

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

19
20 “Elementary school” means a public school with any grades kindergarten through five.

21

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

26

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

31

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

35

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

38

39 “Homebound instruction” means academic instruction provided to students who are
40 confined at home or in a health care facility for periods that would prevent normal school

41 attendance based upon certification of need by a licensed physician or a licensed clinical
42 psychologist.

43

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

46

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

48

49 “School” means a publicly funded institution where students are enrolled for all or a
50 majority of the instructional day and:

51 1. Those students are reported in fall membership at the institution; and

52 2. At a minimum, the institution meets the pre-accreditation eligibility requirements
53 of the *Regulations Establishing Standards for Accrediting Public Schools in*
54 *Virginia* adopted by the Board of Education.

55

56 “Secondary school” means a public school with any grades nine through twelve.

57

58 “Standard school day” means a day that averages at least five and one-half instructional
59 hours for students in grades one through 12, and a minimum of three instructional hours
60 for students in kindergarten, excluding breaks for meals and recess.

61

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

64

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

69

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

73

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

77

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

82

- 83 “Virginia assessment program” means a system used to evaluate student achievement that
84 includes Standards of Learning tests and additional tests which may be approved from
85 time to time by the Board of Education.
86

A definition section is a proposed addition to the regulations to consolidate terminology and to provide clarification of terminology used throughout the regulations.

86 Part I

87 Purpose

88 8 VAC 20-131-10. Purpose.

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

- 96 1. Provide an essential foundation of educational programs of high quality in all schools
97 for all students.
- 98 2. Encourage continuous appraisal and improvement of the school program for the
99 purpose of raising student achievement.
- 100 3. Foster public confidence.
- 101 4. Assure recognition of Virginia's public schools by other institutions of learning.
- 102 5. Establish a means of determining the effectiveness of schools.

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

105 The statutory authority for these regulations is delineated in §22.1-19 of the Code of
106 Virginia, which includes the requirement that the board shall provide for the accreditation

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

108 prescribed by it.

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

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

111 other state statutes are exempt from these requirements.

112

Adding this paragraph would clarify that schools or programs solely for preschool age children or adults, and schools not operated by local school boards are not governed under these regulations.

112 Part II

113 Philosophy, Goals, and Objectives

114 8 VAC 20-131-20. Philosophy, goals, and objectives.

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

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

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

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

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

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

136

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

139

In subsection A language was added to the goals regarding the need to increase graduation rates.

139 Part III

140 Student Achievement

141 8 VAC 20-131-30. Student achievement expectations.

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

149

150 B. In kindergarten through eighth grade, where SOL tests are administered, each student
151 shall be expected to take the ~~SOL~~-tests; students who are accelerated should take the
152 tests for the grade level of the content received in instruction. Schools shall use the SOL
153 test results in kindergarten through eighth grade as part of a set of multiple criteria for
154 determining the promotion or retention of students. Students promoted to high school
155 from eighth grade should have attained basic mastery of the Standards of Learning in
156 English, history and social science, mathematics, and science and should be prepared for
157 high school work. Students shall not be required to retake the SOL tests unless they are
158 retained in grade and have not previously passed the related SOL tests, ~~or they participate~~

159 ~~in a remediation recovery program established by the board in English (Reading,~~
160 ~~Literature, and Research) or mathematics or both.~~

161

162 C. In kindergarten through grade 8 12, students may participate in a remediation recovery
163 program as established by the board in English (Reading, ~~Literature and Research~~) or
164 mathematics or both. ~~In grades 9 through 12, the remediation recovery program shall~~
165 ~~include all retakes of end-of-course SOL mathematics tests only. However, students in~~
166 ~~the ninth grade who are participants in a remediation recovery program may be retested~~
167 ~~on the eighth grade English (Reading, Literature and Research) and mathematics SOL~~
168 ~~tests.~~

169

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

173

174 E. Each student in middle and secondary schools shall take all applicable end-of-course
175 SOL tests following course instruction. Students who achieve a passing score on an end-
176 of-course SOL test shall be awarded a verified unit of credit in that course in accordance
177 with the provisions of 8 VAC 20-131-110 B. Students may earn verified units of credit in
178 any courses for which end-of-course SOL tests are available. Middle and secondary
179 schools may consider the student's end-of-course SOL test score in determining the

180 student's final course grade. However, no student who has failed an end-of-course SOL
181 test but passed the related course shall be prevented from taking any other course in a
182 content area and from taking the applicable end-of-course SOL test. The board may
183 approve ~~other~~ additional tests to verify student achievement in accordance with
184 guidelines adopted for verified units of credit described in 8 VAC 20-131-110 B.

185

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

193

194 G. All students identified as limited English proficient (LEP) shall participate in the
195 Virginia assessment program. A school based committee shall convene and make
196 determinations regarding the Participation participation of LEP students in SOL the
197 Virginia assessment program testing by students identified as limited English proficient
198 (LEP) shall be guided by a school based committee convened to make such
199 ~~determinations.~~ In kindergarten through eighth grade, LEP students may be granted a

200 one-time exemption from SOL testing in ~~each of the four core areas~~ the core academic
201 areas of science and history and social science.

202

203 H. Students identified as foreign exchange students taking courses for credit shall be
204 required to take the relevant Standards of Learning Virginia assessment program tests.

205 Foreign exchange students who are auditing courses and who will not receive a standard
206 unit of credit for such courses shall not be required to take the Standards of Learning tests
207 for those courses.

- In subsection B adding the language relating to the grade level of the content clarifies questions that have been raised over the years concerning how to handle students who are accelerated and receive instruction on different grade levels in different subjects.
- In subsection B striking the language “SOL” removes redundant language from the provision.
- In subsection C the terms “literature” and “research” are deleted since remediation recovery is only for the reading test, not the writing test.
- In subsection C the establishment of annual testing under the requirements of NCLB has affected the role of the remediation recovery program. The stricken language is no longer necessary.
- In subsection F adding the language regarding the Virginia assessment program clarifies that all such assessments hold students and schools accountable for student achievement. Language has also been added regarding students with disabilities who have § 504 plans. Obsolete language has been deleted.
- In subsection G language is modified for clarity.
- In the new subsection H language has been added to address the participation of foreign exchange students in the statewide assessment program.

208 ~~8 VAC 20-131-40. Literacy Passport Tests. (Repealed)~~
209 ~~Students who were in the eighth grade or above in the 1998-99 school year shall be~~
210 ~~required to pass the Literacy Passport Tests in order to receive a Standard or Advanced~~
211 ~~Studies Diploma from a Virginia public school.~~
212 ~~In order to receive a graded status, such students must pass the Literacy Passport Tests,~~
213 ~~except for students with disabilities who progress according to the goals of their~~
214 ~~Individualized Education Program (IEP).~~
215 ~~Students who are not eligible for graded status shall be enrolled in appropriate programs~~
216 ~~leading to passing of the Literacy Passport Tests and one or more of the following:~~
217 ~~1. High school diploma;~~
218 ~~2. General Educational Development (GED) credential;~~
219 ~~3. Certificate of Program Completion; and~~
220 ~~4. Job entry skills.~~
221

The Code of Virginia no longer requires Literacy Passport Tests, and they are no longer administered.

221 8 VAC 20-131-50. Requirements for graduation.

222 A. The requirements for a student to earn a diploma from a Virginia high school shall be
223 those in effect when that student enters the ninth grade for the first time. Students ~~may~~
224 shall be awarded a diploma ~~or certificate~~ upon graduation from a Virginia high school.

225 When students below the ninth grade successfully complete courses offered for credit in
226 grades 9 through 12, credit shall be counted toward meeting the standard units required
227 for graduation provided the courses ~~meet SOL content requirements or~~ are equivalent in
228 content and academic rigor as those courses offered at the secondary level. To earn a
229 verified unit of credit for these courses, students must meet the requirements of 8 VAC
230 20-131-110 B.

231 The following requirements shall be the only requirements for a diploma, unless a local
232 school board has prescribed additional requirements ~~which~~ that have been approved by
233 the ~~board~~ Board of Education. All additional requirements prescribed by local school
234 boards, and in effect as of June 30, 1997, ~~are approved to continue those requirements~~
235 ~~pending further action by the board~~ that have been approved by the Board of Education,
236 remain in effect until such time as the local school board submits a request to amend or
237 discontinue them. ~~The requirements for Certificates of Program Completion are~~
238 ~~developed by local school boards in accordance with the Standards of Quality.~~

240 B. Requirements for a Standard Diploma.

241

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

244 ~~2. During a transition period applicable only to the ninth grade classes of 2000-01, 2001-~~
 245 ~~02, and 2002-03, students shall earn the standard units of credit described in subdivision~~
 246 ~~4 of this subsection and the following number of verified units of credit (8VAC 20-131-~~
 247 ~~110):~~

248 ~~a. English—two;~~

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

250 ~~3~~ 1. Beginning with the ninth grade classes of 2003-04 and beyond, students shall earn
 251 the required standard and verified units of credit described in subdivision ~~4~~2 of this
 252 subsection.

253 ~~4~~2. Credits required for graduation with a Standard Diploma.

254

Discipline Area	Standard Units of Credit	Verified Credits
	Required	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

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

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

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

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

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

271 FN6 Students who complete a career and technical program sequence and pass an examination or
272 occupational competency assessment in a career and technical education field that confers certification or
273 an occupational competency credential from a recognized industry, or trade or professional association or
274 acquires a professional license in a career and technical education field from the Commonwealth of
275 Virginia may substitute the certification, competency credential, or license for (1) the student selected
276 verified credit and (2) either a science or history and social science verified credit when the certification,
277 license, or credential confers more than one verified credit. The examination or occupational competency
278 assessment must be approved by the Board of Education as an additional test to verify student achievement.

279

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

283

284 C. Requirements for an Advanced Studies Diploma.

285 ~~1. Beginning with the ninth grade class of 1998-99, students shall earn the standard units~~
 286 ~~of credit outlined in subdivision 2 of this subsection. Beginning with the ninth grade class~~
 287 ~~of 2000-01, students shall earn the standard and verified units of credit outlined in~~
 288 ~~subdivision 2 of this subsection.~~

289 ~~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

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

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

298 FN3 Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and
299 Virginia Government, and two ~~world history/geography courses in either world history or geography or~~
300 ~~both.~~ courses. Acceptable courses to satisfy the world history/geography requirements include: (i) World
301 History and World Geography; (ii) World History and Geography Part I, and World History and
302 Geography Part II; or (iii) a semester course of World Geography, a semester course of World History Part
303 I, and a year long course of World History Part II. The board may approve additional courses to satisfy this
304 requirement.

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

307 FN5 A student may utilize additional tests for earning verified credit in computer science, technology,
308 career or technical education or other areas as prescribed by the board in 8 VAC20-131-110.

309

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

313

314 D. Requirements for the Modified Standard Diploma.

315

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

323 ~~2. The school must secure the informed written consent of the parent/guardian and the~~
324 ~~student to choose this diploma program after review of the student's academic history and~~
325 ~~the full disclosure of the student's options.~~

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

330 ~~4.2. Beginning with the ninth grade class of 2000-01, students~~ Students pursuing the
331 Modified Standard Diploma shall pass literacy and numeracy competency assessments
332 prescribed by the board.

