



VIRGINIA BOARD OF EDUCATION

Annual Report 2003

*2003*  
*ANNUAL REPORT ON THE*  
*CONDITION AND NEEDS*  
*OF PUBLIC SCHOOLS IN VIRGINIA*

PRESENTED TO  
THE GOVERNOR AND  
THE GENERAL ASSEMBLY

NOVEMBER 26, 2003  
VIRGINIA BOARD OF EDUCATION

**COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
P.O. BOX 2120  
RICHMOND, VIRGINIA 23218-2120**

November 26, 2003

The Honorable Mark R. Warner, Governor  
Members of the Virginia General Assembly  
Commonwealth of Virginia  
Capitol Square  
Richmond, Virginia 23219

Dear Governor Warner and Members of the Virginia General Assembly:

On behalf of the Virginia Board of Education, I am pleased to transmit the Board of Education's *2003 Annual Report on the Conditions and Needs of the Public Schools in Virginia*, submitted pursuant to § 22.1-18 of the Code of Virginia.

The *2003 Annual Report on the Condition and Needs of the Public Schools in Virginia* contains important and helpful statistics about public education in Virginia, including an analysis of the results of student performance on state and national tests and other measures of accomplishments and persistent problem areas, all of which give indications of the needs of the public schools in Virginia. A major component of this year's annual report is the complete listing of recommended revisions to the Standards of Quality as prescribed by the Board of Education in June 2003.

The members of the Board of Education are grateful for the cooperation and support you have given to Virginia's school improvement efforts. We firmly believe that these efforts are showing positive results for our students and schools. We look forward to continuing to work closely with you.

Sincerely,

A handwritten signature in black ink, reading "Thomas M. Jackson, Jr." with a stylized flourish at the end.

Thomas M. Jackson, Jr.  
President  
Virginia Board of Education

# **2003 ANNUAL REPORT ON THE CONDITION AND NEEDS OF PUBLIC SCHOOLS IN VIRGINIA**

## **PREFACE**

### **Statutory Authority for the Annual Report:**

**The Code of Virginia, in § 22.1-18, states:**

By November 15 of each year, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the Commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.

### **Broad Findings Contained in the Annual Report:**

A major component of this year's annual report is the complete listing of the changes in the Standards of Quality as prescribed by the Board of Education's at its meeting in June 2003. This action by the board followed almost two years of study and analysis of the needs of the public schools. The Board of Education unanimously adopted the changes to the Standards of Quality, which will be presented to the 2004 General Assembly.

In addition, the annual report describes the condition and needs of the public schools using the following information:

- Highlights of progress: student performance on national and state assessments;
- An overview of the funding for public education in Virginia;
- Condition and needs of Virginia's public schools as identified by state and national test results;
- Condition and needs of Virginia's public schools as identified by Academic Review Teams;
- Condition and needs as shown by Adequate Yearly Progress of Virginia's schools under the requirements of the *No Child Left Behind Act of 2001*;
- Standards of Quality compliance and accreditation status of the Virginia's public schools for 2002-03, including the listing of schools and school divisions reporting noncompliance with the standards; and
- An overview of the major challenges that will confront Virginia's public schools within the coming year.

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# 2003 ANNUAL REPORT ON THE CONDITION AND NEEDS OF PUBLIC SCHOOLS IN VIRGINIA

## Table of Contents

Letter of Transmittal .....	i
Preface.....	ii
List of the Members of the Board of Education.....	iv
Executive Summary.....	vii
A Message from the Virginia Board of Education.....	1
The Board of Education’s Focus in 2003.....	2
Highlights of Progress: Measuring Success.....	3
Standards of Learning statewide test results	
Virginia Alternative Assessment Program (VAAP) test results	
NAEP results	
Advanced Placement test results	
SAT-I test results	
Funding for Public Education in Virginia.....	11
A High Quality Teaching Force in Virginia.....	13
Condition and Needs Identified by State and National Test Results.....	15
Condition and Needs Identified by Academic Review Teams.....	17
Virginia’s Progress Under the Requirements of the <i>No Child Left Behind Act of 2001</i> .....	18
School Division Compliance with Requirements of the Standards of Quality.....	21
·	
Accreditation Status of the Public Schools: 2003-04 .....	23
Board of Education’s Recommendations and Rationale: Changes and Additions to the Standards of Quality.....	25
Board of Education Recommendations: Re-benchmarking the Standards of Quality.....	28

The Board of Education Responds: Programs to Meet the Needs of Schools and Students.....	29
Support from the Governor and General Assembly.....	32
The Challenges Ahead.....	34
Appendices.....	36
Appendix A: Results of the Standards of Learning Tests: 2001--2003	
Appendix B: List of Schools Rated <i>Accredited with Warning</i>	
Appendix C: The Standards of Quality: Overview of the Recent Legislative Changes in the Current Standards	
Appendix D: Outline of the Board of Education’s Standards of Quality Review Process	
Appendix E: Full text of the Proposed Changes to the Standards of Quality, Adopted by the Board of Education on June 25, 2003	

# **2003 Annual Report on the Conditions and Needs of the Public Schools:**

## **Executive Summary**

The *2003 Annual Report on the Condition and Needs of the Public Schools in Virginia* provides a concise and comprehensive picture of the current condition and needs of the public schools in Virginia. During 2003, the Board of Education focused its efforts on three major priorities: 1) making necessary policy decisions and completing the application process to ensure that Virginia's schools receive and retain funding provided under the *No Child Left Behind Act of 2001*; 2) identifying the conditions and needs of the public schools in order to prescribe revised Standards of Quality; and 3) continuing to update and improve the Standards of Learning content and program.

The annual report describes the condition and needs of the public schools using the following information:

- 2003 Standards of Learning test results: Overall student achievement increased on 19 of the 26 SOL tests administered during spring 2003 when compared with results from the previous year. Achievement remained at the same level or fell slightly on seven tests. Pass rates on 23 tests have increased by double-digit margins since 1998, including increases of 38 percent in Algebra I, 50 percent in Algebra II, and 27 percent in Geometry.
- 2003 Virginia Alternate Assessment test results: Of the 3017 scored Collections of Evidence received by the state scoring contractor, 91% of all students passed at least one specific content area of the Alternate Assessment. Scores reported to school divisions were reported and figured into the school accreditation formula.
- Results from the 2002 National Assessment of Educational Progress (NAEP) show that the reading skills of Virginia students continue to improve and that the commonwealth's students are now among the nation's strongest readers. Virginia students improved upon their 1998 performance on the NAEP reading test and scored significantly higher than their counterparts nationwide and in the Southeast. On the NAEP writing tests, while there is room for improvement, the 2002 results tests show that our students are becoming stronger writers. Students in only three states outperformed Virginia students on the grade 8 test and that students in only four states outscored Virginia students in grade 4 by a statistically significant margin. In addition, Virginia fourth- and eighth-grade students posted significant gains in mathematics achievement on the 2003 National Assessment of Educational Progress (NAEP), the Virginia Department of Education announced today. Results from the 2003 NAEP also show Virginia students maintaining the increases in reading achievement demonstrated by students in grades 4 and 8 in 2002.

- More Virginia public school students are taking Advanced Placement (AP) courses and exams. During the 2002-03 school year, 31,966 Virginia students took AP exams. This represented a 4.5 percent increase in AP participation over the previous year.
- Virginia now ranks first in the South and tenth in the nation in the percentage of high school seniors taking the SAT-I, which measures the aptitude of students for college-level work. The average score of Virginia seniors on the verbal portion of the SAT-I in 2003 was 514, four points higher than the average score of 510 in 2002. The average score of Virginia seniors on the mathematics portion of the test rose to 510, also a four-point increase over the performance of the class of 2002. Virginia's average scores for 2003 compare with national averages of 507 on the verbal portion and 519 on the mathematics portion of the SAT-I.

Data in the report show that during the past several years, the state's level of funding for education has increased. Local funding for public education has also increased. Additional data show that approximately 83 percent of Virginia's current teaching force meet the criteria for "highly qualified" teachers under the *No Child Left Behind Act of 2001*.

Results from state and national test show that while Virginia's students are performing well, there remains a persistent and troubling achievement gap among groups of students. In addition, the Adequate Yearly Progress (under the federal *No Child Left Behind Act of 2001*) shows that fifty-five percent of Virginia's 1,822 public schools met the complex federal definition for Adequate Yearly Progress (AYP) and 18 of the 132 school divisions met the requirements. Virginia as a whole did not make AYP.

In addition to the state and national test results, Virginia's Academic Review Team findings substantiate that schools rated *Accredited with Warning* need assistance to establish systems for collecting and analyzing data on a regular basis and to use those analyses for evaluating and implementing program that help students achieve and teachers teach more effectively.

As required by the Code, the report contains a section that lists the school divisions reporting noncompliance with the Standards of Quality. A total of 23 divisions reported noncompliance with one or more requirements of the Standards of Quality for the 2002-03 school year. The school divisions are listed under each area of noncompliance. The area of noncompliance most frequently cited in *Standard 3: Accreditation, other standards and evaluation*. With a few exceptions, however, school divisions are progressing well toward having all schools rated fully accredited by the 2007-08 school year.

The Code also requires a report on the accreditation of public schools. More than three-quarters of Virginia's schools are fully accredited for the 2003-2004 academic year, based on the achievement of students during 2002-03 on Standards of Learning tests. Students in 78 percent, or 1,414, of the commonwealth's 1,823 schools met or exceeded the standard for full accreditation. Last year, 65 percent, or 1,181 schools met the standard. Also required by the Code is a listing of the Virginia's public schools rated *Accredited with Warning* for 2002-03. The schools rated *Accredited with Warning* are listed in the appendix.



A major component of this year's annual report is the complete listing of Board of Education's recommendations for changes and additions to the Standards of Quality. In June 2003, when the Board of Education unanimously adopted changes and additions to the Standards of Quality, which will be presented to the 2004 General Assembly. The prescribed changes, with an estimated fiscal impact of \$323.8 million in state funds for FY 2004, provide for the following:

- One full-time principal for every elementary school;
- One full-time assistant principal for every 400 students;
- Additional resource teachers in Art, Music, and Physical Education;
- Reducing Speech-Language Pathologist caseload to 60 students;
- Two technology positions per 1,000 students;
- Planning period for secondary teachers;
- Additional resources for prevention, intervention, and remediation;
- Additional reading specialists; and
- Technical and editorial changes.

In addition to the prescribed changes to the Standards of Quality, the Standards of Quality budget is re-benchmarked for the next biennium in the summer of each odd-numbered year and is projected to increase state costs for public education by approximately \$525.1 million in the 2004-2006 biennium.

The report lists a brief description of some of the key programs and initiatives currently under way that address the needs of our public schools. The report closes with a brief description of some of the major challenges that must be addressed in the coming months. Among the most pressing challenges are the following:

- The Board of Education will work closely with the Governor and members of the General Assembly and will provide any assistance necessary in the deliberations by the Governor and the General Assembly regarding the prescribed revisions and the re-benchmarking of the Standards of Quality.
- The gap in the achievement of white and black students, limited English proficient students, and students with disabilities.
- An estimated \$10.4 million in additional state funds during the next biennium is needed to establish a data collection and reporting system capable of meeting the annual demands of NCLB.
- The Board of Education must ensure that many of the provisions of the federal *No Child Left Behind Act* are met in order to meet the requirements and retain the funding for these programs.
- The Board of Education is concerned that schools and divisions receive the technical assistance they need to monitor student progress on the Standards of Learning tests for verified credit required to earn a high school diploma.

- State funding for the elementary and middle school portion of the Web-based Standards of Learning Testing initiative is needed. Virginia must redouble efforts to attract and retain a high quality work force, especially in light of the new *No Child Left Behind* requirements for highly qualified teachers in every core classroom.

Note to the Reader: The Board of Education's Annual Report on the Conditions and Needs of the Public Schools in Virginia is intended to be read along with the Board of Education's *Technology Plan for Virginia*. The state plan is an organized, comprehensive, coordinated approach to the use of technology in teaching and learning environments. It provides the framework for the evaluation of programs and services, and guides a process for technology program development.

See <http://www.pen.k12.va.us/VDOE/Technology/OET/resources.shtml#etp>

## **2003 Annual Report on the Conditions and Needs of the Public Schools: A Message from the Virginia Board of Education**

For the past ten years, Virginia's public education system has been focused on improving the academic performance of all students. Academic standards are now in place across all grades and in the core content areas. Teachers are implementing the standards, and students are making significant and measurable progress in achieving them. Virginia's governors and members of the General Assembly have supported the school improvement efforts financially and have held firm on the requirements for high academic standards and accountability through the Standards of Learning and assessment programs. Virginia's students are performing better as a result.

In the future, scores on Standards of Learning and national tests will no doubt fluctuate from year to year. Test scores will go up in some years, down in others, on various tests. What is important is the long-term trend on multiple tests given over multiple years. By that important analysis, it is clear that Virginia has been moving in the right direction in our school improvement efforts. But, it is also clear that much work remains to be done. To help students meet Virginia's new graduation requirements and to maintain adequate yearly progress under new federal requirements, we must not just stay the course, but accelerate our current progress and extend it to every student in every school.

Virginia, like many other states, is experiencing unprecedented fiscal stress at the state and local levels, which is expected to continue for at least the near future. The principles of good leadership, however, demand that we continue our focus on the essential purpose of our public schools—through good times and bad—and that is the continuous improvement of our students' academic achievements. To that end, the Board of Education worked diligently throughout 2002 and 2003 to prescribe the revised Standards of Quality that will be presented to the Governor and to the 2004 session of the General Assembly. The revisions, which were adopted in June 2003 with unanimous support from the board, are described in this report.

During 2003, the Virginia Board of Education, along with the boards in many other states, struggled to interpret the complex requirements of federal *No Child Left Behind Act of 2001* (NCLB). Several important questions and concerns remain. By and large, however, the Board of Education applauds the intent of the *No Child Left Behind Act*, which mirrors the push in Virginia in recent years for greater accountability and results in education.

The members of the Board of Education know that students of all backgrounds can perform at high levels when they are supported by focused, data-driven instruction that is aligned to the academic standards and taught by well-qualified educators who believe that all students can succeed with a rigorous curriculum. The Board of Education's fundamental commitment is that all of Virginia's diverse students achieve at high levels, taught by high-quality teachers and staff in safe, supportive, and well-managed schools. Here in Virginia, we have many exemplary schools that have shown remarkable results in spite of apparent obstacles, and we are building on the knowledge gained from their experience.

## The Board of Education's Focus in 2003

During 2003, the Board of Education focused its efforts on three major priorities:

- Making necessary policy decisions and completing the application process to ensure that Virginia's schools receive and retain funding provided under the *No Child Left Behind Act of 2001*.
- Identifying the conditions and needs of the public schools in order to prescribe revised Standards of Quality.
- Continuing to update and improve the Standards of Learning content and program.

The Board of Education worked throughout the past year to translate the new federal *No Child Left Behind Act of 2001* (NCLB) legislation into practical applications and timetables. Much of the Board's attention has centered on the high-profile accountability requirements, which will reach into virtually every public school in Virginia, and take particular aim at improving student performance in low-performing schools. This law, a blend of new requirements, incentives and resources, poses enormous challenges for Virginia and all other states. Provisions in NCLB set deadlines for states to expand the scope and frequency of student testing, revamp accountability systems, and ensure that every classroom is staffed by a teacher qualified to teach in his or her subject area. In 2003, the Virginia Board of Education's work culminated in a series of applications—submitted under protest for some NCLB requirements—for funding that have now been approved by the U.S. Education Department. Implementing the law's requirements will be a high priority for the coming year.

The year 2003 has been a year of action to get programs up and running to help students and their teachers. Many of these programs are described in this report and include programs such as the following:

- Implementing the action plan to enhance the K-12 teaching profession in Virginia and address teacher/administrator shortages, including implementing a new program for Teacher Quality Enhancement, mentor teacher initiatives, and comprehensive data collection and reporting.
- Implementing the action plan to improve instruction in reading and implementing programs for early reading success, including implementing a requirement for a reading instructional assessment for teachers of special education and elementary pre-K through grade 3 and pre-K through grade 6 and for reading specialists.
- Implementing the Governor's innovative *Education for a Lifetime* initiative and the *Operation Graduation* program, which helps high school seniors meet this year's requirements for a Standard Diploma, including offering the Governor's Regional Summer Academy programs, online tutorials, and new and innovative opportunities for distance learning courses

In addition, the Board of Education put in place a new standing advisory committee, the Advisory Committee for Career and Technical Education, to study issues and make recommendations in this important area of a well-rounded program of education.

Two new committees were established, as well. The Joint Committee of the Board of Education and the Board of Health to Study Feasibility of Developing Education Curriculum for Proper Nutrition and Exercise for Students in Kindergarten through Grade 12 will conduct a study that will result in recommendations for action in this important area of child health and well being. The Committee to Study Low-Performing School Systems will undertake a detailed analysis and develop recommendations on effective ways to help failing school systems in Virginia by looking at strategies that need to be dealt with at the state level.

## **Highlights of Progress: Measuring Success**

Governor Warner, in his address to the Virginia Association of School Superintendents on May 12, 2003, reaffirmed Virginia's commitment to the high school graduation requirements that take effect next year. While much work remains to be done and many critical issues need to be addressed, the indicators show that the Board of Education's key activities are being performed effectively and efficiently to the benefit of Virginia's young people. Important indicators of recent success include:

- The Princeton Review, in its annual Testing the Testers report, rated Virginia's accountability system as among the best in the nation. Virginia was the only state to receive an "A" for alignment of tests with academic standards and for overall test quality.
- Education Trust, in *The Unfinished Business of Brown v. Board of Education*, recognized Virginia for having the second highest level of achievement by African-American students in the nation on the 1998 National Assessment of Educational Progress in fourth-grade reading and the highest level of achievement by black students of any Southern state.
- In May 2003 Virginia was selected by the National Forum to Accelerate Middle-Grades Reform to participate in the forum's "Schools to Watch" program:
- *Education Week's* Technology Counts 2003 report acknowledged Virginia as among the nation's most advanced states in the implementation of online testing.
- Virginia continues to be among the leading southern states in preparing its students for college, according to a report by the Southern Regional Education Board. The report finds that Virginia: (1) had the second-highest average SAT score among southern states in which SAT is the dominant college-admissions test taken, in 2002; (2) outpaced the average national gain on SAT scores between 1992 and 2002; (3) narrowed the "achievement gap" between Hispanic and white students; and (4) more than half the students taking a college-admissions test scored high enough to meet standard college-admissions requirements.

## 2003 Standards of Learning Statewide Test Results:

More than 90 percent of the high school students who took end-of-course Standards of Learning tests in English reading and writing passed and earned verified units of credit required for a Standard or Advanced Studies Diploma. These tests typically are taken during the eleventh grade and the juniors who took them in spring 2003 are the first students required to earn verified units of credit to receive a Standard or Advanced Studies Diploma.

Overall achievement on the English reading test increased seven points, to 93 percent from 86 percent. The pass rate on the English writing test increased five points, to 91 percent in spring 2003 compared with 86 percent the previous year. These pass rates do not include the results of tests taken during the fall and summer.

The achievement of Black students on the graduation-related reading and writing tests rose sharply in 2003. The pass rate for Black students on the reading test jumped 12 points to 88 percent, compared with 76 percent in 2002. Eighty-three percent of the Black students who took the high school writing test in 2003 passed compared with 75 percent in spring 2002. In 1998, the first year of SOL testing, only 55 percent and 54 percent of Black students passed the reading and writing tests, respectively.

Members of the graduating class of 2004 who have yet to earn verified units of credit in reading and writing will have multiple opportunities during their senior year to retake the reading and writing assessments and end-of-course SOL tests needed to earn the four student-selected verified units of credit required for a Standard Diploma. Students also may earn student-selected verified units of credit by passing certifications and examinations in career and technical education.

Overall student achievement increased on 19 of the 26 SOL tests administered during spring 2003 when compared with results from the previous year. Achievement remained at the same level or fell slightly on seven tests. Pass rates on 23 tests have increased by double-digit margins since 1998, including increases of 38 percent in Algebra I, 50 percent in Algebra II, and 27 percent in Geometry.

Additional information may be viewed in Appendix A.

<b>English: Pass Rates</b>							
<b>SOL Test</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>Change: 1998-2003</b>
Grade 3	55%	61%	61%	65%	72%	72%	17
Grade 5	68%	69%	68%	73%	78%	82%	14
Grade 5 Writing	65%	81%	81%	84%	84%	85%	20
Grade 8	65%	67%	70%	73%	69%	67%	2
Grade 8 Writing	67%	70%	76%	75%	76%	74%	7
English EOC	72%	75%	78%	82%	86%	93%	21
Writing EOC	71%	81%	85%	84%	86%	91%	20

### Mathematics: Pass Rates

SOL Test	1998	1999	2000	2001	2002	2003	Change: 1998-2003
Grade 3	63%	68%	71%	77%	80%	83%	20
Grade 5	47%	51%	63%	67%	71%	74%	27
Grade 8	53%	60%	61%	68%	71%	72%	19
Algebra I	40%	56%	65%	74%	78%	78%	38
Algebra II	31%	51%	58%	74%	77%	81%	50
Geometry	52%	62%	67%	73%	76%	79%	27

### Science: Pass Rates

SOL Test	1998	1999	2000	2001	2002	2003	Change: 1998-2003
Grade 3	63%	68%	73%	74%	78%	82%	19
Grade 5	59%	67%	64%	75%	76%	79%	20
Grade 8	71%	78%	82%	84%	85%	84%	13
Earth Science	58%	65%	70%	73%	70%	73%	15
Biology	72%	81%	79%	81%	83%	82%	10
Chemistry	54%	64%	64%	74%	78%	84%	30

### History & Social Science: Pass Rates

SOL Test	1998	1999	2000	2001	2002	2003	Change: 1998-2003
Grade 3	49%	62%	65%	72%	76%	82%	33
Grade 5	33%	46%	51%	63%	72%	79%	46
Grade 8	35%	40%	50%	56%	78%	80%	45
World History I	62%	68%	75%	83%	86%	86%	24
World History II	41%	47%	60%	65%	79%	82%	41
World Geography	n/a	n/a	76%	77%	74%	76%	N/A
U.S. History	30%	32%	39%	47%	72%	75%	45

### Virginia Alternative Assessment Program (VAAP) Test Results:

Administered for the first time in 2001, VAAP is designed to measure the achievement of students with severe disabilities who are unable to participate in the Virginia Standards of Learning assessments, even with appropriate accommodations.

Collections of Evidence (COEs) from 3079 students in special education programs from around the state were submitted to the Department of Education for scoring during the 2002-2003 administration of the Virginia Alternate Assessment Program. COEs are samples of student work that may include data sheets, writing samples, photographs, and/or video or audiotapes. Students are assessed in the same content areas as their nondisabled peers: English, Science, History and Mathematics.

Of the 3017 scored Collections of Evidence received by Questar, the state scoring contractor, 91% of all students passed at least one specific content area of the Alternate Assessment. Scores reported to school divisions will be reported and figured into the school accreditation formula.

An examination of scores in each content area revealed that 91% of students who participated in the Virginia Alternate Assessment Program during the 2002-2003 school year passed the English content area, 93% passed Math, 91% passed Science, and 93% passed History earning either Passed Proficient or Passed Advanced in access to Virginia's Standards of Learning.

### **National Assessment of Educational Progress:**

Virginia students' reading scores on the latest National Assessment of Educational Progress (NAEP)—often called the Nation's Report Card—are the highest our students have ever scored since NAEP testing began in Virginia in 1992. This is a stark contrast to the 1994 NAEP reading tests, when our students suffered the largest decline in the nation. Not coincidentally, 1994 was the year immediately prior to the beginning of Virginia's Standards of Learning reform.

**Results in Reading:** Results from the 2002 National Assessment of Educational Progress (NAEP) show that the reading skills of Virginia students continue to improve and that the commonwealth's students are now among the nation's strongest readers. Virginia students improved upon their 1998 performance on the NAEP reading test and scored significantly higher than their counterparts nationwide and in the Southeast.

### **Key Findings for Virginia's Fourth-Graders in Reading:**

- Students achieved an average score of 225 on the 2002 NAEP reading test, an eight-point improvement over the previous administration of the assessment in 1998. Virginia's average fourth-grade score for 2002 compared with the national average of 217 and the average for the Southeast of 214.
- The achievement on the 2002 test also was four points higher than the average score of 221 posted by fourth-grade students in 1992. A sharp plunge in reading achievement on the 1994 NAEP preceded the adoption of the Standards of Learning (SOL) in 1995 and the implementation of new school accreditation and accountability standards in 1997.
- The average score on the 2002 NAEP reading test was higher than the average scores of students in 29 states. Students in only two states, Connecticut and Massachusetts, achieved at what the National Center for Education Statistics (NCES) considers a higher level.
- The percentage of Virginia fourth-grade students demonstrating reading skills at or above the Proficient level increased to 37 percent in 2002, compared with 30 percent in 1998
- Last year's fourth-grade students achieved a higher average score in reading than their predecessors in 1992 even though the scores of students with disabilities and limited English skills played a larger role in the calculation of the average score for 2002. The students tested by NAEP included the following:
  - ✓ Students with disabilities accounted for 5.6 percent of the fourth-grade scores used to calculate Virginia's 2002 average, compared with 5 percent in 1992.



- ✓ Students with limited English skills accounted for 2.9 percent of 2002's scores. Virtually no Virginia students of limited English proficiency participated in the 1992 NAEP reading assessment.
- African-American and Hispanic students in grade 4 demonstrated significantly stronger reading skills on the 2002 test. Hispanic reading achievement in grade 4 rose 17 points to 224, compared with average scores of 207 in 1998 and 211 in 1994. The average score of African-American fourth-grade students was 205, compared with 199 in 1998, 192 in 1994, and 201 in 1992.

