349 during the regular school year. Such program may include any combination of (i) physical education classes,
350 (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by
351 the local school board. Each local school board shall implement such program during the regular school year.
352 Any physical education class offered to students in grades seven and eight shall include at least one hour of
353 personal safety training per school year in each such grade level that is developed and delivered in
354 partnership with the local law-enforcement agency and consists of situational safety awareness training and
355 social media education. Each local school board shall offer to all students in grade nine or 10 a physical
356 education class that includes research-based hazing prevention instruction pursuant to subsection C of §
357 22.1-207, unless such hazing prevention instruction is provided as part of a separate health education class
358 offered to students in grade nine or 10. Each local school board may accept participation in the Junior
359 Reserve Officers' Training Corps as fulfillment of any physical education requirements applicable to students
360 in grades nine through 12.

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

363 17. The collection and analysis of data and the use of the results to evaluate and make decisions about the

364 instructional program.

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

367 E. From such funds as may be appropriated or otherwise received for such purpose, there shall be
368 established within the Department a unit to (i) conduct evaluative studies; (ii) provide the resources and
369 technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist
370 school divisions in implementing those programs and practices that will enhance pupil academic performance
371 and improve family and community involvement in the public schools. Such unit shall identify and analyze
372 effective instructional programs and practices and professional development initiatives; evaluate the success
373 of programs encouraging parental and family involvement; assess changes in student outcomes prompted by
374 family involvement; and collect and disseminate among school divisions information regarding effective
375 instructional programs and practices, initiatives promoting family and community involvement, and potential
376 funding and support sources. Such unit may also provide resources supporting professional development for
377 administrators and teachers. In providing such information, resources, and other services to school divisions,
378 the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the
379 Standards of Learning assessments.

380 F. The Board shall, in collaboration with the Virginia Community College System, Career and Technical
381 Education directors, and industry partners, develop and maintain a current, comprehensive, and uniform list
382 of industry-recognized workforce credentials that students may take as a substitute for certain credits required
383 for graduation pursuant to 8VAC20-131-51 of the Virginia Administrative Code, including
384 industry-recognized workforce credentials that students may take as a substitute for elective credits and
385 industry-recognized workforce credentials completed outside of regular school hours. The Board, in
386 collaboration with the Virginia Community College System, shall ensure that such list reflects the current
387 credit requirements for graduation and the current credentials accepted as substitutes. The Board shall post
388 such list in a publicly accessible location on its website. Each school board shall accept as a substitute for a
389 required credit any credential listed as an accepted substitute for such required credit.

390 G. Each local school board may enter into agreements for postsecondary course credit, credential,
391 certification, or license attainment, hereinafter referred to as College and Career Access Pathways
392 Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher
393 education or educational institutions established pursuant to Title 23.1 that offer a career and technical
394 education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part of the
395 career and technical education curriculum that lead to course credit or an industry-recognized credential,
396 certification, or license concurrent with a high school diploma; (ii) specify the credit, credentials,
397 certifications, or licenses available for such courses; (iii) specify the industry-recognized credentials that are
398 accepted as substitutes for certain credits required for high school graduation, consistent with the list
399 developed and maintained by the Board pursuant to subsection F; and (iv) specify available options for
400 students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community
401 colleges concurrent with the pursuit of a high school diploma and receive college credit and high school
402 credit for successful completion of any such program.

403 H. Each local school board shall provide a program of literacy instruction that is aligned with
404 science-based reading research and provides evidenced-based literacy instruction to students in kindergarten
405 through grade eight and is consistent with the school board's literacy plan as required by subsection B of §
406 22.1-253.13:6. Pursuant to such program:

407 1. Each local school board shall provide reading intervention services to students in kindergarten through
408 grade eight who demonstrate substantial deficiencies based on their individual performance on the Standards
409 of Learning reading assessment or a literacy screener provided by the Department. Such reading intervention
410 services shall consist of evidence-based literacy instruction, align with science-based reading research, and be
411 documented for each student in a written student reading plan, consistent with the requirements in
412 subdivision 2 and the list developed by the Department pursuant to subdivision I 2.

