

# Standards of Quality Proposals for Board of Education Consideration

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## Targeted Compensation Adjustments

### Background

Over the last ten years, the number of unfilled teaching positions across the Commonwealth has increased by 42 percent, from 760 to 1,080, leading to emergency situations in many high poverty school divisions that do not have the resources to compete with other school divisions. Teachers are more likely to leave poor, urban schools and those who leave are likely to have greater skills than those who stay. This has led to inequitable teacher distribution across Virginia.

New and provisionally licensed teachers are concentrated in Virginia's high poverty schools:

- High poverty schools (over 75% of its students in poverty) have an average of 13.5% new teachers (in their first or second year of teaching) and 9.3% provisionally licensed teachers.
- Low poverty schools (fewer than 25% of students in poverty) have an average of 6.9% new teachers and 7.2% provisionally licensed teachers.
- In Virginia, 9% of schools are staffed with 15% or more first year teachers, while 71% of schools have less than 5% first year teachers.

Teacher quality is the single most important factor for student achievement. Up to 25% of the variance in test scores can be attributed to differences in teacher quality. Research indicates that being taught by a teacher in the top quartile of effectiveness for four consecutive years would eliminate achievement gaps between black and white students. This is concerning as black students are nearly two times more likely to be assigned an ineffective teacher, and half as likely to be assigned to the most effective teacher. These inequities are reflected within different schools in single school divisions and across school divisions.

The state Standards of Quality funding model recognizes differences among wealthier and poorer school divisions through the local composite index of ability to pay, and distributes state aid accordingly. However, the model funds teaching positions using the prevailing statewide salary for each position regardless of local conditions. The only exception is in Northern Virginia, where an additional 2.46 to 9.83 percent adjustment is provided to recognize the competitive labor market. The prevailing teacher salaries used to calculate state aid, for the 2018—2020 biennium are \$48,298 for elementary teachers, and \$51,167 for secondary teachers.

High poverty schools do not have access to the same resources as low poverty schools and, as a result, are not able to supplement teacher salaries with local funds. High poverty school divisions receive about 89 cents for every dollar when compared to wealthier school divisions. The average teacher salaries, as of the 2013-2014 school year, were about \$11,000 higher in low poverty schools when compared to high poverty schools, resulting in patterns where more effective teachers are recruited to teach in low-poverty schools, while less effective teachers remain teaching in high-poverty schools.

Hard-to-staff schools suffer from diminished collegial relationships, a lack of institutional knowledge, and the expense of training new teachers who oftentimes do not stay long-term.

Financial incentives can impact teacher recruitment and retention. Research shows that state financial incentive programs have the potential to direct teachers to shortage areas, but these incentive programs will lose their appeal if they are not sufficient, sustainable, and paired with improvements to

working conditions. The Brookings Institution states most effective teachers are willing to teach in high-poverty schools if provided at least \$15,000 in supplemental compensation.

Because there is not consistent statewide data on the distribution of highly-effective teachers, the best proxy available for effectiveness is years of teaching experience.

### Proposal for Consideration

**Establish provisions in the Standards of Quality to provide targeted compensation adjustments for experienced teachers in challenged schools.**

### Explanation

- This proposal would provide a compensation adjustment to encourage skilled teachers to teach in schools that are hard-to-staff, as evidenced by high concentrations first-year teachers.
- The compensation adjustment would be 25% of the state-recognized SOQ cost, providing an additional \$12,792 for secondary teachers and an additional \$12,074 for elementary teachers.
- To qualify for the adjustment, teachers would need to have a renewable license, and at least five years of teaching experience with a “proficient” or above evaluation rating.
- The supplement would be provided to both teachers in the existing school who meet the criteria as well as those recruited from other schools and divisions.
- Teachers would continue to receive these supplements in subsequent years, so long as they remain employed at the hard-to-staff school, even if the school no longer meets the hard-to staff criteria.
- Language is added to the SOQ to direct school boards to equitably assign experienced teachers among all of its schools.