### **Key Findings for Virginia's Eighth-Graders in Reading:**

- The average score in 2002 was 269, compared with 266 in 1998.
- Virginia eighth-grade students outperformed their peers nationwide (263) and in the Southeast (260). (The 1998 NAEP administration was the first to include students in grade eight).
- The average score was higher than those of students in 30 states. Only students enrolled in schools operated by the Department of Defense outscored Virginia eighth graders by what the NCES considers a statistically significant margin.
- The percentage of students at or above the Proficient level also increased, from 33 percent in 1998 to 37 percent in 2002.
- African-American students achieved an average reading score of 252 in 2002, compared with 250 in 1998.
- The average score of 261 for Hispanic eighth graders was slightly lower than 1998's average of 265. (The fluctuations in the average scores of Hispanic and African-American students in grade 8 were not statistically significant.)

**Results in Writing:** Virginia's students out-performed students nationwide on the 2002 National Assessment of Educational Progress (NAEP) writing tests. Virginia's Standards of Learning emphasize writing so our students will have the communications skills they need to succeed as they further their education or enter the workplace. While there is room for improvement, the 2002 national writing tests show that our students are becoming stronger writers. Students in only three states (Connecticut, Massachusetts, and Vermont) outperformed Virginia students on the grade 8 test by what the NCES defines as a statistically significant margin. Students in only four states (Connecticut, Delaware, Massachusetts, and New York) outscored Virginia students in grade 4 by a statistically significant margin.

### **Key Findings for Virginia's Fourth-Graders in Writing:**

- Students achieved an average score of 157, four points higher than the national average of 153.

- Twenty-nine percent of the Virginia students in grade 4 who took the NAEP writing test in 2002 demonstrated Proficient or Advanced writing skills. Last year marked the first time the writing test was administered in grade 4 at the state level.
- Students with disabilities and/or limited English skills accounted for 13 percent of the scores used to calculate the commonwealth's grade 4 average score.

### **Key Findings for Virginia's Eighth-Graders in Writing:**

- Students achieved an average score of 157, compared with the national average of 152.
- The average score of Virginia students in grade 8 on the 2002 test was four points higher than the average score of Virginia eighth graders in 1998.
- The percentage of Virginia students demonstrating Proficient or Advanced writing skills increased from 27 to 32 percent, with the percentage of students with advanced skills rising from one to three percent.
- African-American eighth graders in Virginia demonstrated stronger writing skills than their peers nationwide by achieving an average score of 140, compared with the national average of 134 for black students on the eighth-grade test.
- Hispanic students in Virginia also outperformed their counterparts nationwide on the eighth-grade test, achieving an average score of 146 compared with the national average of 135.
- Students with disabilities and/or limited English proficiency accounted for 12 percent of the scores used to calculate Virginia's 2002 average score on the grade 8 NAEP writing test, compared with 9 percent in 1998.

**Results in Mathematics:** Virginia fourth- and eighth-grade students posted significant gains in mathematics achievement on the 2003 National Assessment of Educational Progress (NAEP), the Virginia Department of Education announced today. Results from the 2003 NAEP also show Virginia students maintaining the increases in reading achievement demonstrated by students in grades 4 and 8 in 2002.

### **Key Findings for Virginia's Fourth-Graders in Mathematics:**

- The average score of Virginia fourth graders on the 2003 mathematics assessment was 239, compared with 230 in 2000 and 223 in 1996.
- The percentage of Virginia students in grade 4 achieving at or above the proficient level on the national mathematics test increased by 12 points to 36 percent in 2003, compared with 24 percent in 2000 and 19 percent in 1996.
- The percentage of Virginia fourth-graders demonstrating advanced proficiency in mathematics increased to 5 percent in 2003 from 2 percent in 2000.

- Virginia's 2003 average grade-four score in mathematics was five points higher than the national average of 234.
- The average mathematics score of African-American students in grade 4 in Virginia was 223, which is 12 points higher than the 211 average achieved by black students in 2000. The percentage of African-American fourth graders in the commonwealth who performed at or above the proficient level more than doubled from 5 percent in 2000 to 13 percent in 2003.

### **Key Findings for Virginia's Eighth-Graders in Mathematics:**

- The commonwealth's eighth-grade students also outperformed their peers nationwide. In 2003, the average score in mathematics for Virginia students in grade 8 was 282, six points higher than the national average of 276.
- The average mathematics score for Virginia students in grade 8 was seven points higher than the 2000 average of 275 and 12 points higher than the 1996 average score of 270.
- Thirty-one percent of the Virginia students in grade 8 who took the national mathematics test in 2003 performed at or above the proficient level, compared with 25 percent in 2000 and 21 percent in 1996.
- African-American achievement in mathematics on the 2003 NAEP also increased at the eighth-grade level in Virginia. The average mathematics score of black students in the commonwealth on the test increased to 262 in 2003, compared with 253 in 2000 and 244 in 1996. Eleven percent of the black students in grade 8 performed at or above the proficient level compared with 6 percent in 2000 and 3 percent in 1996.

The NAEP, also known as "Nation's Report Card," was taken in 2003 by samplings of students in all 50 states and the District of Columbia. The Virginia sample included 6,805 grade 4 students from 116 schools and 5,509 grade 8 students from 107 schools who took tests in mathematics or reading.

Virginia students in grades 4 and 8 will take NAEP tests in reading and mathematics again in 2005.

### **Advanced Placement Test Results:**

More Virginia public school students are taking Advanced Placement (AP) courses and exams. During the 2002-03 school year, 31,966 Virginia students took AP exams. This represented a 4.5 percent increase in AP participation over the previous year. Also, more black students are taking AP courses and exams in Virginia. During 2002-03, 2,506 black students in Virginia's public schools took at least one AP examination. This represented a 3.4 percent increase in black student participation compared with 2001-02.

### **SAT-I Test Results:**

The average score of Virginia seniors on the verbal portion of the SAT-I in 2003 was 514, four points higher than the average score of 510 in 2002. The average score of Virginia seniors on the mathematics portion of the test rose to 510, also a four-point increase over the performance of the class of 2002. Virginia's average scores for 2003 compare with national averages of 507 on the verbal portion and 519 on the mathematics portion of the SAT-I.

Since 1998, the average score of Virginia seniors on the verbal portion of the test has increased by seven points while the achievement of Virginia students on the mathematics portion is up by 11 points. Last year's seniors represented the second graduating class required to pass at least three courses in mathematics at or above the level of algebra in order to earn a Standard Diploma.

The College Board, the nonprofit association that develops and administers the SAT I, described the increases in the achievement of Virginia students on the SAT-I as statistically significant, especially in light of the fact that 3,528 more Virginia students took the test in 2003 than in 2002. According to a College Board analysis, Virginia experienced the fourth largest increase in SAT I participation rates during the last five years among states in which 50 percent or more graduating high school seniors take the test.

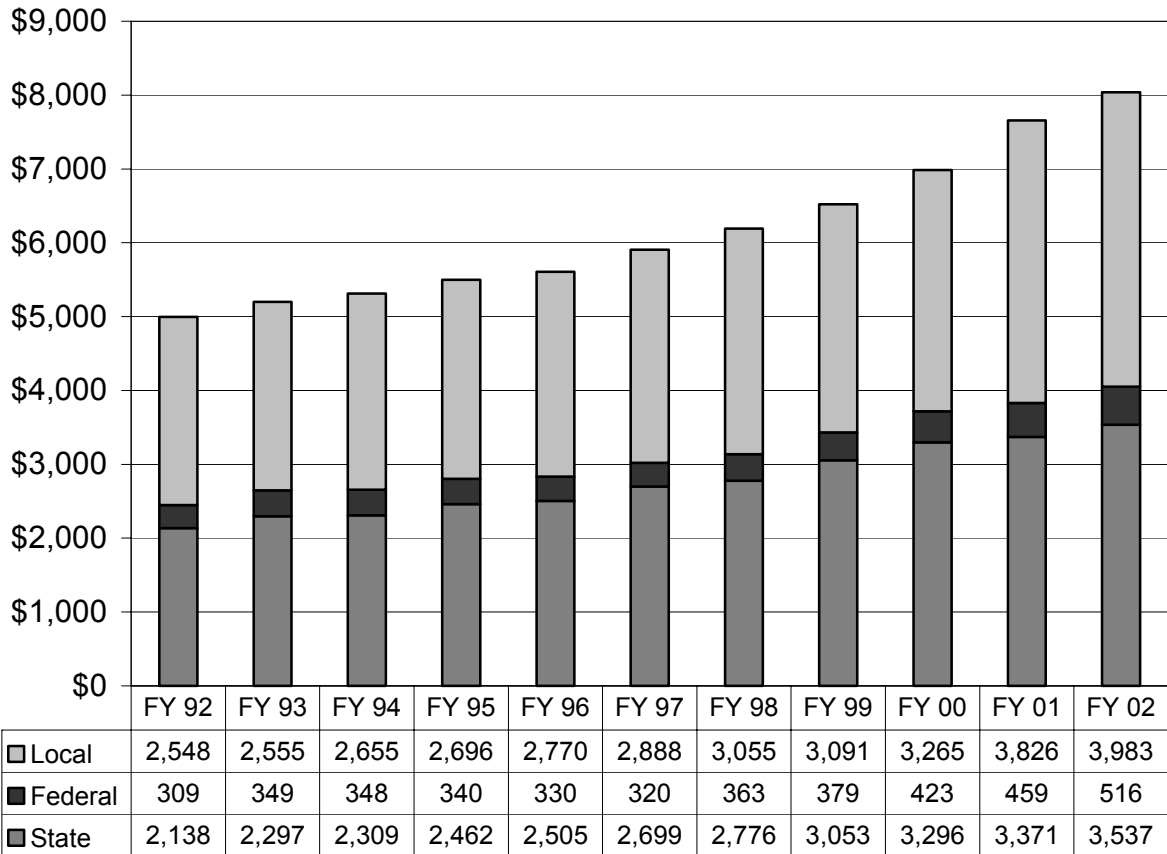
Results also show the following:

- Virginia ranks first in the South and tenth in the nation in the percentage of high school seniors taking the SAT-I, which measures the aptitude of students for college-level work.
- During the 2002-03 school year 53,965 Virginia high school seniors took the test. This is 71 percent of the total number of graduating seniors in the commonwealth, compared with the national average of 48 percent. Since 1998, the number of Virginia seniors taking the SAT-I has risen by 8,388.
- Virginia public school seniors achieved an average score of 511 on the verbal portion of 2003 test, which represents a five-point increase over 2002 and a seven-point increase over the average score for 1998. The average score of the commonwealth's public school seniors on the mathematics portion of the 2003 SAT-I was 508, a five-point increase over 2002 and an 11-point increase over 1998. Public school students nationwide in 2003 achieved an average verbal score of 503 and an average score of 513 on the mathematics portion of the test.
- Black students accounted for 7,168, or 16 percent, of Virginia's 2003 public school test takers. This represents an increase of 2.6 percent over the number of black public school students who took the SAT-I in 2002.
- Black public school students achieved an average score of 433 on the verbal portion of the test, a four-point increase over 2002. Black public school students posted an average score of 420 on the mathematics portion of the test, a three-point increase over 2002.

These increases in the scores of black students are welcome but the achievement gap between black students and white students remains.

## Funding for Public Education in Virginia

**Per Pupil Expenditures for Operations for FY 1992-FY 2002:  
State (Including Sales Tax Funds), Local, and Federal Funds**



**General Fund (GF) Legislative Appropriations  
Total State, Total K-12, Total Direct Aid to Public Education**

<b>Fiscal Year</b>	<b>Total GF Appropriation for Operating Expenses</b>	<b>Total K-12 GF Appropriation</b>	<b>Total K-12 GF Appropriation as a % of Total Operating</b>	<b>Total Direct Aid to Public Education GF Appropriation</b>	<b>Total Direct Aid to Public Education GF Appropriation as a % of Total Operating</b>
1988	4,943,301,387	1,869,081,112	37.8%	1,842,898,944	37.3%
1989	5,618,701,225	2,013,232,361	35.8%	1,981,462,297	35.3%
1990	5,989,106,774	2,116,706,762	35.3%	2,084,659,818	34.8%
1991	6,314,845,900	2,274,587,302	36.0%	2,238,136,351	35.4%
1992	6,140,461,303	2,134,158,371	34.8%	2,100,690,687	34.2%
1993	6,401,500,158	2,309,341,235	36.1%	2,277,939,527	35.6%
1994	6,777,293,077	2,367,680,463	34.9%	2,335,701,684	34.5%
1995	7,355,695,733	2,547,067,019	34.6%	2,514,736,974	34.2%
1996	7,597,249,960	2,686,990,223	35.4%	2,658,572,757	35.0%
1997	8,134,360,672	2,930,985,574	36.0%	2,895,766,099	35.6%
1998	8,715,476,981	3,082,072,592	35.4%	3,046,807,462	35.0%
1999	9,967,431,115	3,534,978,628	35.5%	3,489,301,374	35.0%
2000	11,093,396,991	3,720,945,765	33.5%	3,673,762,807	33.1%
2001	12,283,610,813	4,007,068,597	32.6%	3,942,411,254	32.1%
2002	12,013,820,347	3,959,806,011	33.0%	3,895,682,317	32.4%
2003	12,105,186,620	3,980,489,954	32.9%	3,923,268,185	32.4%
2004	12,259,622,755	4,118,589,451	33.6%	4,059,373,751	33.1%

Notes:

“Total GF Appropriation” is the total legislative general fund appropriation for all operating expenses (Total for Part 1: Operating Expenses) in the appropriation act.

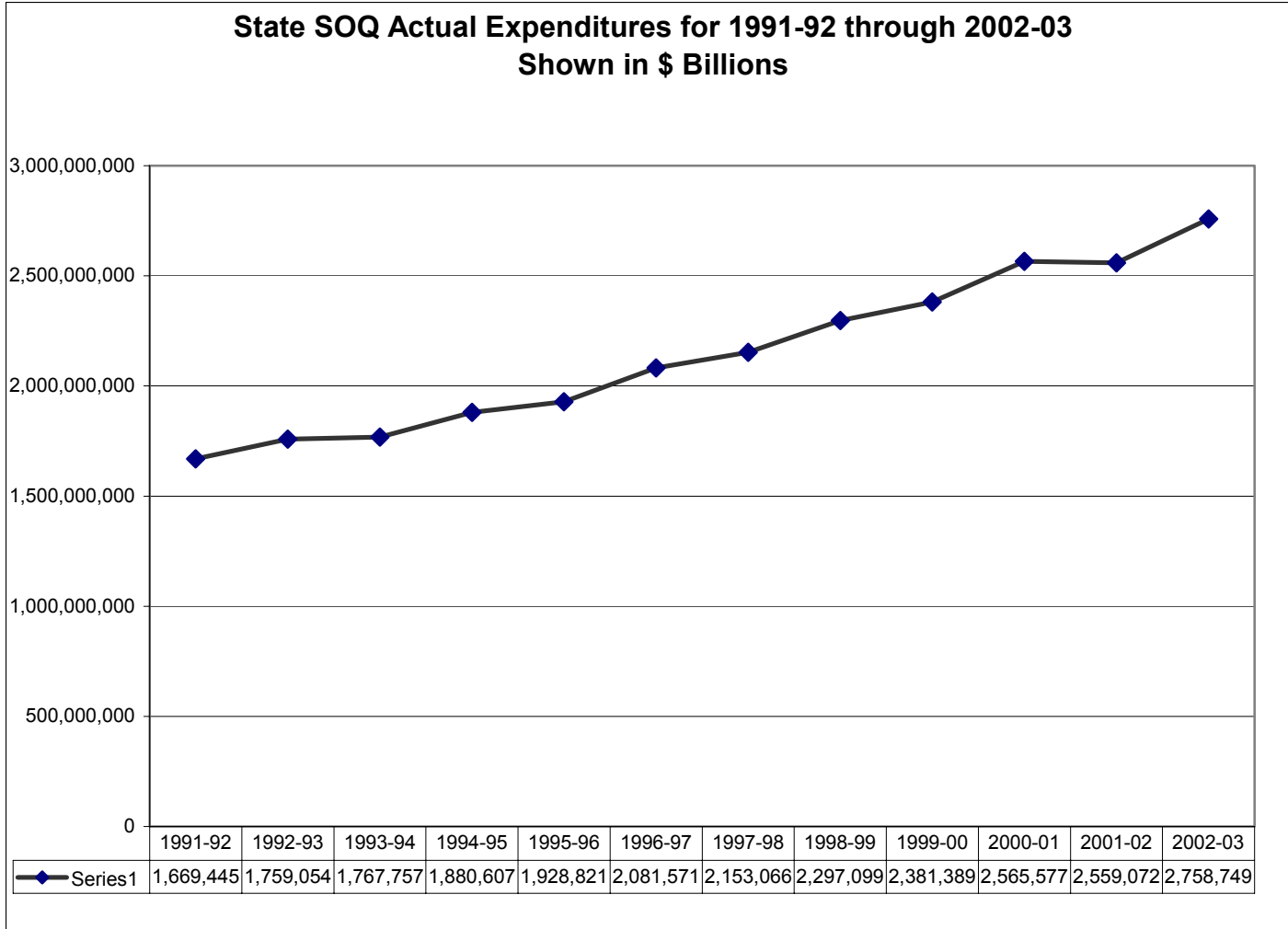
“Total K-12 GF Appropriation” is the total legislative general fund appropriation for Department of Education Central Office (Agency 201), Direct Aid to Public Education (Agency 197), and the two schools for the deaf and the blind (Agencies 218 and 219).

“Total Direct Aid GF Appropriation” is the total legislative general fund appropriation for Direct Aid to Public education (Agency 197).

The general fund appropriation for Comprehensive Services Act (CSA) is deducted from the Direct Aid totals for FY 1995 and FY 1996 since CSA was appropriated within Direct Aid for those years but outside Direct Aid in subsequent years.

For FY 1997 through FY 2004, CSA appropriations are not included.

The Direct Aid appropriation for FY 1999 and FY 2000 includes \$55.0 million per year for school construction grants appropriated under Item 554 of Chapter 1072.



\*Includes: Basic Aid, Salary Supplement, Textbooks, Vocational Ed-SOQ, Gifted-SOQ, Special Ed-SOQ, Remedial Ed-SOQ, Remedial Summer School, Social Security, Group Life Retiree Health Care Credit. The reduction in VRS rates for Retirement and Group Life accounted for the decline in FY 2002.

## High Quality Teaching Force in Virginia

The *No Child Left Behind Act of 2001* (NCLB) emphasizes teacher quality as a factor in improving student achievement. Virginia is in the process of implementing its plan to ensure that all teachers (100 percent) of core academic subjects meet the federal definition of highly qualified by the end of the 2005-2006 school year. The table below displays the percentages of core academic classes during the 2002-03 school that were taught by teachers assigned to provide instruction outside their area of endorsement or who otherwise did not meet the federal definition of highly qualified. The percentages on the following table are based on preliminary data and are subject to change based on the receipt of additional information.

	<b>In State Schools</b>	<b>In State High Poverty Schools**</b>	<b>In State Low Poverty Schools***</b>
Percentage of Core Academic Classes Taught by Teachers Not Meeting the Federal Definition of Highly Qualified*	16.7 %	23.3 %	12.8 %

\*NCLB defines core academic subjects as: English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, art, history and geography.

\*\*High poverty means schools in the top quartile of poverty in the state.

\*\*\*Low poverty means schools in the bottom quartile of poverty in the state.

The table below displays the percentage of teachers in Virginia public schools teaching with Provisional or Special Education Conditional Credentials during the 2002-2003 school year.

	<b>State Provisional</b>	<b>State Special Education Conditional</b>
Percentage of Teachers Teaching with Provisional or Special Education Conditional Credentials for 2002-2003	9.2 %	2.6 %

### Virginia Average Classroom Salaries Compared to the National Average

<b>Year</b>	<b>Va. Average (Actual)</b>	<b>Va. Percentage Change Over Prior Year</b>	<b>National Average</b>	<b>National Percentage Change Over Prior Year</b>	<b>National vs. Va. Dollar Difference</b>	<b>National vs. Va. Percentage Difference</b>	<b>Virginia National Ranking</b>
1994-95	\$33,987	2.5%	\$36,802	2.9%	(\$2,815)	7.6%	26
1995-96	\$34,792	2.4%	\$37,560	2.1%	(\$2,768)	7.4%	27
1996-97	\$35,536	2.1%	\$38,554	2.6%	(\$3,018)	7.8%	26
1997-98	\$36,428	2.5%	\$39,477	2.4%	(\$3,049)	7.7%	26
1998-99	\$37,527	3.0%	\$40,582	2.8%	(\$3,055)	7.5%	26
1999-00	\$38,744	3.2%	\$41,702	2.8%	(\$2,958)	7.1%	25
2000-01	\$40,247	3.9%	\$42,929	2.9%	(\$2,682)	7.1%	24
2001-02	\$41,752	3.7%	\$44,499	2.7%	(\$2,748)	6.2%	24
2002-03 (est.)	\$43,173	3.4%	n/a	n/a	n/a	n/a	n/a

Sources:

a.) Virginia Department of Education: Schedule I from the 2001-2002 Annual School Report.

b.) National Education Association (NEA): Rankings of the States 2001 and Estimates of School Statistics 2002, Update.



## Condition and Needs Identified by State and National Test Results

The achievement of Virginia students on the 2003 NAEP reading assessment differed little from the performance of grade 4 and 8 students in 2002. The NAEP reading assessment was given in two consecutive years to conform its schedule to its role under the No Child Left Behind Act of 2001 (NCLB). Under the federal law, the NAEP reading and mathematics assessments are administered biannually, beginning in 2003, to provide comparisons among states and verify increases in achievement on state standardized tests.

The average reading score of Virginia fourth-grade students in 2003 was 223, which NCES describes as not differing significantly from 2002's average score of 225. Virginia eighth-grade students achieved an average score of 268, which NCES also regards as little changed from 2002's average score of 269. The average scores of Virginia students for 2003 were significantly higher than the national average scores of 216 for grade 4 and 261 for grade 8. The results show that Virginia students are performing at the same level as in 2002 when we saw sharp increases in reading achievement at both grade levels. The average score of the commonwealth's fourth-graders on the national reading test remains 10 points higher than it was before the SOL program.

The challenge of high expectations is matched by a challenge of growing student diversity and need. From its beginning, the goal of the Standards of Learning program has been to increase the achievement of all students, with extra help for those who have tended to fall behind. Test results show that much work needs to be done to close the gap in the achievement of white students as compared to the achievement of students from families below the poverty level, children who have disabilities that require specialized instruction, families whose home language is other than English, and students who are black and Hispanic. Moreover, performance gaps exist not just between students, but among school divisions as well.

Although the performance gap has narrowed considerably on the Standards of Learning tests, it still persists. For example, since Algebra I became a graduation requirement in Virginia, the pass rate on the Standards of Learning Algebra I test has risen 38 percentage points for all students and 44 points for black students. Hispanic students have shown impressive gains in Algebra I as well. While not diminishing the progress made so far, in all grade levels and in all subject areas black, LEP, and disabled students still fall behind their white, nondisabled peers.

From 1998 to 2002, Virginia was unable to close the SAT performance gap between black and white students. For the former, the average score rose one point, but not enough to keep pace with the nine-point rise for white students. Virginia ranked ninth nationally in its average 2002 SAT score of 1058 for white students, but a much lower ranking of twenty-second in its average SAT score of 848 for black students.

Black students in Virginia made major gains in mathematics achievement on the 2003 NAEP. The National Center for Education Statistics (NCES), which administers the assessment program, describes the increases in the average scores and percentages of black students performing at or above the proficient level in both grades 4 and 8 as statistically significant.

Seventy-six percent of Virginia’s school divisions have LEP students enrolled. LEP enrollment increased approximately 300 percent during the past 10 years. These students often require costly, intensive instruction—at least for a short period of time—to be successful in school so that their skills may reach and stay on grade level. For all groups of limited English proficient (LEP) students, performance on the Standards of Learning tests is lagging behind their peers.

The Board of Education is mindful that the achievement gap cannot be totally attributed to the quality of schooling. Factors related to home life, economic disadvantage, and poor community environment are also involved; thus, the board is committed to continuing interagency coordination and parent/family involvement efforts. The following tables show the Standards of Learning Test results, over time, for Black, Hispanic, and White students on selected content areas. Complete results on all Standards of Learning tests are contained in Appendix A.

**English End-of-Course: Reading: Pass Rates**

<b>Ethnicity</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>Change: 1998-2003</b>
Black	55%	59%	62%	70%	76%	88%	33
Hispanic	64%	6%	69%	74%	79%	77%	13
White	77%	80%	84%	87%	90%	96%	19

**Algebra I: Pass Rates**

<b>Ethnicity</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>Change: 1998-2003</b>
Black	20%	36%	44%	59%	64%	64%	44
Hispanic	33%	49%	60%	68%	72%	71%	38
White	46%	62%	72%	80%	83%	83%	37

**Grade 3 English: Pass Rates**

<b>Ethnicity</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>Change: 1998-2003</b>
Black	33%	42%	42%	46%	55%	56%	23
Hispanic	50%	59%	49%	53%	59%	61%	11
White	64%	69%	69%	73%	79%	79%	15

**Grade 3 Mathematics: Pass Rates**

<b>Ethnicity</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>Change: 1998-2003</b>
Black	40%	4%	49%	59%	65%	71%	31
Hispanic	61%	67%	61%	70%	73%	77%	16
White	73%	77%	81%	85%	87%	88%	15

**Grade 5 English: Reading: Pass Rates**

<b>Ethnicity</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>Change: 1998-2003</b>
Black	47%	48%	47%	55%	62%	70%	23
Hispanic	64%	64%	57%	63%	68%	76%	12
White	76%	78%	77%	80%	85%	89%	13

<b>Ethnicity</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>Change: 1998-2003</b>
Black	24%	27%	40%	46%	53%	58%	34
Hispanic	41%	47%	54%	58%	61%	64%	23
White	54%	59%	72%	75%	79%	80%	26

There is also an achievement gap in the performance of students with disabilities and their nondisabled peers. The table below shows examples of the extent of this achievement gap. Appendix A contains more detailed test results.

