

HOUSE BILL NO. 1552

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education

on _____)

(Patron Prior to Substitute--Delegate Bulova)

A BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to local school boards; student and parent notification; career and technical education programs; career readiness certificates.

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:1 of the Code of Virginia is amended and reenacted as follows:

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

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

B. The Board of Education shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish

27 Standards of Learning for English, mathematics, science, and history and social science. The Standards
28 of Learning shall not be construed to be regulations as defined in § 2.2-4001.

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

35 The English Standards of Learning for reading in kindergarten through grade three shall be based
36 on components of effective reading instruction, to include, at a minimum, phonemic awareness, phonics,
37 fluency, vocabulary development, and text comprehension.

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

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

52 In addition, the Department of Education shall make available and maintain a website, either
53 separately or through an existing website utilized by the Department of Education, enabling public

54 elementary, middle, and high school educators to submit recommendations for improvements relating to
55 the Standards of Learning, when under review by the Board according to its established schedule, and
56 related assessments required by the Standards of Quality pursuant to this chapter. Such website shall
57 facilitate the submission of recommendations by educators.

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

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

66 The Board of Education shall include in the Standards of Learning for health instruction in
67 emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator,
68 including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such
69 instruction shall be based on the current national evidence-based emergency cardiovascular care
70 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a
71 program developed by the American Heart Association or the American Red Cross. No teacher who is
72 in compliance with subdivision D 5 of § 22.1-298.1 shall be required to be certified as a trainer of
73 cardiopulmonary resuscitation to provide instruction for non-certification.

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

79 C. Local school boards shall develop and implement a program of instruction for grades K
80 through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the

81 Board of Education. The program of instruction shall emphasize reading, writing, speaking,
82 mathematical concepts and computations, proficiency in the use of computers and related technology,
83 computer science and computational thinking, including computer coding, and scientific concepts and
84 processes; essential skills and concepts of citizenship, including knowledge of Virginia history and
85 world and United States history, economics, government, foreign languages, international cultures,
86 health and physical education, environmental issues, and geography necessary for responsible
87 participation in American society and in the international community; fine arts, which may include, but
88 need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for
89 further education, gainful employment, or training in a career or technical field; and development of the
90 ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning
91 and to achieve economic self-sufficiency.

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

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

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

106 Remediation programs shall include, when applicable, a procedure for early identification of
107 students who are at risk of failing the Standards of Learning assessments in grades three through eight or

108 who fail an end-of-course test required for the award of a verified unit of credit. Such programs may
109 also include summer school for all elementary and middle school grades and for all high school
110 academic courses, as defined by regulations promulgated by the Board of Education, or other forms of
111 remediation. Summer school remediation programs or other forms of remediation shall be chosen by the
112 division superintendent to be appropriate to the academic needs of the student. Students who are
113 required to attend such summer school programs or to participate in another form of remediation shall
114 not be charged tuition by the school division.

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

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

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

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

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

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

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

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

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

148 d. Annual notice on its website to enrolled high school students and their parents of [\(i\) the](#)
149 [availability of the postsecondary education and employment data published by the State Council of](#)
150 [Higher Education on its website pursuant to § 23.1-204 and \(ii\) the opportunity for such students to](#)
151 [obtain a nationally recognized career readiness certificate at a local public high school, comprehensive](#)
152 [community college, or workforce center.](#)

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

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

157 6. Early identification of gifted students and enrollment of such students in appropriately
158 differentiated instructional programs.

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

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

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

167 10. An agreement for postsecondary degree attainment with a community college in the
168 Commonwealth specifying the options for students to complete an associate's degree or a one-year
169 Uniform Certificate of General Studies from a community college concurrent with a high school
170 diploma. Such agreement shall specify the credit available for dual enrollment courses and Advanced
171 Placement courses with qualifying exam scores of three or higher.

