

Standards of Quality (SOQ) Proposals for Board of Education Consideration

Presented to the Board of Education on October 16, 2019

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Overview of activity since the April 24, 2019, Board of Education Retreat

Since the Board’s April 24, 2019, retreat, four regional focus group meetings and public hearings were conducted across the state and input has been solicited from key statewide stakeholder organizations. Based upon the feedback received from the Board, stakeholders, and public comments, Department of Education staff has proposed adjustments to the proposals, which are discussed at the end of each proposal.

Summary of Estimated Annual Costs of Proposals

Proposal	State Fiscal Impact	Local Contribution
Equity Fund (Enhanced At-Risk Add-On)	\$131.9 million ¹	\$ 79.5 million
K-3 Class Size Reduction	None	No additional contribution (except in nonparticipating divisions)
Teacher Leader and Teacher Mentor Programs	\$102.1 million ^{1 2}	\$84.3 million ²
English Learner Teachers	\$26.7 million	\$32.8 million
Specialized Student Support Personnel	approx. \$100 million	approx. \$81.8 million
School Counselors	\$88.2 million	\$72.2 million
Elementary School Principals	\$7.9 million	\$6.4 million
Assistant Principals	\$83.9 million	\$68.6 million
Recession-Era Savings and Flexibility Strategies	\$371.6 million	\$304.0 million
Reading Specialists	\$36.6 million ¹	\$29.1 million
Work-Based Learning Coordinators	\$1.1 million	None
Principal Mentor Programs	\$1.1 million	None

Footnotes:

- 1 - Fiscal impact shown does not include existing appropriations to existing programs that would be shifted into the Standards of Quality.
- 2 – Estimated state impact and local contribution is based on providing mentors to first and second year teachers. The proposal has been amended to include third year teachers, which will increase costs by an indeterminate amount, because data is not yet available to determine the number of third year teachers.

Equity Fund (Enhanced At-Risk Add-On)

Proposal for Consideration

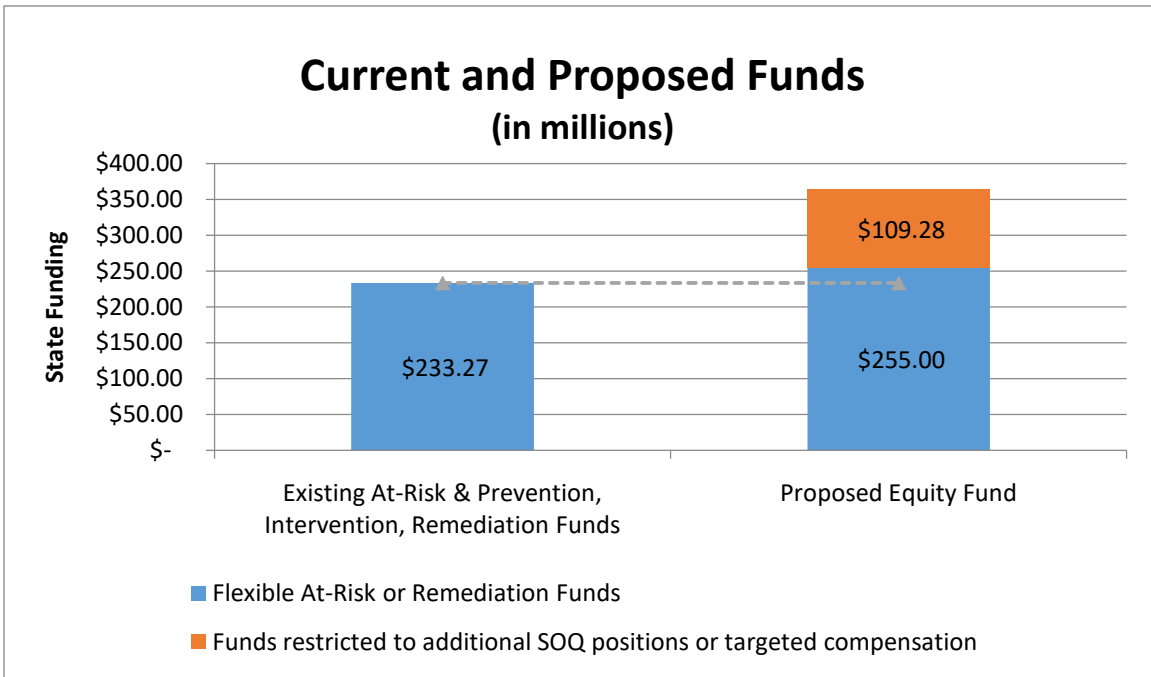
Consolidate the At-Risk Add On and Prevention, Intervention, and Remediation funds into a single, expanded At-Risk Add On fund within the SOQ.

