

auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.

The current regulations were adopted by the Board of Education on July 29, 2000, and became effective September 28, 2000. Those regulations included provisions that served as a transition to the current more rigorous requirements for school accountability and student achievement. Those transitional provisions are now obsolete or outdated. Furthermore, Virginia's accountability system has matured, and it is time to undertake a comprehensive review of the accrediting standards, especially in the areas of consequences for those schools that fail to meet the accountability requirements, and incentives for schools that are achieving success.

A Notice of Intended Regulatory Action (NOIRA) required by the Virginia Administrative Process Act (APA) was published in the *Virginia Register* on March 21, 2005, to advise the public of the Board's intent to conduct a comprehensive review of the regulations. No comments from the public were received.

The first review of the proposed changes to these regulations was presented to the Board on June 22, 2005. On October 26, 2005, the Board accepted Governor Warner's recommendation to add language requiring students in elementary and middle schools to participate in a program of physical fitness during the regular school year in accordance with guidelines established by the Board of Education.

The 60 day public comment period began on November 28, 2005, and ended on January 31, 2006. On January 17, the Board held five public hearings in Chesapeake, Leesburg, Highland Springs, Waynesboro, and Wytheville. A total of 49 people spoke at the five hearings: four in Chesapeake, 18 in Highland Springs, 11 in Leesburg, seven in Waynesboro, and nine in Wytheville. In addition, 351 individuals and organizations submitted written comments during the public comment period. A summary of the public comments was presented at the March 22, 2006, Board meeting.

The second review of the proposed regulations, with additional proposed revisions, was presented at the March 22, 2006, Board meeting. The Board authorized an additional 30-day period of public comment, which ended on April 30, 2006. A summary of the public comments from the 30-day public comment period is attached.

Summary of Major Elements: The following additional changes are proposed:

8 VAC 20-131-05

- A definition of "graduate" is added.
- The definition of "standard school day" is clarified to specify it is a calendar day.

8 VAC 20-131-30. Student Achievement.

- Language is added to clarify that student who limited English proficient (LEP) may be granted an exemption from Standards of Learning (SOL) testing in the areas of writing, science, and history and social science.

8 VAC 20-131-80. Instructional program in elementary schools.

- Language is added encouraging elementary schools to provide instruction in foreign languages.

8 VAC 20-131-100. Instructional program in secondary schools.

- The advanced courses could include Cambridge courses, in addition to Advanced Placement, International Baccalaureate, and college level courses for degree credit.

8 VAC 20-131-240. Administrative and support staff; staffing requirements.

- The requirement that middle school teachers have a teaching load of no more than 25 class periods a week would begin with academic year 2008-2009.
- Language is restored regarding teachers of block programs that encompass more than one class period with no more than 120 student periods per day may teach 30 class periods per week.
- Language is added to strengthen the provision for one planning period per day or equivalent for middle and secondary teachers.

8 VAC 20-131-280. Expectations for school accountability.

- Language is added in this section and in 8 VAC 20-131-290 to cross-reference the responsibility of the division superintendent in reporting compliance with pre-accreditation eligibility requirements. The term “pre-accreditation eligibility requirements” is used for clarity in this section, and in 8 VAC 20-131-290, 8 VAC 20-131-300, and 8 VAC 20-131-325.

There were a number of comments received with recommendations that would result in a fiscal impact on local school divisions or a major change in policy. Those recommendations were not included in this draft because they represented significant changes from the original proposal; however, the Board may wish to consider these recommendations further at a later date.

Superintendent's Recommendation: The Acting Superintendent of Public Instruction recommends that the Board of Education accept the additional changes and adopt the attached revisions to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*. In addition, the Acting Superintendent of Public Instruction recommends that the Board of Education authorize staff of the Department of Education to proceed with the remaining steps required by the Administrative Process Act and to make any technical changes, such as correcting typographical errors that do not affect the substance of the standard.

Impact on Resources: The impact on resources for the proposed revisions to these regulations is not expected to be significant.

Timetable for Further Review/Action: The Department of Education will notify local school divisions of the changes in the regulations when final approval becomes effective as prescribed by the Administrative Process Act.

Summary of All Proposed Revisions

8 VAC 20-131-05. Definitions.

- A definitions section is proposed to consolidate and clarify terms used in these regulations.
- The definitions of “class period,” “planning period,” and “student periods” are added to clarify the references to 8 VAC 20-131-240 regarding the middle and secondary classroom teacher’s standard load and planning period.
- A definition of “graduate” is added. (New revisions for May 2006.)
- The definition of “recess” is added to clarify that it is a segment of time in which students are given a break from instruction.
- The definition of “reconstitution” is added, in reference to 8 VAC 20-131-315 regarding a school that is denied accreditation.
- The definition of “standard school day” is clarified to specify it is a calendar day. (New revisions for May 2006.)

8 VAC 20-131-10. Purpose.

- Language would clarify that these regulations do not apply to schools licensed under other state regulations (such as state-operated programs licensed under the Standards for Interdepartmental Regulation of Children’s Residential Facilities).

8 VAC 20-131-20. Philosophy, Goals, and Objectives.

- A new objective, to increase graduation rates, would be added to the school’s goals and objectives.

8 VAC 20-131-30. Student Achievement.

- Students who are accelerated would take the tests for the grade level of the content received in instruction.
- Remediation recovery would be expanded from K-8 to K-12 in English and mathematics. The retesting provision would no longer be needed with annual testing in grades three through eight. The application of remediation recovery to a school’s accreditation ratings would continue to be defined in Board guidelines.
- Language would be added to reference § 504 plans, as well as Individual Education Programs (IEP) for students with disabilities. Language would be added to specify that students with disabilities would be assessed with the appropriate accommodations and alternate assessments where necessary.
- Foreign exchange students would be required to take Standards of Learning (SOL) tests when taking courses for credit, but would not be required to take the tests for courses if they audit the course.
- Language is added to clarify that student who limited English proficient (LEP) may be granted an exemption from Standards of Learning (SOL) testing in the areas of writing, science, and history and social science. (New revisions for May 2006.)

8 VAC 20-131-40. Literacy Passport Tests.

- The section would be repealed, as it is obsolete and the tests are no longer administered.

8 VAC 20-131-50. Requirements for Graduation.

- Language regarding the Modified Standard Diploma that was originally stricken in the first version of the proposed revisions has been restored. This language specifies that: The informed, written consent of the parent is required,
 - ✓ The student who has chosen to pursue a Modified Standard Diploma shall be allowed to pursue a Standard or Advanced Studies Diploma at any time in the student’s high school career, and
 - ✓ The student must not be excluded from courses or tests required for a Standard or Advanced Studies Diploma.
- The Board’s current policy that allows students to earn a verified credit for the student-selected test if they complete a career and technical program sequence and earn an industry certification, state license, or occupational competency credential would be added to the regulations.
- For a standard diploma, when the certification, license, or credential confers more than one verified credit, a second verified credit could be substituted for a mathematics, science, or history/social science verified credit.
- The requirements for the Governor’s Seal would be revised. Students would be able to receive the seal if they earn an Advanced Studies Diploma with a B average or better, and successfully complete college-level coursework to earn 15 transferable college credits in Advanced Placement, International Baccalaureate, Cambridge, or dual enrollment (Early College Scholars).
- The requirements for the Board of Education Seal would be revised. Students would receive the seal if they have an A average, whether they earn a Standard or an Advanced Studies Diploma.
- The requirements for the Board of Education’s Career and Technical Education Seal would be revised to clarify that the student may pass an occupational competency exam, or earn an industry certification or state license.
- The requirements for the Board of Education’s Seal for Excellence in Civics Education would be added. (These requirements are currently in guidelines; the seal itself is established in § 22.1-253.13:4 of the Code of Virginia).
- Language about the diploma seals clarifies that a student may earn more than one seal.
- Language further clarifies that the licenses and examinations for the Board of Education’s Career and Technical Education Seal and Advanced Mathematics and Technology Seal must be approved by the Board.

8 VAC 20-131-60. Transfer of Students.

- Language was revised to clarify that students transferring from Virginia public schools and nonpublic schools accredited by one of the constituent members of the Virginia Council for Private Education shall be recognized for all grade-level work completed in grades K-8. The academic records of students from all other schools shall be evaluated to determine appropriate grade placement.
- Language specifies that all secondary schools shall accept credits toward graduation from nonpublic schools accredited by one of the constituent members of the Virginia Council for Private Education.
- Additional language specifies that nothing in the regulations prohibits public schools from accepting standard credits towards graduation from all other schools when the course generally matches the course for which the receiving school gives standard credit and the school from which the student transfers certifies that the course meets the requirements for a standard credit, as specified in these regulations.

- A provision is added to allow a student who transfers to a Virginia high school for the first time during the tenth grade or at the beginning of the eleventh grade, who is pursuing a Standard Diploma, and who completes a career and technical education program sequence to substitute the certificate, occupational competency credential, or license for either a science or a history or social science verified credit.

8 VAC 20-131-70. Program of Instruction and Learning Objectives.

- Language would be added to reference § 504 plans.

8 VAC 20-131-80. Instructional Program in Elementary Schools.

- The requirement for a daily recess in elementary schools would be moved from this section to 8 VAC 20-131-200. There is no change in the requirement, but it clarifies that recess is not part of the instructional program and is not counted as instructional time.
- The requirement that each school shall ensure that students who are unable to read with comprehension have both the additional instruction and the materials necessary for instruction is set out in this section, as well as in the sections of the regulations relating to middle school and secondary school (8 VAC 20-131-90 and 8 VAC 20-131-100) to emphasize the importance of reading at all levels.
- The requirement that each school shall require students to participate in a program of physical fitness during the regular school year in accordance with Board of Education guidelines.
- Language is added encouraging elementary schools to provide instruction in foreign languages. (New revisions for May 2006.)

8 VAC 20-131-90. Instructional Program in Middle Schools.

- Middle schools would be required to offer Algebra I as a part of their minimum course offerings to students in the eighth grade.
- The requirement that each school shall require students to participate in a program of physical fitness during the regular school year in accordance with Board of Education guidelines.

8 VAC 20-131-100. Instructional Program in Secondary Schools.

- All secondary schools would be required to offer at least three Advanced Placement, International Baccalaureate, Cambridge, or college level courses for degree credit, or any combination thereof. Current language requires secondary schools to offer at least two advanced-level courses.

8 VAC 20-131-110. Standard and Verified Units of Credit.

- Language would clarify that students seeking a Modified Standard Diploma could use an expedited retake of a Standards of Learning test to meet the literacy and numeracy requirements for the Modified Standard Diploma.
- Provisions for a locally awarded verified unit of credit in science or history/social science, subject to Board guidelines, would be added to the regulations. The language further clarifies that students who were in the ninth-grade class of 2003-2004 and beyond may be eligible to earn locally awarded verified credits from the local school board. (Currently the provisions are in a § 1 statute and apply to the ninth-grade classes of 2000-01, 2001-02, and 2002-03.)

- The criteria for Board approval of substitute tests would be modified to permit tests administered as a part of another state’s accountability program to be approved as substitute tests. Such tests would be held to the same standard of review and approval by the Board as all other substitute tests.

8 VAC 20-131-120. Summer School.

- No changes proposed.

8 VAC 20-131-130. Elective Courses.

- No changes proposed.

8 VAC 20-131-140. College Preparation Programs and Opportunities for Postsecondary Credit.

- Language would be added to provide for counseling of students in opportunities for obtaining industry certification in preparation for entering the workforce.

8 VAC 20-131-150. Standard School Year and School Day.

- Language would be added to clarify that the standard school year is based on instructional days and the standard school days is based upon 5 ½ instructional hours.
- Language would be deleted that refers to alternative schedules, as this topic is covered in the Code of Virginia and school divisions may elect to have longer terms if they choose.

8 VAC 20-131-160. Additional Reading Instruction.

- This section is repealed and language in this section is included in sections 80, 90, and 100.

8 VAC 20-131-170. Family Life Education.

- No changes proposed.

8 VAC 20-131-180. Offsite Instruction.

- Language would clarify that for homebound instruction, the instructional time requirements or alternative means of awarding credit, as adopted by the local school board, have been met.

8 VAC 20-131-190. Library Media, Materials and Equipment.

- No changes proposed.

8 VAC 20-131-200. Extracurricular and Other School Activities, Recess.

- The provision for daily recess would be moved from section 80.

8 VAC 20-131-210. Role of the Principal.

- Language would specify that the principal must notify parents of rising 11th and 12th graders of the number of standard and verified credits required for graduation, and the number of such credits the student must earn in order to graduate. (§ 22.1-253.13:4 of the Code of Virginia)

8 VAC 20-131-220. Role of the Professional Teaching Staff.

- No changes proposed.

8 VAC 20-131-230. Role of Support Staff.

- No changes proposed.

8 VAC 20-131-240. Administrative and Staff Support; Staffing Requirements.

- Staffing requirements that are prescribed in the Standards of Quality for principals, assistant principals, librarians, guidance counselors, and clerical staff would be deleted from the regulations because it is duplicative of language in § 22.1-253.13:2 of the Code of Virginia.
- A revision is made to specify that guidance counselors for all schools, including elementary schools, shall provide a minimum of 60 percent of the time devoted to counseling of students. This provision currently applies to guidance counselors in middle and secondary schools. (New revisions for May 2006.)
- Language about planning period for teachers in middle and secondary schools would be revised to be consistent with language in § 22.1-253.13:2 of the Code of Virginia. It also clarifies that middle and secondary teachers' standard load shall be based on teaching no more than 5/6 of the instructional day.
- The requirement that middle school teachers have a load of no more than 25 class periods a week would begin with academic year 2008-2009. (New revisions for May 2006.)
- Language would clarify that in schools with a traditional six or seven period day, teachers of block programs that encompass more than one class period with no more than 120 student periods per day may teach 30 class periods per week. (New revisions for May 2006.)
- Language is added to strengthen the provision for one planning period per day or equivalent for middle and secondary teachers. (New revisions for May 2006.)

8 VAC 20-131-260. Facilities and Safety.

- Language would be added to provide for adequate and safe administration and storage of student medications.
- Language would also be added to require that written procedures for emergencies include procedures to follow in the event of an allergic reaction.
- Language would be added to require written procedures for the safe evacuation of persons with special physical, medical, or language needs who may need assistance to exit a building.

8 VAC 20-131-270. School and Community Communications.

- A requirement would be added to provide information on the School Report Card on the number of students obtaining industry certifications and passing state licensure assessments and occupational competency assessments while still in high school. (This is consistent with language in SB 1045 passed by the 2005 General Assembly.)
- Language would be added to clarify that compliance with this section of the regulations would be reported through pre-accreditation eligibility procedures.

8 VAC 20-131-280. Expectations for School Accountability.

- Language is added in this section and in 8 VAC 20-131-290 to cross-reference the responsibility of the division superintendent in reporting compliance with pre-accreditation eligibility requirements. The term "pre-accreditation eligibility requirements" is used for clarity in this section, and in 8 VAC 20-131-290, 8 VAC 20-131-300, and 8 VAC 20-131-325. (New revisions for May 2006.)

8 VAC 20-131-290. Procedures for Certifying Accreditation Eligibility.

- Language would be added to clarify the link between accreditation eligibility and pre-accreditation eligibility.

8 VAC 20-131-300. Application of the Standards.

- The requirement that the pass rate for accreditation is 75 percent in English in grades 3 and 5 would be revised to grades 3 through 5 to reflect annual testing in English and mathematics.
- Beginning with ratings earned in 2010-2011 and beyond (based on assessments in 2009-2010 and beyond), the pass rate for accreditation would be raised to 75 percent in English and 70 percent in mathematics, science, and history and social science.
- The accreditation rating, Accreditation Withheld/Improving School Near Accreditation, which was eliminated in the first proposed revision, is restored for school year 2006-2007, based on the assessments taken in school year 2005-2006. The accreditation rating expires at the end of school year 2006-2007.
- Language clarifies that accreditation ratings awarded in an academic year are based upon Virginia assessment results from the academic year immediately prior to the year to which the accreditation rating applies.
- Language further clarifies that the provisions of the current Standards of Accreditation apply to accreditation ratings awarded for academic year 2006-2007, based on assessments taken in 2005-2006.
- Additional language clarifies that a school that is reconstituted and is Conditionally Accredited may have its accreditation rating revert to Accreditation Denied if it fails to be Fully Accredited or fails to have its annual application for such rating renewed.

8 VAC 20-131-310. Action Requirements for Schools That Are Accredited with Warning or Accreditation Withheld/Improving School Near Accreditation.

- Language is revised to clarify that the school is to adopt a research-based instructional intervention with a proven track record of success.
- Language is moved from 8 VAC 20-310-40 to this section. The language says that schools rated Accredited with Warning must undergo an academic review and prepare and implement a school improvement plan.
- Language also specifies that schools rated Accreditation Withheld/Improving School Near Accreditation must also undergo an academic review and prepare and implement a school improvement plan.

8 VAC 20-131-315. Action Requirements for Schools That Are Denied Accreditation.

- A new section is added for clarity. Language about the requirements for schools denied accreditation is moved from 8 VAC 20-131-340 to this section.
- The sequence and timing of these provisions has been modified:
 - ✓ Any school rated Accreditation Denied must notify the parents and other interested parties of the accreditation rating within 30 calendar days of receiving the notification, and must provide them with a copy of the proposed corrective action plan and an opportunity to comment on the corrective action plan.
 - ✓ The school is subject to actions prescribed by the Board of Education and affirmed through a memorandum of understanding between the Board of Education and the local school board.
 - ✓ The local school board must submit a corrective action plan to the Board of Education within 45 days of the notification of the rating, for consideration in the memorandum of understanding.
 - ✓ The memorandum between the Board of Education and the local school board shall be entered into no later than November 1 of the year in which the accreditation rating is awarded.

- ✓ The local school board must submit status reports to the Board of Education, and the principal, division superintendent, and chair of the school board may be required to appear before the Board of Education to present the status reports.
- The option for reconstituting a school has been modified. If the local school board chooses to reconstitute a school, it must apply annually for an accreditation rating of Conditionally Accredited. The Conditionally Accredited rating may be granted for up to three years if the school is making progress toward a rating of Full Accreditation in accordance with the terms of the approval of the application.
- The provisions about replacing staff, hiring a management firm, or converting to a charter school are no longer included as examples of reconstitution.

8 VAC 20-131-320. Provisional Accreditation Benchmarks.

- The section would be repealed. It is obsolete and the benchmarks are no longer in effect.

