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**HOUSE BILL NO. 2777****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education

on January 29, 2025)

(Patrons Prior to Substitute—Delegates Rasoul, Coyner [HB 2291], and Convirs-Fowler [HB 2772])

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.*

**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 above-grade-level students and intensification for students who are at-risk of not mastering curriculum content, including English language learners and students with disabilities; and (v) resources for teachers that develop content knowledge, support implementation of instructional practices that are based on reliable,*

60 *trustworthy, and valid evidence and have a demonstrated record of success, and build understanding of the*  
 61 *rationale for curricula components.*

62 **§ 22.1-238. Approval of textbooks and other high-quality instructional materials.**

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

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

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

73 **§ 22.1-239. Basal textbooks and other high-quality instructional materials.**

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

79 **§ 22.1-241. Contracts with publishers.**

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

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

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

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

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

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

116 D. With the approval of the local school board and the publisher, any private school within the school  
 117 division that so requests may purchase from the local school board's contract with the publisher. Such private  
 118 school shall be fully responsible for ordering, purchasing, and receiving shipments of ~~books~~ *textbooks and*  
 119 *other high-quality instructional materials* to be provided from the publisher pursuant to this section. The  
 120 local school board shall be immune from any civil liability as a result of a private school purchasing from the

121 local school board's contract.

122 **§ 22.1-242. State Board to adopt regulations.**

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

127 **§ 22.1-243. Distribution of textbooks and other high-quality instructional materials; charges for loss**  
128 **or damage; consumable materials.**

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

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

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

141 **§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and**  
142 **other educational objectives.**

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

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

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

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

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

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

180 In addition, the Department shall make available and maintain a website, either separately or through an  
181 existing website utilized by the Department, enabling public elementary, middle, and high school educators to

182 submit recommendations for improvements relating to the Standards of Learning, when under review by the  
183 Board according to its established schedule, and related assessments required by the Standards of Quality  
184 pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

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

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

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

200 The Board shall include in the Standards of Learning for physical and health education for grade nine or  
201 10 research-based hazing prevention instruction, in accordance with the Standards of Learning and  
202 curriculum guidelines for research-based hazing prevention instruction developed by the Board pursuant to  
203 subsection B of § 22.1-207.

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

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

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

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

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

241 Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the  
242 relevant grade level in grades three through eight or who fails an end-of-course test required for the award of

243 a verified unit of credit shall be required to attend a remediation program or to participate in another form of  
 244 remediation. Division superintendents shall require such students to take special programs of prevention,  
 245 intervention, or remediation, which may include attendance in public summer school programs, in accordance  
 246 with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

300 6. Early identification of gifted students and enrollment of such students in appropriately differentiated  
 301 instructional programs.

302 7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in  
 303 these standards. Such students shall be counted in average daily membership (ADM) in accordance with the

304 regulations of the Board.

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

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

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

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

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

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

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

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

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

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

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

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

365 E. From such funds as may be appropriated or otherwise received for such purpose, there shall be

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

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

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

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

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

411 2. A reading specialist, in collaboration with the teacher of any student who receives reading intervention  
412 services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor student progress on  
413 a student reading plan. The parent of each student who receives reading intervention services pursuant to  
414 subdivision 1 shall receive notice of and have the opportunity to participate in the development of the student  
415 reading plan. Each student reading plan (i) shall follow the Department template created pursuant to  
416 subdivision I 3; (ii) shall document such reading intervention services; (iii) shall include, at a minimum, (a)  
417 the student's specific, diagnosed reading skill deficiencies as determined or identified by diagnostic  
418 assessment data or the literacy screener provided by the Department; (b) the goals and benchmarks for  
419 student growth in reading; (c) a description of the specific measures that will be used to evaluate and monitor  
420 the student's reading progress; (d) the specific evidence-based literacy instruction that the student will  
421 receive; (e) the strategies, resources, and materials that will be provided to the student's parent to support the  
422 student to make reading progress; and (f) any additional services the teacher deems available and appropriate  
423 to accelerate the student's reading skill development; and (iv) may include the following services for the  
424 student: instruction from a reading specialist, trained aide, computer-based reading tutorial program, or  
425 classroom teacher with support from an aide, extended instructional time in the school day or school year, or,  
426 for students in grades six through eight, a literacy course, in addition to the course required by the Standards