### 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, high-quality teachers and other personnel among all of its schools. To the maximum extent possible, experienced, high-quality teachers and other personnel shall be distributed evenly across all schools within a school division. School divisions shall not assign personnel in a manner that results in the concentration of high performing teachers or low performing teachers in any school or group of schools within a school division.

R. For the purpose of this subsection:

(i) "qualifying school" means a school at which at least ten percent of the teachers in the school in the prior school year are first year teachers.

(ii) "targeted compensation adjustment" means a supplemental pay adjustment of at least 25% of the state-recognized statewide prevailing salary, as provided in the Appropriation Act.

(iii) "qualifying teacher" means a teacher who has a renewable license as defined in § 22.1-298.1 and at least five years of teaching experience, as evidenced by receiving an evaluation rating of proficient or above for each of the previous five years. Such teaching experience may have been accrued outside of Virginia.

To ensure students in Virginia’s hard-to-staff schools have equitable access to high-quality teachers, targeted compensation adjustments shall be provided to qualifying teachers to encourage the recruitment and retention of experienced, high-quality teachers in qualifying schools.

Once a teacher has been deemed a qualifying teacher, such teacher shall continue to receive targeted compensation adjustments until the teacher (i) no longer meets the definition of a qualifying teacher; or (ii) no longer teaches in a qualifying school, except that if a school no longer is a qualifying school, the teacher shall continue to receive targeted compensation adjustments as long as they continue to teach at the previously qualifying school.

## Considerations

- Alternatives:
  - Instead of creating a formula-based program, a competitive grant program could be established to allow school divisions to establish innovative concepts to provide incentives for teachers to teach in hard-to-staff schools. However, grant programs are often inadequately funded by the state. Without significant, sustainable state funding, some fiscally challenged school divisions would be less likely to apply for the funding.
  - Instead of using teaching credentials and experience to determine if a school qualifies for the compensation adjustments, student demographics or outcomes could be considered.
  - In the future, if a definition is developed to designate a “highly effective teacher,” that criteria should be used instead of the credentialing and experience criteria currently proposed.
- Should the amount of the compensation adjustment be scaled to differentiate among schools that are moderately to extremely hard-to-staff?
- Is ten percent or more of first teachers in a school the right criteria for a school to be deemed qualifying? (10 percent or more = about 166 schools qualify, 15 percent or more = about 52 schools qualify)
- Should schools with high rates of provisionally-licensed or teachers teaching outside of subject area be included? What about high concentrations of second and third year teachers as well?
- What concerns will non-qualifying school divisions have?

## Teacher Leaders

### Background

Teacher leaders model effective practices, exercise their influence in formal and informal contexts, and support collaborative team structures within their schools. Establishing a teacher leader position would provide a career path for teachers who do not want to become administrators, but are willing to assume new opportunities inside or outside the classroom. Schools with shared leadership models – including both administrators and teachers in leadership roles – have been shown to see higher levels of student achievement and teacher retention.

While Virginia does not require school divisions to provide teacher leaders, a “teacher as leader” designation is available for a Virginia Teaching License. For an individual to qualify, they must have:

- a renewable teaching license
- achieved continuing contract status
- completed at least five years of successful full-time teaching experience in Virginia
- received a recommendation for the designation from the division superintendent or designee verifying the individual's skills and abilities and contributions to school effectiveness and student achievement

### Proposal for Consideration

**Establish a new Teacher Leader position and staffing ratios in the Standards of Quality, and provide teacher leaders with sufficient compensation and time for leadership duties.**

### Explanation

- Establishes staffing requirements for teacher leaders, requiring one teacher leader for every 25 teachers.
- Provides that a teacher leader should teach no more than a half-load, but retains flexibility to divide leadership position amongst several teachers in a school building.
- 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 divided amongst several teachers.
- Sets expectations for teacher leaders to support other instructional personnel by coordinating mentorship programs and professional development, and consulting, observing, and evaluating teachers.