8 VAC 20-131-325. Recognitions and Rewards for School Accountability Performance.

- A school that maintains a pass rate of 95 percent or above for two consecutive years may receive a waiver from annual accreditation, and shall be accredited for three years. However, the school must continue to submit documentation that it is in compliance with the regulations.
- The waiver provisions currently in 8 VAC 20-131-325.B would be deleted, as no school has requested such waivers; however, the regulations would still provide for waivers of these regulations pursuant to the current 8 VAC 20-131-330 (which would be moved to 8 VAC 20-131-350).
- The provisions for the Governor’s Award for Outstanding Achievement Language is revised to require that the school be Fully Accredited, and that it has significantly increased student achievement in student subgroups to close the achievement gap.

8 VAC 20-131-330. Waivers.

- This section is moved to 8 VAC 20-131-350.

8 VAC 20-131-340. Academic Reviews, Special Provisions, and Sanctions.

- The provisions relating to academic reviews and Accreditation Denied are moved to 8 VAC 20-131-310 and 8 VAC 20-131-315. The section is renamed “Special Provisions and Sanctions.”
- A provision is added to specify that withholding of a school’s accreditation rating shall not be considered an interruption of the three consecutive year period for purposes of receiving an Accreditation Denied status.

8 VAC 20-131-350. Waivers.

- This section is moved from 8 VAC 20-131-330.

8 VAC 20-131-360. Effective Date.

- Unless otherwise specified, these regulations are effective for the 2006-2007 school year.

Minor editorial changes are recommended for clarity and consistency.

**Proposed Revisions to the
Regulations Establishing Standards
for Accrediting Public Schools in Virginia**

**Summary of Additional Public Comment Period
Based on March 22, 2006 Draft of the SOA**

During the Board of Education's March 22, 2006 meeting, the board received the proposed revisions to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* for second review. The document received on second review contained additional revisions that were not in the draft that the board received in October 2005. Those additional revisions have been bulleted below by section number. Based on the revisions presented in March 2006, the board decided to seek an additional 30 days of public comment on the March document. The summary of the public comments received are noted below the corresponding sections. It should be noted that the board received numerous comments in areas that were not revised between the October 2005 and March 2006 drafts. Those areas include foreign language requirements, financial literacy requirements, and health and physical education requirements.

8 VAC 20-131-05. Definitions.

- The definitions of "class period," "planning period," and "student periods" are added to clarify the references to 8 VAC 20-131-240 regarding the middle and secondary classroom teacher's standard load and planning period.
- The definition of "recess" is added to clarify that it is a segment of time in which students are given a break from instruction.
- The definition of "reconstitution" is added in reference to 8 VAC 20-131-315 regarding a school that is denied accreditation.

Public Comment:

- One comment requested that the standards clarify the definition of "school" to include language about corrective action when schools do not meet pre-accreditation requirements.

8 VAC 20-131-50. Requirements for Graduation.

- Language regarding the Modified Standard Diploma that was stricken in the proposed revisions has been restored. This language specifies that:
 1. The informed, written consent of the parent is required,
 2. The student who has chosen to pursue a Modified Standard Diploma shall be allowed to pursue a Standard or Advanced Studies Diploma at any time in the student's high school career, and
 3. The student must not be excluded from courses or tests required for a Standard or Advanced Studies Diploma.
- Language about the diploma seals clarifies that a student may earn more than one seal.
- Language further clarifies that the licenses and examinations for the Board of Education's Career and Technical Education Seal and Advanced Mathematics and Technology Seal must be approved by the Board.

Public Comment:

- American Council on the Teaching of Foreign Languages requested that the Board of Education strengthen the foreign language incentives in the proposed Standards of Accreditation by considering:
 - Encouraging elementary schools to offer foreign language instruction when feasible.
 - Adding a one-year foreign language requirement for the General Studies Diploma.
 - Endorsing a Seal of Excellence on any high school diploma when a student demonstrates a high level of language proficiency in a foreign language.
- Foreign Language Association of Virginia (FLAVA) requested that the Board of Education strengthen the foreign language incentives in the proposed Standards of Accreditation by:
 - Requiring elementary schools to offer foreign language instruction.
 - Adding a two-year foreign language requirement for the General Studies Diploma.
 - Endorsing a Seal of Excellence on any high school diploma when a student demonstrates a high level of language proficiency in a world language other than English.
- One parent requested that the board:
 - Institute a requirement that foreign language learning opportunities be made available beginning at the elementary school level.
 - Implement additional foreign language requirements for graduation at the secondary school level.
 - Update the standards of learning to require a foreign language assessment to phase in a more challenging, greater proficiency in the chosen languages.
 - Offer languages of significance to the current economic, academic, and sociological environment (e.g., Chinese, Arabic, Korean, and Spanish).
- One retired teacher requested that:
 - The Board of Education consider implementing foreign languages in all grades K-12 for all students.
 - The languages chosen should be left to the localities so they may serve their respective constituents.
 - The various diplomas should all require at least one year of foreign language.
 - The students should have the option to get one credit in a fine arts, practical arts, or foreign language to add to students' options to get more credits in foreign languages.
- The Virginia Society of Certified Public Accountants (VSCPA) requested that the Board of Education include at a minimum, a half-credit of personal finance education for all Virginia high school students. The VSCPA provided extensive background and research to support its position.
- One comment objected to the VSCPA advocacy for a financial literacy course as a graduation requirement.
- Seven Certified Public Accountants, at least four of whom are members of the VSCPA, supported the VSCPA request to include, at the minimum, a half-credit of personal

finance education for all Virginia high school students as a graduation requirement.

- One attorney supported a personal financial course in the high school curriculum.
- Two comments supported the restoration of language regarding the modified standard diploma that was deleted in the first draft of the proposed revisions.
- One comment stated that a potential conflict appears in this section because proposed language beginning at line 245 in Section A (p. 16) states, “Students shall be awarded a diploma upon graduation from a Virginia high school.” The comment suggested that this conflicts with sections F and G, both of which allude to awarding of either a certificate or credential, neither of which is a diploma.

8 VAC 20-131-60. Transfer of Students.

- Language was revised to clarify that students transferring from Virginia public schools and nonpublic schools accredited by one of the constituent members of the Virginia Council for Private Education shall be recognized for all grade-level work completed in grades K-8. The academic records of students from all other schools shall be evaluated to determine appropriate grade placement.
- Language specifies that all secondary schools shall accept credits toward graduation from nonpublic schools accredited by one of the constituent members of the Virginia Council for Private Education.
- Additional language specifies that nothing in the regulations prohibits public schools from accepting standard credits towards graduation from all other schools when the course generally matches the course for which the receiving school gives standard credit and the school from which the student transfers certifies that the course meets the requirements for a standard credit, as specified in these regulations.
- A provision is added to allow a student who transfers to a Virginia high school for the first time during the tenth grade or at the beginning of the eleventh grade, who is pursuing a Standard Diploma, and who completes a career and technical education program sequence to substitute the certificate, occupational competency credential, or license for either a science or a history and social science verified credit.

Public Comment:

- The Arlington Diocese Catholic Schools recommended the following:
 - Board of Education adopt a regulation that will allow Virginia private elementary and secondary schools to obtain accreditation from approved accrediting organizations that are not members of the Virginia Council for Private Education (VCPE).
 - Schools may obtain accreditation from either an approved accrediting constituent member of the VCPE, or from another accrediting organization whose accreditation process is approved by the Southern Association of Colleges and Schools (SACS) or the Board of Education.

8 VAC 20-131-110. Standard and Verified Units of Credit.

- Language simply clarifies that students who were in the ninth-grade class of 2003-2004 and beyond may be eligible to earn locally awarded verified credits from the local school board.

Public Comment:

- Two parents requested that the Board of Education provide for locally awarded verified credits not just for science and history/social sciences, but also for English and mathematics (Sec. 110.B.3.).

8 VAC 20-131-240. Administrative and Staff Support; Staffing Requirements.

- A revision is made to specify that guidance counselors for elementary schools shall provide a minimum of 60 percent of the time devoted to counseling of students. This provision currently applies to guidance counselors in middle and secondary schools,
- Language clarifies that each full-time middle and secondary classroom teacher shall be provided one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties. It also clarifies that middle and secondary teachers' standard load shall be based on teaching no more than 5/6 of the instructional day, with no more than 150 student periods per day or 25 class periods per week.

Public Comment:

- 26 staff members/teachers from Spotsylvania County public schools objected to the proposal that teachers receive one-sixth of the school day for planning time. They viewed this as a reduction in their planning time.
 - One of those comments supported a policy that “states a planning period each calendar day for a 3/4 daily schedule.” The comment indicated that Spotsylvania adopted an “A-B block schedule where teachers usually have 3 blocks of class and one block of planning or planning/duty each day.”
 - One of those comments requested that the regulations state that teachers must have a daily planning period of the same amount of time as the daily instructional block.
 - Five of those comments stated that the local school division should define “period” and not the state.
 - Seven of those comments requested a 90 minute planning period for teachers on block schedules.
 - Eight of those comments supported planning time for teachers in general.
- One Williamsburg-James City County teacher expressed concern is with the item that states "the requirement that middle and secondary teachers' standard load shall be based on teaching no more than 5/6 of the instructional day with no more than 150 student periods per day or 25 class periods per week." The comment stated that “[g]iven that most schools are on a block schedule, this stand is meaningless.” The comment stated that to have this standard have an impact “there should also be something that describes and reflects schools on a block schedule.”
- One elementary school counselor supported the proposal to include elementary school guidance counselors in the mandate for 60 percent of the counselors’ time being spent on counseling of students and 40 percent of the counselors’ time being spent on other tasks.
- One high school counselor indicated that although the standards currently provide for high school counselors to spend 60 percent of their time counseling students, this is not

what is really happening in the schools. Counselors spend the majority of their time administering tests, registering students for courses, counting student credits and SOL tests passed, monitoring attendance, substituting for teachers, disciplining students, and doing paperwork. Little or no time is spent counseling students one on one or in groups.

- Bristol City public schools requested that the board rethink the proposed revisions to the standards beginning with line 993 and going to line 1002 regarding the secondary teacher's standard load. Bristol believes that there seems to be some ambiguity in the regulation as written as well as some financial implications for local divisions already on tight budgets. Bristol was unclear whether the term 5/6 (five-sixth) of the instructional day assumes a six-period day, and if so what would a school do that operates on a seven-period day, use 6/7 (six-seventh) of the instructional day and 30 class periods per week?
- Virginia Education Association (VEA) Delegate Assembly voted overwhelmingly in favor of the following recommendation for 8 VAC 20-131-240:
 - "Full time middle and secondary teachers shall have one daily unencumbered planning period equivalent in length to the longest instructional period of the day. If a school on alternating block schedule counts two days as one instructional day, then teachers shall have two unencumbered planning periods, each equivalent in length to the longest instructional period."
 - The delegates further directed the VEA to seek no less than 45 minutes of daily, unencumbered planning time for all full-time elementary teachers.
- Frederick County public schools requested that the Board of Education provide for a phase-in of the proposed revision that requires that middle school teachers be assigned 25 class periods per week. The current language is 30 class periods per week.

8 VAC 20-131-300. Application of the Standards.

- The accreditation rating, Accreditation Withheld/Improving School Near Accreditation, is restored for school year 2006-2007, based on the assessments taken in school year 2005-2006. The accreditation rating expires at the end of school year 2006-2007.
- Language clarifies that accreditation ratings awarded in an academic year are based upon Virginia assessment program scores from the academic year immediately prior to the year to which the accreditation rating applies.
- Language further clarifies that the provisions of the current Standards of Accreditation apply to accreditation ratings awarded for academic year 2006-2007, based on assessments taken in 2005-2006.
- Additional language clarifies that a school that is reconstituted and is Conditionally Accredited may have its accreditation rating revert to Accreditation Denied if it fails to be Fully Accredited or fails to have its annual application for such rating renewed.

Public Comment: None

8 VAC 20-131-310. Action Requirements for Schools That Are Accredited with Warning or Accreditation Withheld/Improving School Near Accreditation.

- Language is moved from 8 VAC 20-310-40 to this section. The language says that schools rated Accredited with Warning must undergo an academic review and prepare and implement a school improvement plan.

- Language also specifies that schools rated Accreditation Withheld/Improving School Near Accreditation must also undergo an academic review and prepare and implement a school improvement plan.

Public Comment: None

8 VAC 20-131-315. Action Requirements for Schools That Are Denied Accreditation.

- A new section is added for clarity. Language about the requirements for schools denied accreditation is moved from 8 VAC 20-131-340 to this section.
- The sequence and timing of these provisions has been modified:
 - ✓ Any school rated Accreditation Denied must notify the parents and other interested parties of the accreditation rating within 30 calendar days of receiving the notification, and must provide them with a copy of the proposed corrective action plan and an opportunity to comment on the corrective action plan.
 - ✓ The school is subject to actions prescribed by the Board of Education and affirmed through a memorandum of understanding between the Board of Education and the local school board.
 - ✓ The local school board must submit a corrective action plan to the Board of Education within 45 days of the notification of the rating, for consideration in the memorandum of understanding.
 - ✓ The memorandum between the Board of Education and the local school board shall be entered into no later than November 1 of the year in which the accreditation rating is awarded.
 - ✓ The local school board must submit status reports to the Board of Education, and the principal, division superintendent, and chair of the school board may be required to appear before the Board of Education to present the status reports.
- The option for reconstituting a school has been modified. If the local school board chooses to reconstitute a school, it must apply annually for an accreditation rating of Conditionally Accredited. The Conditionally Accredited rating may be granted for up to three years if the school is making progress toward a rating of Full Accreditation in accordance with the terms of the approval of the application.
- The provisions about replacing staff, hiring a management firm, or converting to a charter school are no longer included as examples of reconstitution.

Public Comment: None

8 VAC 20-131-330. Waivers.

- This section is moved to 8 VAC 20-131-350.

Public Comment: None

8 VAC 20-131-340. Academic Reviews, Special Provisions, and Sanctions.

- The provisions relating to academic reviews and Accreditation Denied are moved to 8 VAC 20-131-310 and 8 VAC 20-131-315. The section is renamed “Special Provisions and Sanctions.”
- A provision is added to specify that withholding of a school’s accreditation rating shall not be considered an interruption of the three consecutive year period for purposes of receiving an Accreditation Denied status.

Public Comment: None

8 VAC 20-131-350. Waivers.

- This section is moved from 8 VAC 20-131-330.

Public Comment: None

8 VAC 20-131-360. Effective Date.

- Unless otherwise specified, these regulations are effective for the 2006-2007 school year.

Public Comment: None

HEALTH AND PHYSICAL EDUCATION

Public Comment:

- Virginia Board of Health submitted commentary in support of the proposed revisions requiring elementary and middle school students to participate in a program of physical fitness. The board also submitted the following:
 - The Board of Health endorses a standardized system of fitness testing for all students.
 - The board endorses a system that assesses body strength, aerobic capacity and flexibility, student height and student weight.
 - The board advocates for inclusion of students’ fitness test scores in the school report card, as was the case up until 1998.
 - The board supports administering standardized testing of students’ understanding of health and physical education.
 - The board applauds the delineation of recess from instructional time.
- The American Heart Association applauded Governor Warner’s proposed revision to the regulations regarding physical fitness. The association believes that is a good first step and recommended the following:
 - Daily physical education for all students required in grades K-8 for the entire school year with a minimum of 150 minutes per week for elementary students and a minimum of 225 minutes per week for middle school students.
 - Comparable student teacher ratios for physical education and other curricular areas.
 - End-of-course testing of all students to assess attainment of health and physical

education learning objectives. One test during elementary school, one test during middle school, and one test during high school to assess student learning.

- Wellness related fitness testing integrated into the curriculum as an instructional tool that is appropriate to students' developmental levels and physical abilities.
 - School report card include health related data such as aerobic capacity, muscular strength, endurance, flexibility, and body composition (BMI, skin fold or another method).
 - Adequate facilities, supplies and budgets necessary to achieve the objectives of the physical education program.
 - Exemptions in physical education courses should not be permitted on the basis of participation on athletic teams, community recreation programs, ROTC, marching band, or other school or community activities.
 - Physical education or recess should not be taken away from a student as a means of remediation or punishment.
- Virginia Healthy Pathways Coalition's Schools Committee requested that the Board of Education put into practice regulations that require an externally validated elementary and middle school program of instruction in health and physical education and include fitness test scores on the school's annual report card. The coalition supported Governor Warner's proposed revision regarding physical fitness. The coalition also stated:
 - There is a growing body of evidence suggesting that less time dedicated to health and physical education may undermine the goal of better academic performance.
 - There are elementary and middle school students who never receive any instruction in health or physical education. This is due to disciplinary reasons, remediation, or because 8th grade physical education may be offered as an elective. This practice occurs because school divisions are allowed to interpret the "shall be offered" language in the SOA to mean "does not have to be taken."
 - Participation in school health and physical education program ensures a minimum amount of health literacy and physical activity, and provides a forum to teach health-enhancing behaviors and physical activity strategies that can be continued into adulthood.
 - Two comments supported the position paper submitted by the Healthy Pathways Committee to 1) institute SOL testing for health and PE; 2) to report wellness-related fitness data by school (including BMI); 3) to include fitness test scores on the school's annual report card.
 - Virginia Beach City public schools expressed concern regarding implementing any new physical fitness program guidelines due to the fact that the school system's budget has already been given to the city government.

GRADUATION RATES

Public Comment:

- The Civil Rights Project at Harvard University submitted comments regarding its report on dropouts and graduation rates. The Civil Rights project is concerned about the high percentages of students who do not graduate from high school. The Civil Rights Project feels that without countervailing incentives to keep children in school, test score accountability creates incentives for schools to push low-performing students out the back door.

- The Civil Rights Project requested that the SOA incorporate graduation rate targets.
- The Civil Rights Project and its partners in releasing *Losing Our Future*, The Urban Institute, Advocates for Children in New York, and the Civil Society Institute recommend, among other things:
 - Setting reasonable graduation rate floors;
 - Requiring significant progress toward meeting those floors over a reasonable period of time driven primarily by positive incentives and rewards; and
 - Extending graduation rate accountability benchmarks to the NCLB subgroups.
- One comment supported the board’s language on graduation rates.
- Two parents requested that the Board of Education define “graduation rates” as the percentage of ninth graders who leave with a diploma four years later, taking into account transfers into and out of schools and divisions (Section 20.A.3), and make graduation rates part of school accreditation criteria (Sec. 300.)