Explanation

- This proposal consolidates the At-Risk Add-On and the SOQ Prevention, Intervention, and Remediation funds into a single, expanded At-Risk Add-On program provided in the SOQ, and provides \$131.0 million in additional funds.

Fund	Funding (based on FY19)
Existing At-Risk Add-On	\$120.95 million
Existing Prevention, Intervention, Remediation	\$112.32 million
Proposed New Funds	\$ 131.0 million
Total Proposed Equity Fund:	\$ 364.27 million

- These two funds are recognized by school divisions as relatively flexible funding sources that can be used for a variety of programs to benefit at-risk students and students needing academic remediation services.
- This proposal moves the language authorizing the At-Risk Add-On program from the Appropriation Act, into the Standards of Quality, requiring school divisions to implement them, and making these funds less vulnerable to reduction in an economic downturn.
- The consolidated fund would distribute resources in the same manner as the current At-Risk Add-On program - based on the divisionwide free lunch rate. This eliminates the academic outcome factor used in the Prevention, Intervention, and Remediation program, maximizing funding to those school divisions with the most concentrated poverty.
- Currently, the At-Risk Add-On fund allocates one to sixteen percent in additional per pupil funds to school divisions based on free lunch rates, and the Prevention, Intervention, and Remediation fund allocates funds based on a combination of failure rates. This proposal allocates ten to sixty-five percent additional SOQ positions based upon free lunch rates.
 - School divisions would be able to use the funds provided for these At-Risk positions flexibly, subject to these conditions:
 - Not more than seventy percent of the funds may be diverted to support programs for students who are educationally at-risk or need prevention, intervention, and remediation.
 - All of the funds may be diverted to provide targeted compensation adjustments to assist with recruiting and retaining experienced teachers in high poverty schools.
 - This would increase the flexible funds that are provided to school divisions through the existing At-Risk Add On and Prevention, Intervention, and Remediation funds. These current programs provide \$233.27 million in flexible funds, while in the proposed consolidated program, seventy percent of the funds, or \$255.0 million may be used flexibly:



- Therefore, most of the new resources (\$109.28 million) that would be provided through the consolidated program would be required to be expended on additional positions to support at-risk students or for targeted compensation adjustments.
- School divisions would be required to deploy these positions, or funds, in the schools within the division that have the greatest concentrations of poverty.
- School divisions would be required to report to the Department, annually, on the use of these funds.
- Currently, the Appropriation Act authorizes the Board of Education to withhold At-Risk Add On funds when a school board has not met state accountability standards and fails to implement corrective action plans. Because this proposal shifts these funds into the SOQ, the Board would no longer have authority to withhold these funds. Alternately, this proposal would provide that if a school division plans to use the provision permitting 70 percent of the Equity Funds to be used for flexible At-Risk or Remediation purposes in a school or a school division subject to a corrective action plan, approval of the planned uses of those funds as part of the corrective action plan process would be required.
- Establishes expectations for school boards to:
 - prioritize use of these funds in highest poverty schools,
 - assign staff equitably, placing effective teachers among all schools, and avoiding concentrations of ineffective teachers.
- **Estimated Fiscal Impact:** Currently, \$233.27 million is allocated to support the At-Risk Add On, and Prevention, Intervention, and Remediation programs. Using a range of 10% to 65% Add-On positions, in addition to those funded by basic aid would require approximately \$131.0 million in additional state funds.

Proposed Language

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

C. School boards shall assign licensed personnel in a manner that provides an equitable distribution of experienced, effective teachers and other personnel among all of its schools. To the maximum extent possible, experienced, effective teachers and other personnel shall be distributed equitably across all schools within a school division. School divisions shall not assign personnel in a manner that results in the concentration of ineffective teachers in any school or group of schools within a school division.