333 ~~5.3.~~ Credits required for graduation with a Modified Standard Diploma.

334

334

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 Practical Arts <u>Career and Technical Education</u>	1
Electives ⁴	6
Total	20

335 FN1Courses completed to satisfy this requirement shall include content from among applications of
 336 algebra, geometry, personal finance, and statistics in courses that have been approved by the board.

337 FN2Courses completed shall include content from at least two of the following: applications of earth
 338 science, biology, chemistry, or physics in courses approved by the board.

339 FN3Courses completed to satisfy this requirement shall include one unit of credit in U.S. and Virginia
 340 History and one unit of credit in U.S. and Virginia Government in courses approved by the board.

341 FN4~~Beginning with the graduating class of 2003, courses~~ Courses to satisfy this requirement shall include
 342 at least two sequential electives in the same manner required for the Standard Diploma.

343

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

346

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

351

352 F. In accordance with the requirements of the Standards of Quality, students who
353 complete prescribed programs of studies defined by the local school board but do not
354 qualify for Standard, Advanced Studies, Modified Standard, or General Achievement
355 diplomas shall be awarded Certificates of Program Completion. The requirements for
356 Certificates of Program Completion are developed by local school boards in accordance
357 with the Standards of Quality. Students receiving a general achievement diploma shall
358 comply with 8 VAC 20-680-10 et seq., *Regulations Governing the General Achievement*
359 *Diploma.*

360

361 G. In accordance with the provisions of the compulsory attendance law and 8 VAC 20-
362 360-10 et seq., *Regulations Governing General Education Development Certificates*,
363 students who do not qualify for diplomas may earn a high school equivalency credential.

364

365 H. At a student's request, the local school board shall communicate or otherwise make
366 known to institutions of higher education, potential employers, or other applicable third
367 parties, in a manner that the local school board deems appropriate, that a student has

368 attained the state's academic expectations by earning a Virginia diploma and that the
369 value of such a diploma is not affected in any way by the accreditation status of the
370 student's school.

371

372 I. Awards for exemplary student performance. Students who demonstrate academic
373 excellence and/or outstanding achievement may be eligible for one of the following
374 awards:

375 1. Students who complete the requirements for an Advanced Studies Diploma with an
376 average grade of "B" or better, and successfully complete college-level course work that
377 will earn the student at least 9 transferable college credits in at least one advanced
378 placement course Advanced Placement (AP), international baccalaureate International
379 Baccalaureate (IB), or Cambridge, or dual enrollment courses one college-level course
380 for credit, will shall receive the Governor's Seal on the diploma.

381 2. Students who complete the requirements for a Standard Diploma or Advanced Studies
382 Diploma with an average grade of "A" ~~will~~ shall receive a Board of Education Seal on the
383 diploma.

384 3. The Board of Education's Career and Technical Education Seal will be awarded to
385 students who earn a Standard or Advanced Studies Diploma and complete a prescribed
386 sequence of courses in a career and technical education concentration or specialization
387 that they choose and maintain a "B" or better average in those courses; or (i) pass an
388 examination or an occupational competency assessment in a career and technical

389 education concentration or specialization that confers certification or occupational
390 competency credential from a recognized industry, trade or professional association or
391 (ii) acquire a professional license in that career and technical education field from the
392 Commonwealth of Virginia.

393 4. The Board of Education's Seal of Advanced Mathematics and Technology will be
394 awarded to students who earn either a Standard or Advanced Studies Diploma and (i)
395 satisfy all of the mathematics requirements for the Advanced Studies Diploma (four units
396 of credit including Algebra II; two verified units of credit) with a "B" average or better;
397 and (ii) either (a) pass an examination in a career and technical education field that
398 confers certification from a recognized industry, or trade or professional association; (b)
399 acquire a professional license in a career and technical education field from the
400 Commonwealth of Virginia; or (c) pass an examination approved by the board that
401 confers college-level credit in a technology or computer science area.

402 5. The Board of Education's Seal for Excellence in Civics Education will be awarded to
403 students who earn either a Standard or Advanced Studies Diploma and: i) complete
404 Virginia and United States History and Virginia and United States Government courses
405 with a grade of "B" or higher; and, ii) have good attendance and no disciplinary
406 infractions as determined by local school board policies and, iii) complete 50 hours of
407 voluntary participation in community service or extracurricular activities. Activities that
408 would satisfy the requirements of iii) include: a) volunteering for a charitable or religious
409 organization that provides services to the poor, sick or less fortunate; b) participating in

410 Boy Scouts, Girl Scouts, or similar youth organizations; c) participating in JROTC; d)
411 participating in political campaigns or government internships, or Boys State, Girls State,
412 or Model General Assembly; or e) participating in school-sponsored extracurricular
413 activities that have a civics focus. Any student who enlists in the United States military
414 prior to graduation will be deemed to have met this community service requirement.

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

418

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

423

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

429

430 L. Students shall be counseled annually regarding the opportunities for using additional
431 tests for earning verified credits as provided in accordance with the provisions of
432 8VAC20-131-110 B, and the consequences of failing to fulfill the obligations to complete
433 the requirements for verified units of credit.

- 434
- Language in subsection A regarding Certificates of Program Completion has been moved to subsection F since such certificates are not diplomas. Additional language is modified for clarification.
 - Additional revisions to subsection A remove obsolete language.
 - In subsection A language regarding additional requirements for a diploma is included due to action taken by the Board of Education in 2000 to extend the approval of existing additional requirements indefinitely or until changed by the local school board.
 - In the various diploma requirements charts the term “Practical arts” is changed to “career and technical” to update and clarify terminology.
 - The proposed revisions to subsection B.1 remove obsolete language.
 - The new footnote number 6 in subsection B provides an incentive for students to complete a career and technical program and pursue professional certification as an alternative to the requirement of having to earn verified credits in academic areas.
 - The proposed revisions to subsection C remove obsolete language.
 - In footnote 3 language listing courses has been removed for clarity.
 - In footnote 4 language is added for parallelism with the structure of the other footnotes.
 - In subsection D terminology is corrected regarding the IEP.
 - The deleted language in subsection D removes redundant language requiring written consent. The preceding provision requires the IEP team to make the decision regarding a student’s pursuit of the Modified Standard Diploma. In Virginia, a parent is required to provide written consent to implementation of an IEP pursuant to the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* at 8 VAC 20-80-10 et seq.
 - Language is reorganized in subsection D removes to emphasize that the Standard or Advanced Studies diploma shall be pursued by all students unless an IEP team determines a student with a disability is unlikely to meet credit requirements for such diplomas. The IEP team must determine that a student with a disability will pursue a Modified Standard Diploma.
 - In subsection F language is added to identify all of Virginia’s diploma types in accordance with the SOQ.
 - Language is added in subsection I.1. to increase the requirements for students to receive the Governor’s Seal on their diploma. New requirements incorporate provisions of the Early College Scholars program criteria for the seal.
 - Language in I.2. is amended to award the Board of Education seal to students with an A average who achieve the Advanced Studies Diploma. Language is also added to this section to add the Excellence in Civic Education Seal to the list and description of available awards pursuant to General Assembly action in § 22.1-253.13:4.
 - In subsection I. 3. the inclusion of occupational competency assessments in the Standards of Accreditation is made pursuant to SJ 403 of the 2005 General Assembly, which calls for the study of the permanent use of industry certifications and state tests for the award of verified units of credit.

434 8 VAC 20-131-60. Transfer of ~~credits~~ students.

435 A. The provisions of this section pertain generally to students who transfer into Virginia
436 high schools. Students transferring in grades K-8 shall be placed in grade in accordance
437 with policies adopted by the local school board.

438

439 ~~A. B.~~ For the purposes of this section, the term "beginning" means within the first 20
440 hours of instruction per course. The term "during" means after the first 20 hours of
441 instruction per course.

442

443 C. Standard or verified units of credit earned by a student in a Virginia public school
444 shall be transferable without limitation regardless of the accreditation status of the
445 Virginia public school in which the credits were earned. Virginia public schools shall
446 accept standard and verified units of credit from other Virginia public schools and state
447 operated programs. Standard units of credit also shall be accepted for courses
448 satisfactorily completed in accredited colleges and universities when prior written
449 approval of the principal has been granted or the student has been given credit by the
450 previous school attended.

451

452 ~~B. D.~~ A secondary school shall accept credits toward graduation received from other
453 ~~accredited secondary~~ schools accredited by any of the accrediting agencies recognized by
454 the U.S. Department of Education, including and schools accredited through by one of

455 the constituent members of the Virginia Council for Private Education (VCPE). The
456 ~~board~~ Board of Education will maintain contact with the VCPE ~~to~~ and may periodically
457 review its accrediting procedures and policies ~~on a periodic basis~~ as part of its policies
458 under this section.

459 Students transferring into a Virginia public school shall be required to meet the
460 requirements prescribed in 8VAC20-131-50 to receive a Standard, Advanced Studies, or
461 Modified Standard Diploma, except as provided by subsection ~~F~~ G of this section. To
462 receive a Special Diploma or Certificate of Program Completion, a student must meet the
463 requirements prescribed by the Standards of Quality. Students who transfer from schools
464 accredited by other non-recognized agencies shall have their records evaluated by the
465 receiving school in accordance with 8 VAC 20-131-60 F.

466
467 ~~C. Standard or verified units of credit earned by a student in a Virginia public school~~
468 ~~shall be transferable without limitation regardless of the accreditation status of the~~
469 ~~Virginia public school in which the credits were earned.~~

470
471 ~~D. Records of transferred students~~ The academic record of a student transferring from
472 other Virginia public schools shall be sent directly to the school receiving the student
473 upon request of the receiving school in accordance with the provisions of the
474 8 VAC 20-150-10 et seq., Management of the Student's Scholastic Records in Virginia.

475

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

485
486 Students transferring above the tenth grade from schools or other education programs that
487 do not require or give credit for health and physical education shall not be required to
488 take these courses to meet graduation requirements.

489
490 ~~FG.~~ Students entering a Virginia public high school for the first time after the tenth grade
491 shall ~~be encouraged to~~ earn as many credits as possible toward the graduation
492 requirements prescribed in 8 VAC 20-131-50. However, schools may substitute courses
493 required in other states in the same content area if the student is unable to meet the
494 specific content requirements of 8 VAC 20-131-50 without taking a heavier than normal
495 course load in any semester, by taking summer school, or by taking courses after the time
496 when he otherwise would have graduated. In any event, no such student shall earn fewer

497 than the following number of verified units, nor shall such students be required to take
498 SOL tests or additional tests as defined in 8 VAC 20-131-110 ~~B~~ for verified units of
499 credit in courses previously completed at another school or program of study, unless
500 necessary to meet the requirements listed in subdivisions 1 and 2 of this subsection:

501 1. For a Standard Diploma:

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

504 b. Students entering a Virginia high school for the first time during the tenth grade or at
505 the beginning of the eleventh grade shall earn a minimum of four verified units of credit:
506 one each in English, mathematics, history, and science ~~except that during the transition~~
507 ~~period 2000-01 through 2002-03, students shall earn one in English and three of the~~
508 ~~student's own choosing; and~~

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

512 2. For an Advanced Studies Diploma:

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

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

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

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

522

523 ~~G~~H. Students entering a Virginia high school for the first time after the first semester of
524 their eleventh grade year must meet the requirements of subdivision ~~F~~ G1 c or ~~F~~ G2 c of
525 this section. Students transferring after 20 instructional hours per course of their senior or
526 twelfth grade year shall be given every opportunity to earn a Standard, Advanced Studies,
527 or Modified Standard Diploma. If it is not possible for the student to meet the
528 requirements for a diploma, arrangements should be made for the student's previous
529 school to award the diploma. If these arrangements cannot be made, a waiver of the
530 verified unit of credit requirements may be available to the student. The Department of
531 Education may grant such waivers upon request by the local school board in accordance
532 with guidelines prescribed by the ~~board~~ Board of Education.