OTHER

Public Comment:

- One comment questioned whether the writing SOL test was no longer being included as part of the proposed Standards of Accreditation.
- One parent provided the following comments:
 - The Board of Education objectives for charter schools need to be updated.
 - Schools need to maintain services and support for high achieving students.
 - In closing the achievement gap among groups of students having high performing students in direct contact with students needing help to achieve, presents many opportunities to address the educational difficulties, and the social/emotional needs of students on both sides of the achievement gap.
 - Minority and ESL (English as a Second Language) students are at-risk of receiving mostly remedial education. Ultimately they may not graduate, or if they do, they may still face being disadvantaged when it comes to college or career opportunities.
 - Average students are often forgotten or not targeted to receive opportunities that are directed at high achievers or low achievers.
- One parent provided a comment regarding how teachers prepare their students for SOL assessments:
 - “The amount of pressure and unnecessary practice reviews that teachers are shoveling onto their students is utterly ridiculous. Accurately measuring school performance was the original intent of the SOL. Yet it seems that it is more a tactic used to pass blame on the student for a schools failure to educate. Students are forced to participate in the ritual of memorization and regurgitation in preparation for SOL. An enormous pressure has been placed on students to learn what amounts to the ‘pursuit of trivia.’ The SOL tests are meaningless and do not measure what a child actually knows. Stop cheating by giving teachers a ‘blueprint’ of the test to teach from. Stop allowing teachers to waste valuable class time by reviewing for the SOL for months on end.”
- Superintendents in Region 8 requested that the Board of Education keep the pass rate for third grade science and history at 50 percent with tests administered beginning in the academic year 2009-2010 for accreditation rating awarded for school year 2010-2011 and

beyond. Schools need more time to provide additional services to at-risk students entering school who need extra time to master reading and mathematics by grade three. There is not enough time in the school day to provide these services without pulling students from science and history.

- Two parents requested that the Board of Education keep Limited English Proficiency (LEP) students' one-time exemption from K-8 testing "in each of the four core areas," not replace it with an exemption only from science and history/social science testing for student "accountability" purposes under our own system (regardless of limits on such exemptions for purposes of "No Child Left Behind") (Sec. 30.G.)
- Two parents requested that the Board of Education require notifying parents of credits needed for graduation starting with rising ninth graders instead of starting with rising eleventh graders, which is too late. (Sec. 210)
- Two parents requested that the Board of Education not limit the provision for "authority to seek school division compliance with school laws" to schools that have been denied accreditation. Schools can and do for example, violate laws regarding rights of students with disabilities and students identified as gifted and can still be fully accredited; the Board should seek compliance with such laws and not just with SOL-test pass-rate requirements.
- One comment generally supported the revisions to the regulations.
- One comment suggested that there are a few sections that may benefit from an editing review, to ensure that consistency of language is used throughout the document. These are listed below:
 - "Three-year trailing average"-This language is used in 8 VAC 20-131-280. The Board should clarify with the department whether the calculation is intended to be truly a percent passing average OR whether the calculation is a cumulative percent pass based upon the total number of students taking and passing tests over a three-year period.
 - "Scores"- 8 VAC 20-131-280 and 8 VAC 20-131-300 refer to using schools' or students' "scores" to determine accreditation status. The document should use the term "pass rate" throughout.
 - 8 VAC 20-131-270, School and Community Communications - Proposed language states that the division superintendent "will report compliance with this section through the pre-accreditation eligibility procedures...." Reporting on this requirement should be listed in 8 VAC 20-131-280.F., and 8 VAC 20-131-290,.
 - "Pre-accreditation should be hyphenated, and one term using either "criteria" or "requirements" should be used throughout for consistency.
- Frederick County public schools requested that the Board of Education exclude half-day kindergarten programs from the requirement to provide daily recess. However, based on additional comments, Frederick's County's concerns appear to have been resolved with the proposed revisions presented to the Board of Education at its March 2006 meeting.

1 8 VAC 20-131-05. Definitions.

2 The following words and terms apply only to these regulations and do not supersede
3 those definitions used for federal reporting purposes or for the calculation of costs related
4 to the Standards of Quality (§§ 22- 253.13:1 through 22.1-253.13:8). When used in these
5 regulations, these words shall have the following meanings, unless the context clearly
6 indicates otherwise:

7
8 “Accreditation” means a process used by the Virginia Department of Education
9 (hereinafter “department”) to evaluate the educational performance of public schools in
10 accordance with these regulations.

11

12 “Additional test” means a test, including substitute tests approved by the Board of
13 Education that students may use in lieu of a Standards of Learning test to obtain verified
14 credit.

15

16 [“Class period” means a segment of time in the school day that is approximately one-
17 sixth (1/6) of the instructional day.]

18

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19 “Combined school” means a public school that contains any combination of or all of the
20 grade levels from kindergarten through 12. This definition does not include those schools
21 defined as elementary, middle, or secondary schools.

22

23 “Elementary school” means a public school with any grades kindergarten through five.

24

25 “Eligible students” means the total number of students of school age enrolled in the
26 school at a grade or course for which a Standards of Learning test is required unless
27 excluded under the provisions of 8 VAC 20-131-30 F and 8 VAC 20-131-280 D relative
28 to limited English proficient (LEP) students.

29

30 “Enrollment” means the act of complying with state and local requirements relative to the
31 registration or admission of a child for attendance in a school within a local school
32 division. This term also means registration for courses within the student’s home school
33 or within related schools or programs.

34

35 “First time” means the student has not been enrolled in the school at any time during the
36 current school year (for purposes of 8 VAC 20-131-60 with reference to students who
37 transfer in during the school year).

38

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39 “Four core areas” or “four core academic areas” means English, mathematics, science,
40 and history and social science for purposes of testing for the Standards of Learning.

41

42 “Graduate” means a student who has earned a Board of Education recognized diploma,
43 which includes the Advanced Studies, Standard, Modified Standard, Special, and General
44 Achievement diplomas.]

45

46 “Homebound instruction” means academic instruction provided to students who are
47 confined at home or in a health care facility for periods that would prevent normal school
48 attendance based upon certification of need by a licensed physician or a licensed clinical
49 psychologist.

50

51 “Locally awarded verified credit” means a verified unit of credit awarded by a local
52 school board in accordance with 8 VAC 20-131-110.

53

54 “Middle school” means a public school with any grades six through eight.

55

56 [“Planning period” means one class period per day or the equivalent unencumbered of
57 any teaching or supervisory duties.]

58

59 ["Recess" means a segment of free time exclusive of time provided for meals during the
60 standard school day in which students are given a break from instruction.]

61

62 ["Reconstitution" means a process that may be used to initiate a range of accountability
63 actions to improve pupil performance, curriculum, and instruction to address deficiencies
64 that caused a school to be rated Accreditation Denied which may include, but not be
65 limited to, restructuring a school's governance, instructional program, staff or student
66 population.]

67

68 "School" means a publicly funded institution where students are enrolled for all or a
69 majority of the instructional day and:

- 70 1. Those students are reported in fall membership at the institution; and
71 2. At a minimum, the institution meets the pre-accreditation eligibility requirements
72 of the *Regulations Establishing Standards for Accrediting Public Schools in*
73 *Virginia* adopted by the Board of Education.

74

75 "Secondary school" means a public school with any grades nine through twelve.

76

77 "Standard school day" means a [calendar] day that averages at least five and one-half
78 instructional hours for students in grades one through 12, [excluding breaks for meals and

79 recess,] and a minimum of three instructional hours for students in kindergarten,
80 excluding breaks for meals and recess].

81

82 “Standard school year” means a school year of at least 180 teaching days or a total of at
83 least 990 teaching hours per year.

84

85 “Standard unit of credit” or “standard credit” means credit awarded for a course in which
86 the student successfully completes 140 clock hours of instruction and the requirements of
87 the course. Local school boards may develop alternatives to the requirement for 140
88 clock hours of instruction as provided for in these regulations at 8 VAC 20-131-110.

89

90 “Standards of Learning” (SOL) tests means those criterion referenced assessments
91 approved by the Board of Education for use in the Virginia assessment program that
92 measure attainment of knowledge and skills required by the Standards of Learning.

93

94 “Student” means a person of school age as defined by § 22.1-1 of the Code of Virginia, a
95 child with disabilities as defined in § 22.1-213 of the Code of Virginia, and [a] person
96 with limited English proficiency in accordance with § 22.1-5 of the Code of Virginia.

97

98 [“Student periods” means the number of students a teacher instructs per class period
99 multiplied by the number of class periods taught.]

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100

101 “Verified unit of credit” or “verified credit” means credit awarded for a course in which a
102 student earns a standard unit of credit and achieves a passing score on a corresponding
103 end-of-course SOL test or an additional test approved by the Board of Education as part
104 of the Virginia assessment program.

105

106 “Virginia assessment program” means a system used to evaluate student achievement that
107 includes Standards of Learning tests and additional tests which may be approved from
108 time to time by the Board of Education.

109 Part I

110 Purpose

111 8 VAC 20-131-10. Purpose.

112 The foremost purpose of public education in Virginia is to provide children with a quality
113 education giving them opportunities to meet their fullest potential in life. The standards
114 for the accreditation of public schools in Virginia are designed to ensure that an effective
115 educational program is established and maintained in Virginia's public schools. The
116 mission of the public education system is to educate students in the essential academic
117 knowledge and skills in order that they may be equipped for citizenship, work, and a
118 private life that is informed and free. The accreditation standards:

119 1. Provide an essential foundation of educational programs of high quality in all schools
120 for all students.

121 2. Encourage continuous appraisal and improvement of the school program for the
122 purpose of raising student achievement.

123 3. Foster public confidence.

124 4. Assure recognition of Virginia's public schools by other institutions of learning.

125 5. Establish a means of determining the effectiveness of schools.

126 Section 22.1-253.13:3 B of the Code of Virginia requires the Virginia Board of Education
127 (hereinafter "board") promulgate regulations establishing standards for accreditation.

128 The statutory authority for these regulations is delineated in §22.1-19 of the Code of

129 Virginia, which includes the requirement that the board shall provide for the accreditation

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130 of public elementary, middle and secondary schools in accordance with regulations

131 prescribed by it.

132 These regulations govern public schools operated by local school boards providing

133 instruction to students as defined in 8 VAC 20-131-05. Other schools licensed under

134 other state statutes are exempt from these requirements.

135 Part II

136 Philosophy, Goals, and Objectives

137 8 VAC 20-131-20. Philosophy, goals, and objectives.

138 A. Each school shall have a current philosophy, goals, and objectives that shall serve as
139 the basis for all policies and practices and shall be developed using the following criteria:

140 1. The philosophy, goals, and objectives shall be developed with the advice of
141 professional and lay people who represent the various populations served by the school
142 and in consideration of the needs of the community and shall serve as a basis for the
143 creation and review of the biennial school plan.

144 2. The school's philosophy, goals and objectives shall be consistent with the Standards of
145 Quality.

146 3. The goals and objectives shall (i) be written in plain language so as to be
147 understandable to noneducators, including parents; (ii) to the extent possible, be stated in
148 measurable terms; and (iii) consist primarily of measurable objectives to raise student and
149 school achievement in the core academic areas of the Standards of Learning (SOL), to
150 improve student and staff attendance, to reduce student drop-out rates, to increase
151 graduation rates, and to increase the quality of instruction through professional staff
152 development and licensure.

153 4. The school staff and community representatives shall review annually the extent to
154 which the school has met its prior goals and objectives, analyze the school's student
155 performance data including data by grade level or academic department as necessary, and

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156 report these outcomes to the division superintendent and the community in accordance
157 with local school board policy. This report shall be in addition to the school report card
158 required by 8 VAC 20-131-270 B.

159

160 B. Copies of the school's philosophy, goals and objectives shall be available upon
161 request.

162 Part III

163 Student Achievement

164 8 VAC 20-131-30. Student achievement expectations.

165 A. Each student should learn the relevant grade level/course subject matter before
166 promotion to the next grade. The division superintendent shall certify to the Department
167 of Education that the division's promotion/retention policy does not exclude students
168 from membership in a grade, or participation in a course, in which SOL tests are to be
169 administered. Each school shall have a process, as appropriate, to identify and
170 recommend strategies to address the learning, behavior, communication, or development
171 of individual children who are having difficulty in the educational setting.

172

173 B. In kindergarten through eighth grade, where [the administration of Virginia
174 Assessment Program SOL] tests are [administered required by the Board of Education],
175 each student shall be expected to take the SOL tests; students who are accelerated should
176 take the tests for the grade level of the content received in instruction. Schools shall use
177 the [SOL Virginia Assessment Program] test results in kindergarten through eighth grade
178 as part of a set of multiple criteria for determining the promotion or retention of students.
179 Students promoted to high school from eighth grade should have attained basic mastery
180 of the Standards of Learning in English, history and social science, mathematics, and
181 science and should be prepared for high school work. Students shall not be required to
182 retake the [SOL Virginia Assessment Program] tests unless they are retained in grade and

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183 have not previously passed the related [SOL] tests, ~~or they participate in a remediation~~
184 ~~recovery program established by the board in English (Reading, Literature, and Research)~~
185 ~~or mathematics or both.~~

186

187 C. In kindergarten through grade ~~8~~ 12, students may participate in a remediation recovery
188 program as established by the board in English (Reading, ~~Literature and Research~~) or
189 mathematics or both. ~~In grades 9 through 12, the remediation recovery program shall~~
190 ~~include all retakes of end-of-course SOL mathematics tests only. However, students in~~
191 ~~the ninth grade who are participants in a remediation recovery program may be retested~~
192 ~~on the eighth grade English (Reading, Literature and Research) and mathematics SOL~~
193 ~~tests.~~

194

195 D. The board recommends that students in kindergarten through grade 8 not be required
196 to attend summer school or weekend remediation classes solely based on failing a SOL
197 test in science or history/social science.

198

199 E. Each student in middle and secondary schools shall take all applicable end-of-course
200 SOL tests following course instruction. Students who achieve a passing score on an end-
201 of-course SOL test shall be awarded a verified unit of credit in that course in accordance
202 with the provisions of 8 VAC 20-131-110 ~~B~~. Students may earn verified units of credit in
203 any courses for which end-of-course SOL tests are available. Middle and secondary

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204 schools may consider the student's end-of-course SOL test score in determining the
205 student's final course grade. However, no student who has failed an end-of-course SOL
206 test but passed the related course shall be prevented from taking any other course in a
207 content area and from taking the applicable end-of-course SOL test. The board may
208 approve ~~[other]~~ additional tests to verify student achievement in accordance with
209 guidelines adopted for verified units of credit described in 8 VAC 20-131-110 B.

210

211 F. Participation in the Virginia assessment program ~~SOL testing~~ by students with
212 disabilities ~~will~~ shall be prescribed by provisions of their Individualized Education
213 Program (IEP) or 504 Plan. All students with disabilities shall be assessed with
214 appropriate accommodations and alternate assessments where necessary.
215 ~~Beginning with the school year 2000-01, students with disabilities for whom participation~~
216 ~~in an alternate assessment is prescribed in their IEP shall demonstrate proficiency on that~~
217 ~~assessment.~~

218

219 G. All students identified as limited English proficient (LEP) shall participate in the
220 Virginia assessment program. A school based committee shall convene and make
221 determinations regarding the ~~Participation~~ participation [level] of LEP students in ~~SOL~~
222 the Virginia assessment program ~~testing by students identified as limited English~~
223 ~~proficient (LEP) shall be guided by a school based committee convened to make such~~
224 ~~determinations.~~ In kindergarten through eighth grade, LEP students may be granted a

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225 one-time exemption from SOL testing in ~~each of the four core areas the~~ core academic
226 areas of ~~writing,~~ science, and history and social science.

227

228 H. Students identified as foreign exchange students taking courses for credit shall be

229 required to take the relevant ~~Standards of Learning~~ Virginia assessment program tests.

230 Foreign exchange students who are auditing courses and who will not receive a standard

231 unit of credit for such courses shall not be required to take the Standards of Learning tests

232 for those courses.

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233 ~~8 VAC 20-131-40. Literacy Passport Tests. (Repealed)~~

234 ~~Students who were in the eighth grade or above in the 1998-99 school year shall be~~
235 ~~required to pass the Literacy Passport Tests in order to receive a Standard or Advanced~~
236 ~~Studies Diploma from a Virginia public school.~~

237 ~~In order to receive a graded status, such students must pass the Literacy Passport Tests,~~
238 ~~except for students with disabilities who progress according to the goals of their~~
239 ~~Individualized Education Program (IEP).~~

240 ~~Students who are not eligible for graded status shall be enrolled in appropriate programs~~
241 ~~leading to passing of the Literacy Passport Tests and one or more of the following:~~

- 242 ~~1. High school diploma;~~
- 243 ~~2. General Educational Development (GED) credential;~~
- 244 ~~3. Certificate of Program Completion; and~~
- 245 ~~4. Job entry skills.~~

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246 8 VAC 20-131-50. Requirements for graduation.

247 A. The requirements for a student to earn a diploma [and graduate] from a Virginia high
248 school shall be those in effect when that student enters the ninth grade for the first time.

249 Students ~~may~~ shall be awarded a diploma ~~or certificate~~ upon graduation from a Virginia
250 high school.

251 When students below the ninth grade successfully complete courses offered for credit in
252 grades 9 through 12, credit shall be counted toward meeting the standard units required
253 for graduation provided the courses ~~meet SOL content requirements or~~ are equivalent in
254 content and academic rigor as those courses offered at the secondary level. To earn a
255 verified unit of credit for these courses, students must meet the requirements of 8 VAC
256 20-131-110 ~~B~~.

257 The following requirements shall be the only requirements for a diploma, unless a local
258 school board has prescribed additional requirements ~~which~~ that have been approved by
259 the ~~board~~ Board of Education. All additional requirements prescribed by local school
260 boards~~[, and in effect as of June 30, 1997,] are approved to continue those requirements~~
261 ~~pending further action by the board~~ that have been approved by the Board of Education,
262 remain in effect until such time as the local school board submits a request to amend or
263 discontinue them. ~~The requirements for Certificates of Program Completion are~~
264 ~~developed by local school boards in accordance with the Standards of Quality.~~

265

266 B. Requirements for a Standard Diploma.

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267

268 ~~1. Beginning with the ninth grade class of 1998-99, students shall earn the standard units~~
269 ~~of credit outlined in subdivision 4 of this subsection.~~

270 ~~2. During a transition period applicable only to the ninth grade classes of 2000-01, 2001-~~
271 ~~02, and 2002-03, students shall earn the standard units of credit described in subdivision~~
272 ~~4 of this subsection and the following number of verified units of credit (8VAC 20-131-~~
273 ~~110):~~

274 ~~a. English—two;~~

275 ~~b. Four additional verified units of credit of the student's own choosing.~~

276 ~~3~~ 1. Beginning with the [~~ninth-grade~~ ninth-grade] classes of 2003-04 and beyond,
277 students shall earn the required standard and verified units of credit described in
278 subdivision-~~4~~2 of this subsection.