### **Statewide Passing Rates: Nondisabled and Disabled Students: 2000-2003**

<b>SOL Test</b>	<b><u>Nondisabled</u> <u>Disabled</u></b> <b>2001</b>		<b><u>Nondisabled</u> <u>Disabled</u></b> <b>2002</b>		<b><u>Nondisabled</u> <u>Disabled</u></b> <b>2003</b>	
Grade 3 Eng. Reading	68%	35%	74%	48%	72%	44%
Grade 3 Mathematics	80%	52%	83%	58%	83%	59%
Grade 5 Eng. Reading	76%	45%	81%	54%	82%	58%
Grade 5 Mathematics	71%	36%	75%	42%	74%	42%
Grade 8 Reading	78%	36%	76%	31%	67%	28%
EOC: Reading	85%	43%	89%	54%	93%	74%
Algebra I	77%	40%	81%	49%	78%	49%
US History	50%	20%	74%	43%	75%	48%

### **Condition and Needs Identified by Academic Review Teams**

The findings of the review teams point to the condition and needs of Virginia's schools that are struggling the most—the ones rated *Accredited with Warning*. The academic review process provides the school with detailed information about four important areas: curriculum alignment with the Standards of Learning; use of time and school scheduling practices; use of data in making instructional and planning decisions; and professional development.

In 2002-2003 the on-site reviewer teams found that implementing changes effectively and documenting the effect of those changes on student achievement were areas of improvement in schools rated *Accredited with Warning*. Reviewers suggested that schools establish systems for collecting and analyzing data on a regular basis and to use those analyses for evaluating program implementation; monitoring classroom instructional practices; determining degree of implementation of strategies cited in school improvement plans; and identifying effective strategies for improving student achievement.

## **Virginia's Progress Under Requirements of the *No Child Left Behind Act of 2001***

Throughout 2003, the Board of Education took the lead in developing the state's accountability plan for meeting the complex and far-reaching provisions in the federal education law, *No Child Left Behind Act of 2001* (NCLB). At the core of NCLB are a number of measures designed to drive broad gains in student achievement and to hold states and schools more accountable for student progress. While the Board of Education is in support of the intent of the new federal law, the board agreed under protest to the U.S. Education Department's (USED) demand that the commonwealth retroactively apply the federal law's requirement that at least 95 percent of limited English proficient (LEP) students take tests in reading and mathematics for the calculation of AYP for 2002-03. Much of the Board's attention has centered on the high-profile accountability requirements contained in NCLB. This law will reach into virtually every public school in Virginia, and take particular aim at improving student performance in low-performing schools. Among the many provisions, the law requires statewide reading and mathematics tests each year in grades 3-8 by the 2005-06 school year. The tests must be aligned with a state's content and academic-achievement standards and provide information about how well students are meeting those standards.

Each state, as a condition of receiving the federal funding under NCLB, is required to complete an extensive application process. Virginia began its application process soon after the law was enacted in 2001. One of the Board's highest priorities in its Strategic Plan for 2003-2008 is to provide leadership for implementing the provisions of NCLB smoothly and with minimal disruption to local school divisions. To that end, the Board of Education completed the following tasks:

- May 2002: Submitted initial consolidated application to the US Education Department (USED) to secure the funding (excludes Reading First and Title VI, Part A).
- \$274.8 million for 2002-03 (a 22 percent increase), of which \$267.8 is allocated to school divisions and \$7 million is formula-driven state set-aside.
- January 2003: The Board of Education submitted to USED the "Consolidated State Application Accountability Workbook."
- February 2003: USED conducted peer review of state accountability plan.
- May 1, 2003: The Board of Education submitted the final plan for meeting the NCLB accountability requirements and AYP baseline data.
- June 9, 2003: The Board of Education submitted, under protest, amendments to the state accountability plan related to the 2002-2003 policies for testing and the formula for determining Adequate Yearly Progress (AYP) for certain LEP students and students with disabilities.
- June 10, 2003: USED approved Virginia's accountability plan.

- September 2003: The Board of Education submits baseline data and state targets for non-AYP related indicators.

**Number of Virginia Schools Meeting the Adequate Yearly Progress Requirements:**

The Board of Education was particularly concerned that, under the new NCLB requirements, Virginia must apply the federal government's policies retroactively to the 2002-03 school year, even though school divisions were not told of the policy at that time. That resulted in some students being counted as "non-participants" in the testing program, thereby affecting the accountability results required under NCLB.

At least 997 or 55 percent of Virginia's 1,822 public schools met the complex federal definition for Adequate Yearly Progress (AYP) under the NCLB during the 2002-03 school year. Eighteen of Virginia's 132 school divisions met the requirements for AYP. Virginia as a whole did not make AYP, due largely to a conflict between state regulations in effect last year on the testing of students who speak little or no English and the participation requirements of NCLB.

In June 2003, the Virginia Board of Education agreed under protest to the U.S. Department of Education's demand that the commonwealth retroactively apply the federal law's requirement that at least 95 percent of limited English proficient (LEP) students take tests in reading and mathematics for the calculation of AYP for 2002-03. A provision of Virginia's Standards of Accreditation, which was in effect during the spring 2003 Standards of Learning (SOL) test administration, allowed a one-time exemption from testing in all subjects for LEP students in grades 3-8. As a consequence of schools following Virginia's testing regulations, 16 percent of the commonwealth's LEP students were not tested in mathematics and 23 percent were not tested in reading.

	<b>Made AYP</b>	<b>Did Not Make AYP</b>	<b>To Be Determined</b>	<b>Total</b>
<b>Schools</b>	997 (55%)	732 (40%)	93 (5%)	1,822
<b>Divisions</b>	18 (14%)	114 (86%)		132

While Virginia has received some federal funding under NCLB to meet the new law's data collection and reporting requirements, the Virginia Department of Education estimates it will need an additional \$10.4 million during the next biennium to establish a data collection and reporting system capable of meeting the annual demands of NCLB.

NCLB requires states to set and meet annual measurable objectives for increasing student achievement on statewide assessments in reading and mathematics and for attendance (elementary and middle schools) and graduation (high schools). Schools, school divisions, and states also must meet objectives for participation in testing. Schools and school divisions that meet or exceed these

new federal objectives are considered to have satisfied the law's definition of Adequate Yearly Progress toward the goal of 100 percent proficiency of all students in reading and mathematics by 2014.

These new federal objectives are in addition to the high standards for learning and achievement required under Virginia's Standards of Learning program. Federal AYP designations do not replace school accreditation ratings issued by the Virginia Department of Education. A key few points to consider when reviewing federal AYP status of Virginia's public schools and school divisions:

- The increased achievement of Virginia students under the SOL program in effect since 1995 is reflected in the fact that the commonwealth's AYP objectives for 2002-03 were among the highest in the nation. The formula for determining the "starting points" for these annual AYP benchmarks for reading and mathematics achievement is spelled out in NCLB. For a Virginia school or school division to have made AYP during 2002-03, at least 61 percent of students overall and students in all subgroups must have demonstrated proficiency in reading, and 59 percent of students overall and in all subgroups must have demonstrated proficiency in mathematics.
- A fully accredited Virginia school in which the overwhelming majority of students passed Standards of Learning tests in reading and mathematics during 2002-03 may not make AYP if fewer than 95 percent of its students with limited English proficiency took Standards of Learning tests in either reading or mathematics.
- For a school or school division to make AYP under the federal education law, it must meet or exceed 29 to 35 separate requirements and objectives. A school or school division that falls short on a *single* requirement or objective is not considered to have made AYP. These include objectives for participation in testing in reading and mathematics, achievement in these subjects, and attendance (elementary and middle schools) or graduation (high schools). A minimum of 95 percent of students overall must participate in reading and mathematics testing, and 95 percent of students in each of the following subgroups also must take state assessments in these two subjects: white, black, Hispanic, students with disabilities, economically disadvantaged students, and students with limited English proficiency. Students overall and in each subgroup must meet the annual measurable objectives for proficiency in reading and mathematics or reduce the failure rates on tests in reading and mathematics by at least ten percent. In addition, students may be counted in more than one subgroup.
- It is possible for a school division not to make AYP even though every school in the division did. If a school has fewer than fifty students in a subgroup, the level of participation and achievement of students in that subgroup is not factored into the calculation of AYP for the school but is factored into the AYP calculation for the division and state. So, if there are fifty or more students in a subgroup division wide, their achievement and participation levels will impact the division's AYP status, even if there were too few of these students in any one school to count towards a school's AYP.

The AYP status of all Virginia schools and school divisions is available on the Department of Education Web site ([www.pen.k12.va.us](http://www.pen.k12.va.us)) as part of the online Virginia School Report Card.

## School Division Compliance with the Standards of Quality

Each year, staff members of the Department of Education collect self-assessment data from school divisions on their compliance with the provisions of § 22.1-253.13:1 through 22.1-253.13:8 of the Code of Virginia (Standards of Quality or SOQ). This year, school divisions were asked to submit evidence of compliance with standards 6 and 7 by including the following documentation with the compliance affidavit: (1) copy of excerpts of the minutes of the school board meeting in which the six-year school improvement plan was adopted, approved, or revised that includes a listing of individuals who developed the new or revised plan; and (2) copy of excerpts of the minutes of the school board meeting with evidence that the policy manual was reviewed with the input of teachers, parents, and other concerned citizens. Information compiled during the review of this documentation provides a basis for the Board of Education to analyze the extent to which the SOQ have been achieved for inclusion in its Annual Report to the Governor and General Assembly on the condition and needs of public education in the commonwealth required by § 22.1-18 of the Code.

In 1994, a simplified method of collecting information was developed to determine compliance with the SOQ that parallels the accreditation system. The chairman of the school board and division superintendent certify compliance with the standards to the Department of Education. Where divisions indicate less than full compliance with the standards, corrective action plans for the noncompliance items are required. According to the corrective plans submitted by school divisions reporting areas of noncompliance, the majority of the noncompliance items will be corrected by the time this report is issued.

A total of 23 divisions reported noncompliance with one or more requirements of the Standards of Quality for 2002-03.

### **Standard 1: Basic skills, selected programs, and instructional personnel**

Divisions reporting noncompliance were:

Augusta County

Highland County

Greenville County

### **Standard 2: Support services**

All local divisions reported compliance.

### **Standard 3: Accreditation, other standards and evaluation**

This standard requires that local school boards maintain schools accredited in accordance with standards adopted by the Board of Education. The standard simply uses the term “accredited” but it has been interpreted to mean rated *Fully Accredited*. Although only 22 school divisions had all of their schools fully accredited (see list below), only 18 divisions reported this as a noncompliance issue: Accomack, Appomattox, Chesterfield County, Cumberland County, Floyd County, Greenville County, Henrico County, Page County, Pulaski County, Rappahannock County, Warren County, Wythe County, York County, Petersburg City, Richmond City, Roanoke City, Virginia Beach City, Colonial Beach, and Department of Correctional Education.

The localities reporting that all schools were rated *Fully Accredited* in 2002-2003, and therefore in full compliance with this standard, were as follows:

**Counties:**

Clarke

Frederick

Goochland

Hanover

Loudoun (not including five new schools that were conditionally accredited and not eligible to be fully accredited)

Madison

Mathews

Middlesex (not including one new school that was conditionally accredited and not eligible to be fully accredited)

New Kent

Richmond

Roanoke (not including one new school that was conditionally accredited and not eligible to be fully accredited)

Shenandoah

York

**Cities:**

Colonial Heights

Falls Church

Harrisonburg

Lexington

Manassas

Poquoson

Salem

West Point

Winchester.

The remaining school divisions, with a few exceptions, are progressing well toward having all schools rated fully accredited by the 2007-08 school year.

**Standard 4: Diplomas and certificates; class rankings**

All local divisions reported compliance.

**Standard 5: Training and professional development**

All local divisions reported compliance.

**Standard 6: Planning and Public Involvement**

Divisions reporting noncompliance were:

Bath County

Warren County



## **Standard 7: Policy manual**

All local divisions reported compliance.

The state Board of Correctional Education and the Department of Correctional Education (DCE), although not a local school board or education agency subject to the requirements of the SOQ, have developed an extensive plan to meet all of the requirements of the SOQ. This on-going effort is voluntary, but it will result in improving the quality of the educational programs offered in the juvenile correctional centers in Virginia. Those efforts are ongoing and the DCE only reported one minor issue of noncompliance as it relates to the instructional program offered. The Board of Correctional Education is required by § 22.1-342 of the Code to establish and maintain a general system of schools and to promulgate, with the Board of Education as required by § 22.1-343 (5) of the Code, regulations for the re-enrollment in the public schools of students who have been in the custody of the Department of Juvenile Justice (DJJ). The Board of Correctional Education is also required by § 22.1-345 of the Code to comply with all applicable state and federal regulations and statutes related to school facilities.

Many of the students incarcerated in the correctional system are eligible for and receive special education services and training in career and technical education. Thus, compliance with the SOQ will benefit the school-age persons incarcerated in the juvenile system who move back into public school divisions since compulsory school attendance requirements (§ 22.1-254 et seq.) also apply to these individuals. The DCE has been successful in working with school divisions to facilitate the re-enrollment of students and the awarding of diplomas to qualified students in the system. The re-enrollment plan is on file with the Department of Education.

Section 22.1-253.13.8 of the Standards of Quality gives the Board of Education the authority to seek compliance with the SOQ through the Office of the Attorney General if a division continues to fail to comply with any standard. No such action is required for the 2002-03 school year.

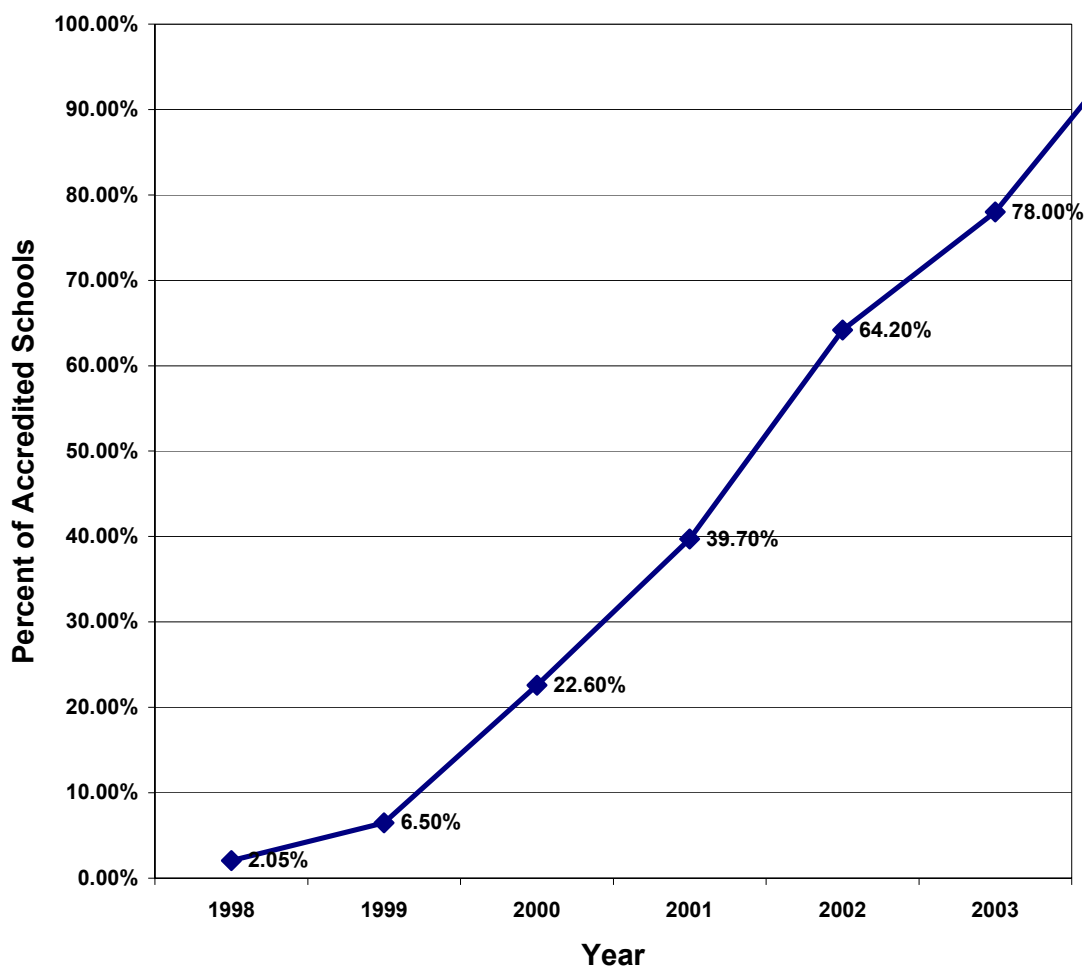
## **Accreditation Status of the Public Schools: 2003-04**

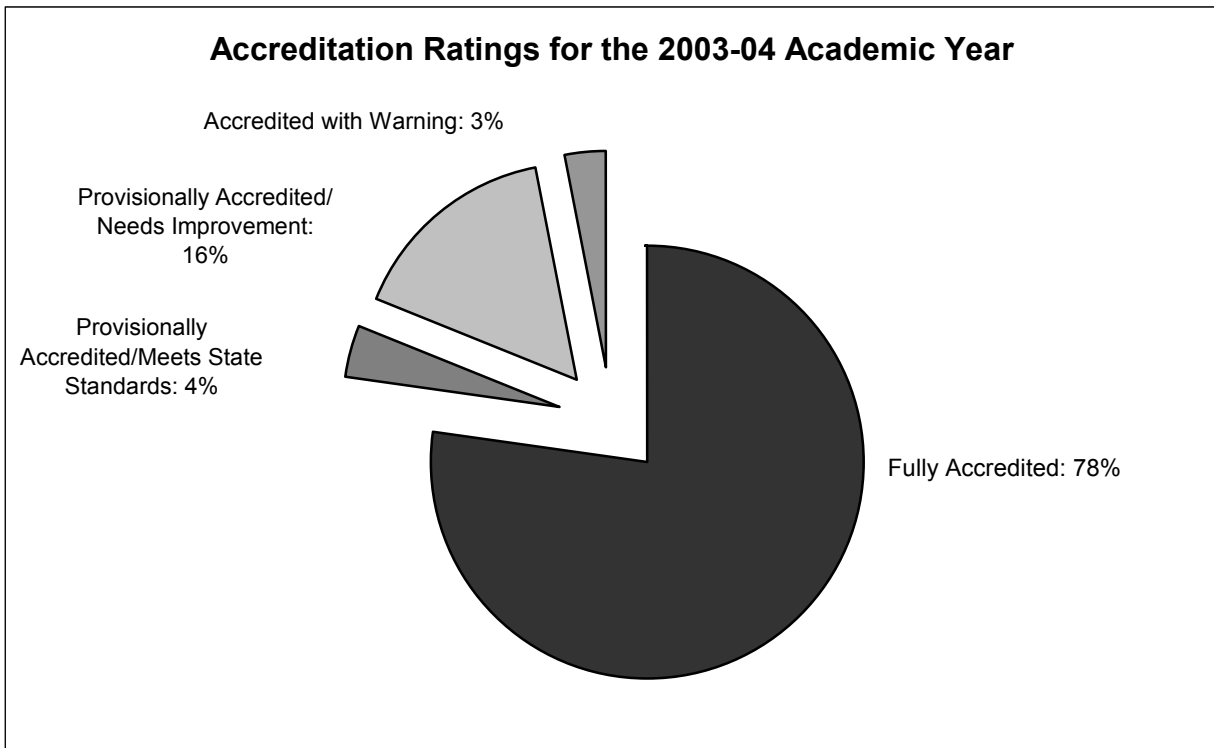
More than three-quarters of Virginia's schools are fully accredited for the 2003-2004 academic year, based on the achievement of students during 2002-03 on Standards of Learning tests. Students in 78 percent, or 1,414, of the commonwealth's 1,823 schools met or exceeded the standard for full accreditation. Last year, 65 percent, or 1,181 schools met the standard. Results from Standards of Learning tests taken by students during 2002-03 show that:

- 1,414, or 78 percent, of Virginia's schools are Fully Accredited for the 2003-2004 school year.
- 64, or 4 percent, are rated as Provisionally Accredited/Meets State Standards, meaning that student achievement at these schools either met or exceeded annual progress benchmarks in English, mathematics, history/social science, and science. Last year, 253 schools earned this accreditation rating. The progress benchmarks for tests taken during 2002-2003 were higher than those for tests taken during 2001-2002.

- 294 schools, or 16 percent, are rated as Provisionally Accredited/Needs Improvement, meaning that student achievement in the four core subject areas on tests administered during 2002-03 was within 20 points of the annual progress benchmarks. Last year, 310 schools received this rating.
- 51 schools, or 3 percent, are Accredited with Warning. Achievement in these schools on the 2002-2003 Standards of Learning tests was 20 points or more below the annual benchmarks. Last year, 85 schools, or 5 percent, were Accredited with Warning. See appendix B for a listing of the schools rated Accredited with Warning.

**Percent of Virginia's Public Schools Receiving a Rating  
of Fully Accredited: 1998-2003**





### **Board of Education’s Recommendations: Summary of Proposed Changes to the Standards of Quality**

During 2002 and 2003, the Board of Education undertook the task of revising the Standards of Quality. The Board met with local and state leaders, educators, community activists, parents, and citizens across the state in a series of public forums and public hearings held in every region of the state. Following these meetings in which ideas and suggestions were hashed out, the Board proposed revisions that were adopted by unanimous vote of the Board of Education in July 2003. The revised text of the Standards of Quality as prescribed by the Board of Education is contained in Appendix E.

The following is a summary of the revisions to the Standards of Quality as prescribed by the Board of Education on June 25, 2003. The fiscal impact is the annual fiscal impact on the general fund, based on FY 04 data.

#### **Recommendation: One Full-time Principal for Every Elementary School**

The SOQ currently provides a half-time principal for those elementary schools with fewer than 300 students. The role of the principal has become more complex with increased accountability and expectations for student achievement. The Standards of Accreditation state that the principal is recognized as the instructional leader of the school and is also responsible for effective school management, efficient use of resources, and a safe learning environment.

This change will provide consistent staffing requirements for principals of elementary schools, middle schools, and high schools.

**FY 2004 Fiscal Impact:** \$6.0 million GF

### **Recommendation: One Full-time Assistant Principal for Every 400 Students**

The SOQ currently requires:

- ✓ One half-time assistant principal for an elementary school with between 600 and 899 students (no assistant principal is required if there are fewer than 600 students)
- ✓ One full-time assistant principal for an elementary school with 900 or more students
- ✓ One full-time assistant principal for every 600 students in a middle or secondary school

The role of the assistant principal has grown, with increased responsibilities in test administration, discipline, and instructional supervision. The recommendation provides the same staffing levels for assistant principals in elementary, middle, and high schools.

**FY 2004 Fiscal Impact:** \$40.4 million GF

### **Recommendation: Resource Teachers in Art, Music, and Physical Education**

The SOQ requires elementary school instructional programs to include art, music, and physical education, although resource teacher positions are not included in staffing requirements. The Standards of Accreditation require the provision of instruction in art, music, and physical education and health at the elementary, middle, and high school levels. According to the JLARC report, 129 of the 132 school divisions employed resource teachers for music and physical education in 2001. Resource teachers in art were employed in 116 school divisions.

The recommendation would provide three periods per week for art, music, and physical education for K-5 students, assuming a 24:1 pupil-teacher ratio, equating to five instructional positions for every 1,000 students.

**FY 2004 Fiscal Impact:** \$67.2 million GF

### **Recommendation: Speech-Language Pathologist Caseload of 60 Students**

The current caseload for speech-language pathologists mandated by the Board's *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* is 68 students. The 2003 General Assembly added language in the appropriation act asking the Board of Education to consider caseload standards for speech-language pathologists as part of its review of the Standards of Quality. The current statewide average caseload is 54 students.

Speech-language pathologists provide services to students with communication disorders and develop student language skills that support literacy.

**FY 2004 Fiscal Impact:** \$3.0 million GF

### **Recommendation: Two Technology Positions per 1,000 Students**

One of the positions would provide technology support and one would serve as a resource in instructional technology. Technical support includes centralized and school-based support for information networks, such as selection, configuration, installation, operation, repair, and maintenance. One position per 1,000 students provides one technology specialist for every 200 computers, assuming a student-to-computer ratio of five to one. All divisions have one or more full-time or part-time staff members serving in a technology director or specialist category. According to information from the 2000-2001 Capacity Survey, school divisions average 0.48 full-time equivalent (FTE) positions for technical support per 100 computers.

Instructional technology support helps teachers to integrate technology into classrooms, to use technology and electronic software effectively, and to apply educational technology resources to curriculum development.

**FY 2004 Fiscal Impact:** \$5.9 million GF for the technology support position and \$32.6 million GF for the instructional technology position.

### **Recommendation: Planning Period for Secondary Teachers**

The Board recommends reducing the secondary school pupil to teacher funding ratio from 25:1 to 21:1 to support scheduled planning time for secondary teachers. The current Standards of Accreditation require secondary school teachers to have one period per day for instructional planning. The Standards of Quality currently require that school boards assign instructional personnel to produce school-wide ratios of students to full-time equivalent teaching positions of 25:1 in middle schools and high schools.

The recommendation reduces the school-wide ratio of students to full-time teachers in the state funding formula to provide sufficient positions to achieve the secondary school teacher planning period.

**FY 2004 Fiscal Impact:** \$116.8 million GF

### **Recommendation: Prevention, Intervention, and Remediation**

The Board recommends revising the formula for the calculation of funding support for SOQ prevention, intervention, and remediation. The recommended formula replaces the current SOQ remediation funding formula of 9 positions for every 1,000 students estimated to be in the bottom quartile of the student population taking the Stanford 9 tests, based on scores. The proposed revised formula assumes one hour of additional instruction per day for K through 12 students identified as needing services, using federal free lunch program eligibility percentages applied to fall membership. The proposed revised formula assigns pupil-teacher ratios from 18:1 to 10:1 as determined by

combined failure rates for English and mathematics Standards of Learning tests. The higher the failure rates, the lower the pupil-teacher ratio.