413 2. A reading specialist, in collaboration with the teacher of any student who receives reading intervention
414 services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor student progress on
415 a student reading plan. The parent of each student who receives reading intervention services pursuant to
416 subdivision 1 shall receive notice of and have the opportunity to participate in the development of the student
417 reading plan. Each student reading plan (i) shall follow the Department template created pursuant to
418 subdivision I 3; (ii) shall document such reading intervention services; (iii) shall include, at a minimum, (a)
419 the student's specific, diagnosed reading skill deficiencies as determined or identified by diagnostic
420 assessment data or the literacy screener provided by the Department; (b) the goals and benchmarks for
421 student growth in reading; (c) a description of the specific measures that will be used to evaluate and monitor
422 the student's reading progress; (d) the specific evidence-based literacy instruction that the student will
423 receive; (e) the strategies, resources, and materials that will be provided to the student's parent to support the
424 student to make reading progress; and (f) any additional services the teacher deems available and appropriate

425 to accelerate the student's reading skill development; and (iv) may include the following services for the
426 student: instruction from a reading specialist, trained aide, computer-based reading tutorial program, or
427 classroom teacher with support from an aide, extended instructional time in the school day or school year, or,
428 for students in grades six through eight, a literacy course, in addition to the course required by the Standards
429 of Learning in English, that provides the specific evidence-based literacy instruction identified in the student's
430 reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice before services
431 begin and a copy of the student reading plan.

432 3. Each student who receives such reading intervention services shall be assessed utilizing either the
433 literacy screener provided by the Department or the grade-level reading Standards of Learning assessment
434 again at the end of that school year.

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

437 I. In order to assist local school boards to implement the provisions of subsection H:

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

439 2. The Department shall develop a list of core literacy curricula for students in kindergarten through grade
440 five and supplemental instruction practices and programs and intervention programs for students in
441 kindergarten through grade eight that consist of evidence-based literacy instruction aligned with science-
442 based reading research. The list shall be approved by the Board;

443 3. The Department shall develop a template for student reading plans that aligns with the requirements of
444 subsection H;

445 4. The Department shall develop and implement a plan for the annual collection and public reporting of
446 division-level and school-level literacy data, at a time to be determined by the Superintendent, to include
447 results on the literacy screeners provided by the Department and the reading Standards of Learning
448 assessments; and

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

451 *J. Each local school board shall adopt and implement textbooks and other high-quality instructional*
452 *materials in English language arts for grades six through 12 and mathematics, science, and history and*
453 *social science for grades kindergarten through 12. Except as otherwise provided in subdivision I 2 and*
454 *subsection B of § 22.1-253.13:6, such textbooks and other high-quality instructional materials shall be*
455 *selected from the list approved by the Board pursuant to § 22.1-238 or through a local adoption process that*
456 *incorporates requirements for textbooks and other high-quality instructional materials in accordance with*
457 *regulations promulgated by the Board.*

458 *K. To support local adoption and implementation of textbooks and other high-quality instructional*
459 *materials, the Department shall:*

460 1. *Review and update its "Virginia's Textbook Review Process" document to identify textbooks and other*
461 *high-quality instructional materials for Board approval pursuant to § 22.1-238. Such review process shall*
462 *include guidelines and timelines for the submission of, review of, comment on, and evaluation of textbooks*
463 *and instructional materials, the development and update at least every seven years of evaluation rubrics to*
464 *determine the extent to which submitted textbooks and instructional materials meet the definition of textbooks*
465 *and other high-quality instructional materials, the selection and training of Virginia review teams that*
466 *represent educators from various geographical regions of the Commonwealth and the diversity of the*
467 *Commonwealth's schools, opportunity for public comment, and the publication of ratings and reports based*
468 *on the reviews;*

469 2. *Implement the review process developed pursuant to subdivision 1 to develop a list of textbooks and*
470 *other high-quality instructional materials for English language arts for grades six through 12 and*
471 *mathematics, science, and history and social science for grades kindergarten through 12;*

472 3. *Develop, adopt, and publish a list of approved vendors of professional learning resources that support*
473 *teachers to implement the textbooks and other high-quality instructional materials approved by the Board*
474 *pursuant to § 22.1-238;*

475 4. *For any school that requires improvement, based on federal indicators or a failure to meet Board*
476 *standards pursuant to § 22.1-253.13:3, (i) complete a review of the curricula in use at such school, (ii) from*
477 *such funds as may be appropriated, develop a grant program to support the school to adopt textbooks and*
478 *other high-quality instructional materials from the list approved by the Board pursuant to § 22.1-238 and*
479 *contract with vendors of professional learning resources from the list approved in accordance with*
480 *subdivision 3, and (iii) monitor implementation of the adopted textbooks and high-quality instructional*
481 *materials and professional learning resources;*

482 5. *Develop a unified process for local school boards that consolidates and simplifies the applications for*
483 *all state and federal programs that provide funding to local school boards into a single application and*
484 *require local school boards to develop one consolidated plan and budget for all such grants that includes*
485 *identification of the textbooks and other high-quality instructional materials to be adopted, the vendor for*

486 professional learning resources to support implementation of the textbooks and other high-quality
 487 instructional materials from the list developed by the Department pursuant to subdivision 3, and the budget
 488 needs to procure the textbooks and other high-quality instructional materials and professional learning
 489 resources; and

490 6. Publish annually a list of the textbooks and other high-quality instructional materials and professional
 491 learning resources adopted and procured by each local school board.