427 of Learning in English, that provides the specific evidence-based literacy instruction identified in the student's  
428 reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice before services  
429 begin and a copy of the student reading plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

482 **§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.**

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

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

486 C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide  
487 ratios of students in average daily membership to full-time equivalent teaching positions, excluding special



488 education teachers, principals, assistant principals, school counselors or certain other licensed individuals as  
 489 set forth in subdivision H 4, and librarians, that are not greater than the following ratios: (i) 24 to one in  
 490 kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten  
 491 class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one,  
 492 two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no  
 493 class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12. After  
 494 September 30 of any school year, anytime the number of students in a class exceeds the class size limit  
 495 established by this subsection, the local school division shall notify the parent of each student in such class of  
 496 such fact no later than 10 days after the date on which the class exceeded the class size limit. Such  
 497 notification shall state the reason that the class size exceeds the class size limit and describe the measures that  
 498 the local school division will take to reduce the class size to comply with this subsection.

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

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

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

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

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

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

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

532 G. In addition to the full-time equivalent positions required elsewhere in this section, each local school  
 533 board shall employ one reading specialist for each 550 students in kindergarten through grade five and one  
 534 reading specialist for each 1,100 students in grades six through eight. Each such reading specialist shall have  
 535 training in science-based reading research and evidence-based literacy instruction practices. In addition, each  
 536 such reading specialist shall have training in the identification of and the appropriate interventions,  
 537 accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as  
 538 an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the  
 539 definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills  
 540 with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic  
 541 foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading  
 542 instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for  
 543 students with dyslexia.

544 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ  
 545 reading specialists to provide the required reading intervention services. School divisions using the Early  
 546 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the  
 547 Board. Local school divisions that employ a sufficient number of reading specialists to meet this staffing  
 548 standard may assign reading specialists to grade levels according to grade levels with greatest need,

549 regardless of the individual staffing standards established for grades kindergarten through five and six  
550 through eight.

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

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

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

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

567 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten through  
568 12.

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

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

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

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

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

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

606 M. School boards shall, however, annually, on or before December 31, report to the public (i) the actual  
607 pupil/teacher ratios in elementary school classrooms in the local school division by school for the current  
608 school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local school  
609 division by school for the current school year. Actual pupil/teacher ratios shall include only the teachers who

610 teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report  
 611 pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the  
 612 voluntary kindergarten through third grade class size reduction program shall be identified as such classes.  
 613 Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools  
 614 shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher  
 615 and pupil identities.

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

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

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

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

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

639 1. Executive policy and leadership positions, including school board members, superintendents and  
 640 assistant superintendents;

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

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

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

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

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

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

653 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300  
 654 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600  
 655 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high  
 656 schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-  
 657 time for the library at 750 students. Local school divisions that employ a sufficient number of school-based  
 658 clerical personnel to meet this staffing requirement may assign the clerical personnel to schools within the  
 659 division according to the area of greatest need, regardless of whether such schools are elementary, middle, or  
 660 secondary.

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

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

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

667 R. Each local school board shall designate a faculty member to serve as a special education parent/family  
 668 liaison. The special education parent/family liaison shall serve as a resource to parents and families to  
 669 understand and engage in (i) the referral, evaluation, reevaluation, and eligibility process if they suspect that  
 670 their child has a disability and (ii) the IEP process and shall work in collaboration with the special education

671 family support centers established pursuant to § 22.1-214.5. Each school board shall post the name of the  
672 designated special education parent/family liaison publicly on its website.