The current formula penalizes school divisions for successful remediation by resulting in reduced funds for increased numbers of students scoring above the bottom quartile.

**FY 2004 Fiscal Impact:** \$19.3 million GF

### **Recommendation: Reading Specialists**

The Board recommends requiring one full-time instructional position at the elementary level for each 1,000 students to serve as reading specialist. The Standards of Quality allow, but do not require, one full-time reading specialist in each elementary school, at the discretion of the local school board. According to the JLARC report, almost all school divisions provide part-time or full-time reading specialists to assist classroom teachers in reading skills instruction. Eighty-nine school divisions provide full-time reading specialists, an average of 1.82 specialists per 1000 elementary students in actual staffing practices.

Research indicates that reading deficiencies in many students can be prevented or ameliorated with appropriate intervention.

**FY 2004 Fiscal Impact:** \$32.6 million GF

### **Recommendation: Technical and Editorial Changes**

The Board's recommendations include technical and editorial changes to revise and update the statutory language. For example, the term "handicapped students" would be replaced by "students with disabilities." The titles of some of the standards would be revised to reflect their subject content more accurately. Sections of the SOQ would be reorganized for clarity.

## **Board of Education Recommendations: Re-benchmarking the Standards of Quality**

The Standards of Quality (SOQ) are established by the Constitution of Virginia and the specific requirements of the SOQ are prescribed in Virginia statute. Funding for the SOQ is determined primarily by the instructional staffing ratios established in the SOQ as well as recognized support costs that are funded on a prevailing cost basis.

The Standards of Quality budget is re-benchmarked for the next biennium in the summer of each odd-numbered year. This re-benchmarking is part of the biennial budget development process that involves the Board of Education, the Governor, and the General Assembly. The re-benchmarked budget represents the cost of continuing the existing Standards of Quality programs with updates in the input data used to determine the cost of the programs. The cost projections represent changes

in funding based on standard technical revisions made to SOQ accounts for each year of the 2004-2006 biennium. The budget figures produced by the re-benchmarking process represent the cost of continuing the current SOQ programs in the 2004-2006 biennium with the required revisions and updates to input data using the existing funding methodologies. The cost projections do not reflect any changes in policy or technical methodology.

In July 2003, the Board of Education adopted proposed base budget revisions that continue current SOQ programs in the 2004-2006 biennium. The 2004-2006 Standards of Quality base budget approved by the Board will be sent to the Governor for action (as part of the total Direct Aid budget) and ultimately for inclusion in his budget for the 2004-2006 biennium. This budget will establish the level of state funding required by the foundation program established in the Standards of Quality. The current proposed changes resulting from re-benchmarking the SOQ will increase state costs for public education by approximately \$525.1 million in the 2004-2006 biennium.

## **The Board of Education Responds: Programs to Meet the Needs of Schools and Students**

### **Attracting, Hiring, and Retaining Qualified Educators:**

During the next decade 33,000 teachers become eligible to retire. That is approximately 40 percent of all Virginia's teachers. Clearly, teacher training and retention are critical priorities. Recently, Governor Warner was notified that Virginia received a \$13.5 million federal grant to be used over a three-year period to assist the state in addressing critical teacher quality initiatives. The resources provided by the federal grant will be a tremendous boost to the teaching profession in Virginia. The goal of the Teacher Quality Enhancement Grant is to attract, develop, and retain skilled and talented teachers for Virginia's classrooms. A comprehensive data collection system (the Teacher Education and Licensure Program, or TEAL) recently became operational that will enable schools and divisions to better understand how to affect teacher retention and effectiveness, access data on the supply of potential teachers, collect data that will enable institutions of higher education and schools and divisions to more effectively predict and respond to potential shortage areas.

### **Mentoring Programs:**

Six Virginia school divisions and four regional consortia representing 26 additional school systems received grants to pilot mentoring programs designed to support new teachers and reduce the number of beginning teachers who leave the profession after one or two years in the classroom.

The Mentor Teacher Pilot Grants total \$1,037,188 and enable the participating school divisions to pilot research-based mentoring programs developed by Fairfax County Public Schools, the Educational Testing Service (ETS), and the University of California, Santa Cruz. Each program has a record of success in helping new teachers make the transition from teacher-preparation and career-switcher programs to the classroom. The funds flow from a \$13.5 million dollar Teacher Quality Enhancement Grant Virginia received last fall from the U.S. Department of Education.

Other actions include the identification of teacher shortage areas, expansion of the career switcher and alternative routes to licensure, setting standards governing the issuance of a license to individuals holding a local eligibility license, setting the passing scores for Praxis II beginning teacher assessment in content areas, adopting new provisions for the licensure regulations, and the regulations for approved teacher preparation programs.

### **Instructional Programs to Meet Individual Needs:**

Board actions during 2003 included revising the Science Standards of Learning and approving the curriculum framework documents for English, and Science. The Board placed special emphasis on developing policies and programs to help schools meet the individual needs and special circumstances of a diversity of students, such as non-English speaking, special education, GED students, career and technical students, and adults.

### **Resources for Classroom Teachers:**

Within the past two years the Board of Education and the Virginia Department of Education have worked to provide classroom teachers with helpful resources. Among the resources developed and distributed are the *Sample Scope and Sequence Guides* for K-12 courses in English, mathematics, science, and history and social science. Instructional models that have proven to be successful with low-achieving students were also approved.

### **A Firm Foundation for Reading:**

The Board of Education completed a comprehensive study on ways to improve reading instruction, and along with the recommendations coming from the Advisory Board for Teacher Education and Licensure, the Board adopted a new requirement for a reading instructional assessment for teachers of special education and elementary pre-K through grade 3 and pre-K through grade 6 and for reading specialists. The testing instrument has been selected and is aligned with the Virginia Standards of Learning and the reading competencies in the Licensure Regulations for School Personnel. The new assessment requirement will become effective on July 1, 2004.

The adoption of higher standards for reading and other academic subject areas in 1995 was followed in 1997 by the Early Intervention Reading Initiative to diagnose and correct reading deficiencies in kindergarten and first grade. The initiative was expanded in 2000 to include students in grades two and three.

In 2003, the Virginia Department of Education awarded Reading First grants totaling more than \$11 million to 75 schools across the state. Reading First, a component of the No Child Left Behind Act of 2001, provides resources for schools to implement effective reading programs that are based on scientific research on how children learn to read. Funded programs must have documented records of success in improving early reading skills and achievement. School divisions with one or more schools characterized by high poverty and low reading achievement are eligible to compete for Reading First funds. The grants are from a \$16.9 million first-year grant awarded to Virginia by the U.S. Department of Education. As a Reading First grant-recipient state, Virginia is eligible for up to six years of funding through 2007-2008. Additional grants may be awarded by the end of the year.



The funding will support critical improvements in classroom reading instruction based on proven methods. The Reading First money also will enhance the ability of schools to screen and diagnose reading difficulties, monitor student progress, and provide high-quality professional development for teachers.

In the summer of 2003, the Virginia Department of Education is offered a series of Reading First Teacher Reading Academies this summer for kindergarten and first-grade educators. Each four-day academy provided research-based training in beginning reading instruction emphasizing phonemic awareness, phonics, fluency, vocabulary, and comprehension for as many as 900 pre-registered teachers.

The Reading First program augments Virginia's Early Intervention Reading Initiative established in 1997 by the General Assembly to provide diagnostic and intervention services to students in kindergarten and first grade. The General Assembly expanded the initiative in 2000 to include services for students in the second and third grades.

### **Adult Education and Literacy:**

In 2003, a four-part series of intensive training programs got underway for adult education programs across the state. The training programs were geared to helping the low-performing programs to learn new ways to improve their accountability by collecting and examining data and developing specific strategies for improvement. Services for the adult learner included basic literacy programs, adult secondary programs, English for speakers of other languages, and skill-based programs in the workplace. Also, the Board of Education has established the Advisory Committee on Adult Education and Literacy to help the Board stay focused on the needs of adults and those who will benefit from family literacy programs.

### **Appropriate Recognition for Career and Technical Education:**

At the request of Governor Warner, the Board of Education established the Advisory Committee for Career and Technical Education as a standing committee of the board. The committee will make periodic reports to the Board and give advice and recommendations on effective ways to make career and technical education stronger.

Also at the urging of the Governor, and in recognition of the rigorous content of the career and technical certification exams, the Board of Education has developed and implemented guidelines for awarding differentiated numbers of verified credits for career and technical education certification and licensure examinations. This enables students who pass a board-approved certification or licensure examination to earn one or two student-selected verified credits in career and technical education, depending on the course of study taken in preparation for the examination.

In addition, the Board gave added flexibility to school divisions to address the individual student needs regarding the Standards of Learning testing program by implementing provisions for the local award of verified credit for transition students. The Board continues to review and revise the extensive listing of substitute tests available for earning verified credit. With the use of substitute tests and examinations for certification and licenses, students have multiple options for earning the verified credits needed for high school graduation, a requirement that goes into effect for the first time with the graduating class of 2004.

### **Virginia's Technology Plan:**

The Board of Education's technology plan for Virginia has two major purposes: It presents a vision for the use of technology in schools and classrooms, and it serves as a blueprint for school divisions by identifying the necessary components of an effective technology program. The state plan is an organized, comprehensive, coordinated approach to the use of technology in teaching and learning environments. It provides the framework for the evaluation of programs and services, and guides a process for technology program development. The state plan establishes a shared vision for using technology. It sets short-term and long-term goals for technology use, and heightens the awareness of stakeholders to the value of planning for the use of technology in schools. And, most of all, the purpose of the state plan is to enhance students' academic achievement through the use of technology. The plan provides the structure for the development of other components of an effective technology program: professional development, connectivity, educational applications, and accountability. It is a strategic plan with measurable objectives or "targets." (See <http://www.pen.k12.va.us/VDOE/Technology/OET/resources.shtml#etp>)

### **Remediation Programs:**

The Remediation Recovery Program provides accreditation credit for schools that successfully remediate students who initially failed the Standards of Learning tests in English and mathematics.

### **Special Education Programs:**

Special education students now have improved options available through the Modified Standard Diploma and the Virginia Alternative Assessment Program. The Board set guidelines for the participation of students with disabilities in the assessment component of Virginia's accountability system and devised an alternative Standards of Learning assessment and evaluation program for students with disabilities.

## **Support from the Governor and General Assembly**

### **The Governor's PASS Program:**

The Governor's Partnership for Achieving Successful Schools (PASS) was launched by Governor Warner to improve student achievement in Virginia's lowest academically performing schools. In 2003, the PASS program assisted 117 academically warned schools with a comprehensive plan to marshal community and business support. These schools, which have been Accredited with Warning due to student performance on Standards of Learning exams, have received enhanced services from visiting academic review teams consisting of principals, teachers and retired educators. In addition, the Governor designated 34 of these schools as PASS Priority Schools. They received additional intervention to track the progress made by students, teachers, and administrators.

### **Project Graduation:**

Governor Warner initiated "Project Graduation," an innovative plan to help rising high school seniors meet the 2004 requirements for a Standard Diploma. The Board of Education and the Department of Education have worked to coordinate the services and implement this program successfully. Project Graduation combines regional summer academies, expanded access to online tutorials, distance learning opportunities, and statewide dissemination of information on other

effective models that help students. Results of the initial programs show that more than two-thirds of students participating in Project Graduation Governor's Regional Summer Academies passed Standards of Learning (SOL) tests needed for graduation for the class of 2004.

A key element of phase two of Project Graduation is the online tutorial developed by the Virginia Department of Education in conjunction the Princeton Review. The online tutorial allows students to receive tailored instruction before retaking the high school English: Reading, Literature, and Research Standards of Learning assessment. Also as part of the Project Graduation initiative, Governor Warner directed the department to provide additional opportunities for members of the class of 2004 to retake the high school writing test before the end of the current school year. Seniors who have yet to earn the required verified unit of credit in English writing will be able to take two versions of the writing Standards of Learning test during both the fall and spring test administrations. In addition, the department established a toll-free Project Graduation Hotline. Callers will receive information about graduation requirements and resources available to help students meet them.

### **Education for a Lifetime Initiative:**

The Governor's Education for a Lifetime Initiative will launch a series of reforms in how Virginia schools educate our young people and prepare them for the jobs of the future. The Board and the Department of Education will continue to be active partners in making this program a success. The multi-faceted program includes a renewed commitment to accountability through a program to conduct efficiency reviews in individual school divisions and expanding the PASS and Operation Graduation programs. The Senior Year initiative will offer rising seniors the opportunity to obtain a semester's worth of college credit by the end of their senior year. And seniors will be able to work towards an industry certification starting in their senior year and continuing after high school graduation, culminating in a high school diploma plus an industry certification. Improved teacher recruitment and retention efforts will establish and fund substantive mentoring programs for new teachers in hard-to-staff schools and train and deploy "Turn-Around Specialists" to work in low-performing schools in Virginia.

### **Standards of Learning Technology Initiative:**

The intent of the Standards of Learning Technology Initiative is to use Web-based systems to improve Standards of Learning instructional, remedial, and testing capabilities of high schools. The General Assembly provided funding for this program in order to achieve three general goals in each high school: provide student access to computers with a ratio of one computer for every five students; create Internet-ready local area network capability in every school; and assure adequate high speed, high bandwidth capability for instructional, remedial, and testing needs. The department has successfully implemented the first phase of the Initiative. The initial phase focused on building infrastructure in high schools so that they could provide students with instructional, remedial and testing resources. Additional state funds will be needed for expansion of the on-line tests at the high school level. If the necessary state funding is provided, the next two phases will include implementing the middle and elementary schools phases.

## The Challenges Ahead

The members of the Board of Education are dedicated to helping to maintain the progress that schools and students have made in recent years. Our schools are not yet where we want them to be in terms of student achievement, and a lot of work is still to be done. But we are headed in the right direction. Among the challenges that must be addressed in the coming months include:

- During 2003, the Board of Education prescribed new provisions to the Standards of Quality for public schools. More than a decade has elapsed since the last major review of the Standards of Quality and the Board has prescribed a number of important revisions to these standards, which must now be reviewed and adopted into the Code by the General Assembly.
- Test results show that much work needs to be done to close the gap in the achievement of white and black students, limited English proficient students, and students with disabilities. Even though the data show that Virginia has made substantial and impressive progress in closing the achievement gap, the gap is persistent and troubling. Moreover, the requirements of NCLB will spotlight any gaps in student performance.
- While Virginia has received federal funding under NCLB to meet the new law's data collection and reporting requirements, the Virginia Department of Education estimates it will need an additional \$10.4 million during the next biennium to establish a data collection and reporting system capable of meeting the annual demands of NCLB. In order to comply with NCLB, Virginia must have a data collection and reporting system in place to analyze student and school performance data to identify schools in need of improvement and subject to corrective action in the following school year. Divisions and schools, as well as the parents of students in those schools, should receive this information as early as possible to permit effective planning for the following school year. To implement these requirements, the state must:
  - ✓ Obtain, analyze, and communicate assessment results early enough to allow divisions, schools, and parents to plan for and take advantage of corrective actions, including supplemental services and public school choice; and
  - ✓ Develop criteria for public and private providers of supplemental services and inform districts and schools of approved providers so supplemental services can be provided.
- The federal *No Child Left Behind Act of 2001* (NCLB) makes significant changes in the way Virginia will go about the business of educating students enrolled in the public schools. There will be a lot of work ahead for the state and for schools to fully comply with the NCLB requirements. The Board of Education must ensure that many of the provisions are met and that require the state to:
  - ✓ Develop and administer additional tests in English and mathematics by 2005-06;
  - ✓ Develop and manage a much more comprehensive data system than is currently in place;

- ✓ Oversee a number of actions that must be implemented at the local school and division levels;
  - ✓ Maintain and update lists of supplemental services providers;
  - ✓ Define and maintain data on persistently dangerous schools;
  - ✓ Ensure that every classroom is staffed by *highly qualified* teachers (as defined in NCLB), thus requiring extensive changes in Virginia’s licensure regulations for school personnel;
  - ✓ Hold all public schools and divisions accountable for making adequate yearly progress (AYP) and ensure that the appropriate sanctions are in place at the local level for schools that do not make AYP. Making AYP means that all students and four subgroups (economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency) meet state-established “targets” for student performance on statewide assessments and on other indicators.
- Schools need technical assistance to ensure that student progress is monitored for the Standards of Learning tests for verified credit required to earn a high school diploma. Beginning with the graduating class of 2004, students must earn a combination of standard and verified units of credit to receive either diploma. Students scheduled to graduate in 2004 must be carefully monitored to ensure that they are earning the necessary verified credits. Also, extra efforts must be taken to keep the parents informed, especially if their child is falling short of the requirements. To this end, the Board of Education has established policies for substitute tests, differentiated verified credits, and local awards of the verified credit. The task now is to make sure eligible students have the benefit of these policies.
  - The Department of Education has successfully implemented the first phase of the Web-based Standards of Learning Technology Initiative. Funding needs to be appropriated by the state in order for the next two phases to proceed on schedule. The focus of the initial phase was to build infrastructure in high schools so that they could meet the initiative goal of providing students with instructional, remedial and testing resources. Implementing the next two phases of the initiative at middle and elementary schools will require state funds to build infrastructure, provide educational resources, deliver tests and support networks. The middle school portion of the initiative is scheduled to be completed by June 2006 and the elementary portion by June 2009.
  - A challenge that Virginia’s schools face is the need to recruit, hire, train, and retain highly qualified teachers for all of Virginia’s public school classrooms. The average Virginia teacher salary is ranked 24<sup>th</sup> among the 50 states (2001-02 data), and Virginia must redouble efforts to attract and retain a high quality work force, especially in light of the new *No Child Left Behind* requirements for highly qualified teachers in every core classroom. As Governor Warner pointed out in a recent speech, during the next decade, 33,000 teachers become eligible to retire. That is approximately 40 percent of all Virginia's teachers.

# APPENDICES

Appendix A: Results of the Standards of Learning Tests: 2001-- 2003

Appendix B: List of Schools Rated *Accredited with Warning*

Appendix C: The Standards of Quality: Overview of Recent Legislative Changes to the Current Standards

Appendix D: Outline of the Board of Education's Standards of Quality Review Process

Appendix E: Full text of the Proposed Changes to the Standards of Quality , Adopted by the Board of Education on June 25, 2003

**APPENDIX A:  
RESULTS OF THE STANDARDS OF LEARNING TESTS:  
2001-- 2003**

**2001--2003 Standards of Learning Assessment Results by Ethnicity, Gender,  
Disability Status, and English Proficiency:**

- ▶ Grade 3 (All Subjects)
- ▶ Grade 5 (All Subjects)
- ▶ Grade 8 (All Subjects)
- ▶ End of Course Tests: English and Mathematics
- ▶ End of Course Tests: History / Social Science
- ▶ End of Course Tests: Science

# 1998-2003 Statewide Standards of Learning Spring Assessment Results

(Shown in Percent Passing)



SOL Test	1998 Pass Rate	1999 Pass Rate	2000 Pass Rate	2001 Pass Rate	2002 Pass Rate	2003 Pass Rate	Change from 1998 to 2003
<b>Grade 3</b>							
English	55	61	61	65	72	72	17
Mathematics	63	68	71	77	80	83	20
History & Social Science	49	62	65	72	76	82	33
Science	63	68	73	74	78	82	19
<b>Grade 5</b>							
English: RLR	68	69	68	73	78	82	14
English: Writing	65	81	81	84	84	85	20
Mathematics	47	51	63	67	71	74	27
History & Social Science	33	46	51	63	72	79	46
Science	59	67	64	75	76	79	20
Computer/Tech	72	81	85	82	86	N/A	N/A
<b>Grade 8</b>							
English: RLR	65	67	70	73	69	67	2
English: Writing	67	70	76	75	76	74	7
Mathematics	53	60	61	68	71	72	19
History & Social Science	35	40	50	56	78	80	45
Science	71	78	82	84	85	84	13
Computer/Tech	63	72	78	79	76	N/A	N/A
<b>High School</b>							
English: RLR	72	75	78	82	86	93	21
English: Writing	71	81	85	84	86	91	20
Algebra I	40	56	65	74	78	78	38
Algebra II	31	51	58	74	77	81	50
Geometry	52	62	67	73	76	79	27
U. S. History	30	32	39	47	72	75	45
World History I	62	68	75	83	86	86	24
World History II	41	47	60	65	79	82	41
World Geography	N/A	N/A	76	77	74	76	N/A
Earth Science	58	65	70	73	70	73	15
Biology	72	81	79	81	83	82	10
Chemistry	54	64	64	74	78	84	30

Virginia Department of Education, Division of Assessment and Reporting

Spring pass rates do not include summer or fall results.



## 2001-2003 State Standards of Learning Assessment Results

### Percentage of Students by Ethnicity, Gender, Disability and English Proficiency



Grade 3	English (Proficient/Advanced*)			Mathematics (Proficient/Advanced*)			History & Social Science (Proficient/Advanced*)			Science (Proficient/Advanced*)		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
	All Students	65	72	72 (53/19)	77	80	83 (35/48)	72	76	82 (56/26)	74	78
American Indian/Alaskan Native	70	78	77 (60/18)	79	82	87 (42/46)	77	82	88 (62/25)	80	86	87 (57/30)
Asian/Pacific Islander	74	82	81 (55/26)	89	90	92 (27/65)	82	86	89 (55/34)	81	85	88 (52/35)
Black	46	55	56 (49/7)	59	65	71 (43/28)	54	60	71 (57/13)	53	60	67 (55/13)
Hispanic	53	59	61 (52/9)	70	73	77 (41/37)	60	67	75 (60/15)	61	65	72 (56/16)
White	73	79	79 (55/25)	85	87	88 (32/57)	80	84	87 (56/32)	84	87	89 (50/39)
Ethnicity Unknown	67	77	73 (52/21)	77	83	85 (37/48)	76	79	84 (57/27)	79	81	84 (53/30)
Female	69	75	75 (54/22)	77	81	83 (37/47)	71	77	82 (58/24)	72	77	82 (53/28)
Male	61	68	69 (52/16)	77	80	83 (34/49)	73	76	82 (55/27)	76	79	82 (50/32)
Gender Unknown	NA	NA	64 (56/8)	NA	NA	74 (40/35)	NA	NA	71 (56/16)	NA	NA	71 (53/18)
Students With Disabilities	35	48	44 (38/6)	52	58	59 (36/23)	48	55	64 (53/11)	56	60	65 (49/16)
Limited English Proficient	45	55	55 (49/6)	66	70	75 (41/34)	55	63	71 (59/12)	54	61	67 (55/12)

\* Passing percentages for spring 2003 are broken down in parentheses to show the percentage of students demonstrating proficiency and the percentage demonstrating advanced proficiency in the subject. Spring pass rates do not include summer or fall results.

## 2001-2003 State Standards of Learning Assessment Results

### Percentage of Students by Ethnicity, Gender, Disability and English Proficiency



Grade 5	English: Reading (Proficient/Advanced*)			English: Writing (Proficient/Advanced*)			Mathematics (Proficient/Advanced*)			History/SS (Proficient/Advanced*)			Science (Proficient/Advanced*)		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
All Students	73	78	82 (63/19)	84	84	85 (64/21)	67	71	74 (56/18)	63	72	79 (59/20)	75	76	79 (67/12)
American Indian/Alaskan Native	73	75	85 (66/19)	87	79	87 (69/18)	66	69	76 (62/14)	64	72	81 (61/20)	76	82	80 (68/13)
Asian/Pacific Islander	82	87	88 (68/20)	92	91	91 (61/30)	84	87	87 (56/31)	75	82	86 (60/26)	85	85	86 (71/14)
Black	55	62	70 (62/7)	74	72	75 (66/10)	46	53	58 (51/7)	43	54	67 (57/10)	54	54	61 (57/4)
Hispanic	63	68	73 (64/9)	78	76	76 (63/13)	58	61	64 (53/11)	48	60	69 (57/12)	63	64	67 (62/5)
White	80	85	88 (63/25)	89	89	89 (63/26)	75	79	80 (58/22)	72	80	84 (60/25)	83	86	88 (71/17)
Ethnicity Unknown	75	79	81 (60/21)	83	84	86 (62/24)	68	72	73 (55/18)	64	79	78 (60/18)	77	78	81 (70/11)
Female	76	81	85 (64/20)	89	88	89 (62/27)	67	72	75 (58/17)	61	71	78 (61/18)	73	74	77 (67/10)
Male	70	75	80 (62/18)	80	79	81 (65/16)	66	70	72 (54/18)	64	74	79 (57/22)	76	78	81 (67/15)
Gender Unknown	NA	NA	68 (61/6)	NA	NA	61 (54/7)	NA	NA	53 (47/7)	NA	NA	73 (66/7)	NA	NA	68 (61/6)
Students With Disabilities	45	54	58 (52/6)	55	56	56 (51/5)	36	42	42 (37/5)	38	48	55 (48/7)	52	56	57 (53/5)
Limited English Proficient	50	57	65 (60/5)	67	67	66 (59/8)	50	56	60 (49/10)	39	55	63 (53/10)	52	52	59 (56/3)

\* Passing percentages for spring 2003 are broken down in parentheses to show the percentage of students demonstrating proficiency and the percentage demonstrating advanced proficiency in the subject. Spring pass rates do not include summer or fall results.