533

534 ~~H~~I. Any local school division receiving approval to increase its course credit
535 requirements for a diploma may not deny either the Standard, Advanced Studies, or
536 Modified Standard Diploma to any transfer student who has otherwise met the
537 requirements contained in these standards if the transfer student can only meet the

538 division's additional requirements by taking a heavier than normal course load in any
539 semester, by taking summer school, or by taking courses after the time when he otherwise
540 would have graduated.

541

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

545

546 J K. The accreditation status of a high school shall not be included on the student
547 transcript provided to colleges, universities, or employers. The board expressly states that
548 any student who has met the graduation requirements established in 8VAC 20-131-50
549 and has received a Virginia diploma holds a diploma that should be recognized as equal
550 to any other Virginia diploma of the same type, regardless of the accreditation status of
551 the student's high school. It is the express policy of the board that no student shall be
552 affected by the accreditation status of the student's school. The board shall take
553 appropriate action, from time to time, to ensure that no student is affected by the
554 accreditation status of the student's school.

555

555

- Modifications to 8 VAC 20-131-60 reflect a reorganization of some of the language of the regulation for clarification.
- Language changes to subsection A will clarify to parents of students entering Virginia schools below the high school level that placement in grade is the responsibility of local school boards. Many parents particularly those coming from non-accredited private schools and home-schooling have questioned the Department of Education over the years as to why there is no state policy.
- In the new subsection C this language clarifies specifically the accrediting agencies approved by USED are automatically acceptable for transfer credit. Students who transfer from schools accredited by other non-recognized agencies will have their records evaluated by the receiving school in accordance with 8 VAC 20-131-60.F.
- In the new subsection G the language “be encouraged to” is eliminated because it is not enforceable regulatory language.
- In the new subsection G language is added to clarify options for schools to determine what transfer students need to complete the requirements for a diploma. Guidance counselors and central office personnel stated that they did not understand the intent of this provision when working with transfer students.
- In the new subsection G. 1.b. obsolete language is deleted.

555 Part IV

556 School Instructional Program

557 8 VAC 20-131-70. Program of instruction and learning objectives.

558 A. Each school shall provide a program of instruction that promotes individual student
559 academic achievement in the essential academic disciplines and shall provide additional
560 instructional opportunities that meet the abilities, interests, and educational needs of
561 students. Each school shall establish learning objectives to be achieved by students at
562 successive grade levels that meet or exceed the knowledge and skills contained in the
563 Standards of Learning for English, mathematics, science, and history/social science
564 adopted by the board and shall continually assess the progress of each student in relation
565 to the objectives.

566

567 B. Instruction shall be designed to accommodate all students, including those identified
568 with disabilities in accordance with the Individuals with Disabilities Education Act or
569 § 504 of the Rehabilitation Act, as amended, those identified as gifted/talented, and those
570 who have limited English proficiency. Each school shall provide students identified as
571 gifted/talented with instructional programs taught by teachers with special training or
572 experience in working with gifted/talented students. Students with disabilities shall have
573 the opportunity to receive a full continuum of education services, in accordance with
574 8 VAC20-~~180~~ 80-10 et seq., *Regulations Governing Special Education Programs for*
575 *Children with Disabilities in Virginia* and other pertinent federal and state regulations.

576

- In subsection B language is added to emphasize students with disabilities may be those identified under IDEA or § 504.
- In subsection B a correction of typographical error is made to the regulatory citation.

576 8 VAC 20-131-80. Instructional program in elementary schools.

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

584

585 B. In kindergarten through grade 3, reading, writing, spelling, and mathematics shall be
586 the focus of the instructional program. Schools shall maintain, in a manner prescribed by
587 the board, an early skills and knowledge achievement record in reading and math for each
588 student in grades kindergarten through grade 3 to monitor student progress and to
589 promote successful achievement on the third grade SOL tests. This record shall be
590 included with the student's records if the student transfers to a new school.

591

592 C. To provide students with sufficient opportunity to learn, a minimum of 75% of the
593 annual instructional time of 990 hours shall be given to instruction in the disciplines of
594 English, mathematics, science, and history/social science. Students who are not
595 successfully progressing in early reading proficiency or who are unable to read with

596 comprehension the materials ~~necessary~~ used for instruction shall receive additional
597 instructional time in reading, which may include summer school.
598

- In subsection A language regarding recess was moved to 8 VAC 20-131-200 to clarify that recess is not to be counted as instructional time.
- In subsection A language is added to require students to participate in a program of physical fitness during the regular school year in accordance with guidelines established by the Board of Education.
- Language in subsection C is added to parallel language formerly in 8 VAC 20-131-160 to emphasize the importance of reading in the school curriculum at all levels.

598 8 VAC 20-131-90. Instructional program in middle schools.

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

605

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

610

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

618

619 D. To provide students a sufficient opportunity to learn, each student shall be provided
620 140 clock hours per year of instruction in each of the four disciplines of English, math,
621 science, and history/social science. Sixth grade students may receive an alternative
622 schedule of instruction provided each student receives at least 560 total clock hours of
623 instruction in the four academic disciplines.

624

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

628

- In subsection A language is added to require students to participate in a program of physical fitness during the regular school year in accordance with guidelines established by the Board of Education.
- In subsection C Algebra I has been added to the course that must be available to 8th graders.
- Language in new subsection E has been moved from 8 VAC 20-131-160 to emphasize the importance of reading in the school curriculum at all levels.

628 8 VAC 20-131-100. Instructional program in secondary schools.

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

- 634 1. Career and technical education choices that prepare the student as a career and
635 technical education program completer in one of three or more occupational areas and
636 that prepare the student for technical or preprofessional postsecondary programs;
- 637 2. Course work and experiences that prepare the student for college-level studies
638 including access to at least ~~two~~ three advanced placement-Advanced Placement courses,
639 ~~or two~~ college-level courses for degree credit, International Baccalaureate courses, or any
640 combination thereof;
- 641 3. Preparation for college admissions tests; and
- 642 4. Opportunities to study and explore the fine arts and foreign languages.

643

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

647

647

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

648

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

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

651 the in-car phase of driver education.

652

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

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

655 summer school.

656

- Language in subsection A was amended to require providing students access to at least three Advanced Placement courses, college-level courses for credit, or International Baccalaureate courses to make it possible for students to earn the Governor's Early College Scholars Seal on the Advanced Studies Diploma.
- Language in new subsection D has been moved from 8 VAC 20-131-160 to emphasize the importance of reading in the school curriculum at all levels.

656 8 VAC 20-131-110. Standard and verified units of credit.

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

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

668

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

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

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

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

683 3. Students who do not pass Standards of Learning tests in science or history and social
684 science may be awarded verified credits by the local school board in accordance with
685 criteria established in guidelines adopted by the Board of Education.

686
687 C. The ~~board~~ Board of Education may from time to time approve additional tests for the
688 purpose of awarding verified credit. Such additional tests, which enable students to earn
689 verified units of credit, must, at a minimum, meet the following criteria:

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

692 2. The test must be knowledge based;

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

695 4. To be counted in a specific academic area, the test must measure content that
696 incorporates or exceeds the SOL content in the course for which verified credit is given.

697

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

700

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

705

706 ~~C. A school employing a scheduling configuration of less than 140 clock hours per core~~
707 ~~academic course may retain that scheduling configuration through the end of the 2000-01~~
708 ~~school year unless a waiver is granted by the board under the provisions of 8VAC20-131-~~
709 ~~325 B or 8VAC20-131-330. If the school does not comply following the end of the 2000-~~
710 ~~01 school year, the board may take appropriate action which may include, but not be~~
711 ~~limited to, adjustment or withdrawal of the school's accreditation.~~

712

712

- In subsection A striking the limitation to noncore academic courses makes this section consistent with the provisions of 8 VAC 20-131-180 Offsite instruction, and supports programs such as dual enrollment, virtual AP school, and other initiatives.
- In subsection B adding the proposed language in B.3. permits the continuation of locally-awarded verified credit in science and history. Locally awarded verified credits were originally provided for by Chapter 577 of the Acts of Assembly of 2002.
- In the new subsection C language is added to permit the board to approve tests for awarding verified credit that are from other states to assist transfer students with achieving credits for graduation. The Board is not required to accept tests from other states but may choose to.
- In subsection D language is added to clarify that students seeking a Modified Standard Diploma may have the opportunity for an expedited retake of a SOL assessment to complete literacy and numeracy requirements.
- The original subsection C contains obsolete language and has been deleted.

712 8 VAC 20-131-120. Summer school.

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

718

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

724

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

728

- 728 8 VAC 20-131-130. Elective courses.
- 729 Locally developed elective courses offered for credit toward high school graduation shall
- 730 be approved by the division superintendent and local school board.
- 731

731 8 VAC 20-131-140. College preparation programs and opportunities for postsecondary
732 credit.

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

737

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

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

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

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

753

754 Schools that comply with this standard shall not be penalized in receiving state
755 appropriations.

756

- Language has been added to require the provision of counseling of students in obtaining industry certifications, occupational competency credentials, or professional licenses to help prepare students for entering the workforce.
- Language has been added to require students to have access to at least three AP courses or three college level courses.

756 8 VAC 20-131-150. Standard school year and school day.

757 A. The standard school year shall be 180 days. The standard school day for students in

758 grades 1 through 12 shall average at least 5-1/2 hours, excluding breaks for meals and

759 recess, and a minimum of three hours for kindergarten. ~~School divisions may develop~~

760 ~~alternative schedules for meeting these requirements as long as a minimum of 990 hours~~

761 ~~of instructional time is provided for grades 1 through 12 and 540 hours for kindergarten.~~

762 ~~Such alternative plans must be approved by the local school board and by the board under~~

763 ~~guidelines established by the board. No alternative plan which reduces the instructional~~

764 ~~time in the core academics shall be approved.~~

765

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

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

768 board.

769

- In subsection A language is eliminated to reduce confusion among school divisions. Section 22.1-79.1 of the Code provides for alternative schedules including four-day weeks for schools. Section 22.1-98 requires the length of every school's term in every school division to be 180 teaching days or 990 teaching hours in any school year. School divisions may elect to have longer school terms if they choose.
- The addition of the word "recess" is to emphasize that it should not be counted as instructional time.

769 8 VAC 20-131-160. ~~Additional reading instruction.~~ (Repealed)

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

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

772 ~~include summer school.~~

773

This language is being repealed and included in 8 VAC 20-131-80, 8 VAC 20-131-90, and 8 VAC 20-131-100 to emphasize the importance of reading in the school curriculum at all levels.