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

677 **§ 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state**  
678 **regulations.**

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

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

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

692 The Board shall review annually the accreditation status of all schools in the Commonwealth. The Board  
693 shall review the accreditation status of a school once every three years if the school has been fully accredited  
694 for three consecutive years. Upon such triennial review, the Board shall review the accreditation status of the  
695 school for each individual year within that triennial review period. If the Board finds that the school would  
696 have been accredited every year of that triennial review period the Board shall accredit the school for another  
697 three years. The Board may review the accreditation status of any other school once every two years or once  
698 every three years, provided that any school that receives a multiyear accreditation status other than full  
699 accreditation shall be covered by a Board-approved multiyear corrective action plan for the duration of the  
700 period of accreditation. Such multiyear corrective action plan shall include annual written progress updates to  
701 the Board. A multiyear accreditation status shall not relieve any school or division of annual reporting  
702 requirements.

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

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

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

715 When the Board determines through its review process that the failure of schools within a division to meet  
716 the standards established by the Board is related to division-level failure to implement the Standards of  
717 Quality or other division-level action or inaction, the Board may require a division-level academic review.  
718 After the conduct of such review and within the time specified by the Board, each school board shall enter  
719 into a memorandum of understanding with the Board and shall subsequently submit to the Board for approval  
720 a corrective action plan, consistent with criteria established by the Board setting forth specific actions and a  
721 schedule designed to ensure that schools within its school division meet the standards established by the  
722 Board. If the Board determines that the proposed corrective action plan is not sufficient to enable all schools  
723 within the division to meet the standards established by the Board, the Board may return the plan to the local  
724 school board with directions to submit an amended plan pursuant to Board guidance. Such corrective action  
725 plans shall be part of the relevant school division's comprehensive plan pursuant to § 22.1-253.13:6.

726 B. The Superintendent shall develop, subject to revision by the Board, criteria for determining and  
727 recognizing educational performance in the Commonwealth's local school divisions and public schools. The  
728 portion of such criteria that measures individual student growth shall become an integral part of the  
729 accreditation process for schools in which any grade level in the grade three through eight range is taught.  
730 The Superintendent shall annually report to the Board on the accreditation status of all school divisions and  
731 schools. Such report shall include an analysis of the strengths and weaknesses of public education programs

732 in the various school divisions in Virginia and recommendations to the General Assembly for further  
 733 enhancing student learning uniformly across the Commonwealth. In recognizing educational performance  
 734 and individual student growth in the school divisions, the Board shall include consideration of special school  
 735 division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and  
 736 International Baccalaureate courses, and participation in academic year Governor's Schools.

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

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

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

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

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

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

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

779 The Standards of Learning assessments administered to students in grades three through eight shall not  
 780 exceed (i) reading and mathematics in grades three and four; (ii) reading, mathematics, and science in grade  
 781 five; (iii) reading and mathematics in grades six and seven; (iv) reading, writing, and mathematics in grade  
 782 eight; (v) science after the student receives instruction in the grade six science, life science, and physical  
 783 science Standards of Learning and before the student completes grade eight; and (vi) Virginia Studies and  
 784 Civics and Economics once each at the grade levels deemed appropriate by each local school board. The  
 785 reading and mathematics assessments administered to students in grades three through eight shall be through-  
 786 year growth assessments.

787 Each school board shall annually certify that it has provided instruction and administered an alternative  
 788 assessment, consistent with Board guidelines, to students in grades three through eight in each Standards of  
 789 Learning subject area in which a Standards of Learning assessment was not administered during the school  
 790 year. Such guidelines shall (a) incorporate options for age-appropriate, authentic performance assessments  
 791 and portfolios with rubrics and other methodologies designed to ensure that students are making adequate  
 792 academic progress in the subject area and that the Standards of Learning content is being taught; (b) permit

793 and encourage integrated assessments that include multiple subject areas; and (c) emphasize collaboration  
794 between teachers to administer and substantiate the assessments and the professional development of teachers  
795 to enable them to make the best use of alternative assessments.