172 11. A plan to notify students and their parents of the availability of dual enrollment and advanced
173 placement classes, [career and technical education programs](#), the International Baccalaureate Program,
174 and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and
175 programs, and the availability of financial assistance to low-income and needy students to take the
176 advanced placement and International Baccalaureate examinations. This plan shall include notification
177 to students and parents of the agreement with a community college in the Commonwealth to enable
178 students to complete an associate's degree or a one-year Uniform Certificate of General Studies
179 concurrent with a high school diploma.

180 12. Identification of students with limited English proficiency and enrollment of such students in
181 appropriate instructional programs.

182 13. Early identification, diagnosis, and assistance for students with reading and mathematics
183 problems and provision of instructional strategies and reading and mathematics practices that benefit the
184 development of reading and mathematics skills for all students.

185 Local school divisions shall provide reading intervention services to students in kindergarten
186 through grade three who demonstrate deficiencies based on their individual performance on the
187 Standards of Learning reading test or any reading diagnostic test that meets criteria established by the
188 Department of Education. Local school divisions shall report the results of the diagnostic tests to the
189 Department of Education on an annual basis, at a time to be determined by the Superintendent of Public
190 Instruction. Each student who receives early intervention reading services will be assessed again at the
191 end of that school year. The local school division, in its discretion, shall provide such reading
192 intervention services prior to promoting a student from grade three to grade four. Reading intervention
193 services may include the use of: special reading teachers; trained aides; volunteer tutors under the
194 supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class
195 groups while the teacher provides direct instruction to the students who need extra assistance; and
196 extended instructional time in the school day or school year for these students. Funds appropriated for
197 prevention, intervention, and remediation; summer school remediation; at-risk; or early intervention
198 reading may be used to meet the requirements of this subdivision.

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

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

209 15. (Applicable to school years before the 2018-2019 school year) A program of physical fitness
210 available to all students with a goal of at least 150 minutes per week on average during the regular
211 school year. Such program may include any combination of (i) physical education classes, (ii)

212 extracurricular athletics, or (iii) other programs and physical activities deemed appropriate by the local
213 school board. Each local school board shall incorporate into its local wellness policy a goal for the
214 implementation of such program during the regular school year.

215 15. (Applicable beginning with the 2018-2019 school year) A program of physical activity
216 available to all students in grades kindergarten through five consisting of at least 20 minutes per day or
217 an average of 100 minutes per week during the regular school year and available to all students in grades
218 six through 12 with a goal of at least 150 minutes per week on average during the regular school year.
219 Such program may include any combination of (i) physical education classes, (ii) extracurricular
220 athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by the local
221 school board. Each local school board shall implement such program during the regular school year.

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

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

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

228 E. From such funds as may be appropriated or otherwise received for such purpose, there shall be
229 established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the
230 resources and technical assistance to increase the capacity for school divisions to deliver quality
231 instruction; and (iii) assist school divisions in implementing those programs and practices that will
232 enhance pupil academic performance and improve family and community involvement in the public
233 schools. Such unit shall identify and analyze effective instructional programs and practices and
234 professional development initiatives; evaluate the success of programs encouraging parental and family
235 involvement; assess changes in student outcomes prompted by family involvement; and collect and
236 disseminate among school divisions information regarding effective instructional programs and
237 practices, initiatives promoting family and community involvement, and potential funding and support
238 sources. Such unit may also provide resources supporting professional development for administrators

239 and teachers. In providing such information, resources, and other services to school divisions, the unit
240 shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards
241 of Learning assessments.

242 F. Each local school board may enter into agreements for postsecondary credential, certification,
243 or license attainment with community colleges or other public institutions of higher education or
244 educational institutions established pursuant to Title 23.1 that offer a career and technical education
245 curriculum. Such agreements shall specify (i) the options for students to take courses as part of the
246 career and technical education curriculum that lead to an industry-recognized credential, certification, or
247 license concurrent with a high school diploma and (ii) the credentials, certifications, or licenses available
248 for such courses.

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