### Proposed Language

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

D. School boards shall deploy teacher leaders to serve in leadership roles within the school setting; to coordinate mentorship programs and professional development; to consult, observe, and evaluate other teachers; and fulfill other similar duties. Teacher leaders shall be deployed, at a minimum, as provided in this subsection:

1. One teacher leader shall be provided for every 25 teachers.

2. A full-time teacher leader shall not teach more than half of a standard teacher's load, to provide adequate time to serve in a leadership capacity.

3. Teacher leaders shall be provided a compensation adjustment of at least 20 percent of the state-recognized statewide prevailing salary, as provided in the Appropriation Act.

4. To provide flexibility in elementary school settings, and recognize that elementary school class schedules may not accommodate dedicating a full-time position for a teacher leader, school boards may deploy more than one teacher to serve as teacher leaders on a part-time basis, provided that the teaching load maximum and compensation adjustments are adjusted accordingly on a pro-rata basis.

### Considerations

- Elementary school schedules are not as flexible as secondary schedules, so alternative means to provide leadership roles should be considered, including dividing the leadership role among several individuals.
- The above proposal does not remove SOQ teaching positions– it establishes a new position whose role is half-teacher, half-leader.
- Should there be any minimum criteria for an individual to serve as a teacher leader?
- Are the expectations described in the proposed language sufficient?

## Teacher Mentors or Coaches

### Background

Research suggests that beginning teacher induction and mentoring programs can positively affect teacher retention, student's academic outcomes, and teacher quality, while saving costs.

- Teachers assigned a mentor during their first year in the classroom are more likely to teach for at least five years.
- Beginning teachers who participated in induction programs experienced higher academic gains, were able to keep students on task, and demonstrated successful classroom management.
- An analysis of a medium-size California school district suggests that induction pays off at \$1.66 for every \$1 invested.

Virginia has a mentor teacher program, however, some other states have more comprehensive programs:

- *Va. Code* §§ 22.1-303 and 22.1-305.1 establish existing teacher mentorship programs in Virginia:
  - School divisions are required to establish and administer mentor teacher programs, with the assistance of an advisory committee. The programs are required to comply with the Board of Education's teacher mentor program guidelines.
  - Probationary teachers with no prior successful teaching experience are required to be provided a mentor teacher.
  - Mentors may be:
    - Classroom teachers on continuing contract status who work in the same building as the teachers being mentored, and such teachers shall be assigned no more than four teachers to mentor at one time
    - Instructional personnel working solely as mentors
  - School boards are encouraged to provide adequate release time for mentor teachers during the day.
- The Appropriation Act provides \$1,000,000 annually to fund teacher mentor programs. In FY2019-2020, the commonwealth provided \$206 per teacher mentor to school divisions.
- A Mentor Teacher designation is available for a Virginia Teaching License. For an individual to qualify, they must have:
  - a renewable teaching license
  - achieved continuing contract status
  - received a recommendation for the designation from the division superintendent or designee
  - served at least three years as a mentor teacher in Virginia
  - completed a mentor teacher training program

Programs offered in other states, including North Carolina, Illinois, Maryland, and Connecticut include some features not included in Virginia's current mentor program:

- Beginning teachers are mentored for up to three-years
- Blocks of time are scheduled for teachers to serve as mentors
- Recurring outside evaluation and monitoring of mentorship programs

## Proposal for Consideration

**Move the requirements to provide Teacher Mentors into the Standards of Quality, establish staffing expectations and expand standards for mentorship programs.**