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

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

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

809 The Standards of Learning requirements, including all related assessments, shall be waived for any  
810 student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to §  
811 30-231.2, who is enrolled in a preparation program for a high school equivalency examination approved by  
812 the Board or in an adult basic education program or an adult secondary education program to obtain the high  
813 school diploma or a high school equivalency certificate.

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

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

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

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

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

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

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

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

852 F. To assess the educational progress of students as individuals and as groups, each local school board  
853 shall require the use of Standards of Learning assessments, alternative assessments, and other relevant data,

854 such as industry certification and state licensure examinations, to evaluate student progress and to determine  
 855 educational performance. Each local school shall require the administration of appropriate assessments to  
 856 students, which may include criterion-referenced tests and teacher-made tests and shall include the Standards  
 857 of Learning assessments, the local school board's alternative assessments, and the National Assessment of  
 858 Educational Progress state-by-state assessment. Each school board shall provide teachers, parents, principals,  
 859 and other school leaders with their students' results on any Standards of Learning assessment or Virginia  
 860 Alternate Assessment Program assessment as soon as practicable after the assessment is administered. Each  
 861 school board shall analyze and report annually, in compliance with any criteria that may be established by the  
 862 Board, the results from industry certification examinations and the Standards of Learning assessments to the  
 863 public.

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

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

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

889 The Board may also grant local school boards waivers of specific requirements in § 22.1-253.13:2, based  
 890 on submission of a request from the division superintendent and chairman of the local school board,  
 891 permitting the local school board to assign instructional personnel to the schools with the greatest needs, so  
 892 long as the school division employs a sufficient number of personnel divisionwide to meet the total number  
 893 required by § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of  
 894 § 22.1-253.13:2 are met. The school board shall provide in its request a description of how the waivers from  
 895 specific Standards of Quality staffing standards are designed to increase the quality of instruction and  
 896 improve the achievement of students in the affected school or schools. The waivers may be renewed in up to  
 897 five-year increments, or revoked, based on student achievement results in the affected school or schools.

898 **§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.**

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

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

909 C. The Board shall provide guidance on high-quality professional development for (i) teachers, principals,  
 910 supervisors, division superintendents, and other school staff; (ii) principals, supervisors, and division  
 911 superintendents in the evaluation and documentation of teacher and principal performance based on student  
 912 academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school  
 913 board members on personnel, curriculum and current issues in education; (iv) teachers of the blind and  
 914 visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired, in Braille;

915 (v) any individual with an endorsement in early/primary education preschool through grade three, elementary  
916 education preschool through grade six, special education general curriculum kindergarten through grade 12,  
917 special education deaf and hard of hearing preschool through grade 12, special education blindness/visual  
918 impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a  
919 reading specialist that builds proficiency in science-based reading research and evidence-based literacy  
920 instruction; (vi) each teacher with an endorsement in middle education grades six through eight who teaches  
921 English that builds proficiency in evidence-based literacy instruction and science-based reading research;  
922 (vii) each middle school principal and teacher with an endorsement in middle education grades six through  
923 eight who teaches mathematics, science, or history and social science that builds an awareness of  
924 evidence-based literacy instruction and science-based reading research; (viii) each teacher with a provisional  
925 general education or special education license or an endorsement in early/primary education preschool  
926 through grade three, elementary education preschool through grade six, middle education grades six through  
927 eight, and secondary education grades six through 12; each principal with an endorsement in administration  
928 and supervision preschool through grade 12; and each teacher's aide or other paraprofessional that builds  
929 proficiency in instructional practices to support specially designed instruction in inclusive settings; and (ix)  
930 each teacher with a provisional special education license or an endorsement in special education general  
931 curriculum preschool through grade 12, special education deaf and hard of hearing preschool through grade  
932 12, or special education blindness and visual impairments preschool through grade 12 that builds proficiency  
933 in implementing the Virginia IEP established pursuant to subdivision 11 of § 22.1-214.4 and the referral,  
934 evaluation, reevaluation, and eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4.

