

1 Chapter 132

2 Virginia Standards of Accreditation

3 Part III

4 Student Achievement

5 **8VAC20-132-40. Student achievement expectations.**

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

13 B. In kindergarten through grade eight, where the administration of Virginia Assessment
14 Program tests is required by the board, each student shall be expected to take the tests following
15 instruction. Students who are accelerated shall take the test aligned with the highest grade level,
16 following instruction in the content. No student shall take more than one test in any content area
17 in each year, except in the case of expedited retakes as provided for in this section. Schools shall
18 use the Virginia Assessment Program test results in kindergarten through grade eight as part of
19 a set of multiple criteria for determining the promotion or retention of students. Students promoted
20 to secondary school from grade eight should have attained basic mastery of the Standards of
21 Learning in English, history and social science, mathematics, and science and should be prepared
22 for secondary school work. Students shall not be required to retake the Virginia Assessment
23 Program tests unless they are retained in grade and have not previously passed the related tests.

24 ~~The board shall provide the same criteria for eligibility for an expedited retake of any SOL test,~~
25 ~~with the exception of the writing SOL tests, to each student regardless of grade level or course.~~

26 C. In kindergarten through grade 12, students may participate in a remediation recovery
27 program as established by the board in English (reading) or mathematics or both.

28 D. The board recommends that no student in kindergarten through grade eight be required to
29 attend summer school or weekend remediation classes solely based on failing an SOL test in
30 science or history and social science. However, any student who fails to achieve a passing score
31 on all Standard of Learning assessments for the relevant grade level in grades three through eight
32 shall be required to attend a remediation program or to participate in another form of remediation.
33 Further, any student who fails an end-of-course test required for the award of a verified unit of
34 credit shall be required to attend a remediation program or to participate in another form of
35 remediation.

36 E. Each student in middle and secondary schools shall take all applicable end-of-course SOL
37 tests following course instruction. The division superintendent shall certify to the Department of
38 Education that the division's policy for dropping courses ensures that student course schedules
39 are not changed to avoid end-of-course SOL tests. Students who achieve a passing score on an
40 end-of-course SOL test shall be awarded a verified unit of credit in that course in accordance with
41 the provisions of 8VAC20-132-110. Students may earn verified units of credit in any courses for
42 which end-of-course SOL tests are available. Students shall not be required to take an end-of-
43 course SOL test in an academic subject after they have earned the number of verified credits
44 required for that academic content area for graduation, unless such test is necessary in order for
45 the school to meet federal accountability requirements. Middle and secondary schools may
46 consider the student's end-of-course SOL test score in determining the student's final course
47 grade. However, no student who has failed an end-of-course SOL test but passed the related

48 course shall be prevented from taking any other course in a content area and from taking the
49 applicable end-of-course SOL test. The board may approve additional tests to verify student
50 achievement in accordance with guidelines adopted for verified units of credit described in
51 8VAC20-132-110.

52 F. Participation in the Virginia Assessment Program by students with disabilities shall be
53 prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan. All students
54 with disabilities shall be assessed with appropriate accommodations and alternate assessments
55 where necessary.

56 G. Any student identified as an English Learner (EL) shall participate in the Virginia
57 Assessment Program. A school-based committee shall convene and make determinations
58 regarding the participation level of EL students in the Virginia Assessment Program. In
59 kindergarten through grade eight, EL students may be granted a one-time exemption from SOL
60 testing in the areas of writing and history and social science.

61 H. Students identified as foreign exchange students taking courses for credit shall be required
62 to take the relevant Virginia Assessment Program tests, as specified in subsection E of this
63 section. Foreign exchange students who are auditing courses are not eligible for academic credit
64 for those courses and shall not be required to take the SOL tests for those courses.

65 I. With the exception of the writing Standards of Learning assessments, any student in grades
66 three through 12 shall be eligible for an expedited retake of any of the Standards of Learning
67 assessment prior to the next scheduled assessment administration if the student scored in the
68 375 to 399 range, or an equivalent range on an alternative scoring scale. Prior to taking any
69 Standards of Learning assessment on an expedited basis, such student shall complete a
70 comprehensive remediation program based on such student's particular educational needs as
71 identified by such student's results on such assessment. The comprehensive remediation
72 program shall be in accordance with guidelines established by the Board.