### Explanation

- The existing statutes that require mentors to be provided would be moved into the Standards of Quality. 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 mentorship is a foundational component of Virginia's education system, and ensure that adequate state support is provided.
- Each new teacher (first- and second- year teacher) would be assigned a mentor teacher, with no mentor teacher being assigned more than four new teachers. All mentor teachers would continue serving as classroom teachers.
- Staffing requirements would establish additional blocks of time for both the teacher mentor (about five hours weekly) and the teacher mentee (one hour weekly.) Language would also be included to require supplemental staffing be provided to ensure that divisionwide ratios and maximum class sizes continue to be complied with – to ensure that the SOQ formula would consider the additional staffing needed to fill these additional blocks of time.
- A compensation supplement of 5% of the statewide prevailing teaching salary would be provided for the mentor, or \$2,415 for elementary teachers, and \$2,558 for secondary teachers.
- Board guidelines would continue to set forth the expectations for mentorship programs.

### Proposed Language

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

D. To assist new teachers with a successful transition into the teaching profession and to ensure adequate supports are in place for new teachers, school boards shall provide mentorship programs, as provided in § 22.1-253.13:5(H), for every new teacher, and such mentorship programs shall be staffed at a minimum as provided in this subsection:

1. Every teacher with less than two years of teaching experience shall be assigned a teacher mentor for the two years of employment.

2. Teacher mentors shall be classroom teachers who have achieved continuing contract status, and work in the same building as the teachers being mentored. Teacher mentors shall be assigned no more than four new teachers to mentor at one time. Teacher mentors shall be provided a compensation adjustment of at least five percent of the state-recognized statewide prevailing salary, as provided in the Appropriation Act.

3. School boards shall provide adequate time during the instructional day, at least five hours per week in elementary schools, or one class period per day or the equivalent in secondary schools, for teacher mentors to observe and collaborate with new teachers, and for other mentorship activities.

4. School boards shall provide adequate time during the instructional day, at least one hour per week in elementary and secondary schools, for new teachers to collaborate with their assigned mentor, with other new teachers, and for classroom preparation. School boards shall provide additional instructional



positions as necessary to ensure that divisionwide ratios and maximum class size requirements are complied with to provide adequate time during the instructional day for mentor teachers and the new teachers that they are mentoring.

**§ 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, 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 guide teachers in the program through demonstrations, observations, and consultations to promote instructional excellence.

**§ 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.~~

### Considerations

- Elementary school schedules are not as flexible as secondary schedules, so alternative means to provide mentorship should be considered, such as virtual mentorships, or permitting full-time instructional personnel to serve in mentorship roles.
- Should mentorship occur for a shorter or longer duration of time?
- Should there be any minimum criteria for a teacher mentor?

# English Learner Teachers

## Background

- Current Requirements:
  - Currently, the Standards of Quality provide 17 English Learner (EL) teachers for every 1,000 EL students, or about one EL teacher for every 58.8 students.
  - The distribution of these positions does not consider the various proficiency levels of the EL student population in each school or school division.
  - The Appropriation Act includes language that permits local school divisions to disregard this ratio.
  - This staffing ratio has been in place since the 2005-2006 school year, when it was increased from 1:100 to 1:58.8.
- Demographic Trends
  - Since the staffing ratio was last updated, the number and distribution of EL students has changed drastically:
    - The number of EL students has increased from 72,380 in the 2005-2006 school year to 107,147 in the 2018-2019 school year, an increase of 48 percent. The overall student population increased by only 6.2 percent during this time period.
    - The percent of Virginia students who were ELs increased from 6.0 percent in the 2005-2006 school year, to 8.3 percent in the 2018-2019 school year.
    - In 2005-2006, 19 school divisions had more than 5 percent EL students – that increased to 30 school divisions in 2018-2019.
- Current Practice
  - While some states are more prescriptive to local school districts, the service models used to teach EL students vary significantly across the state and country.
  - Federal guidance from the Office of Civil Rights suggests a staffing model that ensures students receive a certain number of minutes of EL services per week, with the most time provided for older, less proficient students.
  - Several factors influence the type of service models that are implemented:
    - Disparity of EL proficiency levels across grade levels
    - Distribution and incidence rates of EL students across the school division
    - Limitation of school schedules
    - Geographic size of the school division
  - Issues
    - Some school divisions do not provide any EL certified support, usually those with very low incidence rates of EL students
    - Some grade levels and higher proficiency level students are not served due to scheduling issues

## Proposal for Consideration

**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.**

## 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 each English language learner identified as proficiency level four, 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.