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

938 The Department shall provide technical assistance, including literacy coaching, to local school divisions  
939 to provide professional development in science-based reading research and evidence-based literacy  
940 instruction for students in kindergarten through grade eight. The Department shall also create a list of  
941 professional development programs aligned with science-based reading research and evidence-based literacy  
942 instruction that includes programs that provide training in dyslexia for reading specialists as required by  
943 subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The Department shall provide  
944 resources to local school divisions to ensure that each division is able to provide professional development to  
945 teachers and reading specialists listed in subdivision E 2 in one of the programs enumerated in the list  
946 approved by the Board pursuant to this subdivision and that such professional development is provided at no  
947 cost to the teachers and reading specialists.

948 *The Department shall provide technical assistance to local school divisions to implement professional*  
949 *learning resources from the list of vendors approved by the Department pursuant to subdivision K 3 of §*  
950 *22.1-253.13:1.*

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

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

965 E. Each local school board shall provide a program of high-quality professional development (i) in the use  
966 and documentation of performance standards and evaluation criteria based on student academic progress and  
967 skills for teachers, principals, and superintendents to clarify roles and performance expectations and to  
968 facilitate the successful implementation of instructional programs that promote student achievement at the  
969 school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in  
970 acquiring the skills needed to work with gifted students, students with disabilities, and students who have  
971 been identified as having limited English proficiency and to increase student achievement and expand the  
972 knowledge and skills students require to meet the standards for academic performance set by the Board; (iii)  
973 in educational technology for all instructional personnel which is designed to facilitate integration of  
974 computer skills and related technology into the curricula; and (iv) for principals and supervisors designed to  
975 increase proficiency in instructional leadership and management, including training in the evaluation and



976 documentation of teacher and principal performance based on student academic progress and the skills and  
977 knowledge of such instructional or administrative personnel.

978 In addition, each local school board shall provide:

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

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

996 3. 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 (i) each teacher with an endorsement in  
1000 middle education grades six through eight who teaches English that builds proficiency in evidence-based  
1001 literacy instruction and science-based reading research and (ii) each middle school principal and teacher with  
1002 an endorsement in middle education grades six through eight who teaches mathematics, science, or history  
1003 and social science that builds an awareness of evidence-based literacy instruction and science-based reading  
1004 research;

1005 4. (Effective July 1, 2027) High-quality professional development in implementing the Virginia IEP  
1006 established pursuant to subdivision 11 of § 22.1-214.4 and the referral, evaluation, reevaluation, and  
1007 eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4 for each teacher with a  
1008 provisional special education license or an endorsement in special education general curriculum kindergarten  
1009 through grade 12, special education deaf and hard of hearing preschool through grade 12, and special  
1010 education blindness and visual impairments preschool through grade 12; and

1011 5. (Effective July 1, 2027) High-quality professional development in instructional practices to support  
1012 specially designed instruction in inclusive settings for each teacher with a provisional general education  
1013 license or an endorsement in early/primary education preschool through grade three, elementary education  
1014 preschool through grade six, and secondary education grades six through 12; each principal with an  
1015 endorsement in administration and supervision preschool through grade 12; each teacher's aide or other  
1016 paraprofessional; and any teacher with a provisional special education license for whom the school board  
1017 determines there is a need for such professional development.

1018 F. Schools and school divisions shall include as an integral component of their comprehensive plans  
1019 required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment,  
1020 employment, and retention of qualified teachers and principals. Each school board shall require all  
1021 instructional personnel to participate each year in these professional development programs.

1022 G. Each local school board shall annually review its professional development program for quality,  
1023 effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers  
1024 and the academic achievement needs of the students in the school division. *Such review shall consider the*  
1025 *extent to which the professional development program supports teachers in implementing the textbooks and*  
1026 *other high-quality instructional materials adopted for division and school use.*

1027 **§ 22.1-253.13:6. Standard 6. Planning and public involvement.**

1028 A. The Board shall adopt a statewide comprehensive, unified, long-range plan based on data collection,  
1029 analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review  
1030 the plan biennially and adopt any necessary revisions. The Board shall post the plan on the Department's  
1031 website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection  
1032 and copying.