492 **§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.**

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

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

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

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

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

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

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

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

530 F. In addition to the positions supported by basic aid and those in support of regular school year programs
 531 of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be
 532 provided to support ratios of instructional positions to English language learner students, based on each such
 533 student's English proficiency level, as established in the general appropriation act, which positions may
 534 include dual language teachers who provide instruction in English and in a second language.

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

542 G. In addition to the full-time equivalent positions required elsewhere in this section, each local school
 543 board shall employ one reading specialist for each 550 students in kindergarten through grade five and one
 544 reading specialist for each 1,100 students in grades six through eight. Each such reading specialist shall have
 545 training in science-based reading research and evidence-based literacy instruction practices. In addition, each
 546 such reading specialist shall have training in the identification of and the appropriate interventions,

547 accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as
548 an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the
549 definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills
550 with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic
551 foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading
552 instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for
553 students with dyslexia.

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

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

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

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

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

577 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten through
578 12.

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

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

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

600 To provide flexibility, school divisions may use the state and local funds for instructional technology
601 resource teachers to employ a data coordinator position, an instructional technology resource teacher position,
602 or a data coordinator/instructional resource teacher blended position. The data coordinator position is
603 intended to serve as a resource to principals and classroom teachers in the area of data analysis and
604 interpretation for instructional and school improvement purposes, as well as for overall data management and
605 administration of state assessments. School divisions using these funds in this manner shall employ only
606 instructional personnel licensed by the Board.

607 K. Local school boards may employ additional positions that exceed these minimal staffing requirements.

608 These additional positions may include, but are not limited to, those funded through the state's incentive and
609 categorical programs as set forth in the appropriation act.

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

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

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

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

640 In order to fill vacant school psychologist positions, any local school board may employ, under a
641 provisional license issued by the Department for three school years with an allowance for an additional two-
642 year extension with the approval of the division superintendent, clinical psychologists licensed by the Board
643 of Psychology, provided that any such individual makes progress toward completing the requirements for full
644 licensure as a school psychologist during such period of employment.

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

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

649 1. Executive policy and leadership positions, including school board members, superintendents and
650 assistant superintendents;

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

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

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

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

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

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

663 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300
664 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600
665 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high
666 schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-
667 time for the library at 750 students. Local school divisions that employ a sufficient number of school-based
668 clerical personnel to meet this staffing requirement may assign the clerical personnel to schools within the

669 division according to the area of greatest need, regardless of whether such schools are elementary, middle, or
670 secondary.

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

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

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

677 R. Each local school board shall designate a faculty member to serve as a special education parent/family
678 liaison. The special education parent/family liaison shall serve as a resource to parents and families to
679 understand and engage in (i) the referral, evaluation, reevaluation, and eligibility process if they suspect that
680 their child has a disability and (ii) the IEP process and shall work in collaboration with the special education
681 family support centers established pursuant to § 22.1-214.5. Each school board shall post the name of the
682 designated special education parent/family liaison publicly on its website.

683 *S. Each local school board shall designate a faculty member to serve as the high-quality instructional*
684 *materials liaison. Such liaison shall receive support from the Department to serve as a resource for the*
685 *division and its schools to select and implement textbooks and other high-quality instructional materials and*
686 *aligned professional learning resources.*

687 **§ 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state**
688 **regulations.**

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

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

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

702 The Board shall review annually the accreditation status of all schools in the Commonwealth. The Board
703 shall review the accreditation status of a school once every three years if the school has been fully accredited
704 for three consecutive years. Upon such triennial review, the Board shall review the accreditation status of the
705 school for each individual year within that triennial review period. If the Board finds that the school would
706 have been accredited every year of that triennial review period the Board shall accredit the school for another
707 three years. The Board may review the accreditation status of any other school once every two years or once
708 every three years, provided that any school that receives a multiyear accreditation status other than full
709 accreditation shall be covered by a Board-approved multiyear corrective action plan for the duration of the
710 period of accreditation. Such multiyear corrective action plan shall include annual written progress updates to
711 the Board. A multiyear accreditation status shall not relieve any school or division of annual reporting
712 requirements.