## Considerations

- Distributing positions based upon proficiency level at the division level will permit EL service models to be tailored to meet each school division's needs, while ensuring additional supports are provided for newer students.
- Proficiency levels are not determined for kindergartners until after the beginning of the school year, making it difficult to determine EL proficiency levels.

## Specialized Student Support Personnel

### Background

Although state assistance is provided, the SOQ does not establish minimum staffing levels for support services-designated positions. Currently, this designation includes positions that vary widely, ranging from those that provide direct student support to those that maintain school facilities. Local school boards have the discretion to fill these positions as they deem necessary. This is in contrast to the minimum instructional position staffing levels that are specified in the SOQ. Additionally, the 2009 General Assembly adjusted the distribution formula used to fund support services positions to reduce the funding provided to local school divisions.

School psychologists, school social workers, and school nurses are critical to ensuring that all students, regardless of their background, have access to a high quality education. Recent significant increases in economically disadvantaged students, English Learners, and students needing more intensive special education services underscore the need for these positions that address students' mental, emotional, and physical health needs. For many of these students, school may be the only place where these services can be accessed.

School social workers collaborate with students, their families, and school staff to address problems that may impact a student's ability to succeed. This collaboration includes linking these students with appropriate resources, and assisting teachers and school administrators with appropriate practices to be used to meet these students' individual needs. Social workers also serve as the coordinator of services for homeless students and those in foster care. The National Association of Social Workers in 2012 published its NASW Standards for School Social Work Services, which recommends a staff to student ratio of one to 50 to one to 250, depending on level of services needed.

School nurses help to ensure that schools are safe learning environments for all students. Their role has grown as more students are enrolled with complex medical conditions that require skilled medical care. In addition, schools are now mandated to administer certain medications for students with acute diabetic and allergic conditions. The National Association of School Nurses in 2015 published its School Nurse Workload: Staffing for Safe Care, which does not recommend a specific staffing ratio, but rather an approach that considers student and community needs. This document also acknowledges the U.S. Department of Health and Human Services' recommended ratio of one school nurse for every 750 students. This recommended ratio is lower than the estimated ratio of one school nurse per 600 students that is currently provided by local school divisions.

In previous years, the primary responsibility for school psychologists was to assess students' eligibility for special education services. This role has increased as school psychologists now provide direct support and interventions for students facing academic, behavioral, or social-emotional problems. School psychologists also now collaborate with teachers and principals at the school-wide, classroom, and individual level to develop and implement practices to improve academic achievement and school climate. In 2010, the National Association of School Psychologists published its Model for Comprehensive and Integrated School Psychological Services, which generally recommends a ratio of one psychologist per 1,000 students, with even lower ratios recommended when more intensive services are needed.

Currently, there is limited data on the number of social workers, school psychologists, and school nurses employed by each school division due to inconsistent reporting among school divisions. The estimated ratios of these positions, based upon FY2015 data is:

- School psychologists: One position per approximately 1500 to 1900 students
- School social workers: One position per approximately 1600 students
- School nurses: One position per approximately 600 students

### Proposal for Consideration

**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.**

### 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 employ 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, and school nurses.

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 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.

### Considerations

- Excluding these positions from the support services category would have an impact on the “support cap” by removing some of the positions that are currently subject to that funding methodology.
- What credential should be expected of school nurses? There are Board of Education licenses for school psychologists and school social workers; however, school nurse criteria are not well-defined.
- Are there any other student support positions that should be considered for this category?
- Some school divisions contract positions out to other government entities, including Community Services Boards and Local Health Departments. Flexible language may be needed to include the staff working under these contracts.