E. 1. For the purpose of this subsection:

(i) "qualifying school" means a school where at least 55 percent of the students are identified as eligible for federal free lunch, as provided in the Appropriation Act.

(ii) "targeted compensation adjustment" means a supplemental pay adjustment as provided in this subsection, calculated as a percent of the state-recognized prevailing salary, as provided in the Appropriation Act. The supplemental pay adjustment shall be (i) at least 25% of the state-recognized prevailing salary, as provided in the Appropriation Act, in qualifying schools where at least 70 percent of the students are identified as eligible for federal free lunch, as provided in the Appropriation Act, and (ii) at least 12.5% of the state-recognized prevailing salary, as provided in the Appropriation Act, in qualifying schools where at least 55 percent of the students are identified as eligible for federal free lunch, as provided in the Appropriation Act.

(iii) "qualifying teacher" means a teacher who (a) teaches in a qualifying school who has a renewable license as defined in § 22.1-298.1, (b) has at least five years of full-time teaching experience in a public school, or an accredited private school, as evidenced by receiving an evaluation rating of proficient or above for each of the previous five years, and (c) meets any additional criteria that may be deemed by the local school board. Such teaching experience may have been accrued outside of Virginia.

2. In addition to the positions supported by basic aid, state funding shall be provided for additional instructional positions in support of student achievement for at risk students, based upon the concentration of students identified as eligible for federal free lunch, as provided in the Appropriation Act, in each school division. School divisions shall prioritize the deployment of these additional instructional positions to schools within the division with the greatest concentrations of students identified as eligible for federal free lunch.

Such additional instructional positions shall be calculated by multiplying (i) the number of instructional positions required to be provided by a school division with basic aid funds, by (ii) the percent of students identified as eligible for federal free lunch in such school division, as provided in the Appropriation Act, by (iii) the add-on multiplier determined for such school division. Such add-on multiplier shall be determined for each school division by ranking each school division by the percent of students identified as eligible for federal free lunch, as provided in the Appropriation Act. The school division ranking with the lowest percent of free lunch eligible students shall be assigned an add-on multiplier of ten percent, and the school division with the highest percent of free lunch eligible students shall be assigned an add-on multiplier of sixty-five percent. The add-on multiplier for school divisions ranking in between shall be incrementally between ten and sixty-five percent, based upon the ranking.

3. To provide flexibility in the deployment of these funds, school divisions may:

- a. use up to 100 percent of these funds to provide targeted compensation adjustments to assist with recruiting or retaining qualifying teachers to teach in qualifying schools; or
- b. use up to 100 percent of these funds to provide licensed specialized student support personnel. . School divisions using funds in this manner shall prioritize the deployment of these positions to schools within the division with the greatest concentrations of students identified as eligible for federal free lunch.
- c. use up to 70 percent of these funds to support programs for students identified as needing prevention, intervention, or remediation services, and to support programs for students who are educationally at risk. School divisions using funds in this manner shall prioritize the deployment of these funds to schools within the division with the greatest concentrations of students identified as eligible for federal free lunch. Prior to using funds in this manner, school boards that have been required to develop corrective action plans pursuant to § 22.1-253.13:3 (A) shall receive approval for the proposed uses of these funds in accordance with the corrective action plan process established by the Board; or
- d. use these funds in any combination of subdivision a through c.

School divisions shall annually report on the deployment of these funds, in a manner prescribed by the Department of Education.

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

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

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

A. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include student outcome measures, requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, student services, auxiliary education programs such as library and media services, requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.

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

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

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

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

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

The Board shall establish a corrective action plan process for any school that does not meet the standards established by the Board. Such process shall require (i) each school board to submit a corrective action plan for any school in the local school division that does not meet the standards established by the Board and (ii) any school board that fails to demonstrate progress in developing or implementing any such corrective action plan to enter into a memorandum of understanding with the Board, and (iii) approval of the use of funds a school board intends to use pursuant to § 22.1-253.13:2(E)(3)(c).

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

Scenarios:

A table is provided in Appendix B describing the distribution of these funds to each school division, as well as the uses that would be permitted.

Changes since the September 18 SOQ Committee Meeting:

- Added a process to provide state oversight for flexible uses of funds in school divisions subject to corrective action plans.
- Clarified that the Equity Fund can be used for any combination of the permitted uses, rather than only one of the permitted use categories.
- Removed language prohibiting concentrations of effective teachers in schools or groups of schools, retained language prohibiting concentrations of ineffective teachers.