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

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

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

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

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

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

747 The Superintendent shall assist local school boards in the implementation of action plans for increasing
 748 educational performance and individual student growth in those school divisions and schools that are
 749 identified as not meeting the approved criteria, *including, when applicable, providing assistance with the*
 750 *review, grant, and monitoring process set forth in subdivision K 4 of § 22.1-253.13:1.* The Superintendent
 751 shall monitor the implementation of and report to the Board on the effectiveness of the corrective actions
 752 taken to improve the educational performance in such school divisions and schools.

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

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

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

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

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

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

789 The Standards of Learning assessments administered to students in grades three through eight shall not
 790 exceed (i) reading and mathematics in grades three and four; (ii) reading, mathematics, and science in grade

791 five; (iii) reading and mathematics in grades six and seven; (iv) reading, writing, and mathematics in grade
792 eight; (v) science after the student receives instruction in the grade six science, life science, and physical
793 science Standards of Learning and before the student completes grade eight; and (vi) Virginia Studies and
794 Civics and Economics once each at the grade levels deemed appropriate by each local school board. The
795 reading and mathematics assessments administered to students in grades three through eight shall be through-
796 year growth assessments.

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

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

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

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

819 The Standards of Learning requirements, including all related assessments, shall be waived for any
820 student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to §
821 30-231.2, who is enrolled in a preparation program for a high school equivalency examination approved by
822 the Board or in an adult basic education program or an adult secondary education program to obtain the high
823 school diploma or a high school equivalency certificate.

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

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

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

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

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

843 Records and other information furnished to or prepared by the Board during the conduct of a review or
844 investigation may be withheld pursuant to subdivision 10 of § 2.2-3705.3. However, this section shall not
845 prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of
846 permitting such board or superintendent to consider or to take personnel action with regard to an employee or
847 any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the
848 identity of any person making a complaint or supplying information to the Board on a confidential basis and
849 (b) does not compromise the security of any test mandated by the Board. Any local school board or division
850 superintendent receiving such records or other information shall, upon taking personnel action against a
851 relevant employee, place copies of such records or information relating to the specific employee in such

852 person's personnel file.

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

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

862 F. To assess the educational progress of students as individuals and as groups, each local school board
863 shall require the use of Standards of Learning assessments, alternative assessments, and other relevant data,
864 such as industry certification and state licensure examinations, to evaluate student progress and to determine
865 educational performance. Each local school shall require the administration of appropriate assessments to
866 students, which may include criterion-referenced tests and teacher-made tests and shall include the Standards
867 of Learning assessments, the local school board's alternative assessments, and the National Assessment of
868 Educational Progress state-by-state assessment. Each school board shall provide teachers, parents, principals,
869 and other school leaders with their students' results on any Standards of Learning assessment or Virginia
870 Alternate Assessment Program assessment as soon as practicable after the assessment is administered. Each
871 school board shall analyze and report annually, in compliance with any criteria that may be established by the
872 Board, the results from industry certification examinations and the Standards of Learning assessments to the
873 public.

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

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

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

899 The Board may also grant local school boards waivers of specific requirements in § 22.1-253.13:2, based
900 on submission of a request from the division superintendent and chairman of the local school board,
901 permitting the local school board to assign instructional personnel to the schools with the greatest needs, so
902 long as the school division employs a sufficient number of personnel divisionwide to meet the total number
903 required by § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of
904 § 22.1-253.13:2 are met. The school board shall provide in its request a description of how the waivers from
905 specific Standards of Quality staffing standards are designed to increase the quality of instruction and
906 improve the achievement of students in the affected school or schools. The waivers may be renewed in up to
907 five-year increments, or revoked, based on student achievement results in the affected school or schools.

908 **§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.**

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

911 B. Consistent with the finding that leadership is essential for the advancement of public education in the
912 Commonwealth, teacher, principal, and superintendent evaluations shall be consistent with the performance

913 standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for
914 Teachers, Principals, and Superintendents. Evaluations shall include student academic progress as a
915 significant component and an overall summative rating. Teacher evaluations shall include regular observation
916 and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification
917 of areas of individual strengths and weaknesses and recommendations for appropriate professional activities.
918 Evaluations shall include an evaluation of cultural competency.