## School Counselors

### Background

Standard Two of the SOQ requires school divisions to employ counselors 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 legislation to amend these ratios, beginning with the 2019-2020 school year:

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

School divisions must meet these requirements on a division-wide basis and may assign counselors to schools according to area of greatest need, regardless of whether such school is an elementary, middle, or high school.

Based on FY2015, there was approximately one counselor for every 329 students in Virginia, while the SOQ standards funded only approximately one counselor for every 425 students. The American School Counselor Association's publication *The Role of the School Counselor* recommends a ratio of one counselor to every 250 students.

### Proposal for Consideration

**Reaffirm the Board of Education's 2016 recommendation to provide one-full time school counselor for every 250 students.**

### Explanation

The role of the school counselor has been impacted by expanding responsibilities, including provision of comprehensive services to address students' academic, social and emotional development needs throughout their K-12 experience. These responsibilities are in addition to traditional counselor roles such as providing one-on-one services related to academic and career planning. For difficult to serve populations, the school counselor is increasingly involved in the coordination of academic intervention services and dropout prevention.

Implementation of the Profile of a Virginia Graduate has intensified the need for additional school counselors further, as academic and career planning will be enhanced at the elementary, middle, and high school levels. Career planning, exploration, and investigation are now integrated into the expectations for Virginia's public schools, requiring coordination from school counselors.

Because additional demands have been placed on counselors, and the need for counselor support is anticipated to increase in Virginia schools, the student to staff ratio for counselors should be adjusted accordingly.

### 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.

DRAFT

## Elementary School Principals

### Background

Standard Two requires school divisions to employ a full-time principal in all schools, except for elementary schools with 299 or fewer students which are only required to employ a half-time principal.

Based on fall 2015 membership counts, Virginia has approximately 1,150 elementary schools, of which 153 have fewer than 299 students. These small elementary schools tend to be concentrated in Virginia's least densely populated counties, where consolidating schools is not practical due to lengthy travel times between population centers. In practice, there appear to be only four instances where a principal is required to split his or her time between two small elementary schools, despite there being 153 such small elementary schools.

Since 2003, the Board of Education has recommended the General Assembly provide one principal in each elementary school.

### Proposal for Consideration

**Reaffirm the Board of Education's 2016 recommendation to provide one-full time principal in every school.**

### Explanation

The principal serves as the instructional leader and building manager, in addition to implementing school improvement practices. For small schools, accomplishing this between two geographically distant schools is logistically difficult, as has been recognized by the staffing practices utilized in most of Virginia's small elementary schools.

In every school, a principal also should be present to serve in a leadership role to ensure that a safe learning environment is maintained. For example, in a crisis situation the principal oversees and responds without being responsible for direct supervision of children. If a principal is not present when a situation arises, a lead teacher would have to assume the leadership role while also being responsible for the direct supervision of children.

Because the role of the principal has grown increasingly complex, and the principal is essential to ensure that schools are safe and secure, a full-time principal should be provided for every elementary school, regardless of size. Therefore, the staffing standard should be adjusted accordingly.

### 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

### Background

Standard Two requires school divisions to employ assistant principals as follows:

Elementary Schools	Middle and High Schools
<ul style="list-style-type: none"><li>• Up to 599 students: none</li><li>• 600 to 899 students: one half-time assistant principal</li><li>• 900 or more students: one full-time assistant principal</li></ul>	<ul style="list-style-type: none"><li>• Up to 599 students: none</li><li>• One full-time assistant principal for each 600 students</li></ul>

School divisions must meet these requirements on a division-wide basis and may assign assistant principals to schools according to area of greatest need, regardless of whether such school is an elementary, middle, or high school.