# 2001-2003 State Standards of Learning Assessment Results

## Percentage of Students by Ethnicity, Gender, Disability and English Proficiency



Grade 8	English: Reading (Proficient/Advanced*)			English: Writing (Proficient/Advanced*)			Mathematics (Proficient/Advanced*)			History & SS (Proficient/Advanced*)			Science (Proficient/Advanced*)		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
All Students	73	69	67 (52/16)	75	76	74 (64/10)	68	71	72 (55/17)	56	78	80 (66/14)	84	85	84 (57/26)
American Indian/Alaskan Native	71	61	60 (49/11)	69	68	68 (62/7)	64	62	67 (56/11)	53	73	77 (68/9)	83	82	80 (60/20)
Asian/Pacific Islander	82	79	74 (55/19)	86	88	84 (66/18)	86	88	89 (54/36)	71	88	90 (69/21)	92	94	92 (56/35)
Black	53	51	49 (44/5)	59	61	58 (55/3)	46	51	56 (51/5)	34	63	66 (61/5)	68	70	68 (60/8)
Hispanic	64	55	50 (43/7)	67	66	62 (57/5)	59	60	65 (54/10)	42	68	70 (62/8)	77	76	75 (60/15)
White	81	77	76 (56/21)	82	82	81 (68/13)	76	78	79 (58/21)	65	85	86 (68/18)	90	91	91 (56/34)
Ethnicity Unknown	67	58	60 (45/15)	72	68	68 (58/10)	69	55	65 (47/18)	51	75	79 (65/14)	80	81	83 (57/27)
Female	77	74	70 (53/17)	82	82	80 (67/13)	70	74	76 (59/17)	53	77	78 (67/12)	84	85	83 (60/23)
Male	69	65	65 (50/15)	69	69	68 (60/7)	67	68	70 (52/18)	60	79	81 (65/17)	84	85	84 (55/30)
Gender Unknown	NA	NA	26 (22/3)	NA	NA	48 (48/0)	NA	NA	36 (31/5)	NA	NA	44 (36/8)	NA	NA	66 (52/14)
Students With Disabilities	36	31	28 (26/3)	34	37	35 (34/2)	29	30	29 (27/3)	28	51	54 (49/5)	57	59	57 (49/8)
Limited English Proficient	43	40	35 (31/3)	49	51	48 (45/2)	56	59	64 (52/13)	28	57	62 (58/4)	65	67	65 (57/8)

\* Passing percentages for spring 2003 are broken down in parentheses to show the percentage of students demonstrating proficiency and the percentage demonstrating advanced proficiency in the subject. Spring pass rates do not include summer or fall results.

# 2001-2003 State Standards of Learning Assessment Results

## Percentage of Students by Ethnicity, Gender, Disability and English Proficiency



End of Course	English: Reading (Proficient/Advanced*)			English: Writing (Proficient/Advanced*)			Algebra I (Proficient/Advanced*)			Geometry (Proficient/Advanced*)			Algebra II (Proficient/Advanced*)		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
All Students	82	86	93 (60/34)	84	86	91 (66/25)	74	78	78 (63/15)	73	76	79 (56/22)	74	77	81 (54/27)
American Indian/Alaskan Native	83	88	93 (67/26)	84	85	89 (67/23)	63	71	75 (66/10)	69	72	80 (61/19)	68	72	71 (49/22)
Asian/Pacific Islander	85	88	95 (58/37)	87	89	94 (64/29)	90	91	90 (60/30)	83	87	88 (51/37)	82	84	89 (47/42)
Black	70	76	88 (72/16)	72	75	83 (73/10)	59	64	64 (59/5)	51	53	59 (53/7)	58	62	68 (55/13)
Hispanic	74	79	77 (69/21)	77	80	85 (71/14)	68	72	71 (63/8)	63	71	73 (59/14)	68	69	73 (53/20)
White	87	90	96 (55/41)	89	89	94 (63/31)	80	83	83 (65/18)	80	83	86 (58/28)	77	80	84 (54/30)
Ethnicity Unknown	73	85	92 (59/32)	82	84	89 (65/24)	50	68	67 (55/12)	51	70	73 (57/16)	52	73	75 (49/26)
Female	86	89	95 (59/36)	89	90	94 (63/31)	76	80	80 (65/15)	71	74	77 (57/20)	74	78	81 (54/27)
Male	78	83	92 (60/32)	80	81	88 (68/20)	73	77	76 (61/15)	76	78	81 (56/25)	74	76	80 (53/27)
Gender Unknown	NA	NA	81 (67/14)	NA	NA	82 (63/18)	NA	NA	49 (45/4)	NA	NA	41 (38/3)	NA	NA	67 (46/21)
Students With Disabilities	43	54	74 (63/10)	43	47	61 (55/6)	40	49	49 (45/4)	42	47	53 (46/7)	50	52	60 (48/11)
Limited English Proficient	57	63	80 (71/9)	55	61	72 (67/5)	74	76	74 (62/11)	66	70	71 (52/19)	72	76	79 (49/31)

\* Passing percentages for spring 2003 are broken down in parentheses to show the percentage of students demonstrating proficiency and the percentage demonstrating advanced proficiency in the subject. Spring pass rates do not include summer or fall results.

## 2001-2003 State Standards of Learning Assessment Results

### Percentage of Students by Ethnicity, Gender, Disability and English Proficiency



End of Course	World History I (Proficient/Advanced*)			World History II (Proficient/Advanced*)			Geography (Proficient/Advanced*)			Virginia & U.S. History (Proficient/Advanced*)		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
All Students	83	86	86 (62/24)	65	79	82 (71/11)	77	74	76 (59/17)	47	72	75 (60/15)
American Indian/Alaskan Native	81	83	88 (68/20)	66	72	78 (67/10)	76	72	75 (58/16)	48	76	77 (62/15)
Asian/Pacific Islander	92	93	96 (60/36)	75	87	89 (77/12)	91	87	87 (62/25)	54	76	80 (63/17)
Black	67	73	73 (64/9)	42	61	67 (64/3)	65	57	61 (55/5)	25	53	57 (52/5)
Hispanic	76	77	80 (65/16)	53	68	70 (65/5)	81	77	75 (62/13)	35	60	64 (56/8)
White	88	90	91 (61/29)	72	85	88 (74/14)	84	82	83 (61/23)	55	79	81 (62/19)
Ethnicity Unknown	83	82	78 (60/18)	64	65	77 (65/12)	60	64	73 (60/13)	45	71	73 (59/14)
Female	82	85	86 (66/20)	61	77	80 (72/8)	76	72	73 (60/13)	43	68	71 (60/12)
Male	84	87	87 (59/28)	69	80	83 (69/14)	78	77	79 (58/20)	52	75	78 (60/19)
Gender Unknown	NA	NA	49 (47/3)	NA	NA	72 (67/5)	NA	NA	45 (45/0)	NA	NA	56 (51/5)
Students With Disabilities	56	64	65 (56/9)	33	52	57 (52/4)	49	46	50 (45/5)	20	43	48 (42/6)
Limited English Proficient	68	73	78 (65/13)	44	62	66 (63/3)	66	66	69 (61/8)	22	43	51 (47/4)

\* Passing percentages for spring 2003 are broken down in parentheses to show the percentage of students demonstrating proficiency and the percentage demonstrating advanced proficiency in the subject. Spring pass rates do not include summer or fall results.

## 2001-2003 State Standards of Learning Assessment Results

### Percentage of Students by Ethnicity, Gender, Disability and English Proficiency



End of Course	Earth Science (Proficient/Advanced*)			Biology (Proficient/Advanced*)			Chemistry (Proficient/Advanced*)		
	2001	2002	2003	2001	2002	2003	2001	2002	2003
All Students	73	70	73 (65/8)	81	83	82 (70/12)	74	78	84 (75/9)
American Indian/Alaskan Native	69	73	69 (63/6)	84	82	85 (73/11)	75	77	76 (72/4)
Asian/Pacific Islander	78	74	79 (71/8)	86	86	86 (72/14)	78	82	86 (73/13)
Black	52	49	56 (54/2)	66	68	65 (63/3)	55	59	69 (66/3)
Hispanic	62	56	60 (57/3)	69	69	67 (63/4)	59	64	70 (66/4)
White	83	80	83 (71/12)	88	90	90 (74/16)	79	84	89 (78/11)
Ethnicity Unknown	53	57	61 (54/6)	63	76	77 (67/10)	57	76	79 (72/8)
Female	71	67	70 (65/6)	82	83	81 (71/10)	72	77	83 (75/8)
Male	75	73	76 (65/11)	81	83	83 (69/14)	76	80	86 (74/11)
Gender Unknown	NA	NA	37 (35/2)	NA	NA	56 (47/9)	NA	NA	84 (84/0)
Students With Disabilities	46	45	50 (48/3)	53	56	58 (55/3)	49	52	62 (59/3)
Limited English Proficient	39	33	42 (41/1)	57	56	54 (53/2)	54	63	67 (62/4)

\* Passing percentages for spring 2003 are broken down in parentheses to show the percentage of students demonstrating proficiency and the percentage demonstrating advanced proficiency in the subject. Spring pass rates do not include summer or fall results.

**APPENDIX B:  
LIST OF SCHOOLS RATED  
ACCREDITED WITH WARNING**

<b>DIVISION NAME</b>	<b>SCHOOL NAME</b>	<b>ACCREDITATION STATUS 2003-2004</b>
<b>ACCOMACK</b>		
	KEGOTANK ELEM.	Accredited with Warning in Science
<b>BRUNSWICK</b>		
	JAMES S. RUSSELL JR. HIGH	Accredited with Warning in English
	MEHERRIN POWELLTON ELEM.	Accredited with Warning in History
	STURGEON ELEM.	Accredited with Warning in Science
<b>BUCHANAN</b>		
	HURLEY MIDDLE	Accredited with Warning in English/Mathematics
<b>CHESTERFIELD</b>		
	CHESTERFIELD COMMUNITY HIGH	Accredited with Warning in Mathematics
	PERRYMONT MIDDLE	Accredited with Warning in English and Mathematics
<b>DANVILLE CITY</b>		
	GLENWOOD ELEM.	Accredited with Warning in Science
	GROVE PARK ELEM.	Accredited with Warning in Mathematics and Science
	OPPORTUNITY SCHOOL	Accredited with Warning in English, Mathematics, and Science
<b>FAIRFAX</b>		
	BRYANT ALTERNATIVE HIGH	Accredited with Warning in Science
	WOODSON ADULT HIGH	Accredited with Warning in Mathematics and Science
<b>GLOUCESTER</b>		
	VICTORY ACADEMY	Accredited with Warning in English and Mathematics
<b>GRAYSON</b>		
	ELK CREEK ELEM.	Accredited with Warning in Mathematics
<b>GREENE</b>		
	NEW DIRECTIONS ACADEMY	Accredited with Warning in Mathematics and Science
<b>GREENSVILLE</b>		
	ZION ALTERNATIVE ED	Accredited with Warning in English, Mathematics, and Science

<b>HAMPTON CITY</b>		
	HAMPTON HARBOUR ACADEMY	Accredited with Warning in English, Mathematics, History and Science
<b>HENRICO</b>		
	MT. VERNON MIDDLE	Accredited with Warning in English
	NEW BRIDGE SCHOOL	Accredited with Warning in English and Mathematics
<b>LEE</b>		
	LEE HIGH	Accredited with Warning in Mathematics
<b>NEWPORT NEWS CITY</b>		
	BRIARFIELD ELEM.	Accredited with Warning in English
<b>NORFOLK CITY</b>		
	NORFOLK PREPARATORY HIGH	Accredited with Warning in Mathematics, History, and Science
<b>PETERSBURG CITY</b>		
	J. E. B. STUART ELEM.	Accredited with Warning in English
	PEABODY MIDDLE	Accredited with Warning in English and Mathematics
	PETERSBURG HIGH	Accredited with Warning in Mathematics and Science
	ROBERT E. LEE ELEM.	Accredited with Warning in English and Science
	VIRGINIA AVENUE ELEM.	Accredited with Warning in English and Science
<b>PORTSMOUTH CITY</b>		
	EXCEL CAMPUS	Accredited with Warning in Science
	JAMES HURST ELEM.	Accredited with Warning in Mathematics
	MOUNT HERMON ELEM	Accredited with Warning in Science
	S.H. CLARKE ACADEMY ELEM.	Accredited with Warning in Science
<b>RICHMOND CITY</b>		
	ADULT CAREER DEV. CTR.	Accredited with Warning in Mathematics and Science
	FAIRFIELD COURT ELEMENTARY	Accredited with Warning in English and Mathematics
	GEORGE MASON ELEM.	Accredited with Warning in History
	GEORGE W. CARVER ELEM.	Accredited with Warning in Mathematics
	GEORGE WYTHE HIGH	Accredited with Warning in Mathematics
	MOSBY MIDDLE	Accredited with Warning in English and Science
	REAL SCHOOL	Accredited with Warning in English, Mathematics, History, and Science
	RICHMOND ALTERNATIVE SCHOOL	Accredited with Warning in English, Mathematics, History, and Science



	THIRTEEN ACRES	Accredited with Warning in English, Mathematics, History, and Science
<b>ROANOKE CITY</b>		
	BLUE RIDGE TECHNICAL ACADEMY	Accredited with Warning in Science
	NOEL C. TAYLOR LRNG. ACADEMY	Accredited with Warning in English, Mathematics, and Science
	WESTSIDE ELEM.	Accredited with Warning in Mathematics and Science
<b>SUSSEX</b>		
	ANNIE B. JACKSON ELEM.	Accredited with Warning in Mathematics and Science
	ELLEN W. CHAMBLISS ELEM.	Accredited with Warning in Mathematics and Science
	JEFFERSON ELEM.	Accredited with Warning in Mathematics
<b>TAZEWELL</b>		
	POCAHONTAS HIGH	Accredited with Warning in Mathematics
<b>VIRGINIA BEACH CITY</b>		
	CENTER EFFECTIVE LEARNING	Accredited with Warning in English and Mathematics
	OPEN CAMPUS	Accredited with Warning in Mathematics
<b>WESTMORELAND</b>		
	WASHINGTON AND LEE HIGH	Accredited with Warning in Mathematics
<b>YORK</b>		
	YORK RIVER ACADEMY	Accredited with Warning in English and Mathematics

## APPENDIX C:

### The Standards of Quality: Overview of Recent Legislative Changes to the Current Standards

Section 22.1-18 of the Code of Virginia, as amended by the 2002 General Assembly (HB 884, Hamilton and SB 350, Howell) specifies that the Board of Education's annual report "...shall include a complete listing of the current standards of quality for the Commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality." This appendix is in response to that requirement, and includes a summary of the most recent changes to each standard.

The Board of Education's recommendations for changes and the justification for its recommendations can be found on pages 30-33 in the text of this report. The text of the proposed changes can be found in Appendix E.

**Standard 1** provides the authorization to the Board of Education to establish the Standards of Learning, and requires local school boards to implement the Standards of Learning or educational objectives that are equivalent or exceed them. It establishes the requirement that local school boards develop and implement a program of instruction for grades K-12, and specifies the subject areas to be included. It establishes required pupil-teacher ratios and maximum class sizes. It also addresses career and technical education; programs of prevention, intervention, and remediation for students educationally at risk; and for the early identification of gifted students and disabled students, and for their enrollment in appropriate instructional programs. Standard 1 was last amended in 2003:

Chapter 690 (HB 1493, Amenson) expresses the belief of the General Assembly and the Board of Education that the quality of public education is dependent upon an appropriate learning environment designed to promote student achievement. See § 22.1-253.13 of the Code.

Chapter 697 (HB 1757, Amenson) requires school boards to provide programs of prevention, intervention, and remediation for students failing an end-of-course test required for the award of a verified unit of credit needed by the student for graduation. See § 22.1-253.13 of the Code.

Chapter 714 (HB 2442, Dillard) requires local school boards to identify students with limited English proficiency and enroll these students in appropriate instructional programs. It also requires state funding, pursuant to the appropriation act, for 10 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency. See § 22.1-253.13 of the Code.

Chapter 861 (SB 710, Puller) expresses the belief of the General Assembly and the Board of Education that the quality of public education is dependent upon the provision of quality instruction that enables each student to become a productive and educated citizen. The

legislation adds that in keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VII, Section 1 of the Constitution of Virginia. See § 22.1-253.13 of the Code.

**Standard 2** establishes the requirement that school boards must provide support services necessary for the operation and maintenance of schools, and requires the Department of Education to provide technical assistance. Standard 2 was last amended in 1997:

Chapter 282 (HB 1859, Bennett): Requires the Department of Education to provide local school divisions with technical assistance in the design of summer school programs and other forms of remediation.

**Standard 3** authorizes the Board of Education to promulgate the standards of accreditation, and requires local school boards to maintain schools that meet the standards of accreditation. It authorizes the Board to establish course and credit requirements for graduation, and to prescribe Standards of Learning assessments and other assessments, including end-of-course and end-of-grade Standards of Learning tests for English, mathematics, science, and history and social science. Standard 3 was last amended in 2003:

Chapter 691 (HB 1503, Landes) requires the Board of Education to establish criteria for awarding a diploma seal for excellence in civics education and understanding of the state and federal constitutions and the democratic model of government for the Standard and Advanced Studies diplomas. See § 22.1-253.13 of the Code.

Chapter 1004 (SB 779, Blevins) provides that for any grade level or course for which a Standards of Learning assessment or other criterion- or norm-referenced assessment is administered, there shall be no required administration of the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, except as may be selected to facilitate compliance with the requirements for home instruction pursuant to § 22.1-254.1 of the Code. Local school boards may administer the Stanford Nine at their discretion. It also removes other references to the Virginia State Assessment Program, which is comprised of the Stanford Nine, and the Virginia State Literacy Testing Program. See § 22.1-253.13 of the Code.

**Standard 4** authorizes local school boards to award diplomas to all secondary school students who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements prescribed by the school board and approved by the Board of Education. Standard 4 was last amended in 2003.

Chapter 688 (HB 1464, Carrico) directs the Board of Education to develop, by regulation, requirements for the award of the general achievement diploma to students (i) passing the GED examination; (ii) successfully completing an education and training program designated by the Board; and (iii) satisfying other requirements the Board may establish. See § 22.1-253.13 of the Code.

**Standard 5** establishes the expectations for programs of professional development and training, and appropriate performance evaluations for effective educational leadership. Standard 5 was last amended in 2000.

Chapter 867 (HB 203, Plum): Requires local school boards to provide a program of professional development in educational technology for all instructional personnel to facilitate integration of computer skills and related technology into the curricula.

**Standard 6** establishes the requirement for the Board of Education to develop a six-year improvement plan and a six-year technology plan. Local school boards must also develop these six-year plans. Standard 6 was last amended in 2001:

Chapter 484 (SB 1057, Quayle): Clarifies that the Board of Education's six-year technology plan must integrate the Standards of Learning into career and technical education programs as well as academic programs, and that local school division technology plans must be designed to integrate educational technology into the career and technical education programs as well as the academic programs.

**Standard 7** establishes the requirement that local school boards maintain and follow up-to-date policy manuals that shall be available to employees and to the public. Standard 7 was last amended in 1992:

Chapter 591 (SB 128, Schewel): Clarified that the policy manuals maintained by local school boards be reviewed at least every five years and revised as needed.

**Standard 8** establishes that § 22.1-253.13:1 through 22.1-253.13:8 of the Code of Virginia are the standards of quality required by the Constitution of Virginia, and that each local school board shall provide, as a minimum, the programs and services as prescribed in the standards of quality with state and local funds as apportioned by the General Assembly in the appropriation act, and to the extent funding is provided by the General Assembly. Standard 8 was last amended in 1990:

Chapters 820 and 839 (HB 1063, O'Brien and SB 493, Gray): Clarifies that, as a minimum, each local school board shall provide the programs and services prescribed in the standards of quality.

The full text of the current Standards of Quality may be obtained from the Virginia Department of Education's web site: [www.pen.k12.va.us/VDOE/VA Board/Standards/soq.pdf](http://www.pen.k12.va.us/VDOE/VA_Board/Standards/soq.pdf)

Also, the text may be obtained from the Virginia Department of Legislative Services' web site: <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-253.13C1>

## **APPENDIX D: OUTLINE OF THE BOARD OF EDUCATION'S STANDARDS OF QUALITY REVIEW PROCESS**

- Board of Education's by-laws revised to require the Board to determine the need for SOQ review no less than once every two years (October 2001)
- Standards of Quality Standing Committee created (November 2001)
- Ten statewide public hearings conducted, with 115 speakers (April and May 2002)
- Public comment period held, with approximately 100 additional letters, faxes, and e-mails (April through September 2002)
- Two public forums conducted with 12 statewide education constituent groups (May 2002)
- Meeting held to hear from directors of programs for students with limited English proficiency (June 2002)
- Six meetings of the Standards of Quality Standing Committee and two work sessions by the full Board of Education on SOQ revisions were held (August 2002 through May 2003)
- Four public hearings were held, with 66 speakers and 141 letters, faxes, and e-mails (June 2003)
- Board of Education approved the proposed revisions to the Standards of Quality (June 25, 2003)

**APPENDIX E:**

**TEXT OF THE PROPOSED CHANGES TO THE  
STANDARDS OF QUALITY  
ADOPTED BY THE BOARD ON JUNE 25, 2003**

**See the Virginia Department of Education Web site:  
[http://www.pen.k12.va.us/VDOE/VA Board/Standards/](http://www.pen.k12.va.us/VDOE/VA_Board/Standards/)**

1 § 22.1-253.13:1. Standard 1. ~~Basic skills, selected programs, and~~  
2 ~~instructional personnel~~ Instructional programs supporting the Standards of  
3 Learning and other educational objectives<sup>1</sup>  
4

5 A. The General Assembly and the Board of Education believe that the fundamental goal  
6 of the public schools of this Commonwealth must be to enable each student to  
7 develop the skills that are necessary for success in school and preparation for life,  
8 ~~and~~ The General Assembly and the Board of Education<sup>2</sup> find that the quality of  
9 education is dependent upon the provision of (i) the appropriate working  
10 environment, benefits, and salaries necessary to ensure the availability of high quality  
11 instructional personnel; (ii) the appropriate learning environment designed to promote  
12 student achievement; (iii) quality instruction that enables each student to become a  
13 productive and educated citizen of Virginia and the United States of America; and  
14 (iv) the adequate commitment of other resources. In keeping with this goal, the  
15 General Assembly shall provide for the support of public education as set forth in  
16 Article VIII, Section 1 of the Constitution of Virginia.  
17

18 B. The Board of Education shall establish educational objectives known as the Standards  
19 of Learning,<sup>3</sup> which shall form the core of Virginia's educational program, and other  
20 educational objectives,<sup>4</sup> which together are designed to ~~implement~~ ensure<sup>5</sup> the  
21 development of the skills that are necessary for success in school and for preparation  
22 for life in the years beyond. At a minimum, the Board shall establish Standards of  
23 Learning for English, mathematics, science, and history and social science.<sup>6</sup> The  
24 current educational objectives, known as the Standards of Learning, shall not be  
25 construed to be regulations as defined in ~~§ 9-6.14-4~~ § 2.2-4001<sup>7</sup>; however, the Board  
26 of Education may, from time to time, revise these educational objectives to maintain  
27 academic rigor.<sup>8</sup>  
28

29 ~~In order to provide appropriate opportunity for input from the general public,~~  
30 ~~teachers, and local school boards, the Board of Education shall conduct public~~  
31 ~~hearings prior to establishing new educational objectives. Thirty days prior to~~  
32 ~~conducting such hearings, the Board shall give written notice by mail of the date,~~  
33 ~~time, and place of the hearings to all local school boards and any other persons~~  
34 ~~requesting to be notified of the hearings and publish notice of its intention to revise~~  
35 ~~these educational objectives in the Virginia Register of Regulations. Interested parties~~  
36 ~~shall be given reasonable opportunity to be heard and present information prior to~~  
37 ~~final adoption of any revisions of these educational objectives.<sup>9</sup>~~  
38

---

<sup>1</sup> Clarify topic of the standard  
<sup>2</sup> Clarification  
<sup>3</sup> Editorial change  
<sup>4</sup> Updated language  
<sup>5</sup> Updated language  
<sup>6</sup> Updated language  
<sup>7</sup> Chapter 844, 2001 Acts of Assembly  
<sup>8</sup> Editorial change  
<sup>9</sup> Moved to page 2

39 The Board shall seek to ensure that ~~any revised educational objectives~~ the Standards  
40 of Learning are consistent with ~~the world's highest educational standards~~ a high  
41 quality foundation educational program. The English Standards of Learning for  
42 reading in kindergarten through grade three shall be based on at least the five  
43 components of effective reading instruction: phonemic awareness, phonics, fluency,  
44 vocabulary development, and text comprehension.<sup>10</sup> ~~These objectives~~ The Standards  
45 of Learning shall include, but not be limited to, the basic skills of communication  
46 (listening, speaking, reading, and writing);<sup>11</sup> computation and critical reasoning,  
47 including problem solving, decision making; ~~and~~ proficiency in the use of computers  
48 and related technology; and the skills to manage personal finances and to make sound  
49 financial decisions, ~~and the development of personal qualities such as self-esteem,~~  
50 ~~sociability, self-management, integrity, and honesty.~~<sup>12</sup>

51  
52 ~~With such funds as are made available for this purpose, the Board shall regularly~~  
53 ~~review and revise the competencies for career and technical education programs to~~  
54 ~~require the full integration of English, mathematics, science and social studies~~  
55 ~~Standards of Learning. Career and technical education programs shall be aligned with~~  
56 ~~industry and professional standard certifications, where they exist.~~<sup>13</sup>

57  
58 The Standards of Learning in all subject areas shall be subject to regular review and  
59 revision to maintain rigor and to reflect a balance between content knowledge and the  
60 application of knowledge in preparation for eventual employment and lifelong  
61 learning. ~~By October 1, 2000,~~<sup>14</sup> The Board of Education shall establish a regular  
62 schedule, in a manner it deems appropriate, for the review, and revision as may be  
63 necessary, of the Standards of Learning in all subject areas. Such review of each  
64 subject area shall occur at least once every ~~seven~~ 7 years. Nothing in this section shall  
65 be construed to prohibit the Board from conducting such review and revision on a  
66 more frequent basis.