1033 This plan shall include the objectives of public education in Virginia, including strategies for first  
1034 improving student achievement, particularly the achievement of educationally at-risk students, then  
1035 maintaining high levels of student achievement; an assessment of the extent to which these objectives are  
1036 being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the

1037 Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent  
1038 to which these Standards of Quality have been achieved and the objectives of the statewide comprehensive  
1039 plan have been met. The Board shall also develop, consistent with, or as a part of, its comprehensive plan, a  
1040 detailed comprehensive, long-range plan to integrate educational technology into the Standards of Learning  
1041 and the curricula of the public schools in Virginia, including career and technical education programs. The  
1042 Board shall review and approve the comprehensive plan for educational technology and may require the  
1043 revision of such plan as it deems necessary.

1044 B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based on  
1045 data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and  
1046 student achievement. The plan shall be developed with staff and community involvement and shall include,  
1047 or be consistent with, all other divisionwide plans required by state and federal laws and regulations. Each  
1048 local school board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of  
1049 any divisionwide comprehensive plan or revisions thereto, each local school board shall post such plan or  
1050 revisions on the division's Internet website if practicable, and, in any case, shall make a hard copy of the plan  
1051 or revisions available for public inspection and copying and shall conduct at least one public hearing to solicit  
1052 public comment on the divisionwide plan or revisions.

1053 The divisionwide comprehensive plan shall include, ~~but shall not be limited to~~; (i) the objectives of the  
1054 school division, including strategies for ~~first~~ (a) improving student achievement, particularly the achievement  
1055 of educationally at-risk students, ~~then~~ (b) maintaining high levels of student achievement, *and (c) supporting*  
1056 *student achievement through the adoption and implementation of textbooks and other high-quality*  
1057 *instructional materials*; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a  
1058 forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including  
1059 consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of  
1060 instructional services to students and economies in school operations; (v) an evaluation of the appropriateness  
1061 of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan  
1062 for implementing such regional programs and services when appropriate; (vii) a technology plan designed to  
1063 integrate educational technology into the instructional programs of the school division, including the school  
1064 division's career and technical education programs, consistent with, or as a part of, the comprehensive  
1065 technology plan for Virginia adopted by the Board; (viii) an assessment of the needs of the school division  
1066 and evidence of community participation, including parental participation, in the development of the plan;  
1067 (ix) any corrective action plan required pursuant to § 22.1-253.13:3; and (x) a plan for parent and family  
1068 involvement to include building successful school and parent partnerships that shall be developed with staff  
1069 and community involvement, including participation by parents.

1070 The divisionwide comprehensive plan shall also include a divisionwide literacy plan for pre-kindergarten  
1071 through grade eight. The Board shall issue guidance on the contents of such plans. The Department shall  
1072 develop a template for such plans. Each divisionwide literacy plan shall follow such template and address  
1073 how the local school board will align (a) literacy professional development; (b) core reading and literacy  
1074 curriculum for students in kindergarten through grade five; and (c) screening, supplemental instruction, and  
1075 interventions for students in kindergarten through grade eight with evidence-based literacy instruction  
1076 practices aligned with science-based reading research and how the school board will support parents to  
1077 support the literacy development of their children. When developing such divisionwide literacy plan, each  
1078 local school board shall use programs from the lists developed by the Department pursuant to subsection C of  
1079 § 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  
1080 alternative programs that consist of evidence-based literacy instruction and align with science-based reading  
1081 research. Each such divisionwide literacy plan shall be submitted to the Department and shall identify which  
1082 core literacy curricula, supplemental instructional practices and programs, and intervention programs from  
1083 the list developed by the Department pursuant to subdivision ~~H~~ I 2 of § 22.1-253.13:1 or alternative programs  
1084 approved by the Department that consist of evidence-based literacy instruction and align with science-based  
1085 reading research will be used in each grade level, kindergarten through 12, at each of the schools within such  
1086 school division. Each local school board shall post, maintain, and update as necessary on such school board's  
1087 website a copy of its divisionwide literacy plan and the job description and contact information for any  
1088 reading specialist employed by such school division pursuant to subsection G of § 22.1-253.13:2 and for any  
1089 dyslexia specialist employed by such school division. The Department shall post each divisionwide literacy  
1090 plan on its website.