773 8 VAC 20-131-170. Family Life Education.

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

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

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

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

778 substance abuse among teenagers.

779

779 8 VAC 20-131-180. Off-site instruction.

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

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

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

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

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

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

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

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

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

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

790

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

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

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

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

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

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

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

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

799 of 8 VAC 20-131-110 and the administration of required SOL tests prescribed by 8 VAC
800 20-131-30.

801

802 C. Schools are encouraged to pursue alternative means to deliver instruction to
803 accommodate student needs through emerging technologies and other similar means.
804 Standard units of credit shall be awarded for successful completion of such courses when
805 the course is equivalent to that offered in the regular school program and the work is done
806 under the supervision of a licensed teacher, or a person eligible to hold a Virginia
807 teaching license and approved by the local school board. Verified units of credit may be
808 earned when the student has successfully completed the requirements and passed the SOL
809 test associated with the course. The local school board shall develop policies governing
810 this method of delivery of instruction that shall include the provisions of 8 VAC 20-131-
811 110 and the administration of required SOL tests prescribed by 8 VAC 20-131-30.

812

- This amendment to subsection A ensures that schools provide an adequate amount of instruction to homebound students at the middle and high school levels when credit is awarded. The guidelines for homebound instruction set a minimum for instructional time and, usually, that is what is provided.
- The addition to subsection C is to correct a clerical error.

812 8 VAC 20-131-190. Library media, materials and equipment.

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

819

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

822

822 8 VAC 20-131-200. Extracurricular and other school activities, recess.

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

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

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

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

827 instructional activities. Extracurricular activities and eligibility requirements shall be

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

829

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

831 a part of the elementary school program.

832

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

834 school year as determined appropriate by the school.

835

Language regarding recess has been moved from the section on instructional programs in elementary schools to subsection C of this regulation to clarify that recess is not intended to be counted as instructional time.

835 Part V

836 School and Instructional Leadership

837 8 VAC 20-131-210. Role of the principal.

838 A. The principal is recognized as the instructional leader of the school and is responsible

839 for effective school management that promotes positive student achievement, a safe and

840 secure environment in which to teach and learn, and efficient use of resources. As a

841 matter of policy, the board, through these standards, recognizes the critically important

842 role of principals to the success of public schools and the students who attend those

843 schools and recommends that local school boards provide principals with the maximum

844 authority available under law in all matters affecting the school including, but not limited

845 to, instruction and personnel, in a manner that allows the principal to be held accountable

846 in a fair and consistent manner for matters under his direct control.

847

848 B. As the instructional leader, the principal is responsible for ensuring that students are

849 provided an opportunity to learn and shall:

850 1. Protect the academic instructional time from unnecessary interruptions and disruptions

851 and enable the professional teaching staff to spend the maximum time possible in the

852 teaching/learning process by keeping to a minimum clerical responsibility and the time

853 students are out of class;

854 2. Ensure that the school division's student code of conduct is enforced and seek to

855 maintain a safe and secure school environment;

- 856 3. Analyze the school's test scores annually, by grade and by discipline, to:
- 857 a. Direct and require appropriate prevention, intervention, and/or remediation to those
- 858 students performing below grade level or not passing the SOL tests;
- 859 b. Involve the staff of the school in identifying the types of staff development needed to
- 860 improve student achievement and ensure that the staff participate in those activities; and
- 861 c. Analyze classroom practices and methods for improvement of instruction;
- 862 4. Ensure that students' records are maintained and that criteria used in making placement
- 863 and promotion decisions, as well as any instructional interventions used to improve the
- 864 student's performance, are included in the record;
- 865 5. Monitor and evaluate the quality of instruction, provide staff development, provide
- 866 support that is designed to improve instruction, and seek to ensure the successful
- 867 attainment of the knowledge and skills required for students by the SOL tests; and
- 868 6. Maintain records of students who drop out of school, including their reasons for
- 869 dropping out and actions taken to prevent these students from dropping out.
- 870 7. Notify the parents of rising eleventh and twelfth grade students of:
- 871 a. the number of standard and verified units of credit required for graduation; and
- 872 b. the remaining number of such units of credit the individual student requires for
- 873 graduation.
- 874
- 875 C. As the school manager, the principal shall:
- 876

- 877 1. Work with staff to create an atmosphere of mutual respect and courtesy and to
878 facilitate constructive communication by establishing and maintaining a current
879 handbook of personnel policies and procedures;
- 880 2. Work with the community to involve parents and citizens in the educational program
881 and facilitate communication with parents by maintaining and disseminating a current
882 student handbook of policies and procedures that includes the school division's standards
883 of student conduct and procedures for enforcement, along with other matters of interest to
884 parents and students;
- 885 3. Maintain a current record of licensure, endorsement, and in-service training completed
886 by staff; and
- 887 4. Maintain records of receipts and disbursements of all funds handled. These records
888 shall be audited annually by a professional accountant approved by the local school
889 board.

890

Language is added to subsection B to address the provision in Standard 4 of the SOQ regarding the responsibility of local school boards to notify parents of student graduation requirements ([§22.1-253.13:4A.](#))

890 8 VAC 20-131-220. Role of professional teaching staff.

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

895

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

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

899 3. Establish teaching objectives to achieve the following:

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

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

902 4. Provide for individual differences of students through the use of differentiated

903 instruction, varied materials, and activities suitable to their interests and abilities; and

904 5. Assess the progress of students and report promptly and constructively to them and
905 their parents.

906

906 8 VAC 20-131-230. Role of support staff.

907 The school's support staff shall work with the principal and professional teaching staff to
908 promote student achievement and successful attainment of the school's goals.

909

909 8 VAC 20-131-240. Administrative and support staff; staffing requirements.

910 A. Each school shall have at a minimum the staff as specified in the Standards of Quality

911 with proper licenses and endorsements for the positions they hold, ~~including:~~

912 ~~1. Principal; elementary: one half time to 299, one full time at 300; middle: one full time;~~

913 ~~secondary: one full time.~~

914 ~~2. Assistant principal; elementary: one half time at 600, one full time at 900; middle: one~~

915 ~~full time each 600; secondary: one full time each 600.~~

916 ~~3. Librarian; elementary: part time to 299, one full time at 300; middle: one half time to~~

917 ~~299, one full time at 300, two full time at 1,000; secondary: one half time to 299, one~~

918 ~~full time at 300, two full time at 1,000.~~

919 ~~4. Guidance counselors or reading specialists; elementary: one hour per day per 100, one~~

920 ~~full time at 500, one hour per day additional time per 100 or major fraction.~~

921 ~~5. Guidance counselor; middle: one period per 80, one full time at 400, one additional~~

922 ~~period per 80 or major fraction; secondary: one period per 70, one full time at 350, one~~

923 ~~additional period per 70 or major fraction.~~

924 ~~6. Clerical; elementary: part time to 299, one full time at 300; middle: one full time and~~

925 ~~one additional full time for each 600 beyond 200 and one full time for the library at 750;~~

926 ~~secondary: one full time and one additional full time for each 600 beyond 200 and one~~

927 ~~full time for the library at 750.~~

928

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

931

932 C. Each secondary school with 350 or more students and each middle school with 400 or
933 more students shall employ at least one member of the guidance staff for 11 months.
934 Guidance counseling shall be provided for students to ensure that a program of studies
935 contributing to the student's academic achievement and meeting the graduation
936 requirements specified in 8 VAC 20-131-50 is being followed. In addition, the counseling
937 program shall provide for a minimum of 60% of the time of each member of the guidance
938 staff devoted to such counseling of students.

939

940 D. Middle school teachers in schools with a seven-period day may teach 150 student
941 periods per day or 30 class periods per week, provided all teachers with more than 25
942 class periods per week have one period per day or the equivalent unencumbered of any
943 teaching or supervisory duties.

944

945 E. The secondary classroom teacher's standard load shall be no more than 25 class
946 periods per week. One class period each day or the equivalent, unencumbered by
947 supervisory or teaching duties, shall be provided to every full-time classroom teacher for
948 instructional planning. Teachers of block programs with no more than 120 student
949 periods per day may teach 30 class periods per week. Teachers who teach very small

950 classes may teach 30 class periods per week, provided the teaching load does not exceed
951 75 student periods per day. If a classroom teacher teaches 30 class periods per week with
952 more than 75 student periods-per day, an appropriate contractual arrangement and
953 compensation shall be provided.

954

955 F. Middle or secondary school teachers shall teach no more than 750 student periods per
956 week; however, physical education and music teachers may teach 1,000 student periods
957 per week.

958

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

961

962 ~~H-G.~~ Staff-student ratios in special and career and technical education classrooms shall
963 comply with regulations of the board.

964

965 ~~I-H. Pupil~~ Student services personnel services, including visiting teachers, school social
966 workers, school psychologists, and guidance counselors, as defined in the Standards of
967 Quality shall be available as necessary to promote academic achievement and to provide
968 support services to the school.

969

969

- Staffing requirements were codified into the SOQ several years ago. Language that is deleted in subsection A is duplicative of the SOQ language and unnecessary here.
- The SOQ was amended to provide for a daily planning period or the equivalent for all middle and high school teachers. The amendments in subsections D and C make the regulation consistent with the requirements of the SOQ.
- The original subsection G is deleted because schools are not required to provide an unencumbered lunch. There is no state requirement for an unencumbered lunch.
- The amendment in subsection I makes the language in the standard consistent with the language in the SOQ.

969 8 VAC 20-131-250. [Repealed]

970

970 Part VI

971 School Facilities and Safety

972 8 VAC 20-131-260. School facilities and safety.

973 A. Each school shall be maintained in a manner ensuring compliance with the Virginia
974 Uniform Statewide Building Code (13 VAC 5-61-10 et seq.) ~~and regulations of the board~~
975 ~~pertaining to facilities~~. In addition, the school administration shall:

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

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

978 Commonwealth of Virginia;

979 3. Provide suitable space for classrooms, administrative staff, pupil personnel services,
980 library and media services, and for the needs and safety of physical education; and

981 4. Provide adequate, safe, and properly-equipped laboratories to meet the needs of
982 instruction in the sciences, technology, fine arts, and career and technical programs.

983 5. Provide facilities for the adequate and safe administration and storage of student
984 medications.

985

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

- 990 1. Equip all exit doors with panic hardware as required by the Uniform Statewide
991 Building Code (13 VAC 5-61-10 et seq.); and
992
- 993 2. Conduct fire drills at least once a week during the first month of school and at least
994 once each month for the remainder of the school term. Evacuation routes for students
995 shall be posted in each room. Additionally, at least one simulated lock-down and crisis
996 emergency evacuation activity should be conducted early in the school year.
997
- 998 C. Each school shall have contingency plans for emergencies that include staff certified
999 in cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first
1000 aid. In addition, the school administration shall ensure that the school has:
- 1001 1. Written procedures to follow in emergencies such as fire, injury, illness, allergic
1002 reactions, and violent or threatening behavior. The plan shall be outlined in the student
1003 handbook and discussed with staff and students during the first week of each school year;
1004 2. Space for the proper care of students who become ill; ~~and~~
1005 3. A written procedure, in accordance with guidelines established by the local school
1006 board, for responding to violent, disruptive or illegal activities by students on school
1007 property or during a school sponsored activity: ; and
1008 4. Written procedures to follow for the safe evacuation of persons with special physical,
1009 medical, or language needs who may need assistance to exit a facility.