67  
68 In order to provide appropriate opportunity for input from the general public,  
69 teachers, and local school boards, the Board of Education shall conduct public  
70 hearings prior to establishing revised Standards of Learning. The Board shall give  
71 notice of the date, time, and place of the hearings to all local school boards and any  
72 other persons requesting to be notified of the hearings and publish notice of its  
73 intention to revise the Standards of Learning in the Virginia Register of Regulations  
74 30 days prior to conducting such hearings.<sup>15</sup> Interested parties shall be given  
75 reasonable opportunity to be heard and present information prior to final adoption of  
76 any revisions of the Standards of Learning.<sup>16</sup>

77

<sup>10</sup> Updated language; statement about reading instruction

<sup>11</sup> Clarifying language

<sup>12</sup> Editorial change

<sup>13</sup> Moved to page 4

<sup>14</sup> The Board approved the schedule to revise the Standards of Learning on September 28, 2000.

<sup>15</sup> Editorial change

<sup>16</sup> Moved from page 1



78 School boards shall implement ~~these objectives,~~ the Standards of Learning or  
79 objectives specifically designed for their school divisions that are equivalent to or  
80 exceed the Board's requirements. Students shall be expected to achieve the  
81 educational objectives ~~utilized,~~ established<sup>17</sup> by the school division at appropriate age  
82 or grade levels.

83  
84 ~~With such funds as are available for this purpose, the Board of Education shall~~  
85 ~~prescribe assessment methods to determine the level of achievement of these~~  
86 ~~objectives by all students. Such assessments shall evaluate knowledge, application of~~  
87 ~~knowledge, critical thinking, and skills related to the Standards of Learning being~~  
88 ~~assessed. The Board shall~~

- 89  
90 (i) ~~in consultation with the chairpersons of the eight regional superintendents'~~  
91 ~~study groups, establish a timetable for administering the Standards of~~  
92 ~~Learning assessments to ensure genuine end-of-course and end-of-grade~~  
93 ~~testing and~~  
94 (ii) ~~with the assistance of independent testing experts, conduct a regular analysis~~  
95 ~~and validation process for these assessments.~~<sup>18</sup>

96  
97 ~~In prescribing such assessments, the Board shall provide local school boards the~~  
98 ~~option of administering tests for United States History to 1877, United States History:~~  
99 ~~1877 to the Present, and Civics and Economics. The Board of Education shall make~~  
100 ~~publicly available such assessments in a timely manner and as soon as practicable~~  
101 ~~following the administration of such tests, so long as the release of such assessments~~  
102 ~~does not compromise test security or deplete the bank of assessment questions~~  
103 ~~necessary to construct subsequent tests.~~<sup>19</sup>

104  
105 ~~By July 1, 1999, the Board shall develop and approve objectives for mathematics, at~~  
106 ~~the middle and high school levels, for personal living and finances, which shall focus~~  
107 ~~on money management skills for individuals and families. The personal living and~~  
108 ~~finances objectives shall require instruction in those skills necessary to handle~~  
109 ~~personal business and finances and shall include, but need not be limited to, the~~  
110 ~~following: opening a bank account and how to judge the quality of a bank's services;~~  
111 ~~balancing a checkbook; completing a loan application; the implications of an~~  
112 ~~inheritance; the basics of personal insurance policies; consumer rights and~~  
113 ~~responsibilities; dealing with salesmen and merchants; debt management, including~~  
114 ~~retail and credit card debt; state and federal tax computation; local tax assessments;~~  
115 ~~computation of interest rates by various mechanisms; understanding simple contracts;~~  
116 ~~and how to contest an incorrect bill. These personal living and finances objectives~~  
117 ~~shall not be required to be included in the Board's Standards of Learning, and shall be~~  
118 ~~developed in a manner to ensure that instruction in the Standards of Learning shall~~  
119 ~~not be de-emphasized. The Board shall not be required to evaluate student~~

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<sup>17</sup> Editorial change

<sup>18</sup> Moved to Standard 3, page 23

<sup>19</sup> Moved to Standard 3, page 23

120 ~~achievement concerning such objectives in the Standards of Learning Assessment~~  
121 ~~Tests required by § 22.1-253.13-2.~~<sup>20</sup>

122  
123 The Board of Education shall supplement the Standards of Learning for history and  
124 social ~~studies~~ science<sup>21</sup> to ensure the study of contributions to society of diverse  
125 people. For the purposes of this subsection, "diverse" shall include consideration of  
126 disability, ethnicity, race, and gender.

127  
128 With such funds as are made available for this purpose, the Board shall regularly  
129 review and revise the competencies for career and technical education programs to  
130 require the full integration of English, mathematics, science and history and social  
131 science Standards of Learning. Career and technical education programs shall be  
132 aligned with industry and professional standard certifications, where they exist.<sup>22</sup>

- 133  
134 C. Local school boards shall develop and implement a program of instruction for grades  
135 K through 12 that emphasizes reading, writing, speaking, mathematical concepts and  
136 computations, proficiency in the use of computers and related technology, and  
137 scientific concepts and processes; essential skills and concepts of citizenship,  
138 including knowledge of Virginia history and world and United States history,  
139 economics, government, foreign languages, international cultures, health and physical  
140 education, environmental issues and geography necessary for responsible  
141 participation in American society and in the international community; fine arts, which  
142 may include, but need not be limited to, music and art, and practical arts; knowledge  
143 and skills needed to qualify for further education and employment or, in the case of  
144 ~~some handicapped children~~ children with disabilities,<sup>23</sup> to qualify for appropriate  
145 training; and development of the ability to apply such skills and knowledge in  
146 preparation for eventual employment and lifelong learning. ~~School boards shall strive~~  
147 ~~to employ licensed instructional personnel qualified in the relevant subject areas,~~  
148 ~~including qualified teachers, licensed through the Board of Education's provisional~~  
149 ~~licensure procedures, who have professional expertise in the relevant subject areas.~~<sup>24</sup>

150  
151 Local school boards shall also develop and implement programs of prevention,  
152 intervention, or remediation for students who are educationally at risk including, but  
153 not limited to, those ~~whose scores are in the bottom national quartile on Virginia State~~  
154 ~~Assessment Program Tests,~~<sup>25</sup> who fail to achieve a passing score on any Standards of  
155 Learning assessment in grades 3, ~~5 and~~ through 8<sup>26</sup> or who fail an end-of-course test  
156 required for the award of a verified unit of credit required for the student's  
157 graduation.  
158

<sup>20</sup> Moved to another section of the Code (see appendix, page 34)

<sup>21</sup> Technical change

<sup>22</sup> Moved from page 2

<sup>23</sup> Technical change

<sup>24</sup> Moved to Standard 2, page 12, and revised to be consistent with § 22.1-295.

<sup>25</sup> This language is revised for consistency with SB 779, passed by the 2003 General Assembly.

<sup>26</sup> To comport with the No Child Left Behind Act (annual testing)

159 Any student who passes one or more, but not all, of the Standards of Learning  
160 assessments for that grade in grades 3 through 8 may be required to attend a  
161 remediation program.<sup>27</sup> Any student who ~~does not pass-fails the literacy tests or any~~  
162 all of the Standards of Learning assessments in grades ~~2, 5, or 8~~ 3 through 8 shall be  
163 required to attend a summer school program or to participate in another form of  
164 remediation; ~~any student who passes one or more, but not all, of the Standards of~~  
165 ~~Learning assessments in grades 3, 5, or 8 may be required to attend a remediation~~  
166 ~~program.~~<sup>28</sup> Division superintendents shall require such students to take special  
167 programs of prevention, intervention, or remediation, which may include attendance  
168 in public summer school programs, in accordance with clause (ii) of subsection A of  
169 § 22.1-254 and § 22.1-254.01. Remediation programs shall include, when applicable,  
170 a procedure for early identification of students who are at risk of failing the Standards  
171 of Learning assessments in grades ~~3, 5, or~~ through 8<sup>29</sup> or who fail an end-of-course test  
172 required for the award of a verified unit of credit required for the student's  
173 graduation. Such programs may also include summer school for all elementary and  
174 middle school grades and for all high school academic courses, as defined by  
175 regulations promulgated by the Board of Education, or other forms of remediation.  
176 Summer school remediation programs or other forms of remediation shall be chosen  
177 by the division superintendent to be appropriate to the academic needs of the student.  
178 Students who are required to attend such summer school programs or to participate in  
179 another form of remediation shall not be charged tuition by the school division.

180  
181 The requirement for remediation may, however, be satisfied by the student's  
182 attendance in a program of prevention, intervention or remediation which has been  
183 selected by his parent, in consultation with the division superintendent or his  
184 designee, and is either (i) conducted by an accredited private school or (ii) a special  
185 program which that has been determined to be comparable to the required public  
186 school remediation program by the division superintendent. The costs of such private  
187 school remediation program or other special remediation program shall be borne by  
188 the student's parent.

189  
190 The Board of Education shall establish standards for full funding of summer remedial  
191 programs that shall include, but not be limited to, the minimum number of  
192 instructional hours or the equivalent thereof required for full funding and an  
193 assessment system designed to evaluate program effectiveness. Based on the number  
194 of students attending and the Commonwealth's share of the per pupil instructional  
195 costs, state funds shall be provided for the full cost of summer and other remediation  
196 programs as set forth in the appropriation act, provided such programs comply with  
197 such standards as shall be established by the Board, pursuant to § 22.1-199.2.

198  
199 ~~To ensure consistency in program quality, each school board may establish a~~  
200 ~~remediation program standards committee which may include, but need not be limited~~  
201 ~~to, the superintendent or his designee, a teacher, a parent, and 1 representative of the~~

---

<sup>27</sup> Editorial change

<sup>28</sup> Editorial change

<sup>29</sup> To comport with the No Child Left Behind Act (annual testing)

202 ~~community at large. The remediation program standards committee shall recommend~~  
203 ~~the program components for the remediation programs and shall evaluate the success~~  
204 ~~of the programs. Such program components may include pupil/teacher ratios,~~  
205 ~~objectives, and time, site, and duration of the programs and may include a mechanism~~  
206 ~~to ensure the smooth transition of students between remediation programs and regular~~  
207 ~~instructional programs.<sup>30</sup>~~

208  
209 D. Local school boards shall also implement the following:

- 210
- 211 1. Programs in grades K through 3 ~~which that~~ emphasize developmentally  
212 appropriate learning to enhance success.
  - 213
  - 214 2. Programs based on prevention, intervention, or ~~retrieval remediation~~ designed to  
215 increase the number of students who earn a high school diploma ~~or general~~  
216 ~~education development (GED) certificate and prevent dropouts.<sup>31</sup> As provided in~~  
217 ~~the appropriation act, state funding, in addition to basic aid, shall be allocated to~~  
218 ~~support programs grounded in sound educational policy to reduce the number of~~  
219 ~~students who drop out of school. From such funds as may be appropriated for this~~  
220 ~~purpose, sufficient funds shall be provided to hold all local school divisions~~  
221 ~~harmless by providing no loss funding which maintains the level of each school~~  
222 ~~division's funding as allocated for dropout prevention programs on July 1, 1996,~~  
223 ~~if the level of funding for such school division's drop out prevention programs~~  
224 ~~would be less than its level of funding for such programs in fiscal year 1995.~~  
225 ~~Effective on and after July 1, 1996, the Board of Education shall develop and~~  
226 ~~implement a funding mechanism to ensure that no school board is penalized in its~~  
227 ~~state funding for drop out prevention programs for reducing the drop out rate in its~~  
228 ~~school division.<sup>32</sup>~~
  - 229
  - 230 3. Career and technical education programs ~~infused incorporated<sup>33</sup>~~ into the K  
231 through 12 curricula that include:  
232  
233 (a) ~~promote knowledge Knowledge~~ of careers and all types of employment  
234 opportunities including, but not limited to, apprenticeships, the military,  
235 ~~career education schools,~~ and the teaching profession, and emphasize the  
236 advantages of completing school with marketable skills~~;~~  
237 (b) ~~School boards may include career Career~~ exploration opportunities in the  
238 middle school grades;<sup>34</sup> and  
239 (c) ~~4~~ Competency-based career and technical education programs, ~~which that~~  
240 integrate academic outcomes, career guidance and job seeking skills for all  
241 secondary students, ~~including those identified as disabled that reflect~~  
242 ~~employment opportunities. Programs must be based upon~~ labor market

<sup>30</sup> Outdated language

<sup>31</sup> Editorial change

<sup>32</sup> Outdated language

<sup>33</sup> Editorial change

<sup>34</sup> Updated language to require, rather than permit, career exploration opportunities in the middle grades, consistent with the Standards of Accreditation (8 VAC 20-131-90)

243 needs, ~~and student interest~~ applied basic skills, job seeking skills, and  
244 ~~career guidance~~. Career guidance shall include ~~employment~~ counseling  
245 ~~designed to furnish information on~~ about available employment  
246 opportunities ~~to all students, including those identified as disabled,~~ and  
247 placement services for students exiting schools.  
248 (d) Each school board shall develop and implement a plan to ensure  
249 compliance with the provisions of this subdivision. Such plan shall be  
250 developed with the input of area business and industry representatives and  
251 local community colleges and shall be submitted to the Superintendent of  
252 Public Instruction in accordance with the timelines established by federal  
253 law.  
254  
255 ~~5. Academic and career and technical education for students who plan to continue~~  
256 ~~their education beyond secondary school or who plan to enter employment.~~<sup>35</sup>  
257  
258 ~~6.4~~ Early identification of ~~handicapped~~ students with disabilities<sup>36</sup> and enrollment of  
259 such students in appropriate instructional programs consistent with state and  
260 federal law.  
261  
262 ~~7.5~~ Early identification of gifted students and enrollment of such students in  
263 appropriately differentiated instructional programs.  
264  
265 ~~8.6~~ Educational alternatives for students whose needs are not met in programs  
266 prescribed elsewhere in these standards. Such students shall be counted in  
267 average daily membership (ADM) in accordance with the regulations of the  
268 Board of Education.  
269  
270 ~~9.7~~ Adult education programs for individuals functioning below the high school  
271 completion level. Such programs may be conducted by the school board as the  
272 primary agency or through a collaborative arrangement between the school board  
273 and other agencies.  
274  
275 ~~10.8~~ A plan to make achievements for students who are educationally at risk a  
276 divisionwide priority ~~which that~~ shall include procedures for measuring the  
277 progress of such students.  
278  
279 ~~11.9~~ A plan to notify students and their parents of the availability of advanced  
280 placement classes, the International Baccalaureate ~~program~~ Program, and  
281 Academic Year Governor's School Programs, the qualifications for enrolling in  
282 such classes and programs, and the availability of financial assistance to low-  
283 income and needy students to take the advanced placement and International  
284 Baccalaureate examinations.  
285

---

<sup>35</sup> Language unclear

<sup>36</sup> Editorial change

286 ~~42-10.~~ Identification of students with limited English proficiency and enrollment of  
287 such students in appropriate instructional programs.

288  
289 11. Early identification, diagnosis, and assistance for students with reading problems  
290 and provision of instructional strategies and reading practices that benefit the  
291 development of reading skills for all students.<sup>37</sup>

292  
293 12. Incorporation of art, music, and physical education as a part of the instructional  
294 program at the elementary school level.<sup>38</sup>

295  
296 13. A program of student services for grades K through 12 that shall be designed to  
297 aid students in their educational, social and career development.<sup>39</sup>

298  
299  
300 ~~E. Each local school board shall employ with state and local basic, special education,~~  
301 ~~gifted, and career and technical education funds a minimum number of licensed, full-~~  
302 ~~time equivalent instructional personnel for each 1,000 students in ADM as set forth in~~  
303 ~~the appropriation act. Calculations of kindergarten positions shall be based on full-~~  
304 ~~day kindergarten programs. Beginning with the March 31 report of average daily~~  
305 ~~membership, those school divisions offering half day kindergarten shall adjust their~~  
306 ~~average daily membership for kindergarten to reflect 85 percent of the total~~  
307 ~~kindergarten average daily memberships, as provided in the appropriation act.~~<sup>40</sup>

308  
309 ~~F. In addition to the positions supported by basic aid and in support of regular school~~  
310 ~~year remedial programs, state funding, pursuant to the appropriation act, shall be~~  
311 ~~provided to fund certain full time equivalent instructional positions for each 1,000~~  
312 ~~students in grades K through 12 estimated to score in the bottom national quartile on~~  
313 ~~Virginia State Assessment Program Tests and those who fail the literacy tests or~~  
314 ~~Standards of Learning assessments for grades 3, 5, and 8 prescribed by the Board.~~  
315 ~~State funding for remedial programs provided pursuant to this subsection and the~~  
316 ~~appropriation act may be used to support programs for educationally at risk students~~  
317 ~~as identified by the local school boards.~~<sup>41</sup> ~~The Board of Education shall establish~~  
318 ~~criteria for identification of educationally at risk students, which shall not be~~  
319 ~~construed to be regulations as defined in § 2.2-4001; however, the Board of Education~~  
320 ~~may, from time to time, revise these identification criteria. In order to provide~~  
321 ~~appropriate opportunity for input from the general public, teachers, and local school~~  
322 ~~boards, the Board of Education shall conduct public hearings prior to establishing or~~  
323 ~~revising such identification criteria. Thirty days prior to conducting such hearings, the~~  
324 ~~Board shall give written notice by mail of the date, time, and place of the hearings to~~  
325 ~~all local school boards and any other persons requesting to be notified of the hearings~~  
326 ~~and publish notice of its intention to establish or revise such identification criteria in~~

<sup>37</sup> Additional language about reading

<sup>38</sup> Additional language about art, music, and physical education in the elementary grades

<sup>39</sup> Moved from Standard 2, page 15

<sup>40</sup> Moved to Standard 2, page 13

<sup>41</sup> Moved to Standard 2, page 13

327 ~~the Virginia Register of Regulations. Interested parties shall be given reasonable~~  
328 ~~opportunity to be heard and present information prior to final adoption of any such~~  
329 ~~identification criteria or revisions thereto.~~<sup>42</sup>

331 ~~F.1. In addition to the positions supported by basic aid and those in support of regular~~  
332 ~~school year remedial programs, state funding, pursuant to the appropriation act, shall~~  
333 ~~be provided to support 10 full-time equivalent instructional positions for each 1,000~~  
334 ~~students identified as having limited English proficiency.~~<sup>43</sup>

336 ~~C. Licensed instructional personnel shall be assigned by each school board in a manner~~  
337 ~~that produces divisionwide ratios of students in average daily membership to full-time~~  
338 ~~equivalent teaching positions, excluding special education teachers, principals,~~  
339 ~~assistant principals, counselors, and librarians, that are not greater than the following~~  
340 ~~ratios:~~

- 341
- 342 ~~(i) 24 to 1 in kindergarten with no class being larger than~~  
343 ~~20 students; if the average daily membership in any kindergarten class~~  
344 ~~exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class;~~
  - 345 ~~(ii) 24 to 1 in grade one with no class being~~  
346 ~~larger than thirty students;~~
  - 347 ~~(iii) twenty four to one in grades two and three with no class being larger than~~  
348 ~~20 students;~~
  - 349 ~~(iv) 25 to 1 in grades 4 through 6 with no class being larger than 25 students; and~~  
350 ~~(v) 24 to 1 in English classes in grades 6 through 12.~~<sup>44</sup>

351

352 ~~Further, pursuant to the appropriation act, school boards:~~

353

- 354 ~~1. May implement in kindergarten through third grade, within certain schools, lower~~  
355 ~~ratios of students in average daily membership to full-time equivalent teaching~~  
356 ~~positions by assigning instructional personnel in a manner that produces ratios of~~  
357 ~~students in average daily membership to full-time equivalent teaching positions,~~  
358 ~~excluding special education teachers, principals, assistant principals, counselors,~~  
359 ~~and librarians, as follows:~~

- 360
- 361 ~~(i) in schools having high concentrations of at-risk students, 18 to 1; and~~  
362 ~~(ii) in schools having moderate concentrations of at-risk students, 20 to 1. For the~~  
363 ~~purposes of this subsection, "schools having high concentrations of at-risk~~  
364 ~~students" and "schools having moderate concentrations of at-risk students"~~  
365 ~~shall be as defined in the appropriation act.~~<sup>45</sup>

366

<sup>42</sup> Outdated language; language about remediation is found on page 12

<sup>43</sup> Moved to Standard 2, page 13

<sup>44</sup> Moved to Standard 2, page 12

<sup>45</sup> Superseded by language in the appropriation act; a reference to the K-3 Class Size Reduction program is found in Standard 2, page 16

367 ~~2. Shall assign instructional personnel in a manner that produces schoolwide ratios~~  
368 ~~of students in average daily memberships to full time equivalent teaching~~  
369 ~~positions of 25 to 1 in middle schools and high schools.~~<sup>46</sup>  
370

371 ~~School boards shall, however, annually, on or before January 1, report to the public~~  
372 ~~the actual pupil/teacher ratios in elementary school classrooms by school for the~~  
373 ~~current school year. Such actual ratios shall include only the teachers who teach the~~  
374 ~~grade and class on a full-time basis and shall exclude resource personnel. School~~  
375 ~~boards shall report pupil/teacher ratios which include resource teachers in the same~~  
376 ~~annual report. Any classes funded through the voluntary kindergarten through third~~  
377 ~~grade at-risk student/lower ratio program shall be identified as such classes. Any~~  
378 ~~classes having waivers to exceed the requirements of this subsection shall also be~~  
379 ~~identified. Schools shall be identified; however, the data shall be compiled in a~~  
380 ~~manner to ensure the confidentiality of all teacher and pupil identities.~~<sup>47</sup>  
381

382 ~~H. Students enrolled in a public school on a less than full-time basis shall be counted in~~  
383 ~~ADM in the relevant school division. Students who are either~~  
384

385 ~~(i) enrolled in a nonpublic school or~~  
386 ~~(ii) receiving home instruction pursuant to § 22.1-254.1, and who are enrolled in~~  
387 ~~public school on a less than full-time basis in any mathematics, science,~~  
388 ~~English, history, social science, career and technical education, fine arts,~~  
389 ~~foreign language, or health education or physical education course shall be~~  
390 ~~counted in the ADM in the relevant school division on a pro-rata basis as~~  
391 ~~provided in the appropriation act. However, no such nonpublic or home~~  
392 ~~school student shall be counted as more than one-half a student for purposes~~  
393 ~~of such pro-rata calculation. Such calculation shall not include enrollments of~~  
394 ~~such students in any other public school courses.~~<sup>48</sup>  
395

396 ~~E. From such funds as may be appropriated for such purpose, there shall be established~~  
397 ~~within the Department of Education a unit to conduct evaluative studies, to provide~~  
398 ~~the resources and technical assistance to increase the capacity of school divisions to~~  
399 ~~deliver quality instruction, and to assist school divisions in implementing those~~  
400 ~~programs and practices that will enhance pupil academic performance and improve~~  
401 ~~family and community involvement in public schools. Such unit shall identify and~~  
402 ~~analyze effective instructional programs, practices, and professional development~~  
403 ~~initiatives; evaluate the success of programs encouraging parental and family~~  
404 ~~involvement; assess changes in student outcomes prompted by family involvement;~~  
405 ~~and collect and disseminate among school divisions information regarding effective~~  
406 ~~instructional programs and practices, initiatives promoting family and community~~  
407 ~~involvement, and potential funding and support sources. Such unit may also provide~~  
408 ~~resources supporting professional development for administrators and teachers. In~~  
409 ~~providing such information, resources, and other services to school divisions, the unit~~

<sup>46</sup> Moved to Standard 2, page 12

<sup>47</sup> Moved to Standard 2, page 14

<sup>48</sup> Moved to Standard 2, pages 14 and 15



410 shall give priority to those divisions demonstrating a less than 70 percent passing rate  
411 on the Standards of Learning assessments.<sup>49</sup> |  
412

412 § 22.1-253.13:2. Standard 2. ~~Support services~~ Instructional, administrative,  
413 and support personnel<sup>50</sup>.

414  
415 ~~A. The General Assembly and the Board of Education believe that effective schools~~  
416 ~~must provide and maintain efficient and cost-effective support services to ensure~~  
417 ~~quality education. The General Assembly and the Board of Education further believe~~  
418 ~~that in order to ensure the goal of quality education, local school divisions must have~~  
419 ~~efficient administrative, supervisory, and support services.~~<sup>51</sup>  
420

421 A. The Board shall establish requirements for the licensing of teachers, superintendents,  
422 principals, and other professional personnel.<sup>52</sup>  
423

424 ~~B. The Department of Education shall provide to the local school divisions technical~~  
425 ~~assistance in the delivery of those support services that are necessary for the operation~~  
426 ~~and maintenance of the public schools. Such technical assistance services shall~~  
427 ~~include, but not be limited to, in-service training of staff, development of appropriate~~  
428 ~~facility plans, specifications for equipment, technology updates, design of summer~~  
429 ~~school programs and other forms of remediation, and inspections of school buses.~~<sup>53</sup>  
430

431 B. School boards shall employ licensed instructional personnel qualified in the relevant  
432 subject areas.<sup>54</sup>  
433

434 C. Licensed instructional personnel shall be assigned by each school board in a manner  
435 that produces divisionwide ratios of students in ADM to full-time equivalent teaching  
436 positions, excluding special education teachers, principals, assistant principals,  
437 counselors, and librarians, that are not greater than the following ratios:  
438

- 439 (i) 24 to 1 in kindergarten with no class being larger than  
440 29 students; if the average daily membership in any kindergarten class  
441 exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class;  
442 (ii) 24 to 1 in grades 1, 2, and 3, with no class being larger than 30 students;  
443 (iii) 25 to 1 in grades 4 through 6 with no class being larger than 35 students; and  
444 (iv) 24 to 1 in English classes in grades 6 through 12.<sup>55</sup>  
445

446 Further, school boards shall assign instructional personnel in a manner that produces  
447 schoolwide ratios of students in average daily memberships to full-time equivalent  
448 teaching positions of ~~25~~ 21 to 1 in middle schools and high schools. School divisions  
449 shall provide all middle and high school teachers with one planning period per day  
450 unencumbered of any teaching or supervisory duties.<sup>56</sup>

<sup>50</sup> Clarify topic of standard

<sup>51</sup> Eliminated aspirational language

<sup>52</sup> Moved from Standard 3, page 20, and updated.