1091 A report shall be presented by each school board to the public by November 1 of each odd-numbered year  
1092 on the extent to which the objectives of the divisionwide comprehensive plan have been met during the  
1093 previous two school years.

1094 C. Each public school shall also prepare a comprehensive, unified, long-range plan, which the relevant  
1095 school board shall consider in the development of its divisionwide comprehensive plan.

1096 D. The Board shall, in a timely manner, make available to local school boards information about where  
1097 current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the

1098 Attorney General of Virginia may be located online.

1099 **§ 23.1-902.1. Education preparation programs; coursework; audit.**

1100 A. As used in this section:

1101 "Evidence-based literacy instruction" and "science-based reading research" have the same meanings as  
1102 provided in § 22.1-1.

1103 "Instructional practices to support specially designed instruction in inclusive settings" has the same  
1104 meaning as provided in § 22.1-213.

1105 *"Textbooks and other high-quality instructional materials" means systematic print or digital curricula*  
1106 *that serve as the primary curriculum basis for a grade-level subject or course and that provide (i) adequate*  
1107 *content and materials for student mastery of corresponding Standards of Learning; (ii) instructional*  
1108 *practices that are aligned with general and discipline-specific research evidence; (iii) assessments to monitor*  
1109 *student mastery of curriculum content; (iv) guidance for meeting student needs including enrichment for*  
1110 *above-grade-level students and intensification for students who are at-risk of not mastering curriculum*  
1111 *content, including English language learners and students with disabilities, and (v) resources for teachers*  
1112 *that develop content knowledge, support implementation of instructional practices that are based on reliable,*  
1113 *trustworthy, and valid evidence and have a demonstrated record of success, and build understanding of the*  
1114 *rationale for curricula components.*

1115 B. Each education preparation program offered by a public institution of higher education or private  
1116 institution of higher education or alternative certification program that provides training for any student  
1117 seeking initial licensure by the Board of Education or a certificate or microcredential in early literacy or  
1118 literacy coaching shall:

1119 1. Include a program of coursework and require all such students to demonstrate mastery in science-based  
1120 reading research and evidence-based literacy instruction. Each such program of coursework and the student  
1121 mastery required to be demonstrated therein shall be consistent with definitions and expectations established  
1122 by the Board of Education and the Department of Education after consultation with a commission consisting  
1123 of independent literacy experts and stakeholders with knowledge of science-based reading research and  
1124 evidence-based literacy instruction that has reviewed the requirements established in subdivision 6 of  
1125 8VAC20-23-130, subdivision 6 of 8VAC20-23-190, subdivision 2 a of 8VAC20-23-350, 8VAC20-23-510  
1126 through 8VAC20-23-580, and 8VAC20-23-660; and

1127 2. For any such student seeking initial licensure by the Board of Education as a teacher with an  
1128 endorsement in early childhood, elementary education, or special education or with an endorsement as a  
1129 reading specialist, ensure that reading coursework and field practice opportunities are a significant focus of  
1130 the education preparation program.

1131 C. Each education preparation program offered by a public institution of higher education or private  
1132 institution of higher education or alternative certification program that provides training for any student  
1133 seeking initial licensure by the Board of Education with an endorsement in early/primary education preschool  
1134 through grade three, elementary education preschool through grade six, middle education grades six through  
1135 eight, and secondary education grades six through 12 shall:

1136 1. Include a program of coursework and require all such students to demonstrate mastery in instructional  
1137 practices to support specially designed instruction in inclusive settings. Each such program of coursework  
1138 and the student mastery required to be demonstrated therein shall be consistent with definitions and  
1139 expectations established by the Board of Education and the Department of Education after consultation with a  
1140 commission consisting of independent special education experts and stakeholders that has reviewed the  
1141 requirements established in 8VAC20-23-510 through 8VAC20-23-580;