279 ~~4~~2. Credits required for graduation with a Standard Diploma.

Discipline Area	Standard Units of Credit	
	Required	Verified Credits Required
English	4	2
Mathematics ¹	3	1
Laboratory Science ^{2, 6}	3	1
History and Social Sciences ^{3, 6}	3	1
Health and Physical Education	2	
Fine Arts or Practical Arts <u>Career and Technical Education</u>	1	
Electives ⁴	6	
Student Selected Test ⁵		1
Total	22	6

280 FN1 Courses completed to satisfy this requirement shall be at or above the level of algebra and shall
 281 include at least two course selections from among: Algebra I, Geometry, Algebra II, or other mathematics
 282 courses above the level of algebra and geometry. The board may approve additional courses to satisfy this
 283 requirement.

284 FN2 Courses completed to satisfy this requirement shall include course selections from at least two
 285 different science disciplines: earth sciences, biology, chemistry, or physics. The board may approve
 286 additional courses to satisfy this requirement.

287 FN3 Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and
 288 Virginia Government, and one ~~world history/geography~~ course in either world history or geography or
 289 both ~~course. Courses which satisfy the world history/geography requirement are: (i) World History, (ii)~~
 290 ~~World Geography, (iii) World History and Geography Part I, (iv) World History and Geography Part II, or~~
 291 ~~(v) a semester course of World History Part I and a semester course of World Geography.~~ The board may
 292 approve additional courses to satisfy this requirement.

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293 FN4 ~~Beginning with the graduating class of 2003, courses~~ Courses to satisfy this requirement shall include
294 at least two sequential electives as required by the Standards of Quality.

295 FN5 A student may utilize additional tests for earning verified credit in computer science, technology,
296 career and technical education or other areas as prescribed by the board in 8 VAC 20-131-110-B.

297 FN6 Students who complete a career and technical [education] program sequence and pass an examination
298 or occupational competency assessment in a career and technical education field that confers certification
299 or an occupational competency credential from a recognized industry, or trade or professional association
300 or acquires a professional license in a career and technical education field from the Commonwealth of
301 Virginia may substitute the certification, competency credential, or license for (1) the student selected
302 verified credit and (2) either a science or history and social science verified credit when the certification,
303 license, or credential confers more than one verified credit. The examination or occupational competency
304 assessment must be approved by the Board of Education as an additional test to verify student achievement.

305

306 Students completing the requirements for the Standard Diploma may be eligible to
307 receive an honor deemed appropriate by the local school board as described in subsection
308 I of this section.

309

310 C. Requirements for an Advanced Studies Diploma.

311 ~~1. Beginning with the ninth grade class of 1998-99, students shall earn the standard units~~
312 ~~of credit outlined in subdivision 2 of this subsection. Beginning with the ninth grade class~~
313 ~~of 2000-01, students shall earn the standard and verified units of credit outlined in~~
314 ~~subdivision 2 of this subsection.~~

315 ~~2. Credits required for graduation with an Advanced Studies Diploma.~~

Discipline Area	Standard Units of Credit	
	Required	Verified Credits Required
English	4	2
Mathematics ¹	4	2
Laboratory Science ²	4	2
History and Social Sciences ³	4	2
Foreign Language ⁴	3	
Health and Physical Education	2	
Fine Arts or Practical Arts Career and Technical Education	1	
Electives	2	
Student Selected Test ⁵		1
Total	24	9

316 FN1 Courses completed to satisfy this requirement shall be at or above the level of algebra and shall
 317 include at least three different course selections from among: Algebra I, Geometry, Algebra II, or other
 318 mathematics courses above the level of Algebra II. The board may approve additional courses to satisfy this
 319 requirement.

320 FN2 Courses completed to satisfy this requirement shall include course selections from at least three
 321 different science disciplines from among: earth sciences, biology, chemistry, or physics or completion of
 322 the sequence of science courses required for the International Baccalaureate Diploma. The board may
 323 approve additional courses to satisfy this requirement.

324 FN3 Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and
 325 Virginia Government, and two ~~world history/geography~~ courses in either world history or geography or
 326 both courses. ~~Acceptable courses to satisfy the world history/geography requirements include: (i) World~~
 327 ~~History and World Geography; (ii) World History and Geography Part I, and World History and~~

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328 ~~Geography Part II; or (iii) a semester course of World Geography, a semester course of World History Part~~
329 ~~I, and a year long course of World History Part II.~~ The board may approve additional courses to satisfy this
330 requirement.

331 FN4 Courses completed to satisfy this requirement shall include ~~Three~~ three years of one language or two
332 years of two languages.

333 FN5 A student may utilize additional tests for earning verified credit in computer science, technology,
334 career or technical education or other areas as prescribed by the board in 8 VAC 20-131-110.

335

336 Students completing the requirements for the Advanced Studies Diploma may be eligible
337 to receive an honor deemed appropriate by the local school board as described in
338 subsection ~~F~~ I of this section.

339

340 D. Requirements for the Modified Standard Diploma.

341

342 1. Every student shall be expected to pursue a Standard Diploma or Advanced Studies
343 Diploma. The Modified Standard Diploma program is intended for certain students at the
344 secondary level who have a disability and are unlikely to meet the credit requirements for
345 a Standard Diploma. Eligibility and participation in the Modified Standard Diploma
346 program shall be determined by the student's ~~Individual~~ Individualized Education
347 Program (IEP) team ~~and~~ including the student, where appropriate, at any point after the
348 student's eighth grade year.

349 [2. The school must secure the informed written consent of the parent/guardian and the
 350 student to choose this diploma program after review of the student's academic history and
 351 the full disclosure of the student's options.

352 3. The student who has chosen to pursue a Modified Standard Diploma shall also be
 353 allowed to pursue the Standard or Advanced Studies Diploma at any time throughout that
 354 student's high school career, and the student must not be excluded from courses and tests
 355 required to earn a Standard or Advanced Studies Diploma.]

356 ~~4-2. Beginning with the ninth grade class of 2000-01, students~~ Students pursuing the
 357 Modified Standard Diploma shall pass literacy and numeracy competency assessments
 358 prescribed by the board.

359 ~~5-3.~~ Credits required for graduation with a Modified Standard Diploma.

Discipline Area	Standard Units of Credit Required
English	4
Mathematics ¹	3
Science ²	2
History and Social Sciences ³	2
Health and Physical Education	2
Fine Arts or <u>Career and Technical Education</u>	1
Electives ⁴	6
Total	20

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360 FN1Courses completed to satisfy this requirement shall include content from among applications of
361 algebra, geometry, personal finance, and statistics in courses that have been approved by the board.
362 FN2Courses completed shall include content from at least two of the following: applications of earth
363 science, biology, chemistry, or physics in courses approved by the board.
364 FN3Courses completed to satisfy this requirement shall include one unit of credit in U.S. and Virginia
365 History and one unit of credit in U.S. and Virginia Government in courses approved by the board.
366 FN4~~Beginning with the graduating class of 2003, courses~~ Courses to satisfy this requirement shall include
367 at least two sequential electives in the same manner required for the Standard Diploma.

368

369 ~~65.~~ The student must meet any additional criteria established by the ~~board~~ Board of
370 Education.

371

372 E. In accordance with the requirements of the Standards of Quality, students with
373 disabilities who complete the requirements of their Individualized Education Program
374 (IEP) and do not meet the requirements for other diplomas shall be awarded Special
375 Diplomas.

376

377 F. In accordance with the requirements of the Standards of Quality, students who
378 complete prescribed programs of studies defined by the local school board but do not
379 qualify for Standard, Advanced Studies, Modified Standard, [Special,] or General
380 Achievement diplomas shall be awarded Certificates of Program Completion. The
381 requirements for Certificates of Program Completion are developed by local school

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382 boards in accordance with the Standards of Quality. Students receiving a general
383 achievement diploma shall comply with 8 VAC 20-680-10 et seq., *Regulations*
384 *Governing the General Achievement Diploma.*

385

386 G. In accordance with the provisions of the compulsory attendance law and 8 VAC 20-
387 360-10 et seq., *Regulations Governing General Education Development Certificates*,
388 students who do not qualify for diplomas may earn a high school equivalency credential.

389

390 H. At a student's request, the local school board shall communicate or otherwise make
391 known to institutions of higher education, potential employers, or other applicable third
392 parties, in a manner that the local school board deems appropriate, that a student has
393 attained the state's academic expectations by earning a Virginia diploma and that the
394 value of such a diploma is not affected in any way by the accreditation status of the
395 student's school.

396

397 I. Awards for exemplary student performance. Students who demonstrate academic
398 excellence and/or outstanding achievement may be eligible for one [or more] of the
399 following awards:

400 1. Students who complete the requirements for an Advanced Studies Diploma with an
401 average grade of "B" or better, and successfully complete college-level [course work
402 coursework] that will earn the student at least 9 transferable college credits in ~~at least one~~

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- 403 ~~advanced placement course~~ Advanced Placement (AP), ~~international baccalaureate~~
404 International Baccalaureate (IB), ~~or Cambridge, or dual enrollment courses~~ ~~one college-~~
405 ~~level course for credit, will~~ shall receive the Governor's Seal on the diploma.
- 406 2. Students who complete the requirements for a Standard Diploma or Advanced Studies
407 Diploma with an average grade of "A" ~~will~~ shall receive a Board of Education Seal on the
408 diploma.
- 409 3. The Board of Education's Career and Technical Education Seal will be awarded to
410 students who earn a Standard or Advanced Studies Diploma and complete a prescribed
411 sequence of courses in a career and technical education concentration or specialization
412 that they choose and maintain a "B" or better average in those courses; or (i) pass an
413 examination or an occupational competency assessment in a career and technical
414 education concentration or specialization that confers certification or occupational
415 competency credential from a recognized industry, trade or professional association or
416 (ii) acquire a professional license in that career and technical education field from the
417 Commonwealth of Virginia. [The Board of Education shall approve all professional
418 licenses and examinations used to satisfy these requirements.]
- 419 4. The Board of Education's Seal of Advanced Mathematics and Technology will be
420 awarded to students who earn either a Standard or Advanced Studies Diploma and (i)
421 satisfy all of the mathematics requirements for the Advanced Studies Diploma (four units
422 of credit including Algebra II; two verified units of credit) with a "B" average or better;
423 and (ii) either (a) pass an examination in a career and technical education field that

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424 confers certification from a recognized industry, or trade or professional association; (b)
425 acquire a professional license in a career and technical education field from the
426 Commonwealth of Virginia; or (c) pass an examination approved by the board that
427 confers college-level credit in a technology or computer science area. [The Board of
428 Education shall approve all professional licenses and examinations used to satisfy these
429 requirements.]

430 5. The Board of Education's Seal for Excellence in Civics Education will be awarded to
431 students who earn either a Standard or Advanced Studies Diploma and: i) complete
432 Virginia and United States History and Virginia and United States Government courses
433 with a grade of "B" or higher; and, ii) have good attendance and no disciplinary
434 infractions as determined by local school board policies and, iii) complete 50 hours of
435 voluntary participation in community service or extracurricular activities. Activities that
436 would satisfy the requirements of iii) include: a) volunteering for a charitable or religious
437 organization that provides services to the poor, sick or less fortunate; b) participating in
438 Boy Scouts, Girl Scouts, or similar youth organizations; c) participating in JROTC; d)
439 participating in political campaigns or government internships, or Boys State, Girls State,
440 or Model General Assembly; or e) participating in school-sponsored extracurricular
441 activities that have a civics focus. Any student who enlists in the United States military
442 prior to graduation will be deemed to have met this community service requirement.

443 56. Students may receive other seals or awards for exceptional academic, career and
444 technical, citizenship, or other exemplary performance in accordance with criteria defined
445 by the local school board.

446

447 J. Students completing graduation requirements in a summer school ~~accredited under this~~
448 ~~chapter program~~ shall be eligible for a diploma. The last school attended by the student
449 during the regular session shall award the diploma unless otherwise agreed upon by the
450 principals of the two schools.

451

452 K. Students who complete ~~advanced placement~~ Advanced Placement courses, college-
453 level courses, or courses required for an International Baccalaureate Diploma shall be
454 deemed to have completed the requirements for graduation under these standards
455 provided they have earned the standard units of credit and earned verified units of credit
456 in accordance with the requirements of subsections B and C of this section.

457

458 L. Students shall be counseled annually regarding the opportunities for using additional
459 tests for earning verified credits as provided in accordance with the provisions of
460 8VAC20-131-110 ~~B~~, and the consequences of failing to fulfill the obligations to complete
461 the requirements for verified units of credit.

462 8 VAC 20-131-60. ~~Transfer of credits~~ students.

463 A. The provisions of this section pertain generally to students who transfer into Virginia
464 high schools. Students transferring in grades K-8 [from Virginia public schools or
465 nonpublic schools accredited by one of the approved accrediting constituent members of
466 the Virginia Council for Private Education shall be given recognition for all grade-level
467 work completed. The academic record of students transferring from all other schools]
468 shall be [evaluated to determine appropriate grade placement ~~placed in grade~~] in
469 accordance with policies adopted by the local school board.

470

471 ~~A.-B.~~ For the purposes of this section, the term "beginning" means within the first 20
472 hours of instruction per course. The term "during" means after the first 20 hours of
473 instruction per course.

474

475 C. Standard or verified units of credit earned by a student in a Virginia public school
476 shall be transferable without limitation regardless of the accreditation status of the
477 Virginia public school in which the credits were earned. Virginia public schools shall
478 accept standard and verified units of credit from other Virginia public schools and state
479 operated programs. Standard units of credit also shall be accepted for courses
480 satisfactorily completed in accredited colleges and universities when prior written
481 approval of the principal has been granted or the student has been given credit by the
482 previous school attended.

483

484 ~~B~~ D. A secondary school shall accept credits toward graduation received from ~~[other]~~
485 ~~accredited secondary~~ [Virginia nonpublic] schools [accredited by any of the accrediting
486 agencies recognized by the U.S. Department of Education,], including [and schools]
487 accredited through ~~by one of the [approved accrediting]~~ constituent members of the
488 Virginia Council for Private Education (VCPE). The board Board of Education will
489 maintain contact with the VCPE ~~to~~ and may periodically review its accrediting
490 procedures and policies ~~on a periodic basis~~ as part of its policies under this section.

491

492 [Nothing in these standards shall prohibit a public school from accepting standard units
493 of credit toward graduation awarded to students who transfer from all other schools when
494 the courses for which the student receives credit generally match the description of or can
495 be substituted for courses for which the receiving school gives standard credit, and the
496 school from which the child transfers certifies that the courses for which credit is given
497 meet the requirements of 8 VAC 20-131-110 A.]

498

499 Students transferring into a Virginia public school shall be required to meet the
500 requirements prescribed in 8 VAC 20-131-50 to receive a Standard, Advanced Studies, or
501 Modified Standard Diploma, except as provided by subsection ~~F~~ G of this section. To
502 receive a Special Diploma or Certificate of Program Completion, a student must meet the
503 requirements prescribed by the Standards of Quality. ~~[Students who transfer from~~

504 ~~schools accredited by other non-recognized agencies shall have their records evaluated by~~
505 ~~the receiving school in accordance with 8 VAC 20-131-60 F.]~~

506

507 ~~C. Standard or verified units of credit earned by a student in a Virginia public school~~
508 ~~shall be transferable without limitation regardless of the accreditation status of the~~
509 ~~Virginia public school in which the credits were earned.~~

510

511 ~~D. Records of transferred students~~ The academic record of a student transferring from
512 other Virginia public schools shall be sent directly to the school receiving the student
513 upon request of the receiving school in accordance with the provisions of the
514 8 VAC 20-150-10 et seq., Management of the Student's Scholastic Records in Virginia.

515

516 ~~E-F.~~ The academic record of a student transferring into Virginia public schools from
517 other than a Virginia public school, shall be evaluated to determine the number of
518 standard units of credit that have been earned, including credit from schools outside the
519 United States, and the number of verified units of credit needed to graduate in accordance
520 with subsection F G of this section. ~~Virginia public schools shall accept standard and~~
521 ~~verified units of credit from other Virginia public schools and state-operated programs.~~
522 Standard units of credit also shall be accepted for courses satisfactorily completed in
523 accredited colleges and universities when ~~prior written approval of the principal has been~~
524 ~~granted~~ or the student has been given credit by the previous school attended.

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525

526 Students transferring above the tenth grade from schools or other education programs that
527 do not require or give credit for health and physical education shall not be required to
528 take these courses to meet graduation requirements.

529

530 ~~FG.~~ Students entering a Virginia public high school for the first time after the tenth grade
531 shall ~~be encouraged to~~ earn as many credits as possible toward the graduation
532 requirements prescribed in 8 VAC 20-131-50. However, schools may substitute courses
533 required in other states in the same content area if the student is unable to meet the
534 specific content requirements of 8 VAC 20-131-50 without taking a heavier than normal
535 course load in any semester, by taking summer school, or by taking courses after the time
536 when he otherwise would have graduated. In any event, no such student shall earn fewer
537 than the following number of verified units, nor shall such students be required to take
538 SOL tests or additional tests as defined in 8 VAC 20-131-110 ~~B~~ for verified units of
539 credit in courses previously completed at another school or program of study, unless
540 necessary to meet the requirements listed in subdivisions 1 and 2 of this subsection:

541 1. For a Standard Diploma:

542 a. Students entering a Virginia high school for the first time during the ninth grade or at
543 the beginning of the tenth grade shall earn credit as prescribed in 8 VAC 20-131-50;

544 b. Students entering a Virginia high school for the first time during the tenth grade or at
545 the beginning of the eleventh grade shall earn a minimum of four verified units of credit:

546 one each in English, mathematics, history, and science]. Students who complete a career
547 and technical education program sequence may substitute a certificate, occupational
548 competency credential or license for either a science or history and social science verified
549 credit pursuant to 8 VAC 20-131-50;]~~except that during the transition period 2000-01~~
550 ~~through 2002-03, students shall earn one in English and three of the student's own~~
551 ~~choosing; and~~

552 c. Students entering a Virginia high school for the first time during the eleventh grade or
553 at the beginning of the twelfth grade shall earn a minimum of two verified units of credit:
554 one in English and one of the student's own choosing.

555 2. For an Advanced Studies Diploma:

556 a. Students entering a Virginia high school for the first time during the ninth grade or at
557 the beginning of the tenth grade shall earn credit as prescribed in 8 VAC 20-131-50;

558 b. Students entering a Virginia high school for the first time during the tenth grade or at
559 the beginning of the eleventh grade shall earn a minimum of six verified units of credit:

560 two in English and one each in mathematics, history, and science and one of the student's
561 own choosing; and

562 c. Students entering a Virginia high school for the first time during the eleventh grade or
563 at the beginning of the twelfth grade shall earn a minimum of four verified units of credit:

564 one in English and three of the student's own choosing.