<sup>53</sup> Eliminated requirement

<sup>54</sup> Moved from Standard 1, page 4, and revised to be consistent with § 22.1-295

<sup>55</sup> Moved from Standard 1, page 9

<sup>56</sup> Moved from Standard 1, page 10, and revised from 25:1 to 21:1 to allow for a planning period at the secondary level

- 451  
452 D. Each local school board shall employ with state and local basic, special education,  
453 gifted, and career and technical education funds a minimum number of licensed full-  
454 time equivalent instructional personnel for each 1,000 students in ADM as set forth in  
455 the appropriation act. Calculations of kindergarten positions shall be based on full-  
456 day kindergarten programs. For purposes of the March 31 report of average daily  
457 membership, those school divisions offering half-day kindergarten with pupil-to  
458 teacher ratios that exceed 30 to 1, shall adjust their average daily membership for  
459 kindergarten to reflect 85 percent of the total kindergarten average daily membership,  
460 as provided in the appropriation act.<sup>57</sup>  
461  
462 E. In addition to the positions supported by basic aid and in support of regular school  
463 year programs of prevention, intervention and remediation, state funding, pursuant to  
464 the appropriation act, shall be provided to fund certain full-time equivalent  
465 instructional positions for each 1,000 students in grades K through 12 who are  
466 identified as needing prevention, intervention, and remediation services. State funding  
467 for prevention, intervention, and remediation programs provided pursuant to this  
468 subsection and the appropriation act may be used to support programs for  
469 educationally at-risk students as identified by the local school boards.<sup>58</sup>  
470  
471 F. In addition to the positions supported by basic aid and those in support of regular  
472 school year remedial programs, state funding, pursuant to the appropriation act, shall  
473 be provided to support 10 full-time equivalent instructional positions for each 1,000  
474 students identified as having limited English proficiency.<sup>59</sup>  
475  
476 G. In addition to the full-time equivalent positions provided elsewhere in this section,  
477 each local school board shall employ 1 full-time equivalent instructional position for  
478 each 1,000 students in Average Daily Membership to serve as reading specialists for  
479 the school division.<sup>60</sup>  
480  
481 H. Each local school board shall employ, at a minimum, the following full-time  
482 equivalent positions for any school that reports fall membership, according to the type  
483 of school and student enrollment:  
484  
485 (a) principals in elementary schools, middle schools, and high schools, one full-  
486 time, to be employed on a 12-month basis;<sup>61</sup>  
487 (b) assistant principals in elementary schools, middle schools, and high schools,  
488 one full-time for each 400 students;<sup>62</sup>  
489 (c) librarians in elementary schools, one part-time to 299 students, one full-time  
490 at 300 students; librarians in middle schools, one-half time to 299 students,

<sup>57</sup> Moved from Standard 1, page 8

<sup>58</sup> Moved from Standard 1, page 8; "remediation" broadened to include prevention, intervention, and remediation.

<sup>59</sup> Moved from Standard 1, page 9

<sup>60</sup> This provides a reading specialist for every 1,000 students in ADM.

<sup>61</sup> This would change the standard to one full-time position in every elementary school.

<sup>62</sup> This would change the standard to require one full-time assistant principal for every 400 students.

- 491 one full-time at 300 students, two full-time at 1000 students; librarians in  
492 high schools, one half-time to 299 students, one full-time at 300 students,  
493 two full-time at 1000 students;  
494 (d) guidance counselors in elementary schools, one hour per day per 100  
495 students, one full-time at 500 students, one hour per day additional time per  
496 100 students or major fraction thereof; guidance counselors in middle  
497 schools, one period per 80 students, one full-time at 400 students, one  
498 additional period per 80 students or major fraction thereof; guidance  
499 counselors in high schools, one period per 70 students, one full-time at 350  
500 students, one additional period per 70 students or major fraction thereof; and  
501 (e) clerical personnel in elementary schools, part-time to 299 students, one full  
502 time at 300 students; clerical personnel in middle schools, one full-time and  
503 one additional full-time for each 600 students beyond 200 students and one  
504 full-time for the library at 750 students; clerical personnel in high schools,  
505 one full-time and one additional full-time for each 600 students beyond 200  
506 students and one full-time for the library at 750 students.<sup>63</sup>  
507  
508 I. Local school boards shall employ 5 positions per 1,000 students in grades  
509 kindergarten through 5 to serve as elementary resource teachers in art, music, and  
510 physical education.<sup>64</sup>  
511  
512 J. Local school boards shall employ 2 positions per 1,000 students in grades  
513 kindergarten through 12, one to provide technology support and one to serve as the  
514 instructional technology resource teacher.<sup>65</sup>  
515  
516 K. School boards shall annually, on or before January 1, report to the public the actual  
517 pupil-to-teacher ratios in elementary school classrooms by school for the current  
518 school year. Such actual ratios shall include only the teachers who teach the grade  
519 and class on a full-time basis and shall exclude resource personnel. School boards  
520 shall report pupil-to-teacher ratios, which include resource teachers in the same  
521 annual report. Any classes funded through the voluntary kindergarten through third  
522 grade class size reduction program shall be identified as such classes. Any classes  
523 having waivers to exceed the requirements of this subsection shall also be identified.  
524 For the purpose of this provision, schools shall be identified; however, the data shall  
525 be compiled in a manner to ensure the confidentiality of all teacher and pupil  
526 identities.<sup>66</sup>  
527  
528 L. Students enrolled in a public school on a less than full-time basis shall be counted in  
529 ADM in the relevant school division. Students who are either (i) enrolled in a  
530 nonpublic school; or (ii) receiving home instruction pursuant to § 22.1-254.1, and  
531 who are enrolled in public school on a less than full-time basis in any mathematics,

<sup>63</sup> Moved from Standard 3, pages 19 and 20

<sup>64</sup> This would provide for resource teachers for art, music, and physical education in grades K-5.

<sup>65</sup> This would provide for technology support, at a rate of one technology position for every 200 computers and one computer for every 5 students, and one resource teacher for instructional technology for every 1,000 students in ADM.

<sup>66</sup> Moved from Standard 1, page 10

532 science, English, history, social science, career and technical education, fine arts,  
533 foreign language, or health education or physical education course shall be counted in  
534 the ADM in the relevant school division on a pro rata basis as provided in the  
535 appropriation act. Each course shall be counted as 0.25 in the ADM<sup>67</sup>; however, no  
536 such nonpublic or home school student shall be counted as more than one-half a  
537 student for purposes of such pro rata calculation. Such calculation shall not include  
538 enrollments of such students in any other public school courses.<sup>68</sup>

539  
540 M. A combined school, such as kindergarten through 12, shall meet at all grade levels the  
541 staffing requirements for the highest grade level in that school; this requirement shall  
542 apply to all staff, except for guidance counselors, and shall be based on the school's  
543 total enrollment; guidance counselor staff requirements shall, however, be based on  
544 the enrollment at the various school organization levels, i.e., elementary, middle, or  
545 high school. The Board of Education may grant waivers from these staffing levels  
546 upon request from local school boards seeking to implement experimental or  
547 innovative programs that are not consistent with these staffing levels.<sup>69</sup>

548  
549 N. Each local school board shall provide those support services that are necessary for the  
550 efficient and cost-effective operation and maintenance of its public-schools.  
551 ~~including, but not limited to, administration, instructional support, pupil personnel~~  
552 ~~services, student attendance and health, operation and maintenance of the buildings~~  
553 ~~and management information systems~~The term "support services" shall include  
554 services provided by the school board members; the superintendent; assistant  
555 superintendents; student services (including guidance counselors, social workers,  
556 homebound, improvement, principal's office and library-media positions); attendance  
557 and health positions; administrative, technical, and clerical positions; operation and  
558 maintenance positions; educational technology positions; school nurses; and pupil  
559 transportation positions.<sup>70</sup>

560  
561 ~~D. Each local school board shall also provide a program of pupil personnel services for~~  
562 ~~grades K through 12 that shall be designed to aid students in their educational, social~~  
563 ~~and career development.~~<sup>71</sup>

564  
565 E. Pursuant to the appropriation acts,<sup>72</sup> support services shall be funded from basic school  
566 aid on the basis of prevailing statewide costs.

567  
568 O. Local school boards shall employ speech-language pathologists in sufficient numbers  
569 to ensure a caseload that does not exceed 60 students per position.<sup>73</sup>

570

<sup>67</sup> Clarification; this language is also in the appropriation act

<sup>68</sup> Moved from Standard 1, page 10

<sup>69</sup> Moved from Standard 3, page 20

<sup>70</sup> Clarification

<sup>71</sup> Moved to Standard 1, page 8

<sup>72</sup> Technical change

<sup>73</sup> This would reduce the caseload for speech-language pathologists from 68 to 60 students.

- 571 P. Local school boards may employ additional positions that exceed these minimal  
572 staffing requirements. These additional positions may include but are not limited to  
573 those funded through the Commonwealth's incentive and categorical programs such  
574 as the Early Reading Initiative and the Kindergarten through Third Grade Class Size  
575 Reduction programs.<sup>74</sup>  
576

---

<sup>74</sup> References to the Early Reading Initiative and the K-3 Class Size Reduction programs.

576 § 22.1-253.13:3. Standard 3. Accountability and accreditation, other  
577 standards and evaluation<sup>75</sup>

578 ~~A. The General Assembly recognizes the need for the Board of Education to prescribe~~  
579 ~~requirements to ensure that student progress is measured and that school boards and~~  
580 ~~school personnel are accountable.~~<sup>76</sup>

581  
582  
583 B.A. The Board of Education shall promulgate regulations establishing standards for  
584 accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.) which  
585 shall include, but not be limited to, student outcome measures, requirements and  
586 guidelines for instructional programs and for the integration of educational  
587 technology into such instructional programs, administrative and instructional staffing  
588 levels and positions, including staff positions for supporting educational technology,  
589 pupil personnel student<sup>77</sup> services, ~~special education program standards,~~<sup>78</sup> auxiliary  
590 education programs such as library and media services, course and credit  
591 requirements for graduation from high school, community relations, and the  
592 philosophy, goals, and objectives of public education in Virginia.

593  
594 ~~In establishing course and credit requirements for a high school diploma, the Board~~  
595 ~~shall:~~

596  
597 ~~1. Provide for the selection of integrated learning courses meeting the Standards of~~  
598 ~~Learning and approved by the Board to satisfy graduation credit requirements~~  
599 ~~which shall include Standards of Learning testing, as necessary;~~

600  
601 ~~2. Establish the requirements for a standard or advanced studies high school diploma~~  
602 ~~that shall include one credit in fine, performing, or practical arts and one credit in~~  
603 ~~United States and Virginia history. The requirements for a standard high school~~  
604 ~~diploma shall, however, include at least two sequential electives chosen from a~~  
605 ~~concentration of courses selected from a variety of options that may be planned to~~  
606 ~~ensure the completion of a focused sequence of elective courses. Students may~~  
607 ~~take such focused sequence of elective courses in consecutive years or any two~~  
608 ~~years of high school. Such focused sequence of elective courses shall provide a~~  
609 ~~foundation for further education or training or preparation for employment and~~  
610 ~~shall be developed by the school division, consistent with Board of Education~~  
611 ~~guidelines and as approved by the local school board;~~

612  
613 ~~2. Provide, in the requirements for the verified units of credit stipulated for obtaining~~  
614 ~~the standard or advanced studies diploma, that students completing elective~~  
615 ~~classes into which the Standards of Learning for any required course have been~~  
616 ~~integrated may take the relevant Standards of Learning test for the relevant~~

<sup>75</sup> Clarify topic of the standard.

<sup>76</sup> Eliminated aspirational language

<sup>77</sup> Updated language

<sup>78</sup> Special education program standards have been incorporated into the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*, 2002.

- 617 ~~required course and receive, upon achieving a satisfactory score on the specific~~  
618 ~~Standards of Learning assessment, a verified unit of credit for such elective class~~  
619 ~~that shall be deemed to satisfy the Board's requirement for verified credit for the~~  
620 ~~required course;~~
- 621
- 622 4. ~~Establish a procedure to facilitate the acceleration of students that allows qualified~~  
623 ~~students, with the recommendation of the division superintendent, without~~  
624 ~~completing the 140-hour class, to obtain credit for such class upon demonstration~~  
625 ~~of mastery of the course content and objectives. Having received credit for the~~  
626 ~~course, the student shall be permitted to sit for the relevant Standards of Learning~~  
627 ~~assessment and, upon receiving a passing score, shall earn a verified credit.~~  
628 ~~Nothing in this section shall preclude relevant school division personnel from~~  
629 ~~enforcing compulsory attendance in public schools; and.~~<sup>79</sup>
- 630
- 631 5. ~~Authorize, as an elective in grades nine through twelve with appropriate credits~~  
632 ~~toward graduation, a comparative religion class that focuses on the basic tenets,~~  
633 ~~history, and religious observances and rites of world religions.~~<sup>80</sup>
- 634
- 635 ~~In addition, the Board may provide, in the requirements for the verified units of credit~~  
636 ~~stipulated for obtaining the standard or advanced studies diploma, that appropriate~~  
637 ~~and relevant industry certification or state licensure examinations may be substituted~~  
638 ~~for correlated Standards of Learning examinations. The Board may also provide that~~  
639 ~~students completing career and technical education programs designed to enable such~~  
640 ~~students to pass such industry certification examinations or state licensure~~  
641 ~~examinations may be awarded, upon obtaining satisfactory scores on such industry~~  
642 ~~certification or licensure examinations, the appropriate verified units of credit for one~~  
643 ~~or more career and technical education classes into which relevant Standards of~~  
644 ~~Learning for various classes taught at the same level have been integrated. Such~~  
645 ~~industry certification and state licensure examinations may cover relevant Standards~~  
646 ~~of Learning for various required classes and may, at the discretion of the Board,~~  
647 ~~address some Standards of Learning for several required classes.~~<sup>81</sup>
- 648
- 649 ~~In the exercise of its authority to recognize exemplary academic performance by~~  
650 ~~providing for diploma seals, the Board shall establish by July 1, 2000, criteria for~~  
651 ~~awarding a diploma seal for advanced mathematics and technology for the standard~~  
652 ~~and advanced studies diplomas. The Board shall consider including criteria for~~
- 653
- 654 ~~(i) technology courses;~~  
655 ~~(ii) technical writing, reading, and oral communication skills;~~  
656 ~~(iii) technology-related practical arts training; and~~  
657 ~~(iv) industry, professional, and trade association national certifications.~~<sup>82</sup>
- 658

<sup>79</sup> Moved to Standard 4, pages 25 and 26

<sup>80</sup> Move to another section of the Code (see appendix, page 35)

<sup>81</sup> Moved to Standard 4, page 26

<sup>82</sup> Moved to Standard 4, page 24



659 The Board shall include in the student outcome measures which are required by the  
660 Standards for Accreditation, end-of-course or end-of-grade tests for various grade  
661 levels and classes, as determined by the Board, in accordance with the Standards of  
662 Learning. These Standards of Learning assessments shall include, but need not be  
663 limited to, end-of-course or end-of-grade tests for English, mathematics, science, and  
664 history and social studies/science.<sup>83</sup>

665  
666 ~~In revising the standards for accreditation, the Board shall seek to set pupil/teacher~~  
667 ~~ratios for educable mentally retarded (EMR) pupils that do not exceed the~~  
668 ~~pupil/teacher ratios for self-contained classes for pupils with specific learning~~  
669 ~~disabilities.~~<sup>84</sup> The Board shall review annually the accreditation status of all schools in  
670 the Commonwealth.

671  
672 With such funds as are appropriated for this purpose, the Board shall adopt an  
673 academic review process to assist schools that are accredited with warning. The  
674 Department of Education shall conduct academic reviews of those schools that are  
675 accredited with warning. The report of the academic review by the department shall  
676 be forwarded to the local school board, and shall be shared with the public.<sup>85</sup>

677  
678 ~~The Board's regulations on accrediting schools shall include in the minimum staffing~~  
679 ~~requirements, according to the type of school and student enrollment, requirements~~  
680 ~~for employment of~~

681  
682 ~~(a)principals in elementary schools, one half time to 299 students, one full time at~~  
683 ~~300 students; principals in middle schools, one full time, to be employed on a~~  
684 ~~twelve month basis; principals in high schools, one full time, to be employed on a~~  
685 ~~twelve month basis;~~

686 ~~(b)assistant principals in elementary schools, one half time at 600 students, one~~  
687 ~~full time at 900 students; assistant principals in middle schools, one full time for~~  
688 ~~each 600 students; assistant principals in high schools, one full time for each 600~~  
689 ~~students;~~

690 ~~(c)librarians in elementary schools, one part time to 299 students, one full time at~~  
691 ~~300 students; librarians in middle schools, one half time to 299 students, one full~~  
692 ~~time at 300 students, two full time at 1000 students; librarians in high schools,~~  
693 ~~one half time to 299 students, one full time at 300 students, two full time at 1000~~  
694 ~~students;~~

695 ~~(d)guidance counselors in elementary schools, one hour per day per 100 students,~~  
696 ~~one full time at 500 students, one hour per day additional time per 100 students or~~  
697 ~~major fraction thereof; guidance counselors in middle schools, one period per 80~~  
698 ~~students, one full time at 400 students, one additional period per 80 students or~~  
699 ~~major fraction thereof; guidance counselors in high schools, one period per 70~~  
700 ~~students, one full time at 350 students, one additional period per 70 students or~~  
701 ~~major fraction thereof;~~

<sup>83</sup> Technical change

<sup>84</sup> Pupil/teacher ratios are set by the Board of Education in the special education regulations.

<sup>85</sup> Additional language about academic reviews

702 ~~(e)clerical personnel in elementary schools, part time to 200 students, one full-~~  
703 ~~time at 300 students; clerical personnel in middle schools, one full time and one~~  
704 ~~additional full time for each 600 students beyond 200 students and one full time~~  
705 ~~for the library at 750 students; clerical personnel in high schools, one full time~~  
706 ~~and one additional full time for each 600 students beyond 200 students and one~~  
707 ~~full time for the library at 750 students;<sup>86</sup> and~~  
708 ~~(f)reading specialists in elementary schools, one full time in each elementary~~  
709 ~~school at the discretion of the local school board.<sup>87</sup>~~

711 ~~A combined school such as kindergarten through twelve, shall meet at all grade~~  
712 ~~levels the staffing requirements for the highest grade level in that school; this~~  
713 ~~requirement shall apply to all staff, except for guidance counselors, and shall be based~~  
714 ~~on the school's total enrollment; guidance counselor staff requirements shall,~~  
715 ~~however, be based on the enrollment at the various school organization levels, i.e.,~~  
716 ~~elementary, middle, or high school. The Board of Education may grant waivers from~~  
717 ~~these staffing levels upon request from local school boards seeking to implement~~  
718 ~~experimental or innovative programs that are not consistent with these staffing~~  
719 ~~levels.<sup>88</sup>~~

721 ~~C.The Board shall also establish requirements for licensure of teachers, principals, and~~  
722 ~~other professional staff and determine eligibility for appointment as a local division~~  
723 ~~superintendent.<sup>89</sup>~~

725 D.B. The Superintendent of Public Instruction shall develop and the Board of  
726 Education shall approve criteria for determining and recognizing educational  
727 performance in the Commonwealth's public school divisions and schools. Such  
728 criteria, when approved, shall become an integral part of the accreditation process and  
729 shall include student outcome measurements. ~~One year following the approval by the~~  
730 ~~Board of such criteria, the<sup>90</sup> The Superintendent of Public Instruction shall annually~~  
731 identify to the Board those school divisions and schools that exceed or do not meet  
732 the approved criteria. Such identification shall include an analysis of the strengths and  
733 weaknesses of public education programs in the various school divisions in Virginia  
734 and recommendations to the General Assembly for further enhancing student learning  
735 uniformly across the Commonwealth. In recognizing educational performance in the  
736 school divisions, the Board shall include consideration of special school division  
737 accomplishments, such as numbers of dual enrollments and students in Advanced  
738 Placement and International Baccalaureate courses, and participation in academic  
739 year Governor's Schools.

741 The Superintendent of Public Instruction shall assist local school boards in the  
742 implementation of action plans for increasing educational performance in those

<sup>86</sup> Moved to Standard 2, pages 13 and 14

<sup>87</sup> Current language about reading specialists at the discretion of the local school board would be eliminated; the requirement for reading specialists is on page 13

<sup>88</sup> Moved to Standard 2, page 15

<sup>89</sup> Moved to Standard 2, page 12

<sup>90</sup> Technical change

743 school divisions and schools that are identified as not meeting the approved criteria.  
744 The Superintendent of Public Instruction shall monitor the implementation of and  
745 report to the Board of Education on the effectiveness of the corrective actions taken to  
746 improve the educational performance in such school divisions and schools.

747  
748 ~~The Department of Education shall conduct technical assistance visits for local school~~  
749 ~~divisions. Schools accredited with a warning shall be given priority for such~~  
750 ~~assistance, which shall include an analysis of relevant school data and the~~  
751 ~~development and implementation of improvement plans to assist such schools in~~  
752 ~~improving their accreditation status.~~<sup>91</sup>

753  
754 C. In order to assess the educational progress of students, the Board of Education shall  
755 also:

- 756  
757 (i) develop appropriate assessments, which may include criterion-referenced tests  
758 and alternative assessment instruments ~~which that~~ may be used by classroom  
759 teachers; and  
760 (ii) prescribe and provide measures, which may include nationally normed tests to  
761 be used to identify students who score in the bottom quartile at selected grade  
762 levels.

763  
764 D. The Board of Education is authorized to pursue all available civil remedies for  
765 breaches in test security and unauthorized alteration of test materials or test results.<sup>92</sup>  
766 Notwithstanding any other provision of state law, no test or examination authorized  
767 by this section, including the Standards of Learning assessments, shall be released or  
768 required to be released as minimum competency tests, if, in the judgment of the  
769 Board, such release would breach the security of such test or examination or deplete  
770 the bank of questions necessary to construct future secure tests.

771  
772 E. With such funds as may be appropriated, the Board of Education may provide,  
773 through an agreement with vendors having the technical capacity and expertise to  
774 provide computerized tests and assessments, and test construction, analysis, and  
775 security, for:

- 776  
777 (i) web-based computerized tests and assessments for the evaluation of student  
778 progress during and after remediation; and  
779 (ii) the development of a remediation item bank directly related to the Standards  
780 of Learning.

781  
782 ~~E1. The Department of Education shall make available and maintain a website, either~~  
783 ~~separately or through an existing website utilized by the Department of Education,~~  
784 ~~enabling public elementary, middle and high school educators to submit~~  
785 ~~recommendations for improvements relating to the Standards of Learning, when~~

<sup>91</sup> See language about academic review process on page 19

<sup>92</sup> Additional language about test security

886 ~~under review by the Board according to its established schedule, and related~~  
887 ~~assessments required by the Standards of Quality pursuant to Chapter 13.2 (§ 22.1-~~  
888 ~~253-13:1 et seq.) of this title. Such website shall facilitate the submission of~~  
889 ~~recommendations by educators.<sup>93</sup>~~

890  
891 F. Each local school board shall maintain schools that meet the standards of  
892 accreditation as prescribed by the Board of Education. The accreditation status of all  
893 schools in each local school division shall be reviewed annually in public session.  
894 Within the time specified by the Board of Education, each school board shall submit  
895 corrective action plans for any schools within its school division that have been  
896 designated as not meeting the ~~standards criteria for determining effectiveness~~<sup>94</sup> as  
897 approved by the Board.

898  
899 ~~G. Each local school board shall also provide teachers and principals with~~

- 900  
901 ~~(i) periodic in-service training in preparing tests and other assessment measures~~  
902 ~~and~~  
903 ~~(ii) methods for assessing the progress of individual students, including Standards~~  
904 ~~of Learning assessment materials or other criterion-referenced tests that match~~  
905 ~~locally developed objectives.<sup>95</sup>~~

906  
907 H.G. In order to assess the educational progress of students as individuals and as  
908 groups, each local school board shall require the administration of appropriate  
909 assessments, which may include criterion-referenced tests, teacher-made tests and  
910 alternative assessment instruments and shall include the Standards of Learning  
911 Assessments, and the National Assessment of Educational Progress state-by-state  
912 assessment. Each school board shall analyze and report annually, in compliance with  
913 any criteria that may be established by the Board of Education, the results from the  
914 Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, if  
915 administered, and the Standards of Learning Assessments to the public.

916  
917 The Board of Education shall not require administration of the Stanford Achievement  
918 Test Series, Ninth Edition (Stanford Nine) assessment, except as may be selected to  
919 facilitate compliance with the requirements for home instruction pursuant to § 22.1-  
920 254.1.