Class Size Reduction

Proposal for Consideration

Move the K-3 Class Size Reduction program into the Standards of Quality, and incorporate flexibility to allow larger class sizes for experienced teachers that are provided compensation adjustments.

Estimated cost: No fiscal impact.

Explanation

- The K-3 Class Size Reduction provides \$128.0 million in FY2020 for school divisions to reduce class sizes in grades kindergarten through three in schools with high concentrations of poverty.
- The program provides the state share of funds for school divisions to participating school divisions to staff individual schools at these ratios:

Three-year average percent of free lunch eligible students per school	Maximum student to teacher ratio in grades K-3	Maximum Class Size
30%-44.9%	19:1	24
45%-54.9%	18:1	23
55%-64.9%	17:1	22
65%-69.9%	16:1	21
70%-74.9%	15:1	20
75% or more	14:1	19

- Participation in the K-3 class size reduction program is optional; however, based on FY2018 data, only about 5.3 percent of the eligible funds were not used, indicating that some divisions either did not participate or utilize all of the funds.
- Without the K-3 Class Size Reduction program, the staffing standard for grades K-3 as prescribed in the Standards of Quality are:

Grade Span	Maximum Divisionwide Student to Teacher Ratio	Maximum Class Size
Kindergarten	24:1	24 (29 if an aide provided)
Grades 1-3	24:1	30

- This proposal would:
 - Shift the program from the Appropriation Act into the Standards of Quality, which would require school divisions to comply with the reduced class sizes based on the free lunch rates in the school.
 - Provide flexibility for school divisions to provide compensation adjustments to experienced teachers to teach larger class sizes in these schools.

Proposed Language

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

C. 1. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12.

2. School boards shall assign licensed instructional personnel for students in grades kindergarten through three in schools with high concentrations of poverty, in a manner that produces schoolwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors, and librarians, that are not greater than the following ratios: (i) 19 to one in schools with 30 percent or more of students identified as eligible for federal free lunch, as provided in the Appropriation Act, with no class being larger than 24 students; (ii) 18 to one in schools with 45 percent or more of students identified as eligible for federal free lunch, as provided in the Appropriation Act, with no class being larger than 23 students; (iii) 17 to one in schools with 55 percent or more of students identified as eligible for federal free lunch, as provided in the Appropriation Act, with no class being larger than 22 students; (iv) 16 to one in schools with 65 percent of students identified as eligible for federal free lunch, as provided in the Appropriation Act, with no class being larger than 21 students; (v) 15 to one in schools with 70 percent of students identified as eligible for federal free lunch, as provided in the Appropriation Act, with no class being larger than 20 students; (vi) 14 to one in schools with 75 percent or more of students identified as eligible for federal free lunch, as provided in the Appropriation Act, with no class being larger than 19 students.

To provide flexibility in the deployment of the funds in support of the staffing standards established in this subdivision, school boards may use these funds to provide compensation adjustments to teachers with five or more years of experience to teach grades kindergarten through three in such schools with high concentrations of poverty. School boards using these funds in this manner shall be permitted to (i) exceed the maximum class sizes established in this subdivision for classes taught by teacher receiving the compensation adjustment, and (ii) exclude the teacher receiving the compensation adjustment and their students from the schoolwide ratios established in this subdivision. School boards using these funds in this manner shall comply with the staffing standards established in subdivision C 1.

3. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this subsection, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with this subsection.

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

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

Teacher Leader and Teacher Mentor Programs

Establish a new Teacher Leader program, and expand the existing Teacher Mentor program, whereby additional compensation and additional time is provided during the instructional day for locally-designated staff to serve in leadership and mentorship program roles. Estimated cost: \$102.1 million/year in addition to the \$1 million currently appropriated for Teacher Mentors. Note: This estimate is based on providing mentors to only first and second year teachers. Providing third year teachers with a mentor will increase this estimate; however, data is not yet available to determine the number of third year teachers in Virginia.