1010

- Language referencing Board of Education regulations pertaining to facilities is deleted since the board does not maintain any regulations that exceed the Uniform Statewide Building Code.
- The language in subsection A is added to emphasize the need for schools to have policies addressing the handling of student medications.
- The language in subsection C is added to emphasize the need for schools to have plans for evacuating persons who may need assistance due to special physical, or medical needs, or who may need assistance due to limited English proficiency.
- The language regarding allergic reactions is also added to subsection C to address the growing prevalence of student allergies and the dangers that they may pose if not addressed.

1010 Part VII

1011 School and Community Communications

1012 8 VAC 20-131-270. School and community communications.

1013 A. Each school shall promote communication and foster mutual understanding with
1014 parents and the community. Each school shall:

1015 1. Involve parents, citizens, community agencies, and representatives from business and
1016 industry in developing, disseminating, and explaining the biennial school plan; on
1017 advisory committees; in curriculum studies; and in evaluating the educational program.

1018 2. Provide annually to the parents and the community the School Performance Report
1019 Card in a manner prescribed by the board. The information contained therein will be for
1020 the most recent three-year period. Such information shall include but not be limited to:

1021 a. ~~SOL test scores and scores on the literacy and numeracy tests required for the Modified~~
1022 ~~Standard Diploma for the school, school division, and state.~~ Virginia assessment
1023 program results including the

1024 b. ~~Percentage~~ percentage of students tested, as well as the percentage of students not
1025 tested, ~~to include a breakout of students with disabilities and limited English proficient~~
1026 ~~students.~~

1027 c. ~~Percentage of students who are otherwise eligible, but do not take, the SOL tests due to~~
1028 ~~enrollment in an alternative, or any other program not leading to a Standard, Advanced~~
1029 ~~Studies, Modified Standard, or International Baccalaureate Diploma.~~

- 1030 ~~d-b.~~ Performance of ~~students with disabilities or students with limited English~~
1031 ~~proficiency~~ student subgroups on ~~SOL tests and alternate assessments~~ the Virginia
1032 assessment program as appropriate.
- 1033 e-c. The accreditation rating awarded to the school.
- 1034 ~~f-d.~~ Attendance rates for students.
- 1035 ~~g-e.~~ Information related to school safety to include, but not limited to, incidents of
1036 physical violence (including fighting and other serious offenses), possession of firearms,
1037 and possession of other weapons.
- 1038 ~~h-f.~~ Information related to qualifications and experience of the teaching staff including
1039 the percentage of the school's teachers endorsed in the area of their primary teaching
1040 assignment.
- 1041 i-g. In addition, secondary schools' School Performance Report Cards shall include the
1042 following:
- 1043 (1) Advanced Placement (AP) information to include percentage of students who take AP
1044 courses and percentage of those students who take AP tests;
- 1045 (2) International Baccalaureate (IB) information to include percentage of students who
1046 are enrolled in IB programs and percentage of students who receive IB Diplomas;
- 1047 (3) College-level course information to include percentage of students who take college-
1048 level courses including dual enrollment courses;
- 1049 (4) Percentage of (i) diplomas, (ii) certificates awarded to the senior class including GED
1050 credentials, and (iii) students who do not graduate;

1051 ~~(5) Percentage of students in alternative programs that do not lead to a Standard,~~
1052 ~~Advanced Studies, or Modified Standard Diploma; Information on the number of~~
1053 ~~students obtaining industry certifications, and passing state licensure examinations and~~
1054 ~~occupational competency assessments while still in high school; and~~
1055 ~~(6) Percentage of students in academic year Governor's Schools; and~~
1056 ~~(7) (6) Percentage of drop-outs.~~

1057 3. Cooperate with business and industry in formulating career and technical educational
1058 programs and conducting joint enterprises involving personnel, facilities, training
1059 programs, and other resources.

1060 4. Encourage and support the establishment and/or continuation of a parent-teacher
1061 association or other organization and work cooperatively with it.

1062

1063 B. At the beginning of each school year, each school shall provide to its students' parents
1064 or guardians information on the availability of and source for receiving:

1065 1. The learning objectives developed in accordance with the provisions of 8 VAC 20-
1066 131-70 to be achieved at their child's grade level or, in high school, a copy of the syllabus
1067 for each of their child's courses, and a copy of the school division promotion, retention,
1068 and remediation policies;

1069 2. ~~A copy of the~~ The Standards of Learning applicable to the child's grade or course
1070 requirements and the approximate date and potential impact of the child's next SOL
1071 testing; and

1072 3. An annual notice to students in all grade levels of all requirements for Standard,
1073 Advanced Studies, and Modified Standard Diplomas, and the board's policies on
1074 promotion and retention as outlined in 8 VAC 20-131-30.
1075
1076 ~~No later than the end of the first semester of each school year, the~~ The division
1077 superintendent shall ~~certify~~ report to the department compliance with this subsection
1078 through the preaccreditation eligibility procedures in 8 VAC 20-131-290 of these
1079 regulations.
1080

- In subsection A language is eliminated because no separate requirement is needed since Virginia assessment program scores are already reported and the English and mathematics SOL tests are used to meet the literacy and numeracy requirements.
- In subsection A language regarding the percentage of students who are eligible but do not take the SOL tests is eliminated as obsolete due to the requirements of NCLB that all students be assessed.
- Dual enrollment language is added to information collected on students taking college-level courses.
- In subsection A language regarding the percentage of students in alternative programs that do not lead to diplomas is eliminated. This information is not required under NCLB.
- In subsection A language regarding the academic year Governor's Schools is eliminated since this information is already included in the Gifted Education Annual Report under the Data and Reports section of the DOE website.
- In subsection A language is added to address § 22.1-253.13:4 of the Code, which requires school boards to report annually to the Board of Education the number of industry certifications obtained and state licensure examinations passed, and the number shall be reported as a category on the School Performance Report Card. (SB 1045 2005 General Assembly.)
- In subsection B language is amended because the requirement to provide this information annually to parents places a financial burden on localities. School divisions should tell parents where the information is available and how to get copies of the information if desired. Much of the information could be contained in the student handbook required by 8 VAC 20-131-210.C.2. of the standards.
- In subsection B the annual notice requirement is included with pre-accreditation to eliminate a separate certification process.

1080 Part VIII

1081 School Accreditation

1082 8 VAC20-131-280. Expectations for school accountability.

1083 A. Schools will be accredited annually based on compliance with pre-accreditation

1084 eligibility requirements and achievement of the school accountability requirements of

1085 8VAC20-131-300 C.

1086

1087 ~~B. These standards apply to schools for all grade levels, kindergarten through 12, as listed~~

1088 ~~below:~~

1089 ~~1. Schools with grades kindergarten through 5 shall be classified as elementary schools;~~

1090 ~~2. Schools with grades 6 through 8 shall be classified as middle schools;~~

1091 ~~3. Schools with grades 9 through 12 shall be classified as secondary schools.~~

1092 ~~4. Schools with grade configurations other than these shall be classified in accordance~~

1093 ~~with policies and practices of the Department of Education.~~

1094

1095 ~~€~~ B. Each school shall be accredited based, primarily, on achievement of the criteria

1096 established in 8 VAC 20-131-30 as specified below:

1097 ~~1. All students enrolled in a grade or course in which a SOL test is administered shall~~

1098 ~~take each applicable SOL test, unless exempted from participating in all or part of the~~

1099 ~~testing program by one of the following:~~

1100 ~~a. IEP team;~~

- 1101 ~~b. LEP committee;~~
- 1102 ~~e. Use of additional tests for verified units of credit as outlined in 8 VAC 20-131-110 B;~~
- 1103 ~~or~~
- 1104 ~~d. In accordance with 8 VAC 20-131-30 B.~~
- 1105 ~~2. In a manner prescribed by the board, the evaluation of the performance of schools shall~~
- 1106 ~~take into consideration:~~
- 1107 ~~a. The percentage of eligible students who achieve a passing score on the prescribed SOL~~
- 1108 ~~tests or additional tests used for verified units of credit as outlined in 8 VAC 20-131-110~~
- 1109 ~~B;~~
- 1110 ~~b. The percentage of students who pass the literacy and numeracy tests required for the~~
- 1111 ~~Modified Standard Diploma;~~
- 1112 ~~c. The percentage of those students with disabilities whose IEPs specify their~~
- 1113 ~~participation in alternate assessment who attain a proficient level score (beginning with~~
- 1114 ~~the 2001-02 school year); and~~
- 1115 ~~d. The school's attainment of the provisional accreditation benchmarks as described in~~
- 1116 ~~8 VAC 20-131-320.~~
- 1117 ~~e. The number of students who successfully complete a remediation/recovery program,~~
- 1118 ~~and subsequently pass SOL tests in English (Reading, Literature, and Research) and/or~~
- 1119 ~~mathematics during any scheduled administration by the end of the following school~~
- 1120 ~~year.~~

1121 ~~3-1.~~ The ~~awarding of an accreditation rating shall be based on the~~ percentage of students
1122 ~~passing the Virginia assessment program SOL tests or approved additional tests described~~
1123 ~~in 8 VAC 20-131-110 B in the four core academic areas administered in the school, or~~
1124 ~~with the accreditation rating calculated on a trailing three-year average that includes the~~
1125 ~~current year scores and the scores from the two most recent years in each applicable~~
1126 ~~academic area, or on the current year's scores, whichever is higher.~~

1127 2. The number of students who successfully complete a remediation recovery program.

1128 ~~4.~~ Eligible students shall be defined as the total number of students of school age enrolled
1129 ~~in the school at a grade or course for which a SOL test is required unless excluded under~~
1130 ~~subsection E of this section and those students with disabilities who participate in the~~
1131 ~~alternate assessment program.~~

1132 ~~5.~~ Schools shall be evaluated by the percentage of the school's eligible students who
1133 ~~achieve a passing score on the SOL tests or other additional tests approved by the board~~
1134 ~~as outlined in 8 VAC 20-131-110 B in the four core academic areas administered in the~~
1135 ~~school.~~

1136 6.3. Schools, with grade configurations that do not house a grade or offer courses for
1137 which SOL tests or other additional tests approved by the ~~board~~ Board of Education as
1138 outlined in 8 VAC 20-131-110 ~~B~~ are administered, will be paired with another school in
1139 the division housing one or more of the grades in which SOL tests are administered. The
1140 pairing of such schools will be made upon the recommendation of the local

1141 superintendent. The schools should have a "feeder" relationship and the grades should be
1142 contiguous.

1143

1144 ~~D.C.~~ Subject to the provisions of 8 VAC 20-131-330, the governing school board of
1145 ~~Special-special~~ purpose schools such as those provided for in § 22.1-26 of the Code,
1146 ~~regional,~~ Governor's schools, special education schools, alternative schools, or career and
1147 technical schools that serve as the student's school of principal enrollment may seek
1148 approval of an alternative accreditation plan from the Board of Education. Special
1149 purpose schools with alternative accreditation plans shall be evaluated on standards
1150 appropriate to the programs offered in the school and approved by the board prior to
1151 August 1 of the school year for which approval is requested. Any student graduating from
1152 a special purpose school with a Standard, Advanced Studies, or Modified Standard
1153 Diploma must meet the requirements prescribed in 8 VAC 20-131-50.