921  
922 ~~H. To assist school divisions in implementing those programs and practices that will~~  
923 ~~enhance pupil academic performance and improve family and community~~  
924 ~~involvement in the public schools, and from such funds as may be appropriated for~~  
925 ~~such purpose, there shall be established within the Department of Education a unit to~~  
926 ~~conduct evaluative studies and to provide the resources and technical assistance to~~  
927 ~~increase the capacity of school divisions to deliver quality instruction. Such unit shall~~  
928 ~~identify and analyze effective instructional programs and practices and professional~~

<sup>93</sup> Moved to another section of the Code (see appendix, page 35)

<sup>94</sup> Editorial change

<sup>95</sup> Move to Standard 5, pages 28 and 29

- 829 ~~development initiatives; evaluate the success of programs encouraging parental and~~  
830 ~~family involvement; assess changes in student outcomes prompted by family~~  
831 ~~involvement; and collect and disseminate among school divisions information~~  
832 ~~regarding effective instructional programs and practices, initiatives promoting family~~  
833 ~~and community involvement, and potential funding and support sources. Such unit~~  
834 ~~may also provide resources supporting professional development for administrators~~  
835 ~~and teachers. In providing such information, resources, and other services to school~~  
836 ~~divisions, the unit shall give priority to those divisions demonstrating a less than~~  
837 ~~seventy percent passing rate on (i) all three Literacy Passport tests by students taking~~  
838 ~~these tests for the first time or (ii) the Standards of Learning assessment tests.<sup>96</sup>~~  
839  
840 H. With such funds as are available for this purpose, the Board of Education shall  
841 prescribe assessment methods to determine the level of achievement of these  
842 objectives by all students. Such assessments shall evaluate knowledge, application of  
843 knowledge, critical thinking, and skills related to the Standards of Learning being  
844 assessed. The Board shall:  
845  
846 (i) in consultation with the chairpersons of the eight regional superintendents' study  
847 groups, establish and maintain a timetable for administering the Standards of  
848 Learning assessments to ensure genuine end-of-course and end-of-grade testing;  
849 and  
850 (ii) with the assistance of independent testing experts, conduct a regular analysis and  
851 validation process for these assessments.<sup>97</sup>  
852  
853 I. In prescribing such assessments, the Board shall provide local school boards the  
854 option of administering tests for United States History to 1877, United States History:  
855 1877 to the Present, and Civics and Economics. The Board of Education shall make  
856 publicly available such assessments in a timely manner and as soon as practicable  
857 following the administration of such tests, so long as the release of such assessments  
858 does not compromise test security or deplete the bank of assessment questions  
859 necessary to construct subsequent tests.<sup>98</sup>  
860

<sup>96</sup> Moved to Standard 1, page 11.

<sup>97</sup> Moved from Standard 1, page 3

<sup>98</sup> Moved from Standard 1, page 3

860 **§ 22.1-253.13:4. Standard 4. ~~Diplomas and certificates; class rankings~~**  
861 **Student achievement and graduation requirements**<sup>99</sup>

862  
863 A. Each local school board shall award diplomas to all secondary school students,  
864 including students who transfer from nonpublic schools or from home instruction,  
865 who earn the units of credit prescribed by the Board of Education, pass the prescribed  
866 tests, and meet such other requirements as may be prescribed by the local school  
867 board and approved by the Board of Education. Provisions shall be made for students  
868 who transfer between secondary schools and from nonpublic schools or from home  
869 instruction as outlined in the standards for accreditation. Further, reasonable  
870 accommodation to meet the requirements for diplomas shall be provided for  
871 otherwise qualified students with disabilities as needed.

872  
873 In addition, each local school board may devise, vis-à-vis the award of diplomas to  
874 secondary school students, a mechanism for calculating class rankings that takes into  
875 consideration whether the student has taken a required class more than one time and  
876 has had any prior earned grade for such required class expunged.

877  
878 B. Students identified as disabled who complete the requirements of their individualized  
879 education programs shall be awarded special diplomas by local school boards.

880  
881 C. Students who have completed a prescribed course of study as defined by the local  
882 school board shall be awarded certificates of program completion<sup>100</sup> by local school  
883 boards if they ~~do not qualify for diplomas~~ are not eligible to receive a standard,  
884 advanced studies, modified standard, or general achievement diploma.<sup>101</sup>

885  
886 D. The Board of Education shall develop criteria for recognizing exemplary performance  
887 in career and technical education programs by students who have completed the  
888 requirements for a standard or advanced studies diploma and shall award seals on the  
889 diplomas of students meeting such criteria.

890  
891 E. In the exercise of its authority to recognize exemplary academic performance by  
892 providing for diploma seals, the Board shall establish criteria for awarding a diploma  
893 seal for advanced mathematics and technology for the standard and advanced studies  
894 diploma. The Board shall consider including criteria for

- 895  
896 (i) technology courses;  
897 (ii) technical writing, reading, and oral communication skills;  
898 (iii) technology-related practical arts training; and  
899 (iv) industry, professional, and trade association national certifications.<sup>102</sup>

900

<sup>99</sup> Clarify the topic of the standard

<sup>100</sup> Technical change to conform with the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, 2000

<sup>101</sup> Technical change

<sup>102</sup> Moved from Standard 3, page 18

901 and ii) by F. By July 1, 2003, the Board shall establish criteria for awarding a  
902 diploma seal for excellence in civics education and understanding of our state and  
903 federal constitutions and the democratic model of government for the standard and  
904 advanced studies diploma. The Board shall consider including criteria for (a)  
905 successful completion of history, government, and civics courses, including courses  
906 that incorporate character education (b) voluntary participation in community service  
907 or extra-curricular activities; and (c) related requirements as it deems appropriate.

908  
909 F.G. By September 1, 2003, the Board shall establish, by regulation requirements for the  
910 award of a general achievement diploma for those persons who have (i) achieved a  
911 passing score on the GED examination; (ii) successfully completed an education and  
912 training program designated by the Board of Education; and (iii) satisfied other  
913 requirements as may be established by the Board for the award of such diploma.

914  
915 H. In establishing course and credit requirements for a high school diploma, the Board  
916 shall:

917  
918 1. Provide for the selection of integrated learning courses meeting the Standards of  
919 Learning and approved by the Board to satisfy graduation credit requirements that  
920 shall include Standards of Learning testing, as necessary;

921  
922 2. Establish the requirements for a standard, modified standard, or advanced studies  
923 high school diploma that shall include one credit in fine, performing, or practical  
924 arts and one credit in United States and Virginia history. The requirements for a  
925 standard high school diploma shall, however, include at least two sequential  
926 electives chosen from a concentration of courses selected from a variety of  
927 options that may be planned to ensure the completion of a focused sequence of  
928 elective courses. Students may take such focused sequence of elective courses in  
929 consecutive years or any two years of high school. Such focused sequence of  
930 elective courses shall provide a foundation for further education or training or  
931 preparation for employment and shall be developed by the school division,  
932 consistent with Board of Education guidelines and as approved by the local school  
933 board.

934  
935 3. Provide, in the requirements for the verified units of credit stipulated for obtaining  
936 the standard or advanced studies diploma, that students completing elective  
937 classes into which the Standards of Learning for any required course have been  
938 integrated may take the relevant Standards of Learning test for the relevant  
939 required course and receive, upon achieving a satisfactory score on the specific  
940 Standards of Learning assessment, a verified unit of credit for such elective class  
941 that shall be deemed to satisfy the Board's requirement for verified credit for the  
942 required course;

943  
944 4. Establish a procedure to facilitate the acceleration of students that allows qualified  
945 students, with the recommendation of the division superintendent, without  
946 completing the 140-hour class, to obtain credit for such class upon demonstration

947 of mastery of the course content and objectives. Having received credit for the  
948 course, the student shall be permitted to sit for the relevant Standards of Learning  
949 assessment and, upon receiving a passing score, shall earn a verified credit.  
950 Nothing in this section shall preclude relevant school division personnel from  
951 enforcing compulsory attendance in public schools.<sup>103</sup>  
952  
953 In addition, the Board may approve additional tests for the purpose of awarding  
954 verified units of credit. Academic achievement tests, industry certifications ~~or~~ and  
955 state licensure examinations meeting the criteria established by the Board may be  
956 substituted for correlated Standards of Learning assessments.<sup>104</sup> The Board may also  
957 provide that students completing career and technical education programs designed to  
958 enable such students to pass such industry certification examinations or state  
959 licensure examinations may be awarded, upon obtaining satisfactory scores on such  
960 industry certification or licensure examinations, the appropriate verified units of  
961 credit for one or more career and technical education classes into which relevant  
962 Standards of Learning for various classes taught at the same level have been  
963 integrated. Such industry certification and state licensure examinations may cover  
964 relevant Standards of Learning for various required classes and may, at the discretion  
965 of the Board, address some Standards of Learning for several required classes.<sup>105</sup>  
966

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<sup>103</sup> Moved from Standard 3, pages 17 and 18

<sup>104</sup> In response to public comment, language was added to clarify that substitute tests are not limited to industry certifications and state licensure examinations, or for students enrolled in career and technical education courses. See the Standards of Accreditation (8 VAC 20-131-110).

<sup>105</sup> Moved from Standard 3, page 18



966 **§ 22.1-253.13:5. Standard 5. ~~Training and professional development~~**  
967 **Teacher quality and educational leadership**<sup>106</sup>  
968  
969 ~~A. The General Assembly and the Board of Education find that programs of~~  
970 ~~professional development and training and appropriate teacher performance~~  
971 ~~evaluations are essential for effective educational leadership and personnel and the~~  
972 ~~advancement of public education in the Commonwealth.~~<sup>107</sup>  
973  
974 ~~B.A.~~ Each member of the Board of Education shall participate in ~~in-service~~ high  
975 quality professional development<sup>108</sup> programs on personnel, curriculum and current  
976 issues in education as part of his service on the Board.  
977  
978 ~~C.B.~~ Consistent with the finding that leadership is essential for the advancement of  
979 public education in the Commonwealth, the Board of Education shall develop  
980 ~~leadership standards for superintendents and principals~~ uniform performance  
981 standards and evaluation criteria for teachers, administrators, and superintendents,<sup>109</sup>  
982 which ~~standards~~ shall include standards for training in the implementation of the  
983 Standards of Learning and training in the evaluation and documentation of teacher  
984 and administrator performance based on student academic progress and the skills and  
985 knowledge of instructional personnel.  
986  
987 ~~D.C.~~ The Board of Education shall ~~sponsor, conduct or provide~~ advice, guidance<sup>110</sup> on  
988 high quality professional development for<sup>111</sup>;  
989  
990 (i) ~~training and professional development of~~ teachers, principals, supervisors,  
991 division superintendents and other school staff;  
992 (ii) ~~training for~~ all administrative and supervisory personnel in the evaluation and  
993 documentation of teacher and administrator performance based on student  
994 academic progress and the skills and knowledge of such instructional or  
995 administrative personnel;  
996 (iii) ~~in-service programs for~~ school board members on personnel, curriculum and  
997 current issues in education; and  
998 (iv) ~~in cooperation with the Virginia Department for the Blind and Vision~~  
999 ~~Impaired, in-service~~ programs in Braille for teachers of the blind and visually  
1000 impaired. Such programs shall be developed in cooperation with the Virginia  
1001 Department for the Blind and Vision Impaired.<sup>112</sup>  
1002  
1003 The Board shall also provide technical assistance on high quality professional  
1004 development to local school boards designed to ensure that all instructional personnel

<sup>106</sup> Clarify topic of the standard

<sup>107</sup> Eliminate aspirational language

<sup>108</sup> Editorial change

<sup>109</sup> Incorporates language referencing the Board's uniform performance standards and evaluation criteria

<sup>110</sup> Editorial change

<sup>111</sup> Clarifies the expectation for high quality professional development

<sup>112</sup> Editorial change

1005 are proficient in the use of educational technology consistent with its Six-Year  
1006 Educational Technology Plan for Virginia.

1007  
1008 D. Each local school board shall require:

- 1009  
1010 (i) its members to participate annually in ~~in-service~~ high quality professional  
1011 development programs on personnel, curriculum and current issues in  
1012 education as part of their service on the local board; and  
1013 (ii) ~~require~~ the division superintendent to participate annually in high quality  
1014 professional development activities at the local, state or national levels.

1015  
1016 E. High quality professional development must be an integral component of school and  
1017 division plans, and support the recruitment, employment, and retention of qualified  
1018 teachers and principals.<sup>113</sup>

1019  
1020 F. Each local school board shall provide a program of high quality professional  
1021 development:

- 1022  
1023 (i) In the use and documentation of performance standards and evaluation  
1024 criteria based on student academic progress and skills for teachers and  
1025 administrators so that roles and performance expectations are made clear, and  
1026 instructional programs that facilitate student achievement at the school and  
1027 classroom level are successfully implemented;<sup>114</sup>  
1028 (ii) as part of the license renewal process, to assist teachers and principals in  
1029 acquiring the skills needed to work with gifted students, ~~handicapped~~  
1030 students with disabilities,<sup>115</sup> and limited English proficient students to  
1031 increase student achievement and expand knowledge and skills to meet  
1032 performance indicators set by the Board of Education, including academic  
1033 content standards and academic achievement standards;<sup>116</sup>  
1034 ~~(iii) (i) a program of professional development~~ in educational technology for all  
1035 instructional personnel ~~which that~~ is designed to facilitate integration of  
1036 computer skills and related technology into the curricula; and  
1037 ~~(iii) (iv) a program of professional development~~ for administrative personnel  
1038 designed to increase proficiency in instructional leadership and management,  
1039 including training in the evaluation and documentation of teacher and  
1040 administrator performance based on student academic progress and the skills  
1041 and knowledge of such instructional or administrative personnel.

1042  
1043 G. Each local school board shall also provide teachers and principals with high quality  
1044 professional development<sup>117</sup> opportunities in:

1045

<sup>113</sup> Additional language about expectations for professional development

<sup>114</sup> Additional language about performance standards

<sup>115</sup> Editorial change

<sup>116</sup> Additional language about professional development

<sup>117</sup> Updated language about high quality professional development

- 1046 (i) instruction and remediation techniques in English, mathematics, science, and  
1047 history and social science<sup>118</sup>  
1048 (ii) interpreting test data for instructional purposes;<sup>119</sup>  
1049 (iii) technology applications to implement the Standards of Learning; and<sup>120</sup>  
1050 (iv) methods for assessing the progress of individual students, including  
1051 Standards of Learning assessment materials or other criterion-referenced test  
1052 that match locally developed objectives;<sup>121</sup>  
1053

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<sup>118</sup> Updated language about instruction and remediation techniques

<sup>119</sup> Updated language about interpreting test data for instructional purposes

<sup>120</sup> Additional language about professional development

<sup>121</sup> Moved from Standard 3, page 22

1053 § 22.1-253.13:6. Standard 6. Planning, policy, and public involvement  
1054

1055 ~~A. The General Assembly and the Board of Education believe that careful planning is~~  
1056 ~~essential for providing educational programs of high quality and that public~~  
1057 ~~involvement is a fundamental component of meaningful planning for public~~  
1058 ~~schools.~~<sup>122</sup>  
1059

1060 ~~B.A.~~ The Board of Education shall revise, extend and adopt biennially a statewide six-  
1061 year ~~improvement~~<sup>123</sup> plan that shall be developed with statewide participation and  
1062 shall be posted on the Department's Web site or otherwise<sup>124</sup> available for public  
1063 inspection and copying. If it is posted on the Web, a hard copy shall also be available  
1064 for public inspection and copying.<sup>125</sup> This plan shall include the objectives of public  
1065 education in Virginia, an assessment of the extent to which these objectives are being  
1066 achieved, a forecast of enrollment changes and an assessment of the needs of public  
1067 education in the Commonwealth. In the annual report required by § 22.1-18, the  
1068 Board shall include an analysis of the extent to which these Standards of Quality have  
1069 been achieved and the objectives of the statewide six-year ~~improvement~~ plan have  
1070 been met. The Board shall also develop, ~~as a part of,~~ consistent with<sup>126</sup> its six-year  
1071 ~~improvement~~ plan, a detailed six-year plan to integrate educational technology into  
1072 the Standards of Learning and the curricula of the public schools in Virginia,  
1073 including career and technical education programs. The Board shall review and  
1074 approve the six-year plan for educational technology and may require the revision of  
1075 such plan as it deems necessary.  
1076

1077 ~~B.B.~~ Each local school board shall revise, extend and adopt biennially a divisionwide  
1078 six-year ~~improvement~~<sup>127</sup> plan that shall be developed with staff and community  
1079 involvement. Prior to the adoption of any divisionwide six-year ~~improvement~~ plan,  
1080 each local school board shall post the plan on the school division's Web site or  
1081 otherwise<sup>128</sup> make the plan available for public inspection and copying. If it is posted  
1082 on the Web, a hard copy shall also be available for public inspection and copying.<sup>129</sup>  
1083 The school board ~~and~~ shall conduct at least one public hearing to solicit public  
1084 comment on the divisionwide plan. ~~Each public school shall prepare a biennial plan,~~  
1085 ~~which shall be given consideration by its school board in the development of the~~  
1086 ~~divisionwide six-year improvement plan.~~<sup>130</sup>  
1087

1088 The divisionwide six-year ~~improvement~~ plan shall include, but not be limited to:

<sup>122</sup> Eliminated aspirational language

<sup>123</sup> Editorial change throughout the standard to eliminate possible confusion with the School Improvement Plan in the Standards of Accreditation and schools that are "in improvement" under the No Child Left Behind Act

<sup>124</sup> Editorial change

<sup>125</sup> Clarification

<sup>126</sup> Editorial change

<sup>127</sup> Editorial change throughout standard

<sup>128</sup> Editorial change

<sup>129</sup> Clarification

<sup>130</sup> Moved to page 31

- 1089  
1090 (i) the objectives of the school division;  
1091 (ii) an assessment of the extent to which these objectives are being achieved;  
1092 (iii) a forecast of enrollment changes;  
1093 (iv) a plan for projecting and managing enrollment changes including  
1094 consideration of the consolidation of schools to provide for a more  
1095 comprehensive and effective delivery of instructional services to students  
1096 and economies in school operations;  
1097 (v) an evaluation of the appropriateness of providing certain establishing<sup>131</sup>  
1098 regional programs and<sup>132</sup> services in cooperation with neighboring school  
1099 divisions;  
1100 (vi) a plan for implementing such regional programs and<sup>133</sup> services when  
1101 appropriate;  
1102 (vii) a technology plan designed to integrate educational technology into the  
1103 instructional programs of the school division, including the school division's  
1104 career and technical education programs, consistent with the six-year  
1105 technology plan for Virginia adopted by the Board of Education; and  
1106 (viii) an assessment of the needs of the school division and evidence of  
1107 community participation in the development of the plan.

1108  
1109 A report shall be presented by each school board to the public by November 1 of each  
1110 odd-numbered year on the extent to which the objectives of the divisionwide six-year  
1111 improvement plan have been met during the previous two school years.

1112  
1113 D.C. Each public school shall prepare a biennial plan, which shall be given  
1114 consideration by its school board in the development of the divisionwide six-year  
1115 plan.<sup>134</sup>

1116  
1117 § 22.1-253.13:7. Standard 7. Policy manual.<sup>135</sup>

1118  
1119 A. The General Assembly and the Board of Education recognize the need to apprise the  
1120 local school boards of the laws and regulations governing operation of local school  
1121 divisions.<sup>136</sup>

1122  
1123 B.D. The Board of Education shall, in a timely manner, make available to local school  
1124 boards copies information about where current Virginia school laws, Board  
1125 regulations and revisions, and copies of relevant Opinions of the Attorney General of  
1126 Virginia may be located online.<sup>137</sup>

1127

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<sup>131</sup> Editorial change

<sup>132</sup> Editorial change

<sup>133</sup> Editorial change

<sup>134</sup> Moved from page 30

<sup>135</sup> Combined Standards 6 and 7

<sup>136</sup> Eliminated aspirational language

<sup>137</sup> Editorial change to include provision of policies through electronic means

- 1128 ~~CE.~~ Each local school board shall maintain and follow ~~an~~ up-to-date ~~policy- policies~~  
1129 ~~manual.~~ All ~~policy-manuals- school board policies~~ shall be reviewed at least every  
1130 five years and revised as needed. ~~The policy manual shall include, but not be limited~~  
1131 ~~to:~~
- 1132
  - 1133 ~~1. Valid copies of Article 3 (§ 22.1-206 et seq.) of Chapter 15 of this title,~~  
1134 ~~concerning grievances, dismissals, etc., of teachers, and the implementation~~  
1135 ~~procedure prescribed by the General Assembly and the Board of Education;~~  
1136 ~~and~~<sup>138</sup>
  - 1137
  - 1138 ~~2. A cooperatively developed procedure for personnel evaluation appropriate to~~  
1139 ~~tasks performed by those being evaluated.~~<sup>139</sup>
  - 1140
- 1141 ~~DE.~~ Each local school board shall ensure that the ~~policy manual includes it has~~ the  
1142 following policies, which shall be developed giving consideration to the views of  
1143 teachers, parents, and other concerned citizens:
- 1144
  - 1145 1. A system of two-way communication between employees and the local school  
1146 board and its administrative staff whereby matters of concern can be discussed  
1147 in an orderly and constructive manner;
  - 1148
  - 1149 2. A policy for the selection and evaluation of all instructional materials purchased  
1150 by the school division, with clear procedures for handling challenged  
1151 controversial materials;
  - 1152
  - 1153 3. The standards of student conduct and attendance and enforcement procedures  
1154 designed to provide that public education be conducted in an atmosphere free of  
1155 disruption and threat to persons or property and supportive of individual rights;
  - 1156
  - 1157 4. A policy for school-community communications and community involvement;  
1158 ~~and~~
  - 1159
  - 1160 5. Guidelines to encourage parents to provide instructional assistance to their  
1161 children in the home, which may include voluntary training for the parents of  
1162 children in grades K through 3;
  - 1163
  - 1164 6. A policy that includes information about (1) addressing concerns and issues with  
1165 the school division and (2) the parent or legal guardian's recourse that may be  
1166 available under the provisions of § 22.1-87 of the Code;<sup>140</sup>
  - 1167
  - 1168 7. A cooperatively developed procedure for personnel evaluation appropriate to  
1169 tasks performed by those being evaluated; and
  - 1170

<sup>138</sup> Moved to page 33

<sup>139</sup> Moved to the bottom of the page

<sup>140</sup> Additional language about policies to resolve parental concerns

- 1171 8. Valid copies of Article 3 (§ 22.1-306 et seq.) of Chapter 15 of this title,  
1172 concerning grievances, dismissals, etc., of teachers, and the implementation  
1173 procedure prescribed by the General Assembly and the Board of Education.<sup>141</sup>  
1174
- 1175 G. An up to date copy of the school division ~~policy manual~~ policies shall be available to  
1176 the public and kept in the library of each school and in any public library in that  
1177 division and shall be available to employees and to the public. If the policies are  
1178 available online, provisions shall be made to ensure that copies of the policies are  
1179 available to parents and members of the community who do not have online access.<sup>142</sup>  
1180 An annual announcement shall be made in each division at the beginning of the  
1181 school year and, for parents new to the division, at the time of the student's  
1182 enrollment.<sup>143</sup> advising the public that the policy manual is available in such places.  
1183

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<sup>141</sup> Moved from page 32

<sup>142</sup> Editorial change to account for families who do not have computer access

<sup>143</sup> Clarification

1183 ~~§ 22.1-253.13:87. These standards to be the only standards of quality;~~  
1184 ~~provision of services; Board of Education to seek compliance~~ Compliance  
1185 with the Standards of Quality<sup>144</sup>

1186  
1187 The ~~standards~~ Standards of ~~quality~~ Quality prescribed above shall be the only ~~standards~~  
1188 Standards of ~~quality~~ Quality required by Article VIII, Section 2 of the Constitution of  
1189 Virginia.

1190  
1191 Each local school board shall provide, as a minimum, the programs and services, as  
1192 provided in the ~~standards~~ Standards of ~~quality~~ Quality prescribed above, with state and  
1193 local funds as apportioned by the General Assembly in the appropriation<sup>145</sup> act and to  
1194 the extent funding is provided by the General Assembly.

1195  
1196 The Board of Education shall include in its annual report to the Governor and the General  
1197 Assembly, pursuant to § 22.1-18, the name of any local school division that is not in full  
1198 compliance with the Standards of Quality.<sup>146</sup>

1199  
1200 The Board of Education shall have authority to seek school division compliance with the  
1201 foregoing ~~standards~~ Standards of ~~quality~~ Quality. When the Board of Education  
1202 determines that a school division has failed or refused, and continues to fail or refuse, to  
1203 comply with any such standard, the Board shall notify the Attorney General. It shall be  
1204 the duty of the Attorney General to file, in the name of the Board of Education in the  
1205 circuit court having jurisdiction in the school division, a petition for a writ of mandamus  
1206 directing and requiring compliance with such standards by the appropriate party or parties  
1207 ~~defendant.~~<sup>147</sup>

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<sup>144</sup> Clarify topic of the standard.

<sup>145</sup> Technical change

<sup>146</sup> Additional language to include noncompliance with the SOQ in the Board's annual report

<sup>147</sup> Editorial change



APPENDIX

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**§ 22.1-AAA**

The Board shall develop and approve objectives for mathematics, at the middle and high school levels, for personal living and finances, which shall focus on money management skills for individuals and families. The personal living and finances objectives shall require instruction in those skills necessary to handle personal business and finances and shall include, but need not be limited to, the following: opening a bank account and how to judge the quality of a bank's services; balancing a checkbook; completing a loan application; the implications of an inheritance; the basics of personal insurance policies; consumer rights and responsibilities; dealing with salesmen and merchants; debt management, including retail and credit card debt; state and federal tax computation; local tax assessments; computation of interest rates by various mechanisms; understanding simple contracts; and how to contest an incorrect bill. These personal living and finances objectives shall not be required to be included in the Board's Standards of Learning, and shall be developed in a manner to ensure that instruction in the Standards of Learning shall not be de-emphasized. The Board shall not be required to evaluate student achievement concerning such objectives in the Standards of Learning Assessment Tests required by § 22.1-253.13:3.<sup>148</sup>

**§ 22.1-BBB**

The Board of Education shall authorize, as an elective in grades nine through twelve with appropriate credits toward graduation, a comparative religion class that focuses on the basic tenets, history, and religious observances and rites of world religions.<sup>149</sup>

**§ 22.1-CCC**

The Department of Education shall make available and maintain a Web site, either separately or through an existing website utilized by the Department of Education, enabling public elementary, middle and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to Chapter 13.2 (§ 22.1-253.13:1 et seq.) of this title. Such Web site shall facilitate the submission of recommendations by educators.<sup>150</sup>

<sup>148</sup> Moved from Standard 1, pages 3 and 4  
<sup>149</sup> Moved from Standard 3, page 18  
<sup>150</sup> Moved from Standard 3, page 22