



Virginia Department of Planning and Budget **Economic Impact Analysis**

8 VAC 20-160 Regulations Governing the Secondary School Transcripts
Department of Education
Town Hall Action/Stage: 5348 / 8959
September 2, 2020

Summary of the Proposed Amendments to Regulation

In addition to clarifications and elimination of obsolete language, the Board of Education (Board) proposes to: 1) no longer require that secondary school transcripts include gender, 2) add completion of training in first aid, cardiopulmonary resuscitation (CPR), and automated external defibrillator (AED) to the list of required elements in the transcript, 3) no longer require that the transcript by default include SAT and ACT scores, 4) allow electronic signatures and dating of signatures on the transcript, 5) no longer require that the school profile data sheet contain the grade distribution for the school, and 6) no longer require that Advanced-level Placement (AP) and International Baccalaureate (IB) courses be weighted in determining grade point averages (GPAs).

Background

According to the Department of Education (DOE), the last full revision to the *Regulations Governing the Secondary School Transcripts* was conducted in 2007. DOE formed a stakeholder group to help update the regulation. The stakeholder group was comprised of professionals from large school divisions and in-state colleges and universities that respectively regularly transmit and review high school transcripts.

The regulation includes lists of items required to be on the secondary school transcript and school profile data¹ sheet. School divisions may include other items, but all required items must be on the transcript and school profile data sheet.

¹ The proposed regulation defines "secondary school profile data" as "information given in a summary format of a particular secondary school."

All school divisions have free use of transcript processing software through a state contract.

Estimated Benefits and Costs

Gender

The current regulation requires that the gender of the student be indicated on each transcript. Under the proposal, gender would be removed from the list of required items. Thus, whether or not to include gender on the transcript would be up to the individual school divisions to decide. According to DOE, the stakeholders stated that information on gender is gathered in other ways and is not needed on the official transcript.

Training in first aid, CPR, and AED

Effective with the students who entered the ninth grade in the 2018–2019 school year, completion of training in first aid, CPR, and AED is required for graduation with either a Standard Diploma or an Advanced Studies Diploma.² The Board proposes to add completion of training in these areas to be on the transcript. This could be beneficial for graduates in that some potential employers may find the completion of such training to be valuable in job candidates.

SAT and ACT

Under the current regulation, SAT and ACT scores are included on the transcript by default, but can be removed by written request of parents, guardians, or others having legal control. The proposal would change the default to not including SAT and ACT scores on the transcript. Local school divisions could optionally have a policy that would allow the scores to be added by written request. The proposal could be beneficial for students whose SAT or ACT scores are less impressive than their grades and other college application materials. A significant percentage of colleges now do not require SATs or ACTs. Though the current regulation specifies that the scores can be removed by written request, in practice students and parents or guardians may not be aware of the option or do not have time to make the written request and have it processed due to impending application deadlines.

² See <https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section51/>. Students with an individualized education plan or 504 Plan that documents that they cannot successfully complete this training are granted a waiver from this graduation requirement

Electronic Signature

The current regulation states that the transcript must include the signature, date of the signature, and title of the school official signing. The Board proposes to add language to allow for the signature, date, and title of school official to be transmitted through a secure and verified electronic method. This proposal could save the staff time associated with physically signing and dating every transcript.

Grade Distribution

The regulation requires that a secondary school profile data sheet, for each school reflected on the transcript, be attached to each student transcript sent to colleges, universities, and prospective employers. Additionally, the regulation specifies the items required to be on the school profile data sheet. The Board proposes to remove grade distribution from the items required to be on the school profile data sheet. Whether or not to include grade distribution on the school profile data sheet would be up to the individual school divisions to decide. A school's grade distribution can be useful information for postsecondary institutions looking at transcripts, particularly if the school does not include class rank (class ranking is optional). If the transcript does not have grade distribution or class rank, it may be difficult for postsecondary institutions to know how well the student did compared to his or her schoolmates based only on the GPA. Four of the nine colleges and universities in the stakeholder group indicated a preference that grade distribution not be removed from the items required to be on the school profile data sheet.³

Moreover, by it being more difficult for post-secondary institutions to know how well the student performed in high school compared to his or her schoolmates based only on the GPA, students at schools with relatively strict grading may not be viewed as positively as they would if the admissions office had grade distribution information available. Conversely, students at schools with relatively lenient grading may be viewed more positively than deserved compared to students at other high schools.⁴ It seems likely that school divisions that grade relatively strictly would be less likely to not include the grade distribution since it could be disadvantageous for their students.

³ Data source: DOE

⁴ Experienced admissions staff at in-state post-secondary schools would likely gain a rough approximation of this information over time. Out-of-state post-secondary schools would likely be less well informed.

Weighting AP and IB courses for GPA

The current regulation requires that AP and IB courses be weighted in determining GPAs, but does not specify how much extra weight is to be given to these courses. The Board proposes to no longer require, but still allow, weighting of AP and IB courses. This proposed amendment allows additional flexibility to school divisions, and should not diminish colleges' and universities' understanding of the students' performance as long as how GPA is calculated remains explicit, and which courses on the transcript are AP or IB remains clear. However, the potential elimination of giving extra weight to AP and IB courses at some school divisions would likely affect class rank and may affect which student is valedictorian at high schools in such school divisions.

Businesses and Other Entities Affected

The proposed amendments affect the 132 local school divisions in the Commonwealth, and the high schools within those school divisions. No school divisions appear to be disproportionately affected. Postsecondary institutions and employers that review high school transcripts would also be affected.

According to DOE, it would take school staff half a day or less to make the changes to the transcript processing files required by the proposal. On the other hand, the proposal to allow electronic signatures and dating would save school staff time.

Small Businesses⁵ Affected:

The proposed amendments do not appear to adversely affect small businesses.

Localities⁶ Affected⁷

The proposed amendments affect all Virginia localities in that all localities have students and staff associated with public high schools. No localities appear to be disproportionately affected. The proposal would require school staff time half a day or less to make the changes required by the proposal. This would likely be considered part of existing staff's regular work

⁵ Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as "a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million."

⁶ "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.

⁷ § 2.2-4007.04 defines "particularly affected" as bearing disproportionate material impact.

responsibility and would not require additional funds. Additionally, school staff time would be saved by allowing electronic signatures and dating.

Projected Impact on Employment

The proposed amendments do not appear to substantively affect total employment.

Effects on the Use and Value of Private Property

The proposed amendments do not appear to substantively affect the use and value of private property nor real estate development costs.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(D): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.