Explanation

- The existing statutes that require mentors to be provided would be moved into the Standards of Quality, and expanded to encompass teacher leaders. The programmatic requirements would be set out in Standard Five, which establishes professional development expectations. The staffing requirements would be set out in Standard Two, with other school staffing ratios. Moving the program into the SOQ would express the Board's expectation that leadership and mentorship programs are foundational components of Virginia's education system, and ensure that adequate state support is provided.
- Sets expectations for teacher leaders to support their peers by coordinating mentorship programs and professional development, and consulting and observing teachers.
- Board guidelines would further set expectations for teacher leadership and teacher mentorship programs.
- Requires school boards to staff teacher leadership and teacher mentorship programs at a ratio of one position for every 15 first, second, and third year teachers, and one position for every 50 teachers with four or more years' experience.
- Encourages school boards to split these full-time positions among several teachers, allowing them to teach part-time and serve as a leader or mentor.
- Requires teachers with three or fewer years' experience to be provided a mentor, and release time for both the mentor and mentee.
- Provides a compensation supplement of 20% of the state-recognized SOQ cost, providing an additional \$10,233 for secondary teachers and an additional \$9,660 for elementary teachers, which is to be divided amongst several teachers if the position is split among several teachers.
- Provides local flexibility for divisions to determine whether staffing focus is needed on leadership or mentorship.

Proposed Language

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

D. School boards shall provide teacher leadership, and mentorship programs, as provided in § 22.1-253.15:5(H). Teacher leaders support all teachers through peer-level leadership, observation, consultation, and coordination of mentorship programs and professional development. Teacher mentors (i) assist new teachers with a successful transition into the teaching profession and (ii) ensure adequate supports are in place for new teachers. To support these programs and roles, school boards shall provide full-time equivalent positions based upon the following ratios:

1. One position for every 15 first, second, and third year teachers, or fraction thereof; and

2. One position for every 50 teachers with four or more years of experience.

School boards are encouraged to deploy these positions on a fractional basis shared among current teachers to provide current teachers opportunities to serve as leaders and mentors while remaining in active teaching roles. School boards shall not utilize these positions to fill teaching positions, or to serve school administrator functions, such as coordination of student discipline or testing.

Instructional staff filling these full-time equivalent positions shall be provided a compensation adjustment of at least 20 percent of the state-recognized statewide prevailing salary, as provided in the Appropriation Act. Such compensation adjustment shall be provided on a pro-rata basis if the position is shared among several staff.

Every teacher with less than three years of teaching experience shall be assigned a teacher mentor for their first three years of teaching. Such teachers shall be provided one hour of release time from classroom instruction per week to collaborate with their teacher mentor.

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

H. The Board of Education shall establish, and school boards shall provide, teacher leadership and mentorship programs utilizing specially trained public school teachers. The Board shall issue guidelines for teacher leadership and mentorship programs and shall set criteria for beginning and experienced teacher participation, including self-referral, and the qualifications and training of teacher leaders and teacher mentors. Such guidelines shall provide that the programs be administered by local school boards, with the assistance of an advisory committee made up of teachers, principals, and supervisors.

§ 22.1-303. Probationary terms of service for teachers.

~~A. A probationary term of service of at least three years and, at the option of the local school board, up to five years in the same school division shall be required before a teacher is issued a continuing contract. School boards shall provide each probationary teacher except probationary teachers who have prior successful teaching experience, as determined by the local school board in a school division, a mentor teacher, as described by Board guidelines developed pursuant to § 22.1-305.1, during the first year of the probationary period, to assist such probationary teacher in achieving excellence in instruction. During the probationary period, such probationary teacher shall be evaluated annually based upon the evaluation procedures developed by the employing school board for use by the division superintendent and principals in evaluating teachers as required by subsection C of § 22.1-295. A teacher in his first year of the probationary period shall be evaluated informally at least once during the first semester of the school year. The division superintendent shall consider such evaluations, among other things, in making any recommendations to the school board regarding the nonrenewal of such probationary teacher's contract as provided in § 22.1-305.~~

~~**§ 22.1-305.1. Mentor teacher programs.**~~

~~A. The Board of Education shall establish, from such funds as may be appropriated by the General Assembly, mentor teacher programs utilizing specially trained public school teachers as mentors to provide assistance and professional support to teachers entering the profession and to improve the performance of experienced teachers who are not performing at an acceptable level.~~