919 C. The Board shall provide guidance on high-quality professional development for (i) teachers, principals,
920 supervisors, division superintendents, and other school staff; (ii) principals, supervisors, and division
921 superintendents in the evaluation and documentation of teacher and principal performance based on student
922 academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school
923 board members on personnel, curriculum and current issues in education; (iv) teachers of the blind and
924 visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired, in Braille;
925 (v) any individual with an endorsement in early/primary education preschool through grade three, elementary
926 education preschool through grade six, special education general curriculum kindergarten through grade 12,
927 special education deaf and hard of hearing preschool through grade 12, special education blindness/visual
928 impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a
929 reading specialist that builds proficiency in science-based reading research and evidence-based literacy
930 instruction; (vi) each teacher with an endorsement in middle education grades six through eight who teaches
931 English that builds proficiency in evidence-based literacy instruction and science-based reading research;
932 (vii) each middle school principal and teacher with an endorsement in middle education grades six through
933 eight who teaches mathematics, science, or history and social science that builds an awareness of
934 evidence-based literacy instruction and science-based reading research; (viii) each teacher with a provisional
935 general education or special education license or an endorsement in early/primary education preschool
936 through grade three, elementary education preschool through grade six, middle education grades six through
937 eight, and secondary education grades six through 12; each principal with an endorsement in administration
938 and supervision preschool through grade 12; and each teacher's aide or other paraprofessional that builds
939 proficiency in instructional practices to support specially designed instruction in inclusive settings; and (ix)
940 each teacher with a provisional special education license or an endorsement in special education general
941 curriculum preschool through grade 12, special education deaf and hard of hearing preschool through grade
942 12, or special education blindness and visual impairments preschool through grade 12 that builds proficiency
943 in implementing the Virginia IEP established pursuant to subdivision 11 of § 22.1-214.4 and the referral,
944 evaluation, reevaluation, and eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4.

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

948 The Department shall provide technical assistance, including literacy coaching, to local school divisions
949 to provide professional development in science-based reading research and evidence-based literacy
950 instruction for students in kindergarten through grade eight. The Department shall also create a list of
951 professional development programs aligned with science-based reading research and evidence-based literacy
952 instruction that includes programs that provide training in dyslexia for reading specialists as required by
953 subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The Department shall provide
954 resources to local school divisions to ensure that each division is able to provide professional development to
955 teachers and reading specialists listed in subdivision E 2 in one of the programs enumerated in the list
956 approved by the Board pursuant to this subdivision and that such professional development is provided at no
957 cost to the teachers and reading specialists.

958 *The Department shall provide technical assistance to local school divisions to implement professional*
959 *learning resources from the list of vendors approved by the Department pursuant to subdivision K 3 of §*
960 *22.1-253.13:1.*

961 The Department shall provide technical assistance, including special education coaching, to local school
962 divisions to provide professional development in special education and related services and in instructional
963 practices to support specially designed instruction in inclusive settings. The Department shall provide
964 resources to local school divisions to ensure that each division is able to provide professional development to
965 the teachers, principals, teacher's aides, and other paraprofessionals listed in subdivisions E 4 and 5 at no cost
966 to such individuals.

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

974 Superintendents.

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

988 In addition, each local school board shall provide:

989 1. Teachers and principals with high-quality professional development programs each year in (i)
 990 instructional content; (ii) the preparation of tests and other assessment measures; (iii) methods for assessing
 991 the progress of individual students, including Standards of Learning assessment materials or other criterion-
 992 referenced tests that match locally developed objectives; (iv) instruction and remediation techniques in
 993 English, mathematics, science, and history and social science; (v) interpreting test data for instructional
 994 purposes; (vi) technology applications to implement the Standards of Learning; and (vii) effective classroom
 995 management;

996 2. High-quality professional development and training in science-based reading research and evidence-
 997 based literacy instruction, from the list developed and the resources provided by the Department pursuant to
 998 subsection C or an alternative program that consists of evidence-based literacy instruction and aligns with
 999 science-based reading research approved by the Department, for each elementary school principal and each
 1000 teacher with an endorsement in early/primary education preschool through grade three, elementary education
 1001 preschool through grade six, special education general curriculum kindergarten through grade 12, special
 1002 education deaf and hard of hearing preschool through grade 12, special education blindness/visual
 1003 impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a
 1004 reading specialist that builds proficiency in evidence-based literacy instruction and science-based reading
 1005 research in order to aid in the licensure renewal process for such individuals;

1006 3. High-quality professional development and training in science-based reading research and evidence-
 1007 based literacy instruction, from the list developed and the resources provided by the Department pursuant to
 1008 subsection C, or an alternative program that consists of evidence-based literacy instruction and aligns with
 1009 science-based reading research approved by the Department, for (i) each teacher with an endorsement in
 1010 middle education grades six through eight who teaches English that builds proficiency in evidence-based
 1011 literacy instruction and science-based reading research and (ii) each middle school principal and teacher with
 1012 an endorsement in middle education grades six through eight who teaches mathematics, science, or history
 1013 and social science that builds an awareness of evidence-based literacy instruction and science-based reading
 1014 research;