565

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566 G.H. Students entering a Virginia high school for the first time after the first semester of
567 their eleventh grade year must meet the requirements of subdivision ~~F~~ G1 c or ~~F~~ G 2 c of
568 this section. Students transferring after 20 instructional hours per course of their senior or
569 twelfth grade year shall be given every opportunity to earn a Standard, Advanced Studies,
570 or Modified Standard Diploma. If it is not possible for the student to meet the
571 requirements for a diploma, arrangements should be made for the student's previous
572 school to award the diploma. If these arrangements cannot be made, a waiver of the
573 verified unit of credit requirements may be available to the student. The Department of
574 Education may grant such waivers upon request by the local school board in accordance
575 with guidelines prescribed by the ~~board~~ Board of Education.

576

577 H.I. Any local school division receiving approval to increase its course credit
578 requirements for a diploma may not deny either the Standard, Advanced Studies, or
579 Modified Standard Diploma to any transfer student who has otherwise met the
580 requirements contained in these standards if the transfer student can only meet the
581 division's additional requirements by taking a heavier than normal course load in any
582 semester, by taking summer school, or by taking courses after the time when he otherwise
583 would have graduated.

584

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585 ~~I~~J. The transcript of a student who graduates or transfers from a Virginia secondary
586 school shall conform to the requirements of 8 VAC 20-160-10 et seq., *Regulations*
587 *Governing Secondary School Transcripts*.

588

589 ~~J~~K. The accreditation status of a high school shall not be included on the student
590 transcript provided to colleges, universities, or employers. The board expressly states that
591 any student who has met the graduation requirements established in 8 VAC 20-131-50
592 and has received a Virginia diploma holds a diploma that should be recognized as equal
593 to any other Virginia diploma of the same type, regardless of the accreditation status of
594 the student's high school. It is the express policy of the board that no student shall be
595 affected by the accreditation status of the student's school. The board shall take
596 appropriate action, from time to time, to ensure that no student is affected by the
597 accreditation status of the student's school.

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598 Part IV

599 School Instructional Program

600 8 VAC 20-131-70. Program of instruction and learning objectives.

601 A. Each school shall provide a program of instruction that promotes individual student
602 academic achievement in the essential academic disciplines and shall provide additional
603 instructional opportunities that meet the abilities, interests, and educational needs of
604 students. Each school shall establish learning objectives to be achieved by students at
605 successive grade levels that meet or exceed the knowledge and skills contained in the
606 Standards of Learning for English, mathematics, science, and history/social science
607 adopted by the board and shall continually assess the progress of each student in relation
608 to the objectives.

609

610 B. Instruction shall be designed to accommodate all students, including those identified
611 with disabilities in accordance with the Individuals with Disabilities Education Act or
612 § 504 of the Rehabilitation Act, as amended, those identified as gifted/talented, and those
613 who have limited English proficiency. Each school shall provide students identified as
614 gifted/talented with instructional programs taught by teachers with special training or
615 experience in working with gifted/talented students. Students with disabilities shall have
616 the opportunity to receive a full continuum of education services, in accordance with
617 8 VAC 20-~~180~~ 80-10 et seq., *Regulations Governing Special Education Programs for*
618 *Children with Disabilities in Virginia* and other pertinent federal and state regulations.

619 8 VAC 20-131-80. Instructional program in elementary schools.

620 A. The elementary school shall provide each student a program of instruction which
621 corresponds to the Standards of Learning for English, mathematics, science, and
622 history/social science. In addition, each school shall provide instruction in art, music, and
623 physical education and health, and shall ~~provide~~ require students ~~with a daily recess~~
624 ~~during the regular school year as determined appropriate by the school~~ to participate in a
625 program of physical fitness during the regular school year in accordance with guidelines
626 established by the Board of Education.

627

628 B. In kindergarten through grade 3, reading, writing, spelling, and mathematics shall be
629 the focus of the instructional program. Schools shall maintain, in a manner prescribed by
630 the [~~board~~ Board of Education], an early skills and knowledge achievement record in
631 reading and [~~math~~ mathematics] for each student in grades kindergarten through grade 3
632 to monitor student progress and to promote successful achievement on the third grade
633 SOL tests. This record shall be included with the student's records if the student transfers
634 to a new school.

635

636 C. To provide students with sufficient opportunity to learn, a minimum of [~~75%~~ 75
637 percent] of the annual instructional time of 990 hours shall be given to instruction in the
638 disciplines of English, mathematics, science, and history/social science. Students who are
639 not successfully progressing in early reading proficiency or who are unable to read with

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640 comprehension the materials ~~necessary~~ used for instruction shall receive additional
641 instructional time in reading, which may include summer school.

642

643 **[D. Elementary schools are encouraged to provide instruction in foreign languages.]**

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644 8 VAC 20-131-90. Instructional program in middle schools.

645 A. The middle school shall provide each student a program of instruction which
646 corresponds to the Standards of Learning for English, mathematics, science, and
647 history/social science. In addition, each school shall provide instruction in art, music,
648 foreign language, physical education and health, and career and technical exploration,
649 and shall require students to participate in a program of physical fitness during the regular
650 school year in accordance with guidelines established by the Board of Education.

651

652 B. The middle school shall provide a minimum of eight courses to students in the eighth
653 grade. English, mathematics, science, and history/social science shall be required. Four
654 elective courses shall be available: level one of a foreign language, one in health and
655 physical education, one in fine arts, and one in career and technical exploration.

656

657 C. Level one of a foreign language and an Algebra I course shall be available to all eighth
658 grade students. For any high school credit-bearing course taken in middle school, parents
659 may request that grades be omitted from the student's transcript and the student not earn
660 high school credit for the course in accordance with policies adopted by the local school
661 board. Notice of this provision must be provided to parents with a deadline and format for
662 making such a request. Nothing in ~~this chapter~~ these regulations shall be construed to
663 prevent a middle school from offering any other credit-bearing courses for graduation.

664

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665 D. To provide students a sufficient opportunity to learn, each student shall be provided
666 140 clock hours per year of instruction in each of the four disciplines of English, [~~math,~~
667 mathematics,] science, and history/social science. Sixth grade students may receive an
668 alternative schedule of instruction provided each student receives at least 560 total clock
669 hours of instruction in the four academic disciplines.

670

671 E. Each school shall ensure that students who are unable to read with comprehension the
672 materials used for instruction receive additional instruction in reading, which may include
673 summer school.

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674 8 VAC 20-131-100. Instructional program in secondary schools.

675 A. The secondary school shall provide each student a program of instruction in the
676 academic areas of English, mathematics, science, and history/social science that enables
677 each student to meet the graduation requirements described in 8 VAC 20-131-50 and
678 shall offer opportunities for students to pursue a program of studies in ~~academics~~ foreign
679 languages, fine arts, and career and technical areas including:

- 680 1. Career and technical education choices that prepare the student as a career and
681 technical education program completer in one of three or more occupational areas and
682 that prepare the student for technical or preprofessional postsecondary programs;
- 683 2. [~~Course work~~ Coursework] and experiences that prepare the student for college-level
684 studies including access to at least ~~two~~ three ~~advanced placement~~ Advanced Placement
685 [[AP]] courses, ~~or two~~ college-level courses for degree credit, International Baccalaureate
686 [[IB]] courses, Cambridge courses, or any combination thereof;
- 687 3. Preparation for college admissions tests; and
- 688 4. Opportunities to study and explore the fine arts and foreign languages.

689

690 B. Minimum course offerings for each secondary school shall provide opportunities for
691 students to meet the graduation requirements stated in 8 VAC 20-131-50 and must
692 include:

693

English	4
Mathematics	4
Science (Laboratory)	4
History and Social Sciences	4
Foreign Language	3
Electives	4
Career and Technical Education	11
Fine Arts	2
Health and Physical Education	2
Total Units	38

694

695 C. Classroom driver education may count for 36 class periods of health education.

696 Students shall not be removed from classes other than health and physical education for

697 the in-car phase of driver education.

698

699 D. Each school shall ensure that students who are unable to read with comprehension the

700 materials used for instruction receive additional instruction in reading, which may include

701 summer school.

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702 8 VAC 20-131-110. Standard and verified units of credit.

703 A. The standard unit of credit for graduation shall be based on a minimum of 140 clock
704 hours of instruction and successful completion of the requirements of the course. When
705 credit is awarded in less than whole units, the increment awarded must be no greater than
706 the fractional part of the 140 hours of instruction provided. If a school division elects to
707 award credit ~~in a noncore academic course~~ on a basis other than the 140 clock hours of
708 instruction required for a standard unit of credit defined in this subsection, the local
709 school division shall develop a written policy approved by the superintendent and school
710 board which ensures:

- 711 1. That the content of the course for which credit is awarded is comparable to 140 clock
712 hours of instruction; and
713 2. That upon completion, the student will have met the aims and objectives of the course.

714

715 B. A verified unit of credit for graduation shall be based on a minimum of 140 clock
716 hours of instruction, successful completion of the requirements of the course, and the
717 achievement by the student of a passing score on the end-of-course SOL test for that
718 course or additional tests as described in this subsection. A student may also earn a
719 verified unit of credit by the following methods:

- 720 1. In accordance with the provisions of the Standards of Quality, students may earn a
721 standard and verified unit of credit for any elective course in which the core academic
722 SOL course content has been integrated and the student passes the related end-of-course

723 SOL test. Such course and test combinations must be approved by the ~~board~~ Board of
724 Education.

725 2. Upon the recommendation of the division superintendent and demonstration of
726 mastery of course content and objectives, qualified students may receive a standard unit
727 of credit and be permitted to sit for the relevant SOL test to earn a verified credit without
728 having to meet the 140-clock-hour requirement.

729 3. [Beginning with the ninth grade class of 2003-2004 and beyond ~~Students~~ students]
730 who do not pass Standards of Learning tests in science or history and social science may
731 [be receive locally] awarded verified credits [by from] the local school board in
732 accordance with criteria established in guidelines adopted by the Board of Education.

733

734 C. The ~~board~~ Board of Education may from time to time approve additional tests for the
735 purpose of awarding verified credit. Such additional tests, which enable students to earn
736 verified units of credit, must, at a minimum, meet the following criteria:

737 1. The test must be standardized and graded independently of the school or school
738 division in which the test is given;

739 2. The test must be knowledge based;

740 3. The test must be administered on a multistate or international basis, or administered as
741 part of another state's accountability assessment program; and

742 4. To be counted in a specific academic area, the test must measure content that

743 incorporates or exceeds the SOL content in the course for which verified credit is given.

744

745 The ~~board~~Board of Education will set the score that must be achieved to earn a verified
746 unit of credit on the additional test options.

747

748 D. With such funds as are appropriated by the General Assembly, the ~~board~~ Board of
749 Education will provide opportunities for students who meet criteria adopted by the board
750 to have an expedited retake of ~~an end-of-course~~ a SOL test to earn verified credit or to
751 meet literacy and numeracy requirements for the Modified Standard Diploma.

752

753 ~~C. A school employing a scheduling configuration of less than 140 clock hours per core~~
754 ~~academic course may retain that scheduling configuration through the end of the 2000-01~~
755 ~~school year unless a waiver is granted by the board under the provisions of 8VAC20-131-~~
756 ~~325-B or 8VAC20-131-330. If the school does not comply following the end of the 2000-~~
757 ~~01 school year, the board may take appropriate action which may include, but not be~~
758 ~~limited to, adjustment or withdrawal of the school's accreditation.~~

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

759 8 VAC 20-131-120. Summer school.

760 A. The courses offered and the quality of instruction in the summer school program shall
761 be comparable to that offered during the regular school term. At the middle and
762 secondary school levels, credit for courses taken for credit toward graduation other than a
763 repeat course shall be awarded in accordance with the requirements of 8 VAC 20-131-
764 110. Students must also meet the requirements for SOL testing if appropriate.

765

766 B. At the middle and secondary school levels, credit for repeat courses ordinarily will be
767 granted on the same basis as that for new courses; however, with prior approval of the
768 principal, students may be allowed to enroll in repeat courses to be completed in no less
769 than 70 clock hours of instruction per unit of credit. Students must also meet the
770 requirements for SOL testing if appropriate.

771

772 C. Summer school instruction at any level, which is provided as part of a state-funded
773 remedial program, shall be designed to improve specific identified student deficiencies.
774 Such programs shall be conducted in accordance with regulations adopted by the board.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

- 775 8 VAC 20-131-130. Elective courses.
- 776 Locally developed elective courses offered for credit toward high school graduation shall
- 777 be approved by the division superintendent and local school board.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

778 8 VAC 20-131-140. College preparation programs and opportunities for postsecondary
779 credit.

780 Each middle and secondary school shall provide for the early identification and
781 enrollment of students in a college preparation program with a range of educational and
782 academic experiences in and outside the classroom, including an emphasis on
783 experiences that will motivate disadvantaged and minority students to attend college.

784

785 Beginning in the middle school years, students shall be counseled on opportunities for
786 beginning postsecondary education and opportunities for obtaining industry
787 certifications, occupational competency credentials, or professional licenses in a career
788 and technical education field prior to high school graduation. Such opportunities shall
789 include access to at least three Advanced Placement courses or three college-level
790 courses for degree credit pursuant to 8 VAC 20-131-100. Students taking advantage of
791 such opportunities shall not be denied participation in school activities for which they are
792 otherwise eligible. Wherever possible, students shall be encouraged and afforded
793 opportunities to take college courses simultaneously for high school graduation and
794 college degree credit (dual enrollment), under the following conditions:

795 1. Written approval of the high school principal prior to participation in dual enrollment
796 must be obtained;

797 2. The college must accept the student for admission to the course or courses; and

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

798 3. The course or courses must be given by the college for degree credits (no remedial
799 courses will be accepted).

800

801 Schools that comply with this standard shall not be penalized in receiving state
802 appropriations.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

803 8 VAC 20-131-150. Standard school year and school day.

804 A. The standard school year shall be 180 [instructional] days. The standard school day for

805 students in grades 1 through 12 shall average at least 5-1/2 [instructional] hours,

806 excluding breaks for meals and recess, and a minimum of three hours for kindergarten.

807 ~~School divisions may develop alternative schedules for meeting these requirements as~~

808 ~~long as a minimum of 990 hours of instructional time is provided for grades 1 through 12~~

809 ~~and 540 hours for kindergarten. Such alternative plans must be approved by the local~~

810 ~~school board and by the board under guidelines established by the board. No alternative~~

811 ~~plan which reduces the instructional time in the core academics shall be approved.~~

812

813 B. All students in grades 1 through 12 shall maintain a full day schedule of classes (5-1/2

814 hours), unless a waiver is granted in accordance with policies defined by the local school

815 board.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

816 8 VAC 20-131-160. ~~Additional reading instruction.~~ (Repealed)

817 ~~Each school shall ensure that students who are unable to read with comprehension the~~

818 ~~materials necessary for instruction receive additional instruction in reading, which may~~

819 ~~include summer school.~~

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

820 8 VAC 20-131-170. Family Life Education.

821 Each school may implement the Standards of Learning for the Family Life Education

822 program promulgated by the ~~board~~ Board of Education or a Family Life Education

823 program consistent with the guidelines developed by the board, which shall have the

824 goals of reducing the incidence of pregnancy and sexually-transmitted diseases and

825 substance abuse among teenagers.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

826 8 VAC 20-131-180. Off-site instruction.

827 A. Homebound instruction shall be made available to students who are confined at home

828 or in a health care facility for periods that would prevent normal school attendance based

829 upon certification of need by a licensed physician or licensed clinical psychologist. For

830 students eligible for special education or related services, the Individualized Education

831 Program committee must revise the IEP, as appropriate. Credit for the work shall be

832 awarded when it is done under the supervision of a licensed teacher, a person eligible to

833 hold a Virginia license, or other appropriately licensed professional employed by the

834 local school board, and there is evidence that the ~~meets the~~ instructional time

835 requirements or alternative means of awarding credit adopted by the local school board of

836 in accordance with the provisions of 8 VAC 20-131-110 have been met.

837

838 B. Students may enroll in and receive a standard and verified unit of credit for supervised

839 correspondence courses with prior approval of the principal. Standard units of credit shall

840 be awarded for the successful completion of such courses when the course is equivalent

841 to that offered in the regular school program and the work is done under the supervision

842 of a licensed teacher, or a person eligible to hold a Virginia license, approved by the local

843 school board. Verified units of credit may be earned when the student has passed the SOL

844 test associated with the correspondence course completed. The local school board shall

845 develop policies governing this method of instruction in accordance with the provisions

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846 of 8 VAC 20-131-110 and the administration of required SOL tests prescribed by 8 VAC
847 20-131-30.

848

849 C. Schools are encouraged to pursue alternative means to deliver instruction to
850 accommodate student needs through emerging technologies and other similar means.

851 Standard units of credit shall be awarded for successful completion of such courses when
852 the course is equivalent to that offered in the regular school program and the work is done
853 under the supervision of a licensed teacher, or a person eligible to hold a Virginia
854 teaching license and approved by the local school board. Verified units of credit may be
855 earned when the student has successfully completed the requirements and passed the SOL
856 test associated with the course. The local school board shall develop policies governing
857 this method of delivery of instruction that shall include the provisions of 8 VAC 20-131-
858 110 and the administration of required SOL tests prescribed by 8 VAC 20-131-30.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

859 8 VAC 20-131-190. Library media, materials and equipment.

860 A. Each school shall maintain an organized library media center as the resource center of
861 the school and provide a unified program of media services and activities for students and
862 teachers before, during, and after school. The library media center shall contain hard
863 copy, electronic technological resources, materials, and equipment that are sufficient to
864 meet research, inquiry, and reading requirements of the instructional program and general
865 student interest.

866

867 B. Each school shall provide a variety of materials and equipment to support the
868 instructional program.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

869 8 VAC 20-131-200. Extracurricular and other school activities, recess.

870 A. School sponsored extracurricular activities shall be under the direct supervision of the

871 staff and shall contribute to the educational objectives of the school. Extracurricular

872 activities must be organized to avoid interrupting the instructional program.

873 Extracurricular activities shall not be permitted to interfere with the student's required

874 instructional activities. Extracurricular activities and eligibility requirements shall be

875 established and approved by the superintendent and the school board.

876

877 B. Competitive sports of a varsity nature (scheduled league games) shall be prohibited as

878 a part of the elementary school program.

879

880 C. Each elementary school shall provide students with a daily recess during the regular

881 school year as determined appropriate by the school.