The Board shall issue guidelines for such mentor teacher programs and shall set criteria for beginning and experienced teacher participation, including self-referral, and the qualifications and training of mentor teachers. Such guidelines shall provide that the mentor programs be administered by local school boards, with the assistance of an advisory committee made up of teachers, principals, and supervisors, and that mentors (i) be classroom teachers who have achieved continuing contract status and who work in the same building as the teachers they are assisting or be instructional personnel who are assigned solely as mentors; (ii) be assigned a limited number of teachers at one time; however, instructional personnel who are not assigned solely as mentors should not be assigned to more than four teachers at one time; and (iii) guide teachers in the program through demonstrations, observations, and consultations to promote instructional excellence. Local school boards shall strive to provide adequate release time for mentor teachers during the contract day.

B. The local school board shall serve as fiscal agent for the participating school boards in matters concerning the mentor teacher programs. The Department of Education shall allocate, from such funds as are appropriated, moneys to participating school divisions for the purpose of supporting such programs which shall include, but not be limited to, compensation for mentor teachers.

Changes since the April 24 Board Retreat

- Presented at June 19 SOQ Committee meeting:
 - Consolidates the Teacher Leader and Teacher Mentor proposals into a single proposal that maintains local flexibility to determine how to staff each local program.
 - Teacher Coaching component of proposals is shifted to an item for future consideration.
 - Expands the Board’s authority to establish mentorship program guidelines to include leadership program guidelines.
- Presented at the July 24, 2019 Committee meeting:
 - Amends the ratios for:
 - Mentors supporting first- and second- year teachers, from 1:24 to 1:15
 - Leaders, from 1:100 to 1:50 for every teacher with three or more years of experience.
 - Added requirement for each mentee to receive one hour of release time per week for collaboration with their mentor.
- Presented at the October 16, 2019 Committee meeting:
 - Expanded the expectation for mentors to be provided to include third year teachers.
Note: Fiscal impacts do not reflect this change, as the number of third year teachers is not yet available.

English Learner Teachers

Amend the staffing requirements for English Learner teachers to differentiate the distribution of positions based upon the proficiency level of students in each school division, while maintaining local flexibility in deploying those positions. Estimated cost: \$26.7 million/year.

Proposed Language

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

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to support divisionwide ratios of English learner students in average daily membership to full-time equivalent teaching positions in addition to those required by subsection C, as follows:

1. for each English language learner identified as proficiency level one, one position per 25 students;
2. for each English language learner identified as proficiency level two, one position per 30 students;
3. for each English language learner identified as proficiency level three, one position per 40 students;
and
4. for all other English language learner students, one position per 58 students.

~~17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency, which~~ Teaching positions filled using these funds may include dual language teachers who provide instruction in English and in a second language.

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

Changes since the April 24 Board Retreat

- Because some EL students are not tested for proficiency level they were not included in the original proposal, which established ratios for Levels One through Four. The proposal has been amended to provide positions at a ratio of 1:58 for any student not identified as Level 1, Level 2, or Level 3.

Specialized Student Support Personnel

Remove the school nurse, school social worker, and school psychologist position from the SOQ support position category. Create a new staffing category for “specialized student support personnel” in the SOQ, with specified ratios for these positions. Estimated cost: Approximately \$100 million.

Explanation

In 2016, the Board of Education recommended specific ratios for each of these positions:

- School psychologists: One position per 1,000 students
- School social workers: One position per 1,000 students
- School nurses: One position per approximately 550 students

While the recommendation proposed below would not specify ratios for each individual position, it would ensure that students across the Commonwealth have access to student support services. This approach would provide school divisions with flexibility to determine how these positions should be filled based upon local conditions, while also removing these positions from the “support cap.”

Proposed Language

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

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

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

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

1. Executive policy and leadership positions, including school board members, superintendents and assistant superintendents;
2. Fiscal and human resources positions, including fiscal and audit operations;
3. Student support positions, including (i) ~~social workers and social work administrative positions~~ not included in subsection O; (ii) guidance administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral administrative positions not included in subsection O, ~~including school nurses and school psychologists~~;
4. Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3;
5. Technology professional positions not included in subsection J;
6. Operation and maintenance positions, including facilities; pupil transportation positions; operation and maintenance professional and service positions; and security service, trade, and laborer positions;

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

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

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

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

Changes since the April 24 Board Retreat

- Presented at June 19 SOQ Committee meeting:
 - To provide local flexibility with respect to the credentials required to fill these positions, added “other school health behavioral positions” to the specialized student support personnel category.
- Presented at July 24 SOQ Committee meeting:
 - Added language to require these positions to be filled by licensed individuals.
 - Added language to clarify that these individuals may be employed by the school division, or provided under contract with another entity.