1015 4. (Effective July 1, 2027) High-quality professional development in implementing the Virginia IEP
 1016 established pursuant to subdivision 11 of § 22.1-214.4 and the referral, evaluation, reevaluation, and
 1017 eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4 for each teacher with a
 1018 provisional special education license or an endorsement in special education general curriculum kindergarten
 1019 through grade 12, special education deaf and hard of hearing preschool through grade 12, and special
 1020 education blindness and visual impairments preschool through grade 12; and

1021 5. (Effective July 1, 2027) High-quality professional development in instructional practices to support
 1022 specially designed instruction in inclusive settings for each teacher with a provisional general education
 1023 license or an endorsement in early/primary education preschool through grade three, elementary education
 1024 preschool through grade six, and secondary education grades six through 12; each principal with an
 1025 endorsement in administration and supervision preschool through grade 12; each teacher's aide or other
 1026 paraprofessional; and any teacher with a provisional special education license for whom the school board
 1027 determines there is a need for such professional development.

1028 F. Schools and school divisions shall include as an integral component of their comprehensive plans
 1029 required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment,
 1030 employment, and retention of qualified teachers and principals. Each school board shall require all
 1031 instructional personnel to participate each year in these professional development programs.

1032 G. Each local school board shall annually review its professional development program for quality,
 1033 effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers
 1034 and the academic achievement needs of the students in the school division. *Such review shall consider the*

1035 *extent to which the professional development program supports teachers in implementing the textbooks and*
 1036 *other high-quality instructional materials adopted for division and school use.*

1037 **§ 22.1-253.13:6. Standard 6. Planning and public involvement.**

1038 A. The Board shall adopt a statewide comprehensive, unified, long-range plan based on data collection,
 1039 analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review
 1040 the plan biennially and adopt any necessary revisions. The Board shall post the plan on the Department's
 1041 website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection
 1042 and copying.

1043 This plan shall include the objectives of public education in Virginia, including strategies for first
 1044 improving student achievement, particularly the achievement of educationally at-risk students, then
 1045 maintaining high levels of student achievement; an assessment of the extent to which these objectives are
 1046 being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the
 1047 Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent
 1048 to which these Standards of Quality have been achieved and the objectives of the statewide comprehensive
 1049 plan have been met. The Board shall also develop, consistent with, or as a part of, its comprehensive plan, a
 1050 detailed comprehensive, long-range plan to integrate educational technology into the Standards of Learning
 1051 and the curricula of the public schools in Virginia, including career and technical education programs. The
 1052 Board shall review and approve the comprehensive plan for educational technology and may require the
 1053 revision of such plan as it deems necessary.

1054 B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based on
 1055 data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and
 1056 student achievement. The plan shall be developed with staff and community involvement and shall include,
 1057 or be consistent with, all other divisionwide plans required by state and federal laws and regulations. Each
 1058 local school board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of
 1059 any divisionwide comprehensive plan or revisions thereto, each local school board shall post such plan or
 1060 revisions on the division's Internet website if practicable, and, in any case, shall make a hard copy of the plan
 1061 or revisions available for public inspection and copying and shall conduct at least one public hearing to solicit
 1062 public comment on the divisionwide plan or revisions.

1063 The divisionwide comprehensive plan shall include, ~~but shall not be limited to~~, (i) the objectives of the
 1064 school division, including strategies for ~~first~~ (a) improving student achievement, particularly the achievement
 1065 of educationally at-risk students, ~~then~~ (b) maintaining high levels of student achievement, *and (c) supporting*
 1066 *student achievement through the adoption and implementation of textbooks and other high-quality*
 1067 *instructional materials*; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a
 1068 forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including
 1069 consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of
 1070 instructional services to students and economies in school operations; (v) an evaluation of the appropriateness
 1071 of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan
 1072 for implementing such regional programs and services when appropriate; (vii) a technology plan designed to
 1073 integrate educational technology into the instructional programs of the school division, including the school
 1074 division's career and technical education programs, consistent with, or as a part of, the comprehensive
 1075 technology plan for Virginia adopted by the Board; (viii) an assessment of the needs of the school division
 1076 and evidence of community participation, including parental participation, in the development of the plan;
 1077 (ix) any corrective action plan required pursuant to § 22.1-253.13:3; and (x) a plan for parent and family
 1078 involvement to include building successful school and parent partnerships that shall be developed with staff
 1079 and community involvement, including participation by parents.

