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Board of Education Prescribes New Standards of Quality for Public Schools

RICHMOND — The Virginia Board of Education today prescribed new Standards of Quality for the commonwealth’s public schools. The Standards of Quality describe the foundational instructional programs and support services all schools must provide and drive approximately 85% of state funding for local school divisions.

The proposed new standards are aligned with the Board of Education’s goals of promoting educational equity, supporting educator recruitment and retention, and helping students and schools achieve the board’s graduation and accreditation requirements.

“Rather than recommending amendments to the current standards, the Board of Education is again carrying out its constitutional responsibility to determine and prescribe Standards of Quality for the commonwealth’s public schools,” Board of Education President Daniel Gecker said. “These new standards are the product of a two-year review of the needs of our public schools and the evidence-based best practices necessary to ensure equitable opportunities and outcomes for all of our students and supports for our teachers, principals and other educators.”

The prescribed Standards of Quality — which are subject to revision by the General Assembly — consolidate several existing state programs that support struggling schools and students in poverty into a single, expanded funding stream — known informally as the equity fund — within the SOQ.

Equity fund distributions would be based on the percentage of students eligible for free meals and would provide an additional \$131.9 million in state funding for schools serving significant numbers of children in poverty. Distributions from the fund would support school division efforts to recruit and retain experienced and effective teachers and other professional staff in high-poverty schools and provide additional intervention and remediation services for students.

In addition, the new standards include the following to support equitable services and improved outcomes for all students:

- Moving the state’s K-3 class size reduction program from the annual Appropriation Act into the SOQ
- Increasing state funding for reading specialists and moving support for reading specialists from the annual Appropriation Act into the SOQ
- Establishing a new teacher leader program and expanding the commonwealth’s existing teacher mentor program to provide additional compensation and time within the instructional day for teachers designated as leaders and mentors
- Amending staffing requirements for English learner teachers to base distribution of positions on the English proficiency level of students in each school division
- Setting specific staffing ratios in the SOQ for school nurses, social workers and school psychologists

(more)

- Providing state funding for state-level and regional work-based learning coordinators to establish partnerships between school divisions and local businesses and employers
- Creating a statewide principal mentorship program to strengthen school leadership and support teacher retention and student achievement
- Providing state support for one full-time school counselor for every 250 students
- Requiring a full-time principal in every elementary school
- Requiring a full-time assistant principal for every 400 students

"The Standards of Quality prescribed today comprise the foundational instructional and support positions and services required to provide a quality education for all children," Gecker said. "In addition, the new standards recognize the importance of putting the right teachers in the right classrooms in every school in the commonwealth while providing support for new teachers and opportunities for experienced teachers to advance professionally while remaining in the classroom."

The board also is recommending that the General Assembly eliminate the cap on state funding for support positions that was placed in the Appropriation Act in 2009 during the height of the last economic recession. The cap limits state funding for support positions to one support position for every 4.27 instructional positions.

The Constitution of Virginia requires the Board of Education to prescribe Standards of Quality for the public schools of Virginia, subject to revision only by the General Assembly.

The newly prescribed Standards of Quality — and legislation necessary to enact the new standards — will be communicated to Governor Ralph Northam and the 2020 General Assembly, along with budget estimates required to support the new requirements and staffing ratios.

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[Board of Education October 17, 2019, Resolution Prescribing the Standards of Quality for Public Schools in Virginia](#) (Word)

Resolution Prescribing the Standards of Quality for Public Schools in Virginia

WHEREAS, Section 2, of Article VIII of the *Constitution of Virginia* provides that standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly; and

WHEREAS, between 1972 and 1982, the Board of Education prescribed the Standards of Quality for each biennium, which were subsequently adopted by the General Assembly with revisions; and

WHEREAS, in 1984, the General Assembly established Chapter 13.1 of Title 22.1 of the *Code of Virginia*, codifying the Standards of Quality, effectively impacting the Board of Education's ability to fulfill its constitutional duty to prescribe such standards for the previous ten years; and

WHEREAS, in 1988, the General Assembly replaced Chapter 13.1 of Title 22.1 of the *Code* with Chapter 13.2, recodifying the Standards of Quality into their current form; and