1142 2. *Include a program of coursework and clinical experience and require all such students to demonstrate*  
1143 *mastery in identifying and implementing textbooks and other high-quality instructional materials. Each such*  
1144 *program of coursework and clinical experience and the student mastery required to be demonstrated therein*  
1145 *shall be consistent with definitions and expectations established by the Board of Education and the*  
1146 *Department of Education after consultation with a commission consisting of independent experts and*  
1147 *stakeholders with knowledge of the research and evidence base to support the identification and*  
1148 *implementation of high-quality curricula as a strategy for improving student learning that has reviewed the*  
1149 *requirements established in subdivision 2 of 8VAC20-23-130 of the Virginia Administrative Code and*  
1150 *subdivision 2 of 8VAC20-23-190 of the Virginia Administrative Code; and*

1151 ~~2.~~ 3. For any such student seeking initial licensure by the Board of Education as a teacher with an  
1152 endorsement in early/primary, elementary, or secondary education, ensure that coursework and, as available,  
1153 field practice opportunities that build knowledge of instructional practices to support specially designed  
1154 instruction in inclusive settings are a significant focus of the education preparation program.

1155 D. The Department of Education shall audit at least once every seven years each education preparation  
1156 program, in alignment with each program's accreditation cycle, for compliance with the requirements set  
1157 forth in subsection B.

1158 E. Each education preparation program offered by a public institution of higher education or private

1159 institution of higher education that leads to a degree, concentration, endorsement, or certificate for reading  
1160 specialists shall include a program of coursework and other training in the identification of and the  
1161 appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related  
1162 disorder. Such program shall (i) include coursework in the constructs and pedagogy underlying remediation  
1163 of reading, spelling, and writing and (ii) require reading specialists to demonstrate mastery of science-based  
1164 reading research and evidence-based literacy instruction, including appropriate application of instructional  
1165 supports and services and reading literacy interventions to ensure reading proficiency.

1166 **2. That the Board of Education shall amend its regulations as necessary to implement and comply with**  
1167 **the provisions of §§ 22.1-238 and 22.1-242 of the Code of Virginia, as amended by this act.**

1168 **3. That the Department of Education shall develop, adopt, and publish the list of approved vendors of**  
1169 **professional learning resources as required pursuant to subdivision K 3 of § 22.1-253.13:1 of the Code**  
1170 **of Virginia, as amended by this act, (i) no later than January 1, 2026, for English language arts for**  
1171 **grades six through 12; (ii) no later than January 1, 2027, for mathematics; (iii) no later than January 1,**  
1172 **2028, for science; and (iv) no later than January 1, 2029, for history and social science.**

1173 **4. That the Department of Education and the Board of Education shall complete the process of**  
1174 **reviewing and approving textbooks and other high-quality instructional materials as required**  
1175 **pursuant to § 22.1-238 of the Code of Virginia, as amended by this act, and subdivisions K 1 and 2 of §**  
1176 **22.1-253.13:1 of the Code of Virginia, as amended by this act, (i) no later than January 1, 2026, for**  
1177 **English language arts for grades six through 12; (ii) no later than January 1, 2027, for mathematics;**  
1178 **(iii) no later than January 1, 2028, for science; and (iv) no later than January 1, 2029, for history and**  
1179 **social science. Such deadlines may be adjusted to achieve better alignment with the relevant Standards**  
1180 **of Learning review and revision schedule.**

1181 **5. That each local school board shall adopt and implement textbooks and other high-quality**  
1182 **instructional materials as required pursuant to subsection J of § 22.1-253.13:1 of the Code of Virginia,**  
1183 **as amended by this act, in each required content area and grade level as soon as practicable after the**  
1184 **relevant deadline for Department of Education and Board of Education review and approval set forth**  
1185 **in the fourth enactment of this act.**