1154

1155 ~~E.D.~~ When calculating the passing rates on SOL tests for the purpose of school
1156 accountability, the following tolerances for limited English proficient (LEP) and transfer
1157 students will apply:

1158 ~~1. LEP students shall have a one time exemption in each of the four core areas for SOL~~
1159 ~~tests designed to assess SOL content in grades kindergarten through 8.~~

1160 ~~2. LEP students shall not be exempted from participating in the SOL end-of-course~~
1161 ~~testing.~~

1162 ~~3-1.~~ The scores of LEP students enrolled in Virginia public schools fewer than 11
1163 semesters may be removed from the calculation used for the purpose of school
1164 accreditation required by 8 VAC 20-131-280 ~~C~~ B and 8 VAC 20-131-300 C. Completion
1165 of a semester shall be based on school membership days. Membership days are defined as
1166 the days the student is officially enrolled in a Virginia public school, regardless of days
1167 absent or present. For a semester to count as a completed semester, a student must have
1168 been in membership for a majority of the membership days of the semester. These
1169 semesters need not be consecutive.

1170 ~~4-2.~~ In accordance with the provisions of 8 VAC 20-131-30, all students who transfer into
1171 Virginia public schools are expected to take and pass all applicable SOL tests ~~unless they~~
1172 ~~have been exempted as defined in subdivision C 1 of this section~~ in the content areas in
1173 which they receive instruction.

1174 ~~5-3.~~ All students who transfer within a school division shall have their scores counted in
1175 the calculation of the school's ~~accountability~~ (accreditation) rating. Students who transfer
1176 into a Virginia school from home instruction, another Virginia school division, another
1177 state, or another country, in grades kindergarten through 8 shall be expected to take all
1178 applicable SOL tests or other additional tests approved by the board as outlined in 8 VAC
1179 20-131-110 ~~B~~. If the transfer takes place after the 20th instructional day following the
1180 opening of school, the scores on these tests may be used in calculating school
1181 ~~accountability~~ (accreditation) ratings.

1182 ~~6-4.~~ Students who transfer into a Virginia middle or high school from home instruction,
1183 or from another state or country, and enroll in a course for which there is an end-of-
1184 course SOL test, shall be expected to take the test or other additional tests for that course
1185 approved by the board as outlined in 8 VAC 20-131-110 ~~B.~~ If the transfer takes place
1186 after 20 instructional hours per course have elapsed following the opening of school or
1187 beginning of the semester, if applicable, the scores on those tests may be used in
1188 calculating school accountability (accreditation) ratings in the year the transfer occurs.

1189 ~~7-5.~~ Students who enroll on the first day of school and subsequently transfer to a school
1190 outside of the division for a total amount of instructional time equal to or exceeding 50%
1191 of a current school year or semester, whether the transfer was a singular or multiple
1192 occurrence, and return during the same school year shall be expected to take any
1193 applicable SOL test. The scores of those tests may be used in calculating the school
1194 ~~accountability (accreditation)~~ rating in the year in which the transfers occur.

1195 ~~8. The scores of LEP and transfer students will be used in the calculation of a school's~~
1196 ~~accountability (accreditation) rating if it will benefit the school.~~

1197 ~~9-6.~~ The board may alter the inclusions and exclusions from the ~~accountability~~
1198 accreditation calculations by providing adequate notice to local school boards.

1199
1200 E. The Board of Education may enact special provisions related to the administration and
1201 use of any SOL test or tests in a content area as applied to these regulations.

1202

1203 F. As a prerequisite to the awarding of an accreditation rating as defined in 8 VAC 20-
1204 131-300, each new or existing school shall document, in a manner prescribed by the
1205 board, the following: (i) the division's promotion/retention policies developed in
1206 accordance with the requirements of 8 VAC 20-131-30, (ii) compliance with the
1207 requirements to offer courses that will allow students to complete the graduation
1208 requirements in 8 VAC 20-131-50, (iii) the ability to offer the instructional program
1209 prescribed in 8 VAC 20-131-70 through 8 VAC 20-131-100, (iv) the leadership and
1210 staffing requirements of 8 VAC 20-131-210 through 8 VAC 20-131-240, and (v) the
1211 facilities and safety provisions of 8 VAC 20-131-260.

1212

- The entire section has been reorganized for clarity, consistency, and brevity.
- The original subsection B is deleted and the definition of a school will be covered in the proposed definitions section.
- In the new subsection B the language clarifies what accreditation ratings are based.
- The additional language in the new subsection B provides further definition of how student test scores are included in the calculation of accreditation ratings.
- Language regarding including students who are remediated in the accreditation calculation has been moved from the old subsection C into the new subsection B. This is not a new requirement.
- In the new subsection B the definition of eligible student has been deleted because it has been incorporated into the new definitions section.
- In the new subsection C clarifying language has been added to the section on special purpose schools. This language clarifies that special purpose schools must seek approval from the Board before implementing an alternative accreditation plan. The Board's approval of an alternative accreditation plan is not guaranteed. Section 22.1-26 addresses regional, joint, and continuation schools.
- In the new subsection D redundant language regarding LEP students has been eliminated. Language regarding the LEP one time exemption is already stated in 8 VAC 20-131-30 G.
- Language is added in the new subsection D.2. to clarify that if a transfer student has received instruction in the content area the student must take the applicable SOL test.
- In the new subsection D.3. and D.4 home instruction has been added to the list of transfer students who are expected to take the tests.
- The new section E contains language moved from 8 VAC 20-131-340 B. This language was moved as part of a reorganization of the regulations to provide clarity. Due to the constant evolution of testing requirements mandated by federal law this provision permits the board to address new testing requirements, create and administer new tests, and provide for the consideration of such requirements and new tests in the calculation of accreditation.

1212 8 VAC 20-131-290. Procedures for certifying accreditation eligibility.

1213 A. Schools will be accredited under these standards annually based, in part, on
1214 compliance with the pre-accreditation criteria described in 8 VAC 20-131-280 F.

1215

1216 B. To be eligible for accreditation, the principal of each school and the division
1217 superintendent shall ~~certify~~ report to the Department of Education:

1218 1. The extent to which each school continues to meet standards reported as met in the
1219 previous year described in 8 VAC 20-131-280 F.

1220 2. That the SOL have been fully incorporated into the school division's curriculum in all
1221 accreditation-eligible schools and the SOL material is being taught to all students eligible
1222 to take the SOL tests. This shall be certified ~~in writing to the board no later than July 1 of~~
1223 ~~every year~~, by each school division superintendent as part of the pre-accreditation
1224 eligibility determination process.

1225 3. Actions taken to correct any noncompliance issues cited in the previous year.

1226 The principal of each school and the division superintendent shall submit pre-
1227 accreditation eligibility reports in a manner prescribed by the board to the Department of
1228 Education. Failure to submit the reports on time will constitute grounds for denying
1229 accreditation to the school.

1230

1231 C. In keeping with provisions of the Standards of Quality, and in conjunction with the
1232 six-year plan of the division, each school shall prepare and implement a biennial school

1233 plan which shall be available to students, parents, staff, and the public. Each biennial
1234 school plan shall be evaluated as part of the development of the next biennial plan.
1235 Schools may use other plans to satisfy the requirement for the biennial plan with prior
1236 written approval from the Department of Education.

1237

1238 D. With the approval of the local school board, local schools seeking to implement
1239 experimental or innovative programs, or both, that are not consistent with these standards
1240 shall submit a waiver request, on forms provided, to the board for evaluation and
1241 approval prior to implementation. The request must include the following:

- 1242 1. Purpose and objectives of the experimental/innovative programs;
- 1243 2. Description and duration of the programs;
- 1244 3. Anticipated outcomes;
- 1245 4. Number of students affected;
- 1246 5. Evaluation procedures; and
- 1247 6. Mechanisms for measuring goals, objectives, and student academic achievement.

1248

1249 Except as specified below, the board may grant, for a period up to five years, a waiver of
1250 these regulations that are not mandated by state or federal law or designed to promote
1251 health or safety. The board may grant all or a portion of the request. Waivers of
1252 requirements in 8 VAC 20-131-30, 8 VAC 20-131-50, 8 VAC 20-131-70, and 8 VAC 20-

1253 131-280 through 8 VAC 20-131-340 shall not be granted, and no waiver may be
1254 approved for a program which would violate the provisions of the Standards of Quality.

1255

- In subsection A Student achievement on SOL and other tests form the primary basis for determining the accreditation status of a school.
- In subsection B this amendment removes a separate reporting requirement for division superintendents and comports to existing practice.

- 1255 8 VAC 20-131-300. Application of the standards.
- 1256 A. Schools that meet the pre-accreditation requirements prescribed in 8 VAC 20-131-
- 1257 280 F shall be assigned one of the following ratings as described in this section:
- 1258 ~~1. Earned During Academic Years Ending in 2000 through 2003:~~
- 1259 ~~a. Fully Accredited;~~
- 1260 ~~b. Provisionally Accredited/Meets State Standards;~~
- 1261 ~~c. Provisionally Accredited/Needs Improvement;~~
- 1262 ~~d. Accredited with Warning in (specified academic area or areas);~~
- 1263 ~~e. Conditionally Accredited.~~
- 1264 ~~2. Earned During Academic Years Ending in 2004 and 2005:~~
- 1265 ~~a. Fully Accredited;~~
- 1266 ~~b. Accredited with Warning in (specified academic area or areas);~~
- 1267 ~~c. Conditionally Accredited.~~
- 1268 ~~3. Earned During Academic Years Ending in 2006 and Beyond:~~
- 1269 ~~a~~ 1. Fully Accredited;
- 1270 ~~b~~ 2. Accredited with Warning in (specified academic area or areas);
- 1271 ~~c~~ 3. Accreditation Denied;
- 1272 ~~d~~ 4. Conditionally Accredited;
- 1273 ~~e. Accreditation Withheld/Improving School Near Accreditation (not to be used after~~
- 1274 ~~academic year ending in 2009).~~
- 1275

1276 B. Compliance with the student academic achievement expectations shall be documented
1277 to the board directly through the reporting of the results of student performance on SOL
1278 tests and other alternative means of assessing student academic achievement as outlined
1279 in 8 VAC 20-131-110 ~~B~~. Compliance with other provisions of these regulations will be
1280 documented in accordance with procedures prescribed by the board.

1281

1282 C. Accreditation ratings defined.

1283 1. Fully accredited.

1284 a. For school years 2004-05 through 2008-09 a ~~A~~ school will be rated Fully Accredited
1285 when its eligible students meet the pass rate of 70% in each of the four core academic
1286 areas except, ~~effective with ratings earned in the academic year 2003-04 and beyond~~, the
1287 pass rates required shall be 75% in third ~~and~~ through fifth grade English and 50% in third
1288 grade science and history/social science. In schools housing grades kindergarten through
1289 5, the English and mathematics pass rates for accreditation purposes shall be calculated
1290 for these grades as single rates by combining the scores of all third grade ~~and~~ through
1291 fifth grade SOL tests administered in English and by combining the scores of all third
1292 grade ~~and~~ through fifth grade SOL tests administered in mathematics.