882 Part V

883 School and Instructional Leadership

884 8 VAC 20-131-210. Role of the principal.

885 A. The principal is recognized as the instructional leader of the school and is responsible
886 for effective school management that promotes positive student achievement, a safe and
887 secure environment in which to teach and learn, and efficient use of resources. As a
888 matter of policy, the board, through these standards, recognizes the critically important
889 role of principals to the success of public schools and the students who attend those
890 schools and recommends that local school boards provide principals with the maximum
891 authority available under law in all matters affecting the school including, but not limited
892 to, instruction and personnel, in a manner that allows the principal to be held accountable
893 in a fair and consistent manner for matters under his direct control.

894

895 B. As the instructional leader, the principal is responsible for ensuring that students are
896 provided an opportunity to learn and shall:

897 1. Protect the academic instructional time from unnecessary interruptions and disruptions
898 and enable the professional teaching staff to spend the maximum time possible in the
899 teaching/learning process by keeping to a minimum clerical responsibility and the time
900 students are out of class;

901 2. Ensure that the school division's student code of conduct is enforced and seek to
902 maintain a safe and secure school environment;

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- 903 3. Analyze the school's test scores annually, by grade and by discipline, to:
- 904 a. Direct and require appropriate prevention, intervention, and/or remediation to those
- 905 students performing below grade level or not passing the SOL tests;
- 906 b. Involve the staff of the school in identifying the types of staff development needed to
- 907 improve student achievement and ensure that the staff participate in those activities; and
- 908 c. Analyze classroom practices and methods for improvement of instruction;
- 909 4. Ensure that students' records are maintained and that criteria used in making placement
- 910 and promotion decisions, as well as any instructional interventions used to improve the
- 911 student's performance, are included in the record;
- 912 5. Monitor and evaluate the quality of instruction, provide staff development, provide
- 913 support that is designed to improve instruction, and seek to ensure the successful
- 914 attainment of the knowledge and skills required for students by the SOL tests; ~~and~~
- 915 6. Maintain records of students who drop out of school, including their reasons for
- 916 dropping out and actions taken to prevent these students from dropping out[- ; and]
- 917 7. Notify the parents of rising ~~eleventh~~ eleventh-grade] and ~~twelfth-grade~~ twelfth-grade]
- 918 students of:
- 919 a. the number of standard and verified units of credit required for graduation; and
- 920 b. the remaining number of such units of credit the individual student requires for
- 921 graduation.
- 922
- 923 C. As the school manager, the principal shall:

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ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

924

925 1. Work with staff to create an atmosphere of mutual respect and courtesy and to

926 facilitate constructive communication by establishing and maintaining a current

927 handbook of personnel policies and procedures;

928 2. Work with the community to involve parents and citizens in the educational program

929 and facilitate communication with parents by maintaining and disseminating a current

930 student handbook of policies and procedures that includes the school division's standards

931 of student conduct and procedures for enforcement, along with other matters of interest to

932 parents and students;

933 3. Maintain a current record of licensure, endorsement, and in-service training completed

934 by staff; and

935 4. Maintain records of receipts and disbursements of all funds handled. These records

936 shall be audited annually by a professional accountant approved by the local school

937 board.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

938 8 VAC 20-131-220. Role of professional teaching staff.

939 The professional teaching staff shall be responsible for providing instruction that is
940 educationally sound in an atmosphere of mutual respect and courtesy, which is conducive
941 to learning, and in which all students are expected to achieve the objectives of the
942 Standards of Learning for the appropriate grade level or course. The staff shall:

943

944 1. Serve as role models for effective oral and written communication with special
945 attention to the correct use of language and spelling;

946 2. Strive to strengthen the basic skills of students in all subjects;

947 3. Establish teaching objectives to achieve the following:

948 a. Identify what students are expected to learn; and

949 b. Inform students of the achievement expected and keep them engaged in learning tasks;

950 4. Provide for individual differences of students through the use of differentiated
951 instruction, varied materials, and activities suitable to their interests and abilities; and

952 5. Assess the progress of students and report promptly and constructively to them and
953 their parents.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

- 954 8 VAC 20-131-230. Role of support staff.
- 955 The school's support staff shall work with the principal and professional teaching staff to
- 956 promote student achievement and successful attainment of the school's goals.

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

- 957 8 VAC 20-131-240. Administrative and support staff; staffing requirements.
- 958 A. Each school shall have at a minimum the staff as specified in the Standards of Quality
- 959 with proper licenses and endorsements for the positions they hold, ~~including:~~
- 960 ~~1. Principal; elementary: one half time to 299, one full time at 300; middle: one full time;~~
- 961 ~~secondary: one full time.~~
- 962 ~~2. Assistant principal; elementary: one half time at 600, one full time at 900; middle: one~~
- 963 ~~full time each 600; secondary: one full time each 600.~~
- 964 ~~3. Librarian; elementary: part time to 299, one full time at 300; middle: one half time to~~
- 965 ~~299, one full time at 300, two full time at 1,000; secondary: one half time to 299, one~~
- 966 ~~full time at 300, two full time at 1,000.~~
- 967 ~~4. Guidance counselors or reading specialists; elementary: one hour per day per 100, one~~
- 968 ~~full time at 500, one hour per day additional time per 100 or major fraction.~~
- 969 ~~5. Guidance counselor; middle: one period per 80, one full time at 400, one additional~~
- 970 ~~period per 80 or major fraction; secondary: one period per 70, one full time at 350, one~~
- 971 ~~additional period per 70 or major fraction.~~
- 972 ~~6. Clerical; elementary: part time to 299, one full time at 300; middle: one full time and~~
- 973 ~~one additional full time for each 600 beyond 200 and one full time for the library at 750;~~
- 974 ~~secondary: one full time and one additional full time for each 600 beyond 200 and one~~
- 975 ~~full time for the library at 750.~~
- 976

977 B. The principal of each middle and secondary school shall be employed on a 12-month
978 basis.

979

980 C. Each secondary school with 350 or more students and each middle school with 400 or
981 more students shall employ at least one member of the guidance staff for 11 months.

982 Guidance counseling shall be provided for students to ensure that a program of studies

983 contributing to the student's academic achievement and meeting the graduation

984 requirements specified in 8 VAC 20-131-50 is being followed. ~~[In addition, the~~

985 ~~counseling program shall provide for a minimum of 60% of the time of each member of~~

986 ~~the guidance staff devoted to such counseling of students.]~~

987

988 [D. The counseling program for elementary, middle, and secondary schools shall provide

989 a minimum of 60 percent of the time for each member of the guidance staff devoted to

990 counseling of students.]

991

992 ~~[D. E. The Middle middle] school [teachers classroom teacher's standard load in schools~~

993 ~~with a seven period day may teach shall be based on teaching no more than 5/6 (five-~~

994 ~~sixths) of the instructional day with no more than] 150 student periods per day or [30 25]~~

995 ~~class periods per week[, provided all teachers with more than 25 class periods per week~~

996 ~~have one period per day or the equivalent unencumbered of any teaching or supervisory~~

997 ~~duties]. [Beginning with the academic year 2008-2009 a middle school classroom~~

REGULATIONS ESTABLISHING STANDARDS FOR
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998 teacher's standard load shall be based on teaching no more than 5/6 (five-sixths) of the
999 instructional day with no more than 150 student periods per day or 25 class periods per
1000 week.]

1001

1002 [~~E. F.~~] The secondary classroom teacher's standard load shall be based on teaching no
1003 more than 5/6 (five-sixths) of the instructional day with] no more than [150 student
1004 periods per day or] 25 class periods per week. [~~One class period each day or the~~
1005 equivalent, unencumbered by supervisory or teaching duties, shall be provided to every
1006 full-time classroom teacher for instructional planning. [Teachers of block programs that
1007 encompass more than one class period with no more than 120 student periods per day

1008 may teach 30 class periods per week.] Teachers who teach very small classes may teach
1009 30 class periods per week, provided the teaching load does not exceed 75 student periods
1010 per day. If a classroom teacher teaches 30 class periods per week with more than 75
1011 student periods per day, an appropriate contractual arrangement and compensation shall
1012 be provided.

1013

1014 [~~E. G.~~] Middle or secondary school teachers shall teach no more than 750 student periods
1015 per week; however, physical education and music teachers may teach 1,000 student
1016 periods per week.

1017

1018 ~~[H. Notwithstanding the provisions of subsections E, F, and G each~~ Each full-time middle
1019 and secondary classroom teacher shall be provided one planning period per day or the
1020 equivalent, unencumbered of any teaching or supervisory duties.]

1021

1022 ~~G. Each school shall report the extent to which an unencumbered lunch is provided for all~~
1023 ~~classroom teachers.~~

1024

1025 ~~H-[G. I.]~~ Staff-student ratios in special and career and technical education classrooms
1026 shall comply with regulations of the ~~[board~~ Board of Education].

1027

1028 ~~I-[H. J.] Pupil~~ Student services personnel services, including visiting teachers, school
1029 social workers, school psychologists, and guidance counselors, as defined in the
1030 Standards of Quality shall be available as necessary to promote academic achievement
1031 and to provide support services to the school.

1032 8 VAC 20-131-250. [Repealed]

1033 Part VI

1034 School Facilities and Safety

1035 8 VAC 20-131-260. School facilities and safety.

1036 A. Each school shall be maintained in a manner ensuring compliance with the Virginia

1037 Uniform Statewide Building Code (13 VAC 5-61-10 et seq.) ~~and regulations of the board~~

1038 ~~pertaining to facilities~~. In addition, the school administration shall:

1039 1. Maintain a physical plant that is accessible, barrier free, safe, and clean;

1040 2. Provide for the proper outdoor display of flags of the United States and of the

1041 Commonwealth of Virginia;

1042 3. Provide suitable space for classrooms, administrative staff, pupil personnel services,

1043 library and media services, and for the needs and safety of physical education; ~~and]~~

1044 4. Provide adequate, safe, and properly-equipped laboratories to meet the needs of

1045 instruction in the sciences, technology, fine arts, and career and technical programs[~~;~~

1046 and]

1047 5. Provide facilities for the adequate and safe administration and storage of student

1048 medications.

1049

1050 B. Each school shall maintain records of regular safety, health, and fire inspections that

1051 have been conducted and certified by local health and fire departments. The frequency of

1052 such inspections shall be determined by the local school board in consultation with the

1053 local health and fire departments. In addition, the school administration shall:

REGULATIONS ESTABLISHING STANDARDS FOR
ACCREDITING PUBLIC SCHOOLS IN VIRGINIA

- 1054 1. Equip all exit doors with panic hardware as required by the Uniform Statewide
1055 Building Code (13 VAC 5-61-10 et seq.); and
1056
- 1057 2. Conduct fire drills at least once a week during the first month of school and at least
1058 once each month for the remainder of the school term. Evacuation routes for students
1059 shall be posted in each room. Additionally, at least one simulated lock-down and crisis
1060 emergency evacuation activity should be conducted early in the school year.
1061
- 1062 C. Each school shall have contingency plans for emergencies that include staff certified
1063 in cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first
1064 aid. In addition, the school administration shall ensure that the school has:
- 1065 1. Written procedures to follow in emergencies such as fire, injury, illness, allergic
1066 reactions, and violent or threatening behavior. The plan shall be outlined in the student
1067 handbook and discussed with staff and students during the first week of each school year;
- 1068 2. Space for the proper care of students who become ill; ~~and~~
- 1069 3. A written procedure, in accordance with guidelines established by the local school
1070 board, for responding to violent, disruptive or illegal activities by students on school
1071 property or during a school sponsored activity: and
- 1072 4. Written procedures to follow for the safe evacuation of persons with special physical,
1073 medical, or language needs who may need assistance to exit a facility.

1074 Part VII

1075 School and Community Communications

1076 8 VAC 20-131-270. School and community communications.

1077 A. Each school shall promote communication and foster mutual understanding with
1078 parents and the community. Each school shall:

1079 1. Involve parents, citizens, community agencies, and representatives from business and
1080 industry in developing, disseminating, and explaining the biennial school plan; on
1081 advisory committees; in curriculum studies; and in evaluating the educational program.

1082 2. Provide annually to the parents and the community the School Performance Report
1083 Card in a manner prescribed by the board. The information contained therein will be for
1084 the most recent three-year period. Such information shall include but not be limited to:

1085 a. ~~SOL test scores and scores on the literacy and numeracy tests required for the Modified~~
1086 ~~Standard Diploma for the school, school division, and state.~~ Virginia assessment
1087 program results including the

1088 ~~b. Percentage~~ percentage of students tested, as well as the percentage of students not
1089 tested, ~~to include a breakout of students with disabilities and limited English proficient~~
1090 ~~students.~~

1091 ~~c. Percentage of students who are otherwise eligible, but do not take, the SOL tests due to~~
1092 ~~enrollment in an alternative, or any other program not leading to a Standard, Advanced~~
1093 ~~Studies, Modified Standard, or International Baccalaureate Diploma.~~

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- 1094 ~~d-b.~~ Performance of ~~students with disabilities or students with limited English~~
1095 ~~proficiency~~ student subgroups on ~~SOL tests and alternate assessments~~ the Virginia
1096 assessment program as appropriate.
- 1097 ~~e-c.~~ The accreditation rating awarded to the school.
- 1098 ~~f-d.~~ Attendance rates for students.
- 1099 ~~g-e.~~ Information related to school safety to include, but not limited to, incidents of
1100 physical violence (including fighting and other serious offenses), possession of firearms,
1101 and possession of other weapons.
- 1102 ~~h-f.~~ Information related to qualifications and experience of the teaching staff including
1103 the percentage of the school's teachers endorsed in the area of their primary teaching
1104 assignment.
- 1105 ~~i-g.~~ In addition, secondary schools' School Performance Report Cards shall include the
1106 following:
- 1107 (1) Advanced Placement (AP) information to include percentage of students who take AP
1108 courses and percentage of those students who take AP tests;
- 1109 (2) International Baccalaureate (IB) [and Cambridge course] information to include
1110 percentage of students who are enrolled in IB [or Cambridge] programs and percentage
1111 of students who receive IB [or Cambridge] Diplomas;
- 1112 (3) College-level course information to include percentage of students who take college-
1113 level courses including dual enrollment courses;

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1114 (4) Percentage of (i) [graduates by diploma type as prescribed by the Board of Education
1115 diplomas], (ii) certificates awarded to the senior class including GED credentials, and (iii)
1116 students who do not [graduate complete high school;]

1117 ~~(5) Percentage of students in alternative programs that do not lead to a Standard,~~
1118 ~~Advanced Studies, or Modified Standard Diploma;~~ Information on the number of
1119 students obtaining industry certifications, and passing state licensure examinations and
1120 occupational competency assessments while still in high school; and

1121 ~~(6) Percentage of students in academic year Governor's Schools; and~~

1122 ~~(7) (6) Percentage of drop-outs.~~

1123 3. Cooperate with business and industry in formulating career and technical educational
1124 programs and conducting joint enterprises involving personnel, facilities, training
1125 programs, and other resources.

1126 4. Encourage and support the establishment and/or continuation of a parent-teacher
1127 association or other organization and work cooperatively with it.

1128

1129 B. At the beginning of each school year, each school shall provide to its students' parents
1130 or guardians information on the availability of and source for receiving:

1131 1. The learning objectives developed in accordance with the provisions of 8 VAC 20-
1132 131-70 to be achieved at their child's grade level or, in high school, a copy of the syllabus
1133 for each of their child's courses, and a copy of the school division promotion, retention,
1134 and remediation policies;

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1135 2. ~~A copy of the~~ The Standards of Learning applicable to the child's grade or course
1136 requirements and the approximate date and potential impact of the child's next SOL
1137 testing; and

1138 3. An annual notice to students in all grade levels of all requirements for Standard,
1139 Advanced Studies, and Modified Standard Diplomas, and the board's policies on
1140 promotion and retention as outlined in 8 VAC 20-131-30.

1141

1142 ~~No later than the end of the first semester of each school year, the~~ The division
1143 superintendent shall ~~certify~~ report to the department compliance with this subsection
1144 through the pre-accreditation eligibility procedures in 8 VAC 20-131-290 of these
1145 regulations.

1146 Part VIII

1147 School Accreditation

1148 8 VAC 20-131-280. Expectations for school accountability.

1149 A. Schools will be accredited annually based on compliance with pre-accreditation

1150 eligibility requirements and achievement of the school accountability requirements of

1151 8 VAC 20-131-300 C.

1152

1153 ~~B. These standards apply to schools for all grade levels, kindergarten through 12, as listed~~

1154 ~~below:~~

1155 ~~1. Schools with grades kindergarten through 5 shall be classified as elementary schools;~~

1156 ~~2. Schools with grades 6 through 8 shall be classified as middle schools;~~

1157 ~~3. Schools with grades 9 through 12 shall be classified as secondary schools.~~

1158 ~~4. Schools with grade configurations other than these shall be classified in accordance~~

1159 ~~with policies and practices of the Department of Education.~~

1160

1161 ~~€~~ B. Each school shall be accredited based, primarily, on achievement of the criteria

1162 established in 8 VAC 20-131-30 as specified below:

1163 ~~1. All students enrolled in a grade or course in which a SOL test is administered shall~~

1164 ~~take each applicable SOL test, unless exempted from participating in all or part of the~~

1165 ~~testing program by one of the following:~~

1166 ~~a. IEP team;~~

- 1167 ~~b. LEP committee;~~
- 1168 ~~e. Use of additional tests for verified units of credit as outlined in 8 VAC 20-131-110 B;~~
- 1169 ~~or~~
- 1170 ~~d. In accordance with 8 VAC 20-131-30 B.~~
- 1171 ~~2. In a manner prescribed by the board, the evaluation of the performance of schools shall~~
- 1172 ~~take into consideration:~~
- 1173 ~~a. The percentage of eligible students who achieve a passing score on the prescribed SOL~~
- 1174 ~~tests or additional tests used for verified units of credit as outlined in 8 VAC 20-131-110~~
- 1175 ~~B;~~
- 1176 ~~b. The percentage of students who pass the literacy and numeracy tests required for the~~
- 1177 ~~Modified Standard Diploma;~~
- 1178 ~~c. The percentage of those students with disabilities whose IEPs specify their~~
- 1179 ~~participation in alternate assessment who attain a proficient level score (beginning with~~
- 1180 ~~the 2001-02 school year); and~~
- 1181 ~~d. The school's attainment of the provisional accreditation benchmarks as described in~~
- 1182 ~~8 VAC 20-131-320.~~
- 1183 ~~e. The number of students who successfully complete a remediation/recovery program,~~
- 1184 ~~and subsequently pass SOL tests in English (Reading, Literature, and Research) and/or~~
- 1185 ~~mathematics during any scheduled administration by the end of the following school~~
- 1186 ~~year.~~

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1187 ~~3-1. The awarding of an accreditation rating shall be based on the percentage of students~~
1188 ~~passing the Virginia assessment program SOL tests or approved additional tests described~~
1189 ~~in 8 VAC 20-131-110 B in the four core academic areas administered in the school, or~~
1190 ~~with the accreditation rating calculated on a trailing three-year average that includes the~~
1191 ~~current year scores and the scores from the two most recent years in each applicable~~
1192 ~~academic area, or on the current year's scores, whichever is higher.~~

1193 2. The number of students who successfully complete a remediation recovery program.