Assistant principals serve as part of a school's management team, and the workload faced by assistant principals today is related to the growing responsibilities of principals. With the emphasis on accountability, school quality, and academic success for all students, the role of the principal has expanded to serving as the school's instructional leader as well as its administrator.

Since 2003, the Board of Education has recommended the General Assembly increase the assistant principal staffing standard to require one assistant principal for every 400 students.

### Proposal for Consideration

**Reaffirm the Board of Education's 2016 recommendation to provide one full-time assistant principal for each 400 students.**

### Explanation

Today, principals must devote significant time to school improvement, including activities such as data analysis, curriculum development, and teacher evaluation. Principals work with school staff to develop improvement strategies, intervention and remediation programs, and professional development programs to assist teachers in improving instructional strategies.

As the role of the principal has grown, school divisions have recognized these expanded duties and provided additional support through assistant principal positions in addition to those required by the SOQ. Without these additional positions, school principals would be required to delegate duties to senior teaching staff, diverting resources available for instruction. Today, assistant principals work closely with the principal to implement school improvement efforts and strategies.

The demand for assistant principals in Virginia has demonstrably increased. In 1983, school divisions provided one assistant principal per 738 students – in 2015, school divisions provided one assistant principal per 501 students. During 2015, however, the SOQ provided funding for only about one-third of those positions, at a ratio of about one assistant principal per 1,385 students.

As school administration has become increasingly complex, school divisions have recognized a need to provide additional assistant principals at almost three times the rate required by the Standards of

Quality. In order to ensure that a high quality system of educational leadership is provided in every school, the staffing ratio should be adjusted accordingly.

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;

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# Recession-Era Savings and Flexibility Strategies

## Background

### Support Position Cap

The SOQ requires school divisions to provide support services positions as deemed necessary by each school board for the efficient and cost-effective operation and maintenance of its public schools. This category of positions includes: superintendents, school board members, central office personnel, social workers, psychologists, nurses, attendance staff, clerical, maintenance, security, school transportation staff, and others. Prior to 2009, SOQ funds were provided for these positions based upon the prevailing rates that school divisions were filling these positions.

As a cost-cutting measure during the economic downturn in 2009, the General Assembly implemented a revised methodology to determine the prevailing rates that school divisions fill these support positions. This methodology is what is commonly referred to as the “support position cap.”

### Temporary Flexibility Language

In 2010, the General Assembly added language to the Appropriation Act to override certain staffing standards in Standard Two that:

- Permitted school divisions to increase teacher to pupil staffing ratios by one additional student in kindergarten through grade 7, and English classes for grades 6 through 12.
- Waived teacher to pupil staffing ratios for:
  - Elementary resource teachers
  - Prevention, intervention, and remediation teachers
  - English as a second language teachers
  - Gifted and talented teachers
  - Career and technical funded programs (unless federal Occupational Safety & Health Administration safety requirements impose a maximum class size)
  - Instructional and support technology positions (new hires only)
  - Librarians (new hires only)
  - Guidance counselors (new hires only)

These waivers were implemented during the recession to provide school divisions with temporary staffing flexibility. School divisions choosing to utilize these provisions in lieu of providing the SOQ-prescribed positions may do so with no loss of state funding.

### Proposal for Consideration

**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.**

### Explanation

Because support services positions are essential to the effective operation of schools, and provide vital support to instructional staff, the General Assembly should return to its prior practice of funding support services to school divisions based upon actual local school division practices.

As the SOQ was established to ensure a minimum level of quality among school divisions in the commonwealth, these provisions should be eliminated to ensure that the associated positions are provided by local school divisions. The need for flexible staffing standards should be addressed comprehensively.

### 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.~~

## For Future Consideration

- Standards for Facilities
- Principal Mentorship/Induction
- Special Education Staffing Standards
- Reading and Mathematics Specialists
- Class sizes
  - K-3 class size reduction
- Instructional Technology Resource Teachers

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