73 Part VI

74 School Facilities and Safety

75 **8VAC20-132-240. School facilities and safety.**

76 A. Each school shall be maintained in a manner ensuring compliance with the Virginia Uniform
77 Statewide Building Code (13VAC5-63). In addition, the school administration shall:

- 78 1. Maintain a physical plant that is accessible, barrier free, safe, and clean;
- 79 2. Provide for the proper outdoor display of flags of the United States and of the
80 Commonwealth of Virginia;
- 81 3. Provide suitable space for classrooms, administrative staff, pupil personnel services,
82 library and media services, and for the needs and safety of physical education;
- 83 4. Provide adequate, safe, and properly equipped laboratories to meet the needs of
84 instruction in the sciences, technology, fine arts, and career and technical programs;
- 85 5. Provide facilities for the adequate and safe administration and storage of student
86 medications; and
- 87 6. Carry out the duties of the threat assessment team established by the division
88 superintendent and implement policies established by the local school board related to
89 threat assessment pursuant to § 22.1-79.4 of the Code of Virginia.

90 B. Each school shall maintain records of regular safety, health, and fire inspections that have
91 been conducted and certified by local health and fire departments. The frequency of such
92 inspections shall be determined by the local school board in consultation with the local health and
93 fire departments. In addition, the school administration shall:

- 94 1. Equip all exit doors with panic hardware as required by the Virginia Uniform Statewide
95 Building Code (13VAC5-63);
- 96 2. ~~Conduct a fire drill at least twice during the first 20 days of school and conduct at least~~
97 ~~two additional fire drills during the remainder of the school term~~ Every public school shall
98 hold fire drills during the school session in accordance with the requirements of the
99 Statewide Fire Prevention Code (§ 27-94 et seq.). Evacuation routes for students shall be
100 posted in each room; and
- 101 3. Conduct a lock-down ~~drill at least twice during the first 20 days of school and conduct~~
102 ~~at least two additional lock-down drills during the remainder of the school term~~ drills in
103 accordance with § 22.1-137.2 of the Code of Virginia.
- 104 4. Tornado drills in accordance with § 22.1-137.1 of the Code of Virginia.
- 105 C. Each school shall have contingency plans for emergencies that include staff certified in
106 cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first aid.
- 107 Each school building with instructional or administrative staff of 10 or more shall have at least
108 three employees with current certification or training in emergency first aid, CPR, and the use of
109 an automated external defibrillator. If one or more students diagnosed with diabetes attend such
110 school, at least two employees shall have been trained in the administration of insulin and
111 glucagon.
- 112 Each school building with instructional or administrative staff of fewer than 10 shall have at
113 least two employees with current certification or training in emergency first aid, CPR, and the use
114 of an automated external defibrillator. If one or more students diagnosed with diabetes attend
115 such school, at least one employee shall have been trained in the administration of insulin and
116 glucagon.
- 117 D. In addition, the school administration shall ensure that the school has:
- 118 1. Written procedures to follow in emergencies such as fire, injury, illness, allergic
119 reactions, and violent or threatening behavior. This shall include school board policies for
120 the possession and administration of epinephrine in every school, to be administered by
121 any school nurse, employee of the school board, employee of a local governing body, or
122 employee of a local health department who is authorized by a prescriber and trained in
123 the administration of epinephrine to any student believed to be having an anaphylactic
124 reaction. The plan shall be outlined in the student handbook and discussed with staff and
125 students during the first week of each school year;
- 126 2. Space for the proper care of students who become ill;
- 127 3. A written procedure, in accordance with guidelines established by the local school
128 board, for responding to violent, disruptive, or illegal activities by students on school
129 property or during a school-sponsored activity; and
- 130 4. Written procedures to follow for the safe evacuation of persons with special physical,
131 medical, or language needs who may need assistance to exit a facility, which shall include
132 provisions that seek to maximize the opportunity for students with mobility impairments to
133 evacuate the school building alongside their non-mobility-impaired peers.