1293 ~~b. During the transition period covering ratings earned during 1999-2000 through 2002-~~
1294 ~~03, in schools housing grades kindergarten through 5, the science and history/social~~
1295 ~~science pass rates for accreditation purposes shall be calculated by using the fifth grade~~
1296 ~~scores alone, or by combining the scores of all SOL tests administered in grades 3~~

1297 ~~through 5 in science and by combining the scores of all SOL tests administered in grades~~
1298 ~~3 through 5 in history/social science, whichever is higher. If the third grade scores are~~
1299 ~~combined with the fifth grade scores, the required passing rate shall be 70% for full~~
1300 ~~accreditation. In schools housing grades kindergarten through 3, the accreditation rating~~
1301 ~~shall be calculated using the English and mathematics scores only. For schools housing~~
1302 ~~grade configurations where multiple pass rates apply, the results of the tests may be~~
1303 ~~combined in each of the four core academic areas for the purpose of calculating the~~
1304 ~~school's accreditation rating provided the school chooses to meet the higher pass rate.~~

1305 c. With tests administered in the academic year 2009-10 for the accreditation ratings in
1306 school year 2010-2011 and beyond a school will be rated Fully Accredited when its
1307 eligible students meet the pass rate of 75% in English and the pass rate of 70% in
1308 mathematics, science, and history and social science.

1309 d. For accreditation purposes the pass rate will be calculated as single rates for each of
1310 the four core academic areas by combining all scores of all tests administered in each
1311 subject area.

1312

1313 ~~2. Provisionally Accredited/Meets State Standards. For ratings earned during the~~
1314 ~~academic years 1999-2000 through 2002-03, a school will be rated Provisionally~~
1315 ~~Accredited/Meets State Standards when it has met the provisional accreditation~~
1316 ~~benchmarks as defined in accordance with 8 VAC 20-131-320 but has not met the~~
1317 ~~requirement to be rated Fully Accredited.~~

1318 ~~3. Provisionally Accredited/Needs Improvement. For ratings earned during the academic~~
1319 ~~years 1999-2000 through 2002-03, a school will be rated Provisionally Accredited/Needs~~
1320 ~~Improvement when it fails to meet the provisional accreditation benchmarks as defined in~~
1321 ~~8 VAC 20-131-320 in one or more academic areas.~~

1322 4.2. Accredited with Warning (in specific academic area or areas).

1323 a. ~~For ratings earned during academic years ending in 1999-2000 through 2002-03, a~~
1324 ~~school will be Accredited with Warning (in specific academic area or areas) if its pass-~~
1325 ~~rate performance on SOL tests is 20 or more percentage points below any of the~~
1326 ~~provisional accreditation benchmarks set forth in the appendix to these standards.~~

1327 b. ~~For ratings earned during academic years 2003-04 and 2004-05, a school will be~~
1328 ~~Accredited with Warning in (specific academic area or areas) if it does not meet the pass-~~
1329 ~~rate requirements to be Fully Accredited.~~

1330 e. ~~For ratings earned during academic years 2005-06 and beyond, a A school will be~~
1331 ~~Accredited with Warning in (specific academic area or areas) if it has ~~achieved~~ failed to~~
1332 ~~achieve Fully Accredited status but has failed to meet the requirements to maintain that~~
1333 ~~status in any one year. Following the academic year 2005-06, such Such a school may~~
1334 ~~remain in the Accredited with Warning status for no more than three consecutive years.~~

1335 5.3. Accreditation Denied. Based on a school's academic performance during academic
1336 years ending in 2006 and beyond, a school shall be rated Accreditation Denied if it fails
1337 to meet the requirements to be rated Fully Accredited for the preceding three consecutive

1338 ~~years or for three consecutive years anytime thereafter, except for schools rated~~

1339 ~~Accredited with Warning as set forth in subdivision 4 c of this subsection.~~

1340 In any school division in which 1/3 or more of the schools have been rated Accreditation

1341 Denied, the superintendent shall be evaluated by the local school board with a copy of

1342 such evaluation submitted to the ~~board~~ Board of Education no later than December 1 of

1343 each year in which such condition exists. In addition, the Board of Education may take

1344 action against the local school board as permitted by the Standards of Quality due to the

1345 failure of the local board to maintain accredited schools.

1346 ~~6. Accreditation Withheld/Improving School Near Accreditation. A school that has never~~

1347 ~~met the requirements to be rated Fully Accredited by end of the academic year ending in~~

1348 ~~2006 may apply to the board for this accreditation designation. To be eligible, the school~~

1349 ~~must meet the following criteria:~~

1350 a. ~~By the year ending in 2006, at least 70% of its students must have passed the~~

1351 ~~applicable English SOL tests except at third and fifth grade where the requirement is~~

1352 ~~75%.~~

1353 b. ~~By the year ending in 2006, a combined pass rate of 60% of its students must have~~

1354 ~~passed the SOL tests in the other three core academic areas.~~

1355 c. ~~In each academic area in which the pass rate is below the rate required to be rated Fully~~

1356 ~~Accredited, the school's pass rate must have increased by at least 25 percentage points as~~

1357 ~~compared to the pass rates on tests taken during the academic year ending in 1999.~~

1358 ~~To retain this rating, a school must continue to show annual improvement in each~~
1359 ~~academic area in which the pass rate is below the rate required for full accreditation. This~~
1360 ~~rating will cease to exist after the academic year ending in 2009.~~

1361 7 4. Conditionally Accredited. New schools that are comprised of students from one or
1362 more existing schools in the division will be awarded this status for one year pending an
1363 evaluation of the school's eligible students' performance on SOL tests or additional tests
1364 ~~described in 8 VAC 20-131-110-B~~ approved by the Board of Education to be rated Fully
1365 Accredited. This rating may also be awarded to a school that is being reconstituted in
1366 accordance with the provisions of 8 VAC 20-131-340 of these regulations upon
1367 agreement by the Board of Education. A school awarded this rating under those
1368 circumstances will revert to a status of Accreditation Denied if it fails to meet the
1369 requirements to be rated Fully Accredited by the end of the agreed upon term.

1370

1370

- In subsection A obsolete language has been deleted due to the period of time having passed.
- In the new subsection A language is struck for clarification.
- In subsection C1.b. “through” is added to address implementation of annual testing.
- In subsection C1.b. these changes will allow schools to adjust to implementation of annual testing and time to prepare for increased pass rates. Amendments in subsection C provide for a phase-in of higher standards for accreditation ratings earned in the 2009-10 school year to be applied to the 2010-2011 school year.
- In subsection C the Provisionally Accredited/Meets State Standards language is obsolete and has been deleted due to the period of time having passed.
- In subsection C. 2. language in the Accredited with Warning rating is obsolete and has been deleted due to the period of time having passed. Language is also deleted for clarification.
- Language is added in subsection C.3. to clarify that beginning with accreditation ratings earned in 2005-06 a school may be rated Accreditation Denied for the 2006-07 school year if it has been Accredited with Warning for the three years preceding 2006-07.
- It is proposed that in the former subsection C.6., the Board consider eliminating the Accreditation Withheld/Improving School Near Accreditation rating due to a number of factors:
 1. There will likely be very few schools that have never been fully accredited in 2006. Also, if after 8 years a school has never reached full accreditation, accreditation denied may be the most appropriate rating for the school.
 2. The data sets used to calculate accreditation ratings in 1999 are vastly different than those likely to be used in 2006. The 1999 sets were unadjusted pass rates (excluding only LEP by the Board’s directive) and, more than likely the 2006 pass rates will have many adjustments making the two data sets like comparing apples to oranges. In addition, there will likely be few schools that cannot demonstrate a 25% increase over 1999.
- Language regarding alternate assessments or alternative tests is added in the new subsection C. 4. for consistency with 8 VAC 20-131-280 and clarity.
- In the new subsection C.4. a new provision allowing reconstituted schools to be rated Conditionally Accredited would grant some relief to localities whose schools may be rated Accreditation Denied under circumstances outlined in 8 VAC 20-131-340.C.

1370 8 VAC 20-131-310. Action requirements for schools that are accredited with warning.

1371 A. With such funds as are appropriated by the General Assembly, the Department of

1372 Education shall develop a school academic review process and monitoring plan designed

1373 to assist schools rated as Accredited with Warning. All procedures and operations for the

1374 academic review process shall be approved and adopted by the board.

1375

1376 B. Any school that is rated Accredited with Warning in English or mathematics ~~is~~

1377 ~~expected to~~ shall adopt ~~an~~ a research based instructional method intervention that has a

1378 proven track record of success at raising student achievement in those areas as

1379 appropriate.

1380

1381 C. The superintendent and principal shall certify in writing to the ~~board~~ Board of

1382 Education that such a ~~method~~ an intervention has been adopted and implemented.

1383

1384 D. The board shall publish a list of recommended instructional ~~methods~~ interventions,

1385 which may be amended from time to time.

1386

1387 E. Adoption of instructional ~~methods~~ interventions referenced in subsections B and D of

1388 this section shall be funded by eligible local, state, and federal funds.

1389

1390 F. A three-year School Improvement Plan must be developed and implemented, based on
1391 the results of an academic review of each school that is rated Accredited with Warning
1392 upon receipt of notification of the awarding of this rating and receipt of the results of the
1393 academic review. The plan:

1394 1. Shall be developed with the assistance of parents and teachers and made available to
1395 the public;

1396 2. Must include the components outlined in subsection G of this section; and

1397 3. Must be approved by the division superintendent and the local school board and be
1398 designed to assist the school in meeting the student achievement standard to be Fully
1399 Accredited as outlined in 8 VAC 20-131-300.

1400

1401 G. The improvement plan shall include the following:

1402 1. A description of how the school will meet the ~~provisional accreditation benchmarks, or~~
1403 ~~the~~ requirements to be Fully Accredited, for each of the years covered by the plan;

1404 2. Specific measures for achieving and documenting student academic improvement;

1405 3. A description of the amount of time in the school day devoted to instruction in the core
1406 academic areas;

1407 4. Instructional practices designed to remediate students who have not been successful on
1408 SOL tests;

1409 5. Intervention strategies designed to prevent further declines in student performance;

1410 6. Staff development needed;

1411 7. Strategies to involve and assist parents in raising their child's academic performance;
1412 8. The need for flexibility or waivers to state or local regulations to meet the objectives of
1413 the plan; and
1414 9. A description of the manner in which local, state, and federal funds are used to support
1415 the implementation of the components of this plan.
1416 As part of its approval of the school improvement plan, the board may grant a local
1417 school board a waiver from the requirements of any regulations promulgated by the board
1418 when such a waiver is available.
1419
1420 H. The school improvement plan and related annual reports submitted to the board shall
1421 provide documentation of the continuous efforts of the school to achieve the requirements
1422 to become rated Fully Accredited. The board shall adopt and approve all policies and
1423 formats for the submission of annual reports under this section. The reports shall be due
1424 no later than October 1 of the school year.
1425

- In subsection G the language has been eliminated as obsolete since the benchmarks no longer exist.
- Through out the regulation language regarding research based interventions have been added to clarify that schools must adopt interventions that have a proven track record of success.