WHEREAS, since the 1988 action, the General Assembly has passed 197 bills amending the Standards of Quality, the overwhelming majority of which were unrelated to the Standards of Quality as prescribed by Board of Education pursuant to its constitutional authority; and

WHEREAS, Section 22.1-18 of the *Code* requires the Board of Education to indicate in its annual report to the Governor and the General Assembly whether it recommends any change or addition to the Standards of Quality; and

WHEREAS, Section 22.1-18.01 of the *Code* requires the Board of Education, in odd-numbered years, to review the Standards of Quality and either determine that no changes are necessary or propose amendments, in which case the biennial budget estimates state agencies are required to report to the Governor shall take into consideration the Board's proposed Standards of Quality; and

WHEREAS, the Board of Education's 2018-2023 Comprehensive Plan, establishes three priorities for public education in Virginia:

- Priority 1: Provide high-quality, effective learning environments for all students;
- Priority 2: Advance policies that increase the number of candidates entering the teaching profession and encourage and support the recruitment, development, and retention of well-prepared and skilled teachers and school leaders; and
- Priority 3: Ensure successful implementation of the Profile of a Virginia Graduate and the accountability system for school quality as embodied in the revisions to the Standards of Accreditation.

WHEREAS, since the adoption of the Comprehensive Plan, the Board of Education has undertaken a two-year process, reviewing and researching evidence-based best practices and engaging in significant public engagement to make data-driven policy decisions to revise the

Standards of Quality to provide support for Virginia educators and better ensure equity of opportunity and outcome for Virginia's students;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education prescribes the attached Standards of Quality by motion unanimously adopted at its regular business meeting on October 17, 2019; and

BE IT FURTHER RESOLVED that the Board of Education requests the General Assembly remove paragraphs A.17 and C.5.k of Item 136 of the 2019 Appropriation Act from future Appropriation Acts, as these measures were added during the Great Recession to provide temporary relief from provisions in the Standards of Quality, resulting in \$371.6 million in state aid that school divisions would have otherwise received in Fiscal Year 2019-2020; and

BE IT FURTHER RESOLVED that the Board of Education requests the Superintendent of Public Instruction seek to enhance the information reported by local school divisions about staffing practices to help better inform the Board of Education's future reviews of the Standards of Quality.

Virginia Board of Education Standards of Quality Amendment Proposals (September 2019 revisions)

The Virginia Constitution (Article VIII, Section 2) empowers the Virginia Board of Education to “determine and prescribe” Standards of Quality, subject to revision only by the General Assembly. While the Board is tasked with prescribing the Standards based on its judgement of what it considers to be an educational program of high quality, it is ultimately left to the General Assembly and the Governor (through the Appropriations Act) to determine whether and how to fund the prescribed Standards.

The Board’s most current draft (September 2019) of this biennium’s proposed amendments to the current Standards of Quality is summarized in the table below, which revises and updates information provided to the Board in an August 2 Brabrand Briefing. The table includes a brief summary of each proposed change, the cost to the state and required local match (as determined by VDOE), and FCPS staff estimates of potential impacts of the proposed changes (where possible, note that not every proposal has an associated FCPS cost estimate.)

The Board of Education is scheduled to take up these recommendations at its October 17 meeting, where it may take final action on its recommendations. Full details for every one of the Board’s proposals are available at: <http://www.doe.virginia.gov/boe/meetings/2019/09-sep/item-h-attachment-a.docx>

[SOQ Impact](#)

Summary of Current VBOE SOQ Proposals (Sept. 2019) with State Costs and Estimated FCPS Impact

