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SENATE BILL NO. 979

AMENDMENT IN THE NATURE OF A SUBSTITUTE
 (Proposed by the Senate Committee on Education and Health
 on January 23, 2025)

(Patron Prior to Substitute—Senator Hashmi)

A *BILL to direct the Department of Education to delay and perform a comprehensive review of the implementation of the revised public school accountability system; report; emergency.*

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Education (the Department) shall delay for a period of one year the implementation of the revised public school accountability system adopted pursuant to 8VAC20-132, in accordance with the federal accountability provisions set forth in the Elementary and Secondary Education Act (Pub. L. No. 89-10), such that the revised public school accountability system shall be implemented beginning with the 2026–2027 school year. No public elementary or secondary school in the Commonwealth shall be issued a school performance score or school performance report, be assigned a school performance category, or be required to take any corrective action under such revised public school accountability system prior to the 2026–2027 school year.*

§ 2. *That the Department shall conduct a comprehensive review of the revised public school accountability system for the purpose of ensuring that such system is designed to achieve fair, transparent, and actionable results aimed at improving student growth and learning outcomes across the Commonwealth. In conducting such comprehensive review, the Department shall:*

1. *Focus on (i) prioritizing enhancing measures of student growth over other performance metrics; (ii) ensuring the fair and reasonable inclusion of English language learners at various stages of English proficiency in the accountability metrics; (iii) assessing how the four school performance categories proposed pursuant to subsection E of 8VAC20-132-270 would impact any school that, under such performance categories, would be placed in the "off track" or "needs intensive support" categories; (iv) reviewing the impact of requiring the administration of additional standardized assessments at grade levels five and eight on such students and incorporating feedback from the parents of such students relating to the administration of such additional standardized assessments; (v) considering proposals for additional state resources and increased support for schools placed in the "off track" or "needs intensive support" performance categories; and (vi) developing a clear articulation of the Board of Education's theory of change detailing how the new accountability system would incentivize and drive behaviors in public schools aimed at improving student outcomes;*

2. *Establish a stakeholder advisory committee consisting of representatives of school boards from each superintendent's region in the Commonwealth, public school teachers, students enrolled in public schools in the Commonwealth, parents of students enrolled in public schools in the Commonwealth, education associations, and English language learner advocacy groups for the purpose of (i) conducting at least one public forum in each Superintendent's Region and (ii) at each forum, soliciting written and oral testimony from a variety of stakeholders, including representatives from school divisions that would be disproportionately impacted by the school performance score measurement indicators and associated school performance categories proposed pursuant to 8VAC20-132-270 and schools serving high proportions of economically disadvantaged, racially diverse, and rural populations;*

3. *Publish by April 1, 2026, a report on the review process and findings; and*

4. *Submit to the Governor, the Senate Committee on Education and Health, and the House Committee on Education by April 1, 2026, a plan for revising the public school accountability system, incorporating its findings from the review required pursuant to subdivision 1 and from the stakeholder advisory committee established pursuant to subdivision 2 that shall:*

a. *Include a predictive model of how each public school would be placed into each school performance category proposed in such plan using current data;*

b. *Include a new timeline for implementation of the revised public school accountability system providing for implementation no earlier than the 2026–2027 school year; and*

c. *Propose a new or revised public school accountability system that shall (i) prioritize measures of student academic growth over absolute performance on standardized assessments; (ii) ensure the inclusion of English language learners in accountability metrics aligned with the various stages of English language proficiency that are aimed at ensuring fairness and reasonableness; (iii) consider the socioeconomic and other contextual or systemic factors with which schools across the Commonwealth are faced when assigning school performance scores and associated school performance categories under the revised public school accountability system; and (iv) minimize the time and burden of standardized assessments on students, teachers, and other instructional personnel.*

2. **That the Department of Education (the Department) shall submit to the federal Department of**

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60 Education such amendments to its state plan pursuant to the federal Elementary and Secondary
61 Education Act of 1965, as amended by the federal Every Student Succeeds Act of 2015 (P.L. 114-95), as
62 are necessary to effectuate the provisions of this act and implement the revised public school
63 accountability system pursuant to the provisions of this act. Upon approval of such state plan
64 amendments, the Department shall promulgate such regulations as are necessary to implement the
65 revised school accountability system in accordance with the provisions of this act.
66 3. That the regulations in 8VAC20-131 of the Virginia Administrative Code shall be reinstated and
67 remain in effect until the Department of Education certifies in writing that (i) the review of the revised
68 school accountability system has been completed in accordance with the provisions of this act and (ii) it
69 has received approval from the federal Department of Education for the amendments to its state plan
70 submitted pursuant to the second enactment of this act.
71 4. That an emergency exists and this act is in force from its passage.