- 1425 ~~8 VAC 20-131-320. Provisional accreditation benchmarks.~~
- 1426 ~~The board will set the minimum acceptable pass rates required for a school to achieve the~~
- 1427 ~~rating of Provisionally Accredited/Meets State Standards in the academic years 1999-~~
- 1428 ~~2003. These benchmarks are outlined in the appendix to these standards.~~
- 1429

The language of this regulation has been eliminated as obsolete since the benchmarks no longer exist.

1429 8 VAC 20-131-325. Recognitions and rewards for school accountability performance.

1430 A. Schools may be recognized by the ~~board~~ Board of Education in accordance with

1431 ~~procedures~~ guidelines it shall establish. Such recognition may include:

1432 1. Public announcements recognizing individual schools;

1433 2. Tangible rewards;

1434 3. Waivers of certain board regulations;

1435 4. Exemptions from certain reporting requirements; or

1436 5. Other commendations deemed appropriate to recognize high achievement.

1437 In addition to board recognition, local school boards shall adopt policies to recognize

1438 individual schools through public announcements, media releases, participation in

1439 community activities for input purposes when setting policy relating to schools and

1440 budget development, as well as other appropriate recognition.

1441

1442 ~~B. A school that maintains a passing rate on SOL tests or other additional tests approved~~

1443 ~~by the board as outlined in 8 VAC 20-131-110 B of 80% or above may, upon application~~

1444 ~~to the Department of Education, receive a waiver from some or all provisions of the~~

1445 ~~following regulations and reporting requirements for a period of up to three years:~~

1446 ~~8 VAC 20-131-80. Instructional program in elementary schools. (clock hour requirement~~

1447 ~~only)~~

1448 ~~8 VAC 20-131-90. Instructional program in middle schools. (clock hour requirement~~

1449 ~~only)~~

- 1450 ~~8 VAC 20-131-100. Instructional program in secondary schools.~~
- 1451 ~~8 VAC 20-131-110. Standard and verified units of credit. (clock hour requirement only)~~
- 1452 ~~8 VAC 20-131-120. Summer school. (clock hour requirement only)~~
- 1453 ~~8 VAC 20-131-130. Elective courses.~~
- 1454 ~~8 VAC 20-131-140. College preparation programs and opportunities for postsecondary~~
- 1455 ~~credit.~~
- 1456 ~~8 VAC 20-131-150. Standard school year and school day.~~
- 1457 ~~8 VAC 20-131-190. Library media, materials and equipment.~~
- 1458 ~~8 VAC 20-131-200. Extracurricular and other school activities.~~
- 1459 ~~8 VAC 20-131-210. Role of the principal.~~
- 1460 ~~8 VAC 20-131-220. Role of professional teaching staff.~~
- 1461 ~~8 VAC 20-131-230. Role of support staff.~~
- 1462 ~~8 VAC 20-131-240. Administrative and support staff; staffing requirements.~~
- 1463
- 1464 B. A school that maintains a passing rate on SOL tests or other additional tests approved
- 1465 by the board as outlined in 8 VAC 20-131-110 of 95% or above in the four core academic
- 1466 areas for two consecutive years may, upon application to the Department of Education,
- 1467 receive a waiver from annual accreditation. A school receiving such a waiver shall be
- 1468 Fully Accredited for a three-year period. However, such school shall continue to
- 1469 annually submit documentation in compliance with the pre-accreditation requirements
- 1470 described in 8 VAC 20-131-280 F.

1471

1472 C. Schools may be eligible to receive the Governor's Award for Outstanding
1473 ~~Improvement~~ Achievement. This award will be given to schools ~~in each classification~~
1474 ~~defined in 8 VAC 20-131-280 B-rated below Fully Accredited~~ that significantly increase
1475 the achievement of students within student subgroups in accordance with guidelines
1476 prescribed by the Board of Education ~~exceed the improvement levels defined in 8 VAC~~
1477 ~~20-131-320 by 10 percentage points or more in one year during the school years 2000-01~~
1478 ~~through 2002-03. In addition, any school that raises its rating from Accredited with~~
1479 ~~Warning to Fully Accredited in one year will receive this award when it was 10~~
1480 ~~percentage points or more below the performance level to be rated Fully Accredited.~~

1481

- In subsection B language is proposed to allow schools maintaining a pass rate of 95% or more on SOL or other tests to be accredited for a three-year period. Schools would continue to comply with the annual submission of preaccreditation documentation. This is designed to reward consistently high achieving institutions.
- Language regarding waivers of certain specified sections of the regulations has been eliminated due to the fact that few if any schools have requested such waivers since their availability.
- In subsection C the timeframe established for this award has expired making the language obsolete. A new award is established to recognize schools that are high achieving institutions that are addressing the achievement needs of the student subgroup population.

1481 8 VAC 20-131-330. Waivers.

1482 Waivers of some of the requirements of ~~this chapter~~ these regulations may be granted by

1483 ~~the board~~ Board of Education based on submission of a request from the division

1484 superintendent and chairman of the local school board. The request shall include

1485 documentation of the need for the waiver. In no event will waivers be granted to the

1486 requirements of Part III (8 VAC 20-131-30 et seq.) of ~~this chapter~~ these regulations.

1487

- 1487 8 VAC 20-131-340. Academic reviews, special provisions and sanctions.
- 1488 A. ~~Beginning with the 2000-01 school year, schools~~ Schools rated Accredited with
1489 Warning must undergo an academic review in accordance with guidelines adopted by the
1490 board and prepare a school improvement plan as required by 8 VAC 20-131-310.
- 1491
- 1492 B. Any school rated Accreditation Denied in accordance with 8 VAC 20-131-300 shall be
1493 subject to sanctions prescribed by the Board of Education and affirmed through a
1494 memorandum of understanding between the Board of Education and the local school
1495 board. The memorandum of understanding shall be entered into no later than 30 days
1496 after the opening of school. The memorandum or understanding may include but not be
1497 limited to:
- 1498 1. Submitting status reports detailing implementation of corrective actions to the Board
1499 of Education. The status reports shall be signed by the school principal, division
1500 superintendent, and the chair of the local school board. The Board of Education may
1501 require the school principal, division superintendent, and the chair of the local school
1502 board to appear before the Board to present such status reports.
- 1503 2. Undergoing an educational service delivery and management review. The Board of
1504 Education shall prescribe the content of such review and approve the reviewing authority
1505 retained by the school division.

1506 3. Employing a turnaround specialist credentialed by the state to address those conditions
1507 at the school that may impede educational progress and effectiveness and academic
1508 success.

1509

1510 C. Any school rated Accreditation Denied shall provide parents of enrolled students and
1511 other interested parties with the following:

1512 1. Written notice of the school's accreditation rating within 30 calendar days of the
1513 notification of the rating from the Department of Education;

1514 2. A copy of the school division's proposed corrective action plan, including a timeline
1515 for implementation, to improve the school's accreditation rating; and

1516 3. An opportunity to comment on the division's proposed corrective action plan.

1517 Such public comment shall be received and considered by the school division prior to
1518 finalizing the school division's corrective action plan and memorandum of understanding
1519 with the Board of Education.

1520

1521 D. As an alternative to the memorandum of understanding outlined in subsection B, a
1522 local school board may choose to enter into an agreement with the Board of Education to
1523 reconstitute a school rated Accreditation Denied. The reconstitution agreement may
1524 include any of the provisions of subsection B along with one or more of the following
1525 actions:

1526 1. Replacing all or a majority of the administrative staff and a substantial percentage of
1527 the instructional staff; or

1528 2. Hiring a private or nonprofit management firm from a Board of Education reviewed
1529 list; or

1530 3. Converting the school to a charter school in accordance with § 22.1-212.6 of the Code
1531 of Virginia, with consideration given to collaboration with an institution of higher
1532 education or other suitable entity.

1533 If a local school board chooses to reconstitute a school, it may apply for an accreditation
1534 rating of Conditionally Accredited as provided for in 8 VAC 20-131-300.D.6. The
1535 Conditionally Accredited rating may be extended for a period not to exceed three years if
1536 the school is making progress toward a rating of Fully Accredited in accordance with the
1537 terms of the agreement with the Board of Education. The school will revert to a status of
1538 Accreditation Denied if it fails to meet the requirements to be rated Fully Accredited by
1539 the end of the term of the agreement.

1540

1541 E. The local school board may choose to close a school rated Accreditation Denied or to
1542 combine such school with a higher performing school in the division.

1543

1544 F. A local school board that has any school with the status of Accreditation Denied shall
1545 annually report each school's progress toward meeting the requirements to be rated Fully
1546 Accredited to the Board of Education. The local board shall submit such report in a

1547 manner prescribed by the Board of Education no later than October 1 of each year. Such
1548 reports on each school's progress shall be included in the Board of Education's annual
1549 report on the condition and needs of public education to the Governor, and the General
1550 Assembly submitted on November 15 of each year.

1551

1552 ~~B. The board may enact special provisions related to the administration and use of any~~
1553 ~~SOL test or tests in a content area as applied to this chapter for any period during which~~
1554 ~~the SOL content in that area is being revised and phased in.~~

1555

1556 ~~CG.~~ Any school in violation of ~~this chapter~~ these regulations shall be subject to
1557 appropriate action by the ~~board~~ Board of Education including, but not limited to, the
1558 ~~adjustment or withdrawal~~ withholding or denial of a school's accreditation.

1559

1560 H. A school's accreditation rating may be withheld by action of the Board of Education
1561 for any school found to be in violation of test security procedures pursuant to § 22.1-19.1
1562 of the Code of Virginia.

1563

1564 I. The Board of Education may exercise its authority to seek school division compliance
1565 with school laws pursuant to relevant provisions of the Code of Virginia when any school
1566 within a division is rated Accreditation Denied.

1567

1567

- In subsection A obsolete language has been eliminated.
- In the new subsection B language regarding possible sanctions for schools rated Accreditation Denied has been added. The sanctions include requiring the local school board to enter into a memorandum of understanding with the Board to take steps to make major changes in a school.
- In the new subsection C language is added to require schools rated Accreditation Denied to communicate its status to parents and other interested parties, to provide copies of the school's plan to achieve Fully Accredited status, and to provide the public an opportunity to comment on the plan before it is finalized.
- In the new subsection D language is added to permit a school board to choose to take more drastic steps to improve the school by undertaking a reconstitution of the school through other means.
- In the new subsection D language is also added to allow a school to apply for a rating of Conditionally Accredited. This would relieve some of the community pressure and stigma of having a rating of Accreditation Denied during the period of the reconstitution and may encourage a school board to take this option. Granting the status or not would be the prerogative of the Board.
- In the new subsection E language is added to emphasize that a local school board may choose to close a school rated Accreditation Denied or to combine such school with a higher performing school.
- In the new subsection F a reporting requirement is added to ensure that the General Assembly and Governor are informed of schools rated Accreditation Denied and their progress toward achieving Fully Accredited status.
- In subsection G language is amended to emphasize the Board's authority to withhold or deny accreditation for any school in violation of the accrediting regulations.
- Language is added in the new subsection H to permit a school's accreditation to be withheld when any school violates test security procedures pursuant to § 22.1-19.1 of the Code of Virginia.
- In the new subsection I language is added to reaffirm the Board's authority to seek compliance with the school laws.