1194 ~~4. Eligible students shall be defined as the total number of students of school age enrolled~~
1195 ~~in the school at a grade or course for which a SOL test is required unless excluded under~~
1196 ~~subsection E of this section and those students with disabilities who participate in the~~
1197 ~~alternate assessment program.~~

1198 ~~5. Schools shall be evaluated by the percentage of the school's eligible students who~~
1199 ~~achieve a passing score on the SOL tests or other additional tests approved by the board~~
1200 ~~as outlined in 8 VAC 20-131-110 B in the four core academic areas administered in the~~
1201 ~~school.~~

1202 6.3. Schools, with grade configurations that do not house a grade or offer courses for
1203 which SOL tests or [other]-additional tests approved by the board Board of Education as
1204 outlined in 8 VAC 20-131-110 B are administered, will be paired with another school in
1205 the division housing one or more of the grades in which SOL tests are administered. The
1206 pairing of such schools will be made upon the recommendation of the local

1207 superintendent. The schools should have a "feeder" relationship and the grades should be
1208 contiguous.

1209

1210 ~~D.C.~~ Subject to the provisions of 8 VAC 20-131-330, the governing school board of
1211 ~~special~~ special purpose schools such as those provided for in § 22.1-26 of the Code,
1212 regional, Governor's schools, special education schools, alternative schools, or career and
1213 technical schools that serve as the student's school of principal enrollment may seek
1214 approval of an alternative accreditation plan from the Board of Education. Special
1215 purpose schools with alternative accreditation plans shall be evaluated on standards
1216 appropriate to the programs offered in the school and approved by the board prior to
1217 August 1 of the school year for which approval is requested. Any student graduating from
1218 a special purpose school with a Standard, Advanced Studies, or Modified Standard
1219 Diploma must meet the requirements prescribed in 8 VAC 20-131-50.

1220

1221 ~~E.D.~~ When calculating the passing rates on ~~[SOL Virginia assessment program]~~ tests for
1222 the purpose of school ~~[accountability accreditation]~~, the following tolerances for limited
1223 English proficient (LEP) and transfer students will apply:

1224 ~~1. LEP students shall have a one time exemption in each of the four core areas for SOL~~
1225 ~~tests designed to assess SOL content in grades kindergarten through 8.~~

1226 ~~2. LEP students shall not be exempted from participating in the SOL end-of course~~
1227 ~~testing.~~

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1228 ~~3-1.~~ The scores of LEP students enrolled in Virginia public schools fewer than 11
1229 semesters may be removed from the calculation used for the purpose of school
1230 accreditation required by 8 VAC 20-131-280 ~~C~~ B and 8 VAC 20-131-300 C. Completion
1231 of a semester shall be based on school membership days. Membership days are defined as
1232 the days the student is officially enrolled in a Virginia public school, regardless of days
1233 absent or present. For a semester to count as a completed semester, a student must have
1234 been in membership for a majority of the membership days of the semester. These
1235 semesters need not be consecutive.

1236 ~~4-2.~~ In accordance with the provisions of 8 VAC 20-131-30, all students who transfer into
1237 Virginia public schools are expected to take and pass all applicable SOL tests ~~unless they~~
1238 ~~have been exempted as defined in subdivision C 1 of this section~~ in the content areas in
1239 which they receive instruction.

1240 ~~5-3.~~ All students who transfer within a school division shall have their scores counted in
1241 the calculation of the school's ~~accountability~~ (accreditation) rating. Students who transfer
1242 into a Virginia school from home instruction, [or from] another Virginia school division,
1243 another state, or another country, in grades kindergarten through 8 shall be expected to
1244 take all applicable SOL tests or ~~[other]~~ additional tests approved by the board as outlined
1245 in 8 VAC 20-131-110 ~~B~~. If the transfer takes place after the 20th instructional day
1246 following the opening of school, the scores on these tests may be used in calculating
1247 school ~~accountability~~ (accreditation) ratings.

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1248 ~~6-4.~~ Students who transfer into a Virginia middle or high school from home instruction,
1249 or from another state or country, and enroll in a course for which there is an end-of-
1250 course SOL test, shall be expected to take the test or ~~[other]~~-additional tests for that
1251 course approved by the board as outlined in 8 VAC 20-131-110 ~~B.~~ If the transfer takes
1252 place after 20 instructional hours per course have elapsed following the opening of school
1253 or beginning of the semester, if applicable, the scores on those tests may be used in
1254 calculating school ~~[accountability (accreditation)]~~ ratings in the year the transfer occurs.

1255 ~~7-5.~~ Students who enroll on the first day of school and subsequently transfer to a school
1256 outside of the division for a total amount of instructional time equal to or exceeding ~~[50%~~
1257 50 percent] of a current school year or semester, whether the transfer was a singular or
1258 multiple occurrence, and return during the same school year shall be expected to take any
1259 applicable SOL test. The scores of those tests may be used in calculating the school
1260 ~~accountability (accreditation)~~ rating in the year in which the transfers occur.

1261 ~~8. The scores of LEP and transfer students will be used in the calculation of a school's~~
1262 ~~accountability (accreditation) rating if it will benefit the school.~~

1263 ~~9-6.~~ The board may alter the inclusions and exclusions from the ~~accountability~~
1264 accreditation calculations by providing adequate notice to local school boards.

1265

1266 E. The Board of Education may ~~enact~~ adopt] special provisions related to the
1267 administration and use of any ~~[SOL Virginia assessment program] test [or tests] in a~~
1268 content area as applied to these regulations.

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1269

1270 F. As a prerequisite to the awarding of an accreditation rating as defined in 8 VAC 20-
1271 131-300, each new or existing school shall document, in a manner prescribed by the
1272 board, the following: (i) the division's promotion/retention policies developed in
1273 accordance with the requirements of 8 VAC 20-131-30, (ii) compliance with the
1274 requirements to offer courses that will allow students to complete the graduation
1275 requirements in 8 VAC 20-131-50, (iii) the ability to offer the instructional program
1276 prescribed in 8 VAC 20-131-70 through 8 VAC 20-131-100, (iv) the leadership and
1277 staffing requirements of 8 VAC 20-131-210 through 8 VAC 20-131-240, and (v) the
1278 facilities and safety provisions of 8 VAC 20-131-260. **The division superintendent shall**
1279 **report to the department compliance with this subsection through the pre-accreditation**
1280 **eligibility procedures in 8 VAC 20-131-290 of these regulations.**

1281

1282 8 VAC 20-131-290. Procedures for certifying accreditation eligibility.

1283 A. Schools will be accredited under these standards annually based, in part, on

1284 compliance with the pre-accreditation [criteria eligibility requirements] described in 8

1285 VAC 20-131-280 F.

1286

1287 B. To be eligible for accreditation, the principal of each school and the division

1288 superintendent shall ~~certify~~ report to the Department of Education:

1289 1. The extent to which each school continues to meet standards reported as met in the

1290 previous year described in 8 VAC 20-131-280 F.

1291 2. That the SOL have been fully incorporated into the school division's curriculum in all

1292 accreditation-eligible schools and the SOL material is being taught to all students eligible

1293 to take the SOL tests. This shall be certified ~~in writing to the board no later than July 1 of~~

1294 ~~every year~~, by each school division superintendent as part of the pre-accreditation

1295 eligibility determination process.

1296 3. Actions taken to correct any noncompliance issues cited in the previous year.

1297 The principal of each school and the division superintendent shall submit pre-

1298 accreditation eligibility reports in a manner prescribed by the board to the Department of

1299 Education. Failure to submit the reports on time will constitute grounds for denying

1300 accreditation to the school.

1301 [4. Compliance with subsection B of 8 VAC 20-131-270.]

1302

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1303 C. In keeping with provisions of the Standards of Quality, and in conjunction with the
1304 six-year plan of the division, each school shall prepare and implement a biennial school
1305 plan which shall be available to students, parents, staff, and the public. Each biennial
1306 school plan shall be evaluated as part of the development of the next biennial plan.
1307 Schools may use other plans to satisfy the requirement for the biennial plan with prior
1308 written approval from the Department of Education.

1309

1310 D. With the approval of the local school board, local schools seeking to implement
1311 experimental or innovative programs, or both, that are not consistent with these standards
1312 shall submit a waiver request, on forms provided, to the board for evaluation and
1313 approval prior to implementation. The request must include the following:

- 1314 1. Purpose and objectives of the experimental/innovative programs;
- 1315 2. Description and duration of the programs;
- 1316 3. Anticipated outcomes;
- 1317 4. Number of students affected;
- 1318 5. Evaluation procedures; and
- 1319 6. Mechanisms for measuring goals, objectives, and student academic achievement.

1320

1321 Except as specified below, the board may grant, for a period up to five years, a waiver of
1322 these regulations that are not mandated by state or federal law or designed to promote
1323 health or safety. The board may grant all or a portion of the request. Waivers of

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1324 requirements in 8 VAC 20-131-30, 8 VAC 20-131-50, 8 VAC 20-131-70, and 8 VAC 20-
1325 131-280 through 8 VAC 20-131-340 shall not be granted, and no waiver may be
1326 approved for a program which would violate the provisions of the Standards of Quality.

- 1327 8 VAC 20-131-300. Application of the standards.
- 1328 A. Schools that meet the pre-accreditation [eligibility] requirements prescribed in 8 VAC
- 1329 20-131- 280 F shall be assigned one of the following ratings as described in this section:
- 1330 ~~1. Earned During Academic Years Ending in 2000 through 2003:~~
- 1331 ~~a. Fully Accredited;~~
- 1332 ~~b. Provisionally Accredited/Meets State Standards;~~
- 1333 ~~c. Provisionally Accredited/Needs Improvement;~~
- 1334 ~~d. Accredited with Warning in (specified academic area or areas);~~
- 1335 ~~e. Conditionally Accredited.~~
- 1336 ~~2. Earned During Academic Years Ending in 2004 and 2005:~~
- 1337 ~~a. Fully Accredited;~~
- 1338 ~~b. Accredited with Warning in (specified academic area or areas);~~
- 1339 ~~c. Conditionally Accredited.~~
- 1340 ~~3. Earned During Academic Years Ending in 2006 and Beyond:~~
- 1341 ~~a~~ 1. Fully Accredited;
- 1342 ~~b~~ 2. Accredited with Warning in (specified academic area or areas);
- 1343 ~~c~~ 3. Accreditation Denied;
- 1344 ~~d~~ 4. Conditionally Accredited;
- 1345 [~~e~~ 5. Accreditation Withheld/Improving School Near Accreditation (rating shall not to be
- 1346 used awarded after academic year ending in ~~2009~~. 2007, based on tests administered in
- 1347 2005-2006).]

1348

1349 B. Compliance with the student academic achievement expectations shall be documented
1350 to the board directly through the reporting of the results of student performance on SOL
1351 tests and other alternative means of assessing student academic achievement as outlined
1352 in 8 VAC 20-131-110 B. Compliance with other provisions of these regulations will be
1353 documented in accordance with procedures prescribed by the **board Board of Education.**

1354

1355 C. Accreditation ratings defined.

1356 [Accreditation ratings awarded in an academic year are based upon Virginia assessment
1357 program scores from the academic year immediately prior to the year to which the
1358 accreditation rating applies. Accreditation ratings are defined as follows:]

1359 1. Fully accredited.

1360 [a. With tests administered in the academic year 2005-2006 for the accreditation ratings
1361 awarded for academic year 2006-2007, a school will be rated Fully Accredited when its
1362 eligible students meet the pass rate of 70 percent in each of the four core academic areas
1363 except, the pass rates required shall be 75 percent in third-grade and fifth-grade English
1364 and 50 percent in third-grade science and history/social science.]

1365 [a. b. ~~For school years 2004-05 through 2008-09 a~~ A With tests administered in the
1366 academic years 2006-2007 and 2007-2008 for the accreditation ratings awarded for
1367 academic years 2007-2008 and 2008-2009 respectively, a] school will be rated Fully
1368 Accredited when its eligible students meet the pass rate of ~~[70%~~ 70 percent] in each of

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1369 the four core academic areas except, ~~effective with ratings earned in the academic year~~
1370 ~~2003-04 and beyond~~, the pass rates required shall be [~~75%~~ 75 percent] in [~~third~~ third-
1371 grade] ~~and through~~ [~~fifth-grade~~ fifth-grade] English and [~~50%~~ 50 percent] in [~~third-grade~~
1372 third-grade] science and history/social science. [~~In schools housing grades kindergarten~~
1373 ~~through 5, the English and mathematics pass rates for accreditation purposes shall be~~
1374 ~~calculated for these grades as single rates by combining the scores of all third grade and~~
1375 ~~through fifth grade SOL tests administered in English and by combining the scores of all~~
1376 ~~third grade and through fifth grade SOL tests administered in mathematics.]~~
1377 [~~b. c.~~] ~~During the transition period covering ratings earned during 1999-2000 through~~
1378 ~~2002-03, in schools housing grades kindergarten through 5, the science and history/social~~
1379 ~~science pass rates for accreditation purposes shall be calculated by using the fifth grade~~
1380 ~~scores alone, or by combining the scores of all SOL tests administered in grades 3~~
1381 ~~through 5 in science and by combining the scores of all SOL tests administered in grades~~
1382 ~~3 through 5 in history/social science, whichever is higher. If the third grade scores are~~
1383 ~~combined with the fifth grade scores, the required passing rate shall be 70% for full~~
1384 ~~accreditation. In schools housing grades kindergarten through 3, the accreditation rating~~
1385 ~~shall be calculated using the English and mathematics scores only.~~ For schools housing
1386 grade configurations where multiple pass rates apply, the results of the tests may be
1387 combined in each of the four core academic areas for the purpose of calculating the
1388 school's accreditation rating provided the school chooses to meet the higher pass rate.
1389 [~~e. d.~~] With tests administered [beginning] in the academic year 2009-2010 for the

1390 accreditation ratings [awarded for in] school year 2010-2011 and beyond a school will be
1391 rated Fully Accredited when its eligible students meet the pass rate of [75% 75 percent]
1392 in English and the pass rate of [70% 70 percent] in mathematics, science, and history and
1393 social science.

1394 [d. e.] For accreditation purposes the pass rate will be calculated as single rates for each
1395 of the four core academic areas by combining all scores of all tests administered in each
1396 subject area.

1397

1398 ~~2. Provisionally Accredited/Meets State Standards. For ratings earned during the~~
1399 ~~academic years 1999-2000 through 2002-03, a school will be rated Provisionally~~
1400 ~~Accredited/Meets State Standards when it has met the provisional accreditation~~
1401 ~~benchmarks as defined in accordance with 8 VAC 20-131-320 but has not met the~~
1402 ~~requirement to be rated Fully Accredited.~~

1403 ~~3. Provisionally Accredited/Needs Improvement. For ratings earned during the academic~~
1404 ~~years 1999-2000 through 2002-03, a school will be rated Provisionally Accredited/Needs~~
1405 ~~Improvement when it fails to meet the provisional accreditation benchmarks as defined in~~
1406 ~~8 VAC 20-131-320 in one or more academic areas.~~

1407 ~~4-2. Accredited with Warning (in specific academic area or areas).~~

1408 ~~a. For ratings earned during academic years ending in 1999-2000 through 2002-03, a~~
1409 ~~school will be Accredited with Warning (in specific academic area or areas) if its pass-~~

1410 ~~rate performance on SOL tests is 20 or more percentage points below any of the~~
1411 ~~provisional accreditation benchmarks set forth in the appendix to these standards.~~
1412 ~~b. For ratings earned during academic years 2003-04 and 2004-05, a school will be~~
1413 ~~Accredited with Warning in (specific academic area or areas) if it does not meet the pass-~~
1414 ~~rate requirements to be Fully Accredited.~~
1415 ~~e. For ratings earned during academic years 2005-06 and beyond, a A school will be~~
1416 ~~Accredited with Warning (in specific academic area or areas) if it has ~~achieved~~ failed to~~
1417 ~~achieve Fully Accredited status but has failed to meet the requirements to maintain that~~
1418 ~~status in any one year. Following the academic year 2005-06, such Such a school may~~
1419 ~~remain in the Accredited with Warning status for no more than three consecutive years.~~
1420 5.3. Accreditation Denied. Based on a school's academic performance during academic
1421 years ending in 2006 and beyond, a school shall be rated Accreditation Denied if it fails
1422 to meet the requirements to be rated Fully Accredited for the preceding three consecutive
1423 years or for three consecutive years anytime thereafter, except for schools rated
1424 ~~Accredited with Warning as set forth in subdivision 4 c of this subsection.~~
1425 In any school division in which [~~1/3~~ one-third] or more of the schools have been rated
1426 Accreditation Denied, the superintendent shall be evaluated by the local school board
1427 with a copy of such evaluation submitted to the ~~board~~ Board of Education no later than
1428 December 1 of each year in which such condition exists. In addition, the Board of
1429 Education may take action against the local school board as permitted by the Standards of
1430 Quality due to the failure of the local board to maintain accredited schools.

1431 [6. Accreditation Withheld/Improving School Near Accreditation. A school that has
1432 never met the requirements to be rated Fully Accredited by ~~end of~~ the academic year
1433 ending in 2006 and subject to being awarded a rating of Accreditation Denied may apply
1434 to the board for this accreditation designation for 2006-2007. To be eligible, the school
1435 must meet each of the following criteria:

1436 a. ~~By the~~ With assessments administered in 2005-2006 year ending in 2006, at least 70%
1437 70 percent of its students must have passed the applicable English SOL tests except at
1438 third and fifth grade where the requirement is ~~75%~~ 75 percent.

1439 b. ~~By the~~ With assessments administered in 2005-2006 year ending in 2006, a combined
1440 pass rate of ~~60%~~ 60 percent of its students must have passed the SOL Virginia
1441 Assessment Program tests in the other three core academic areas.