Reading Specialists

Proposal

Provide reading specialist positions for students in grades K-5, based upon the number of students failing third-grade Standards of Learning reading assessments. Estimated cost: \$36.6 million/year in addition to the \$23.5 million currently appropriated for Early Reading Intervention.

Explanation

- This proposal would shift the Early Reading Intervention Program into the Standards of Quality, expand it to provide reading specialists in grades four and five, and eliminate the non-staffing permissible expenditures.
- Students failing the third grade reading assessment would be the metric used to distribute funding, as opposed to the reading diagnostic instrument (typically, PALS) in kindergarten through third grade.

Proposed Language

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

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ reading specialists. The number of reading specialists required shall be based upon providing two and one half hours of instruction at a ratio of one reading specialist per five students requiring reading specialist services. The number of students requiring reading specialist services shall be determined by multiplying (i) the percent of students that failed the third grade reading Standards of Learning assessment the prior year by (ii) the total number of students in fall membership in grades kindergarten through five. ~~the following reading specialists in elementary schools, one full-time in each elementary school at the discretion of the local school board. One~~ At least one reading specialist employed by each local school board ~~that employs a reading specialist~~ shall have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for students with dyslexia.

To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the Board of Education.

Work-Based Learning Coordinators

Proposal

Establish state-level and regional work-based learning coordinators to foster connections between school divisions and the business community to advance work-based learning opportunities in each school division. Estimated fiscal impact: \$1.1 million/year.

Explanation

This proposal would provide work-based learning coordinators who would establish relationships between school divisions and businesses to ensure meaningful work-based learning opportunities are available to students in every high school in Virginia.

Recognizing that many rural school divisions need to cooperate regionally to establish successful work-based learning programs with businesses in their area, developing the infrastructure regionally would be more effective than at the school division level.

Instead of allocating positions to school divisions, this proposal would establish a statewide coordinator position, who would oversee several regional coordinators, staffed either through VDOE or contracts with other entities such as workforce investment boards, GO Virginia boards, or community colleges.

Proposed Language

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

G. There shall be established within the Department of Education a unit to facilitate the development of relationships between school divisions and business communities to ensure all high school students will have access to meaningful work experiences such as internships, externships and other work-based learning experiences. Such unit shall (i) provide technical assistance and professional development to school divisions and businesses to implement work-based learning programs, (ii) catalogue and promote successful models and best practices for work-based learning.

Principal Mentorship

Proposal

Establish a statewide principal mentorship program to strengthen and foster the expanding role of quality school leaders that support teacher retention and student achievement. Estimated fiscal impact: \$1.1 million/year.

Explanation

This proposal would provide establish a principal mentoring unit at the Department of Education. This unit would establish a network of seasoned principals across the Commonwealth to serve as mentors to new principals as well as principals of schools.

Creating a principal mentor network at the state-level would be more effective than establishing division-level principal mentor positions in the Standards of Quality, because prospective mentors will frequently need to be matched with mentees from a different school division. In addition, establishing a state-level program will ensure consistent statewide implementation and quality control

Proposed Language

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

G. There shall be established within the Department of Education a unit to develop and implement a statewide mentorship program to support all new principals and principals of schools not meeting the standards established by the Board. Such unit shall (i) establish standards for principal mentorship programs, (ii) recruit, train, and match mentors with all principals participating in the mentorship program, and (iii) monitor program outcomes.

School Counselors

Reaffirm the Board of Education’s 2016 recommendation to provide one-full time school counselor for every 250 students. Estimated cost: \$88.2 million/year.

Proposed Language

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

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

~~4. Guidance counselors in elementary schools, one hour per day per 100 students, one full-time at 500 students, one hour per day additional time per 100 students or major fraction thereof; guidance counselors in middle schools, one period per 80 students, one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance counselors in high schools, one period per 70 students, one full-time at 350 students, one additional period per 70 students or major fraction thereof. Local school divisions that employ a sufficient number of guidance counselors to meet this staffing requirement may assign guidance counselors to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.~~

K. Local school boards shall employ one full-time equivalent school counselor position per 250 students in grades kindergarten through 12.