Proposal	Summary of Proposed Changes	State Fiscal Impact	Statewide Required Local Contribution**	Estimated FCPS Impact
Consolidated At-Risk Add-On (Equity Fund)	<p>Would combine current At-Risk & SOQ Prevention, Intervention, Remediation (PIR) funds w/ new funds and move both into the SOQ. 10% to 65% Basic Aid position add-on based on division wide free lunch population. Some funding required to be used for additional positions or compensation supplements, some flexible.</p> <p>Would require equitable distribution of experienced teachers “to maximum extent possible.”</p>	\$131.9 million*	\$ 79.5 million	<p>Based on best current understanding of VDOE estimates, FCPS would receive an additional \$2.8M in state funding under the new distribution formula. Of this, \$2M of the new funding would have to be allocated to additional positions to support at-risk students or for targeted compensation adjustments. Cost estimates also hinge on whether equitable distribution provisions are treated as mandatory or aspirational. <i>FCPS currently receives \$3M in At-Risk Add On funds and \$5.5M in PIR.</i></p>
K-3 Class Size Reduction	<p>Would move current K-3 Class Size reduction program into SOQ from Appropriations Act.</p>	None	None (except in nonparticipating divisions)	<p>None. <i>FCPS currently receives \$4.4M in Class Size Reduction funding.</i></p>
Teacher Leader and Teacher Mentor Programs	<p>Would require school boards to staff teacher leadership and teacher mentorship programs at a ratio of one position for every 15 first- and second-year teachers, and one position for every 50 teachers with three or more years’ experience. Would require weekly release time and compensation supplement for mentor teachers.</p>	\$102.1 million*	\$84.3 million	<p>Unknown, but possibly substantial local impact. Beyond required mentor teacher staffing standards, other details of the required programs would be left to yet unspecified Board “guidelines” so it is difficult to know how the proposed program would align with current practice. <i>FCPS currently receives \$131,036 in state funding for the state’s current mentor teacher program.</i></p>
English Learner Teachers	<p>Would reduce staffing ratios based on EL Proficiency Levels 1-3 (25, 30, 40 to 1 vs. current 58 to 1 ratio for all EL students).</p>	\$26.7 million	\$32.8 million	<p>275 teachers at total cost of \$27M, split \$10M state and \$17M local. <i>FCPS currently receives \$14.2M in English as a Second Language funding based on 58-1 ratio.</i></p>

Specialized Student Support Personnel	Would require 4 positions per 1,000 students where the 4 positions could be from any mix among school social workers, psychologists, nurses, and other licensed behavioral personnel.	approx. \$100 million	approx. \$81.8 million	20 psychologists at total cost of \$2.6M (est. \$1.6M local). 28 social workers at total cost of \$3.6M (est. \$2.3M local). Approx. \$34M total cost for nurses, likely all local as nurse funding is already based on statewide prevailing practice.
School Counselors	Would require one full-time per 250 students	\$88.2 million	\$72.2 million	161 counselors at total cost of \$16M (est. \$10M local).
Elementary School Principals	Would require one full-time in every elementary school	\$7.9 million	\$6.4 million	None, possible additional state funds available.
Assistant Principals	Would require one full time per 400 students, with flexibility to reallocate to schools based on need should division wide ratio be met.	\$83.9 million	\$68.6 million	None, possible additional state funds available.
Recession-Era Savings and Flexibility Strategies	Would remove the support position staffing cap and remove flexibility language on staffing ratios in Appropriations Act.	\$371.6 million	\$304.0 million	Based on FY2011/2012, eliminating the support cap could restore appx. \$26M in state funding.
Reading Specialists	Would require K-5 reading specialist positions based on 3rd grade SOL failure rate	\$36.6 million*	\$29.1 million	None anticipated. <i>FCPS currently receives \$2.3M in Early Reading Intervention funding.</i>
Work-Based Learning Coordinators	Would create DOE state/regional coordinators facilitate local work-based learning.	\$1.1 million	None	None
Principal Mentor Programs	Would create DOE mentor program for new principals & those in challenged schools.	\$1.1 million	None	None
TOTALS		\$951.1 million	\$758.6 million	Based on quantifiable costs, the total cost should all changes be adopted and implemented simultaneously would be \$83.2M. The state would provide \$47.1M in revenue to FCPS, leaving an additional local cost of \$36.1M.

* denotes fiscal impact shown does not include existing appropriations to existing programs that would be shifted into the Standards of Quality.

**Only reflects required local contribution – local costs will vary due to differences in current local efforts, current salary levels as compared to state reimbursement levels, current staffing levels, etc.