1442 c. In each academic area in which the pass rate is below the rate required to be rated Fully
1443 Accredited, the school's pass rate must have increased by at least 25 percentage points as
1444 compared to the pass rates on tests taken during the academic year ending in 1999.]
1445 ~~To retain this rating, a school must continue to show annual improvement in each~~
1446 ~~academic area in which the pass rate is below the rate required for full accreditation.~~

1447 [This rating ~~will cease to exist~~ shall not be awarded after the 2006-2007 academic year
1448 ending in 2009.]

1449 ~~7~~ 4. Conditionally Accredited. New schools that are comprised of students from one or
1450 more existing schools in the division will be awarded this status for one year pending an
1451 evaluation of the school's eligible students' performance on SOL tests or additional tests

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1452 ~~described in 8 VAC 20-131-110-B~~ approved by the Board of Education to be rated Fully
1453 Accredited. This rating may also be awarded to a school that is being reconstituted in
1454 accordance with the provisions of 8 VAC 20-131-340 of these regulations upon
1455 [agreement approval] by the Board of Education. A school awarded this rating under
1456 those circumstances will revert to a status of Accreditation Denied if it fails to meet the
1457 requirements to be rated Fully Accredited by the end of the agreed upon term [or if it fails
1458 to have its annual application for such rating renewed.]

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1459 8 VAC 20-131-310. Action requirements for schools that are accredited with warning [or
1460 accreditation withheld/improving school near accreditation].

1461 A. With such funds as are appropriated by the General Assembly, the Department of
1462 Education shall develop a school academic review process and monitoring plan designed
1463 to assist schools rated as Accredited with Warning. All procedures and operations for the
1464 academic review process shall be approved and adopted by the board.

1465

1466 [Schools rated Accredited with Warning or Accreditation Withheld/Improving School
1467 Near Accreditation] must undergo an academic review in accordance with guidelines
1468 adopted by the board and prepare a school improvement plan as required by 8 VAC 20-
1469 131-310 F.]

1470

1471 B. Any school that is rated Accredited with Warning in English or mathematics ~~is~~
1472 ~~expected to~~ shall adopt ~~an~~ a research based instructional method intervention that has a
1473 proven track record of success at raising student achievement in those areas as
1474 appropriate.

1475

1476 C. The superintendent and principal shall certify in writing to the ~~board~~ Board of
1477 Education that such ~~a method~~ an intervention has been adopted and implemented.

1478

1479 D. The board shall publish a list of recommended instructional ~~methods~~ interventions,
1480 which may be amended from time to time.

1481

1482 E. Adoption of instructional ~~methods~~ interventions referenced in subsections B and D of
1483 this section shall be funded by eligible local, state, and federal funds.

1484

1485 F. A three-year School Improvement Plan must be developed and implemented, based on
1486 the results of an academic review of each school that is rated Accredited with Warning
1487 [or Accreditation Withheld/Improving School Near Accreditation] upon receipt of
1488 notification of the awarding of this rating and receipt of the results of the academic
1489 review. The plan:

1490 1. Shall be developed with the assistance of parents and teachers and made available to
1491 the public;

1492 2. Must include the components outlined in subsection G of this section; and

1493 3. Must be approved by the division superintendent and the local school board and be
1494 designed to assist the school in meeting the student achievement standard to be Fully
1495 Accredited as outlined in 8 VAC 20-131-300.

1496

1497 G. The improvement plan shall include the following:

1498 1. A description of how the school will meet the ~~provisional accreditation benchmarks, or~~
1499 ~~the~~ requirements to be Fully Accredited, for each of the years covered by the plan;

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- 1500 2. Specific measures for achieving and documenting student academic improvement;
- 1501 3. A description of the amount of time in the school day devoted to instruction in the core
1502 academic areas;
- 1503 4. Instructional practices designed to remediate students who have not been successful on
1504 SOL tests;
- 1505 5. Intervention strategies designed to prevent further declines in student performance;
- 1506 6. Staff development needed;
- 1507 7. Strategies to involve and assist parents in raising their child's academic performance;
- 1508 8. The need for flexibility or waivers to state or local regulations to meet the objectives of
1509 the plan; and
- 1510 9. A description of the manner in which local, state, and federal funds are used to support
1511 the implementation of the components of this plan.
- 1512 As part of its approval of the school improvement plan, the board may grant a local
1513 school board a waiver from the requirements of any regulations promulgated by the board
1514 when such a waiver is available.
- 1515
- 1516 H. The school improvement plan and related annual reports submitted to the board shall
1517 provide documentation of the continuous efforts of the school to achieve the requirements
1518 to become rated Fully Accredited. The board shall adopt and approve all policies and
1519 formats for the submission of annual reports under this section. The reports shall be due
1520 no later than October 1 of the school year.

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1521 [8 VAC 20-131-315. Action requirements for schools that are denied accreditation.

1522 A. Any school rated Accreditation Denied in accordance with 8 VAC 20-131-300 shall

1523 be subject to actions prescribed by the Board of Education and shall provide parents of

1524 enrolled students and other interested parties with the following:

1525 1. Written notice of the school's accreditation rating within 30 calendar days of the

1526 notification of the rating from the Department of Education;

1527 2. A copy of the school division's proposed corrective action plan, including a timeline

1528 for implementation, to improve the school's accreditation rating; and

1529 3. An opportunity to comment on the division's proposed corrective action plan.

1530 Such public comment shall be received and considered by the school division prior to

1531 finalizing the school's corrective action plan and a Board of Education memorandum of

1532 understanding with the local school board.

1533

1534 B. Any school rated Accreditation Denied in accordance with 8 VAC 20-131-300 shall

1535 be subject to actions prescribed by the Board of Education and affirmed through a

1536 memorandum of understanding between the Board of Education and the local school

1537 board. The local school board shall submit a corrective action plan to the Board of

1538 Education for its consideration in prescribing actions in the memorandum of

1539 understanding within 45 days of the notification of the rating. The memorandum of

1540 understanding shall be entered into no later than November 1 of the academic year in

1541 which the rating is awarded.

1542

1543 The local board shall submit status reports detailing implementation of actions prescribed
1544 by the memorandum of understanding to the Board of Education. The status reports shall
1545 be signed by the school principal, division superintendent, and the chair of the local
1546 school board. The school principal, division superintendent, and the chair of the local
1547 school board may be required to appear before the Board of Education to present status
1548 reports.

1549

1550 The memorandum of understanding may also include but not be limited to:

1551 1. Undergoing an educational service delivery and management review. The Board of
1552 Education shall prescribe the content of such review and approve the reviewing authority
1553 retained by the school division.

1554 2. Employing a turnaround specialist credentialed by the state to address those conditions
1555 at the school that may impede educational progress and effectiveness and academic
1556 success.

1557

1558 C. As an alternative to the memorandum of understanding outlined in subsection B, a
1559 local school board may choose to reconstitute a school rated Accreditation Denied and
1560 apply to the Board of Education for a rating of Conditionally Accredited. The application
1561 shall outline specific responses that address all areas of deficiency that resulted in the
1562 Accreditation Denied rating and may include any of the provisions of subsection B.

1563

1564 If a local school board chooses to reconstitute a school, it may annually apply for an
1565 accreditation rating of Conditionally Accredited as provided for in 8 VAC 20-131-
1566 300.D.6. The Conditionally Accredited rating may be granted for a period not to exceed
1567 three years if the school is making progress toward a rating of Fully Accredited in
1568 accordance with the terms of the Board of Education's approval of the reconstitution
1569 application. The school will revert to a status of Accreditation Denied if it fails to meet
1570 the requirements to be rated Fully Accredited by the end of the three year term or if it
1571 fails to have its annual application for such rating renewed.

1572

1573 D. The local school board may choose to close a school rated Accreditation Denied or to
1574 combine such school with a higher performing school in the division.

1575

1576 E. A local school board that has any school with the status of Accreditation Denied shall
1577 annually report each school's progress toward meeting the requirements to be rated Fully
1578 Accredited to the Board of Education. The local board shall submit such report in a
1579 manner prescribed by the Board of Education no later than October 1 of each year. Such
1580 reports on each school's progress shall be included in the Board of Education's annual
1581 report on the condition and needs of public education to the Governor, and the General
1582 Assembly submitted on November 15 of each year.]

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- 1583 ~~8 VAC 20-131-320. Provisional accreditation benchmarks.~~
- 1584 ~~The board will set the minimum acceptable pass rates required for a school to achieve the~~
- 1585 ~~rating of Provisionally Accredited/Meets State Standards in the academic years 1999-~~
- 1586 ~~2003. These benchmarks are outlined in the appendix to these standards.~~

1587 8 VAC 20-131-325. Recognitions and rewards for school accountability performance.

1588 A. Schools may be recognized by the ~~board~~ Board of Education in accordance with

1589 ~~procedures~~ guidelines it shall establish. Such recognition may include:

1590 1. Public announcements recognizing individual schools;

1591 2. Tangible rewards;

1592 3. Waivers of certain board regulations;

1593 4. Exemptions from certain reporting requirements; or

1594 5. Other commendations deemed appropriate to recognize high achievement.

1595 In addition to board recognition, local school boards shall adopt policies to recognize

1596 individual schools through public announcements, media releases, participation in

1597 community activities for input purposes when setting policy relating to schools and

1598 budget development, as well as other appropriate recognition.

1599

1600 ~~B. A school that maintains a passing rate on SOL tests or other additional tests approved~~

1601 ~~by the board as outlined in 8 VAC 20-131-110 B of 80% or above may, upon application~~

1602 ~~to the Department of Education, receive a waiver from some or all provisions of the~~

1603 ~~following regulations and reporting requirements for a period of up to three years:~~

1604 ~~8 VAC 20-131-80. Instructional program in elementary schools. (clock hour requirement~~

1605 ~~only)~~

1606 ~~8 VAC 20-131-90. Instructional program in middle schools. (clock hour requirement~~

1607 ~~only)~~

- 1608 ~~8 VAC 20-131-100. Instructional program in secondary schools.~~
- 1609 ~~8 VAC 20-131-110. Standard and verified units of credit. (clock hour requirement only)~~
- 1610 ~~8 VAC 20-131-120. Summer school. (clock hour requirement only)~~
- 1611 ~~8 VAC 20-131-130. Elective courses.~~
- 1612 ~~8 VAC 20-131-140. College preparation programs and opportunities for postsecondary~~
- 1613 ~~credit.~~
- 1614 ~~8 VAC 20-131-150. Standard school year and school day.~~
- 1615 ~~8 VAC 20-131-190. Library media, materials and equipment.~~
- 1616 ~~8 VAC 20-131-200. Extracurricular and other school activities.~~
- 1617 ~~8 VAC 20-131-210. Role of the principal.~~
- 1618 ~~8 VAC 20-131-220. Role of professional teaching staff.~~
- 1619 ~~8 VAC 20-131-230. Role of support staff.~~
- 1620 ~~8 VAC 20-131-240. Administrative and support staff; staffing requirements.~~
- 1621
- 1622 B. A school that maintains a passing rate on [SOL-Virginia Assessment Program] tests or
- 1623 [other]-additional tests approved by the board as outlined in 8 VAC 20-131-110 of [95%
- 1624 95 percent] or above in [each of] the four core academic areas for two consecutive years
- 1625 may, upon application to the Department of Education, receive a waiver from annual
- 1626 accreditation. A school receiving such a waiver shall be Fully Accredited for a three-year
- 1627 period. However, such school shall continue to annually submit documentation in

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1628 compliance with the pre-accreditation [eligibility] requirements described in 8 VAC 20-
1629 131-280 F.

1630

1631 C. Schools may be eligible to receive the Governor's Award for Outstanding
1632 ~~Improvement~~ Achievement. This award will be given to schools ~~in each classification~~
1633 ~~defined in 8 VAC 20-131-280 B-rated below Fully Accredited~~ that significantly increase
1634 the achievement of students within student subgroups in accordance with guidelines
1635 prescribed by the Board of Education ~~exceed the improvement levels defined in 8 VAC~~
1636 ~~20-131-320 by 10 percentage points or more in one year during the school years 2000-01~~
1637 ~~through 2002-03. In addition, any school that raises its rating from Accredited with~~
1638 ~~Warning to Fully Accredited in one year will receive this award when it was 10~~
1639 ~~percentage points or more below the performance level to be rated Fully Accredited.~~

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1640 ~~[8 VAC 20-131-330. Waivers. (Repealed)~~
1641 ~~Waivers of some of the requirements of this chapter these regulations may be granted by~~
1642 ~~the board Board of Education based on submission of a request from the division~~
1643 ~~superintendent and chairman of the local school board. The request shall include~~
1644 ~~documentation of the need for the waiver. In no event will waivers be granted to the~~
1645 ~~requirements of Part III (8 VAC 20-131-30 et seq.) of this chapter these regulations.]~~

1646 8 VAC 20-131-340. [~~Academic reviews, special~~ Special] provisions and sanctions.
1647 [~~A.~~] ~~Beginning with the 2000-01 school year, schools~~ [Schools rated Accredited with
1648 ~~Warning must undergo an academic review in accordance with guidelines adopted by the~~
1649 ~~board and prepare a school improvement plan as required by 8 VAC 20-131-310.]~~
1650
1651 ~~B. Any school rated Accreditation Denied in accordance with 8 VAC 20-131-300 shall be~~
1652 ~~subject to sanctions prescribed by the Board of Education and affirmed through a~~
1653 ~~memorandum of understanding between the Board of Education and the local school~~
1654 ~~board. The memorandum of understanding shall be entered into no later than 30 days~~
1655 ~~after the opening of school. The memorandum or understanding may include but not be~~
1656 ~~limited to:~~
1657 ~~1. Submitting status reports detailing implementation of corrective actions to the Board~~
1658 ~~of Education. The status reports shall be signed by the school principal, division~~
1659 ~~superintendent, and the chair of the local school board. The Board of Education may~~
1660 ~~require the school principal, division superintendent, and the chair of the local school~~
1661 ~~board to appear before the Board to present such status reports.~~
1662 ~~2. Undergoing an educational service delivery and management review. The Board of~~
1663 ~~Education shall prescribe the content of such review and approve the reviewing authority~~
1664 ~~retained by the school division.~~

1665 ~~3. Employing a turnaround specialist credentialed by the state to address those conditions~~
1666 ~~at the school that may impede educational progress and effectiveness and academic~~
1667 ~~success.~~

1668

1669 ~~C. Any school rated Accreditation Denied shall provide parents of enrolled students and~~
1670 ~~other interested parties with the following:~~

1671 ~~1. Written notice of the school's accreditation rating within 30 calendar days of the~~
1672 ~~notification of the rating from the Department of Education;~~

1673 ~~2. A copy of the school division's proposed corrective action plan, including a timeline~~
1674 ~~for implementation, to improve the school's accreditation rating; and~~

1675 ~~3. An opportunity to comment on the division's proposed corrective action plan.~~

1676 ~~Such public comment shall be received and considered by the school division prior to~~
1677 ~~finalizing the school division's corrective action plan and memorandum of understanding~~
1678 ~~with the Board of Education.~~

1679

1680 ~~D. As an alternative to the memorandum of understanding outlined in subsection B, a~~
1681 ~~local school board may choose to enter into an agreement with the Board of Education to~~
1682 ~~reconstitute a school rated Accreditation Denied. The reconstitution agreement may~~
1683 ~~include any of the provisions of subsection B, along with one or more of the following~~
1684 ~~actions:~~

1685 ~~1. Replacing all or a majority of the administrative staff and a substantial percentage of~~
1686 ~~the instructional staff; or~~

1687 ~~2. Hiring a private or nonprofit management firm from a Board of Education reviewed~~
1688 ~~list; or~~

1689 ~~3. Converting the school to a charter school in accordance with § 22.1-212.6 of the Code~~
1690 ~~of Virginia, with consideration given to collaboration with an institution of higher~~
1691 ~~education or other suitable.~~

1692

1693 ~~If a local school board chooses to reconstitute a school, it may apply for an accreditation~~
1694 ~~rating of Conditionally Accredited as provided for in 8 VAC 20-131-300.D.6. The~~
1695 ~~Conditionally Accredited rating may be extended for a period not to exceed three years if~~
1696 ~~the school is making progress toward a rating of Fully Accredited in accordance with the~~
1697 ~~terms of the agreement. The school will revert to a status of Accreditation Denied if it~~
1698 ~~fails to meet the requirements to be rated Fully Accredited by the end of the term of the~~
1699 ~~agreement.~~

1700

1701 ~~E. The local school board may choose to close a school rated Accreditation Denied or to~~
1702 ~~combine such school with a higher performing school in the division.~~

1703

1704 ~~F. A local school board that has any school with the status of Accreditation Denied shall~~
1705 ~~annually report each school's progress toward meeting the requirements to be rated Fully~~

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1706 ~~Accredited to the Board of Education. The local board shall submit such report in a~~
1707 ~~manner prescribed by the Board of Education no later than October 1 of each year. Such~~
1708 ~~reports on each school's progress shall be included in the Board of Education's annual~~
1709 ~~report on the condition and needs of public education to the Governor, and the General~~
1710 ~~Assembly submitted on November 15 of each year.~~

1711

1712 B. ~~The board may enact special provisions related to the administration and use of any~~
1713 ~~SOL test or tests in a content area as applied to this chapter for any period during which~~
1714 ~~the SOL content in that area is being revised and phased in.~~

1715

1716 C ~~[G-A.]~~ Any school in violation of ~~this chapter~~ these regulations shall be subject to
1717 appropriate action by the ~~board~~ Board of Education including, but not limited to, the
1718 ~~adjustment or withdrawal~~ withholding or denial of a school's accreditation.

1719

1720 ~~[H. B.]~~ A school's accreditation rating may be withheld by action of the Board of
1721 Education for any school found to be in violation of test security procedures pursuant to
1722 § 22.1-19.1 of the Code of Virginia. [Withholding of a school's accreditation rating shall
1723 not be considered an interruption of the three consecutive year period for purposes of
1724 receiving an Accreditation Denied status pursuant to 8 VAC 20-131-300.]

1725

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- 1726 [H. C.] The Board of Education may exercise its authority to seek school division
1727 compliance with school laws pursuant to relevant provisions of the Code of Virginia
1728 when any school within a division is rated Accreditation Denied.

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- 1729 [8 VAC 20-131-350. Waivers.
- 1730 Waivers of some of the requirements of these regulations may be granted by the Board of
- 1731 Education based on submission of a request from the division superintendent and
- 1732 chairman of the local school board. The request shall include documentation of the need
- 1733 for the waiver. In no event shall waivers be granted to the requirements of Part III (8
- 1734 VAC 20-131-30 et seq.) of these regulations]

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1735 [8 VAC 20-131-360. Effective date.

1736 Unless otherwise specified these regulations shall be effective for the 2006-2007

1737 academic year.]