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HOUSE BILL NO. 2191

Offered January 13, 2025

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A BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-3320.1, relating to dangers and victims of communism; recognition; Standards of Learning and programs of instruction.

Patron—Freitas

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.2-3320.1 as follows:

§ 2.2-3320.1. Victims of Communism Day.

The Governor shall annually issue a proclamation setting the seventh day of November as Victims of Communism Day and requiring such day to be suitably observed in each public elementary and secondary school in the Commonwealth as a day honoring the approximately 100 million individuals who have fallen victim to communist regimes around the world and to be suitably observed by a public exercise in the Capitol and elsewhere as the Governor may designate in such proclamation.

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

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

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

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

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

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

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

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

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

68 The Board shall include in the Standards of Learning for history and social science the study of
69 contributions to society of diverse people *and in grades six through 12 the study of the dangers of*
70 *communism*. For the purposes of this subsection, "diverse" includes consideration of disability, ethnicity,
71 race, and gender.

72 The Board shall include in the Standards of Learning for health instruction in emergency first aid,
73 cardiopulmonary resuscitation, and the use of an automated external defibrillator, including hands-on practice
74 of the skills necessary to perform cardiopulmonary resuscitation. Such instruction shall be based on the
75 current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation
76 and the use of an automated external defibrillator, such as a program developed by the American Heart
77 Association or the American Red Cross. No teacher who is in compliance with subdivision D 3 of §
78 22.1-298.1 shall be required to be certified as a trainer of cardiopulmonary resuscitation to provide instruction
79 for non-certification.

80 The Board shall include in the Standards of Learning for physical and health education for grade nine or
81 10 research-based hazing prevention instruction, in accordance with the Standards of Learning and
82 curriculum guidelines for research-based hazing prevention instruction developed by the Board pursuant to
83 subsection B of § 22.1-207.

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

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

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

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

119 Any student who achieves a passing score on one or more, but not all, of the Standards of Learning

120 assessments for the relevant grade level in grades three through eight may be required to attend a remediation
121 program.

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

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

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

142 The Board shall establish standards for full funding of summer remedial programs that shall include, but
143 not be limited to, the minimum number of instructional hours or the equivalent thereof required for full
144 funding and an assessment system designed to evaluate program effectiveness. Based on the number of
145 students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be
146 provided for the full cost of summer and other remediation programs as set forth in the appropriation act,
147 provided such programs comply with such standards as shall be established by the Board, pursuant to §
148 22.1-199.2.

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

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

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

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

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

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

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

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

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

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

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

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

182 instructional programs.

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

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

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

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

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

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

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

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

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

225 15. A program of physical activity available to all students in grades kindergarten through five consisting
226 of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and
227 available to all students in grades six through 12 with a goal of at least 150 minutes per week on average
228 during the regular school year. Such program may include any combination of (i) physical education classes,
229 (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by
230 the local school board. Each local school board shall implement such program during the regular school year.
231 Any physical education class offered to students in grades seven and eight shall include at least one hour of
232 personal safety training per school year in each such grade level that is developed and delivered in
233 partnership with the local law-enforcement agency and consists of situational safety awareness training and
234 social media education. Each local school board shall offer to all students in grade nine or 10 a physical
235 education class that includes research-based hazing prevention instruction pursuant to subsection C of §
236 22.1-207, unless such hazing prevention instruction is provided as part of a separate health education class
237 offered to students in grade nine or 10. Each local school board may accept participation in the Junior
238 Reserve Officers' Training Corps as fulfillment of any physical education requirements applicable to students
239 in grades nine through 12.

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

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

243 instructional program.

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

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

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

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

282 H. Each local school board shall provide a program of literacy instruction that is aligned with
283 science-based reading research and provides evidenced-based literacy instruction to students in kindergarten
284 through grade eight and is consistent with the school board's literacy plan as required by subsection B of §
285 22.1-253.13:6. Pursuant to such program:

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

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

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

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

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

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

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

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

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

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

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