Changes since the April 24 Board retreat

No changes are proposed by staff from the April 24 retreat; however, there has been General Assembly action since that impacts the school counselor staffing standard for the 2019-20 school year.

Currently, the SOQ requires school counselors to be staffed as follows:

Elementary Schools	Middle Schools	High Schools
One full-time at 500 students	One full-time at 400 students	One full-time at 350 students

The 2019 General Assembly approved SB1406, which amends the Standards of Quality to partially implement the Board’s 2016 recommendation:

Elementary Schools	Middle Schools	High Schools
One full-time at 375 students	One full-time at 325 students	One full-time at 300 students

However, later during the same session, the General Assembly added language to override SB1406, to provide that beginning in the 2019-20 school year, school counselors shall be provided as follows:

Elementary Schools	Middle Schools	High Schools
One full-time at 455 students	One full-time at 370 students	One full-time at 325 students

Unless the Appropriation Act language is removed, the provisions of SB1406 will have no effect.

Elementary School Principals

Reaffirm the Board of Education’s 2016 recommendation to provide one-full time principal in every school. Estimated cost: \$7.9 million/year.

Proposed Language

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

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

1. Principals in elementary schools, ~~one half-time to 299 students,~~ one full-time, to be employed on a 12-month basis at 300 students; principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high schools, one full-time, to be employed on a 12-month basis;

Assistant Principals

Proposal for Consideration

Reaffirm the Board of Education’s 2016 recommendation to provide one full-time assistant principal for each 400 students. Estimated cost: \$83.9 million/year

Proposed Language

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

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

2. Assistant principals in elementary schools, ~~one half-time at 600 students,~~ one full-time at ~~900~~ 400 students; assistant principals in middle schools, one full-time for each ~~600~~ 400 students; assistant principals in high schools, one full-time for each ~~600~~ 400 students; and school divisions that employ a sufficient number of assistant principals to meet this staffing requirement may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary;

Recession-Era Savings and Flexibility Strategies

Reaffirm the Board of Education’s 2016 recommendation to eliminate the measures that were implemented during the recession: the “support position cap” and the temporary flexibility language waiving certain staffing requirements. Estimated cost: \$371.6 million/year.

Proposed Language

To implement elimination of the “support position cap,” Item 136 C.5.k of the Appropriation Act should be stricken:

~~k. For the purposes of funding certain support positions in Basic Aid, a funding ratio methodology is used based upon the prevailing ratio of actual support positions, consistent with those recognized for SOQ funding, to actual instructional positions, consistent with those recognized for SOQ funding, as established in Chapter 781, 2009 Acts of Assembly. For the purposes of making the required spending~~

adjustments, the appropriation and distribution of Basic Aid shall reflect this methodology. Local school divisions shall have the discretion as to where the adjustment may be made, consistent with the Standards of Quality funded in this Act.

To implement elimination of the temporary flexibility language that overrides some of the staffing requirements in the SOQ, Item 136 A.17 of the Appropriation Act should be stricken:

~~17. To provide temporary flexibility, notwithstanding any other provision in statute or in this Item, school divisions may elect to increase the teacher to pupil staffing ratios in kindergarten through grade 7 and English classes for grades 6 through twelve by one additional student; the teacher to pupil staffing ratio requirements for Elementary Resource teachers, Prevention, Intervention and Remediation, English as a Second Language, Gifted and Talented, Career and Technical funded programs (other than on Career and Technical courses where school divisions will have to maintain a maximum class size based on federal Occupational Safety & Health Administration safety requirements) are waived; and the instructional and support technology positions, librarians and guidance counselors staffing ratios for new hires are waived.~~

Improve Available Data about Prevailing Practices

Enhance VDOE data collections regarding school staffing to provide better information about staffing practices in local school divisions.

For Future Consideration

- Standards for Facilities
- Teacher Coaching Programs
- English Learner ratios for students with interrupted formal education (SIFE)
- Special Education Staffing Standards
- Mathematics Specialists
- Instructional Technology Resource Teachers