1080 The divisionwide comprehensive plan shall also include a divisionwide literacy plan for pre-kindergarten
 1081 through grade eight. The Board shall issue guidance on the contents of such plans. The Department shall
 1082 develop a template for such plans. Each divisionwide literacy plan shall follow such template and address
 1083 how the local school board will align (a) literacy professional development; (b) core reading and literacy
 1084 curriculum for students in kindergarten through grade five; and (c) screening, supplemental instruction, and
 1085 interventions for students in kindergarten through grade eight with evidence-based literacy instruction
 1086 practices aligned with science-based reading research and how the school board will support parents to
 1087 support the literacy development of their children. When developing such divisionwide literacy plan, each
 1088 local school board shall use programs from the lists developed by the Department pursuant to subsection C of
 1089 § 22.1-253.13:5 and subdivision ~~H~~ I 2 of § 22.1-253.13:1 or seek approval from the Department for the use of
 1090 alternative programs that consist of evidence-based literacy instruction and align with science-based reading
 1091 research. Each such divisionwide literacy plan shall be submitted to the Department and shall identify which
 1092 core literacy curricula, supplemental instructional practices and programs, and intervention programs from
 1093 the list developed by the Department pursuant to subdivision ~~H~~ I 2 of § 22.1-253.13:1 or alternative programs
 1094 approved by the Department that consist of evidence-based literacy instruction and align with science-based
 1095 reading research will be used in each grade level, kindergarten through 12, at each of the schools within such

1096 school division. Each local school board shall post, maintain, and update as necessary on such school board's
 1097 website a copy of its divisionwide literacy plan and the job description and contact information for any
 1098 reading specialist employed by such school division pursuant to subsection G of § 22.1-253.13:2 and for any
 1099 dyslexia specialist employed by such school division. The Department shall post each divisionwide literacy
 1100 plan on its website.

1101 A report shall be presented by each school board to the public by November 1 of each odd-numbered year
 1102 on the extent to which the objectives of the divisionwide comprehensive plan have been met during the
 1103 previous two school years.

1104 C. Each public school shall also prepare a comprehensive, unified, long-range plan, which the relevant
 1105 school board shall consider in the development of its divisionwide comprehensive plan.

1106 D. The Board shall, in a timely manner, make available to local school boards information about where
 1107 current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the
 1108 Attorney General of Virginia may be located online.

1109 **§ 23.1-902.1. Education preparation programs; coursework; audit.**

1110 A. As used in this section:

1111 "Evidence-based literacy instruction" and "science-based reading research" have the same meanings as
 1112 provided in § 22.1-1.

1113 "Instructional practices to support specially designed instruction in inclusive settings" has the same
 1114 meaning as provided in § 22.1-213.

1115 *"Textbooks and other high-quality instructional materials" means systematic print or digital curricula*
 1116 *that serve as the primary curriculum basis for a grade-level subject or course and that provide (i) adequate*
 1117 *content and materials for student mastery of corresponding Standards of Learning; (ii) instructional*
 1118 *practices that are aligned with general and discipline-specific research evidence; (iii) assessments to monitor*
 1119 *student mastery of curriculum content; (iv) guidance for meeting student needs including enrichment for*
 1120 *above-grade-level students and intensification for students who are at-risk of not mastering curriculum*
 1121 *content, including English language learners and students with disabilities, and (v) resources for teachers*
 1122 *that develop content knowledge, support implementation of instructional practices that are based on reliable,*
 1123 *trustworthy, and valid evidence and have a demonstrated record of success, and build understanding of the*
 1124 *rationale for curricula components.*

1125 B. Each education preparation program offered by a public institution of higher education or private
 1126 institution of higher education or alternative certification program that provides training for any student
 1127 seeking initial licensure by the Board of Education or a certificate or microcredential in early literacy or
 1128 literacy coaching shall:

1129 1. Include a program of coursework and require all such students to demonstrate mastery in science-based
 1130 reading research and evidence-based literacy instruction. Each such program of coursework and the student
 1131 mastery required to be demonstrated therein shall be consistent with definitions and expectations established
 1132 by the Board of Education and the Department of Education after consultation with a commission consisting
 1133 of independent literacy experts and stakeholders with knowledge of science-based reading research and
 1134 evidence-based literacy instruction that has reviewed the requirements established in subdivision 6 of
 1135 8VAC20-23-130, subdivision 6 of 8VAC20-23-190, subdivision 2 a of 8VAC20-23-350, 8VAC20-23-510
 1136 through 8VAC20-23-580, and 8VAC20-23-660; and

1137 2. For any such student seeking initial licensure by the Board of Education as a teacher with an
 1138 endorsement in early childhood, elementary education, or special education or with an endorsement as a
 1139 reading specialist, ensure that reading coursework and field practice opportunities are a significant focus of
 1140 the education preparation program.

