



Economic Impact Analysis Virginia Department of Planning and Budget

8 VAC 20-131 – Regulations Establishing Standards for Accrediting Public Schools in Virginia
Department of Education
January 6, 2014

Summary of the Proposed Amendments to Regulation

Chapter 454 of the 2012 Acts of Assembly: 1) specifies that in order for students to graduate with a Standard Diploma, they must earn a career and technical education credential that has been approved by the Board of Education (Board), 2) requires that students pursuing a Standard or Advanced Studies Diploma successfully complete one virtual course, which may be a noncredit-bearing course, 3) eliminates the Standard Technical Diploma and the Advanced Technical Diploma, and 4) effectively eliminates the Modified Standard Diploma, and instead requires that the Board make provisions in the regulations for students with disabilities to earn a Standard Diploma.

Consequently, the Board proposes to amend these regulations to: 1) add the career and technical education credential requirement for the Standard Diploma, 2) add the virtual course requirement for the Standard Diploma and Advanced Studies Diploma, 3) remove the Standard Technical Diploma and the Advanced Technical Diploma, and 4) remove the Modified Standard Diploma and establish credit accommodations for students with disabilities to earn a Standard Diploma.

Result of Analysis

The benefits likely exceed the costs for proposed changes in that the proposed amendments conform the regulations to existing requirements in statute.

Estimated Economic Impact

Chapter 454 of the 2012 Acts of Assembly specifies that *requirements for the standard diploma shall include a requirement to earn a career and technical education credential that has been approved by the Board, that could include, but not be limited to, the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment.* The Board proposes to place this requirement within these regulations. Since the precise attributes of the requirement are already in the Code of Virginia via the 2012 legislation, adding this requirement to the regulations will be beneficial in that it will add clarity, but will not otherwise change effective requirements.

The requirement that students pursuing a Standard or Advanced Studies Diploma successfully complete one virtual course, which may be a noncredit-bearing course, is also specified in the Code of Virginia via the 2012 legislation. Thus adding this requirement to the regulations will also be beneficial in that it will add clarity, but will not otherwise change effective requirements.

The Standard Technical Diploma and the Advanced Technical Diploma have not been implemented.¹ Thus their proposed removal from the regulations has no impact beyond the benefit of eliminating the chance that members of the public would be confused concerning their availability.

The Board proposes to meet the statutory requirement that it make provisions in the regulations for students with disabilities to earn a Standard Diploma by adding the following language to the regulations:

3. The Board of Education shall establish, through guidelines, credit accommodations to the standard and verified credit requirements for a Standard Diploma. Such credit accommodations for students with disabilities may include:

a. Approval of alternative courses to meet the standard credit requirements;

b. Modifications to the requirements for local school divisions to award locally awarded verified credits;

¹ Source: Department of Education

- c. Approval of additional tests to earn a verified credit;
- d. Adjusted cut scores required to earn verified credit; and
- e. Allowance of work-based learning experiences.

The student's Individual Education Program (IEP) or 504 Plan would specify any credit accommodations that would be applicable for the student.

This proposed language is beneficial in that it provides some additional detail about what can be done in practice to help enable students with disabilities to earn a Standard Diploma

Businesses and Entities Affected

These regulations affect the 132 public school divisions in the Commonwealth.

Localities Particularly Affected

These regulations do not disproportionately affect particular localities.

Projected Impact on Employment

The proposed amendments to these regulations are unlikely to affect employment.

Effects on the Use and Value of Private Property

The proposed amendments to these regulations are unlikely to significantly affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposed amendments to these regulations are unlikely to significantly affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments to these regulations are unlikely to significantly affect small businesses.

Real Estate Development Costs

The proposed amendments to these regulations are unlikely to affect real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.