1141 C. Each education preparation program offered by a public institution of higher education or private
 1142 institution of higher education or alternative certification program that provides training for any student
 1143 seeking initial licensure by the Board of Education with an endorsement in early/primary education preschool
 1144 through grade three, elementary education preschool through grade six, middle education grades six through
 1145 eight, and secondary education grades six through 12 shall:

1146 1. Include a program of coursework and require all such students to demonstrate mastery in instructional
 1147 practices to support specially designed instruction in inclusive settings. Each such program of coursework
 1148 and the student mastery required to be demonstrated therein shall be consistent with definitions and
 1149 expectations established by the Board of Education and the Department of Education after consultation with a
 1150 commission consisting of independent special education experts and stakeholders that has reviewed the
 1151 requirements established in 8VAC20-23-510 through 8VAC20-23-580;

1152 2. Include a program of coursework and clinical experience and require all such students to demonstrate
 1153 mastery in identifying and implementing textbooks and other high-quality instructional materials. Each such
 1154 program of coursework and clinical experience and the student mastery required to be demonstrated therein
 1155 shall be consistent with definitions and expectations established by the Board of Education and the
 1156 Department of Education after consultation with a commission consisting of independent experts and

1157 *stakeholders with knowledge of the research and evidence base to support the identification and*
1158 *implementation of high-quality curricula as a strategy for improving student learning that has reviewed the*
1159 *requirements established in subdivision 2 of 8VAC20-23-130 of the Virginia Administrative Code and*
1160 *subdivision 2 of 8VAC20-23-190 of the Virginia Administrative Code; and*

1161 ~~2.~~ 3. For any such student seeking initial licensure by the Board of Education as a teacher with an
1162 endorsement in early/primary, elementary, or secondary education, ensure that coursework and, as available,
1163 field practice opportunities that build knowledge of instructional practices to support specially designed
1164 instruction in inclusive settings are a significant focus of the education preparation program.

1165 D. The Department of Education shall audit at least once every seven years each education preparation
1166 program, in alignment with each program's accreditation cycle, for compliance with the requirements set
1167 forth in subsection B.

1168 E. Each education preparation program offered by a public institution of higher education or private
1169 institution of higher education that leads to a degree, concentration, endorsement, or certificate for reading
1170 specialists shall include a program of coursework and other training in the identification of and the
1171 appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related
1172 disorder. Such program shall (i) include coursework in the constructs and pedagogy underlying remediation
1173 of reading, spelling, and writing and (ii) require reading specialists to demonstrate mastery of science-based
1174 reading research and evidence-based literacy instruction, including appropriate application of instructional
1175 supports and services and reading literacy interventions to ensure reading proficiency.

1176 **2. That the Board of Education shall amend its regulations as necessary to implement and comply with**
1177 **the provisions of §§ 22.1-238 and 22.1-242 of the Code of Virginia, as amended by this act.**

1178 **3. That the Department of Education shall develop, adopt, and publish the list of approved vendors of**
1179 **professional learning resources as required pursuant to subdivision K 3 of § 22.1-253.13:1 of the Code**
1180 **of Virginia, as amended by this act, (i) no later than January 1, 2026, for English language arts for**
1181 **grades six through 12; (ii) no later than January 1, 2027, for mathematics; (iii) no later than January 1,**
1182 **2028, for science; and (iv) no later than January 1, 2029, for history and social science.**

1183 **4. That the Department of Education and the Board of Education shall complete the process of**
1184 **reviewing and approving textbooks and other high-quality instructional materials as required**
1185 **pursuant to § 22.1-238 of the Code of Virginia, as amended by this act, and subdivisions K 1 and 2 of §**
1186 **22.1-253.13:1 of the Code of Virginia, as amended by this act, (i) no later than January 1, 2026, for**
1187 **English language arts for grades six through 12; (ii) no later than January 1, 2027, for mathematics;**
1188 **(iii) no later than January 1, 2028, for science; and (iv) no later than January 1, 2029, for history and**
1189 **social science. Such deadlines may be adjusted to achieve better alignment with the relevant Standards**
1190 **of Learning review and revision schedule.**

1191 **5. That each local school board shall adopt and implement textbooks and other high-quality**
1192 **instructional materials as required pursuant to subsection J of § 22.1-253.13:1 of the Code of Virginia,**
1193 **as amended by this act, in each required content area and grade level as soon as practicable after the**
1194 **relevant deadline for Department of Education and Board of Education review and approval set forth**
1195 **in the fourth enactment of this act.**