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Regulatory
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Proposed Regulation Agency Background Document

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| Agency name | Virginia Board of Education |
| Virginia Administrative Code (VAC) citation | 8 VAC 20-131 |
| Regulation title | <i>Regulations Establishing the Standards for Accrediting Public Schools in Virginia</i> |
| Action title | Comprehensive review of the regulations |
| Date this document prepared | October 24, 2013 |

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

In a short paragraph, please summarize all substantive provisions of new regulations or changes to existing regulations that are being proposed in this regulatory action.

The Board of Education conducts a comprehensive review of these regulations from time to time. The proposed amendments are designed to ensure that students are prepared for college or a career upon graduation. In addition, several of the proposed amendments are included to comport with changes in the *Code of Virginia*.

Acronyms and Definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

Not applicable

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable and (2) promulgating entity, i.e., agency, board, or person. Your citation should include a specific provision authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency/board/person's overall regulatory authority.

The Board of Education's authority for promulgating regulations governing standards for accrediting public schools may be found in § 22.1-253.13:3 of the *Code of Virginia*:

"The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, student services, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia."

The Board of Education's overall regulatory authority may be found in § 22.1-16 of the *Code of Virginia*:

"The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title."

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.

The purpose of these amendments is to ensure that students are prepared for the global economy whether they embark on college or a career or both upon graduation.

Substance

Please briefly identify and explain new substantive provisions (for new regulations), substantive changes to existing sections or both where appropriate. (More detail about all provisions or changes is requested in the "Detail of changes" section.)

The substantive changes include the following:

- Closing the achievement gap would be a focus area for schools.
- A provision would allow the Board of Education to permit students in grades three through eight to have opportunities to retake a Standards of Learning test should funds for such purposes be appropriated by the General Assembly, and consistent with criteria set by the Board.

- The division would be required to have a policy for dropping courses that ensures that students' course schedules are not changes to avoid end-of-course assessments.
- The requirements for a Special Diploma for students with disabilities in 8VAC20-131-50 would include career competencies identified by the IEP team, in accordance with guidelines developed by the Board, and the IEP team would be responsible for verifying the successful completion of these competencies.
- The requirements for a Governor's Diploma Seal would be more rigorous, and would include a provision that the student must earn a one-year Uniform Certificate of General Studies or an associate degree earned concurrent with the high school diploma.
- The requirements for a Board of Education's Diploma Seal would also be more rigorous and would include a provision that the student must earn at least nine transferable college credits in Advanced Placement, International Baccalaureate, Cambridge, or dual enrollment courses, which is currently included in the requirements to earn the Governor's Diploma Seal.
- The requirements for transfer students would be revised to comport with the provisions for the Interstate Compact on Educational Opportunity for Military Children (with the exception of students transferring from one Virginia public school to another). Under those provisions, other states' end-of-course and exit assessments required for graduation would be accepted for the purpose of earning a verified credit.
- The requirement that students be provided with 140 clock hours of instruction in English, mathematics, science, and history/social science would be eliminated. Instead, students would be provided with a total of at least 560 clock hours of instruction in these four academic disciplines.
- A provision would clarify that the principal is also responsible for ensuring the security of tests administered to students, and cell phones and other devices with texting and camera capabilities would be prohibited in a room where Standards of Learning tests are administered.
- The requirements for the standard teaching load for middle and secondary school teachers would be clarified to include $\frac{5}{6}$ th of the instructional day, or the equivalent in minutes per week, with no more than 150 students per school year; however, physical education and music teachers may teach 200 students per school year.
- A teacher's planning period would be $\frac{1}{6}$ th of the instructional day, or the equivalent in minutes per week, regardless of the configuration of the class schedules.
- Language would be added to include a notice to parents identifying any sensitive or sexually explicit materials that may be included in the course, the textbook, or any supplemental instructional materials.
- A school that is "paired" for accreditation purposes, and has no tested grades, may be unpaired and accredited based on an alternative accreditation plan, using growth indicators, approved by the Board.
- A new accreditation rating, Fully Accredited with Distinction, would be added. The criteria for this rating would be a pass rate of 90 percent or above in each of the four core academic areas; and in the case of elementary and middle schools, at least 50 percent of the lowest performing 25 percent of students meet student growth indicators approved by the Board; or in the case of high schools with a graduating class, a graduation rate of 90 percent or higher, based on Virginia's On-Time Graduation Rate.

- With tests administered beginning in 2015-2016, for accreditation ratings awarded in 2016-2017 and beyond, the pass rate would increase to 75 percent in mathematics for a school to be Fully Accredited.
- There would be a process for a local school board to appeal an accreditation rating. The appeal process may consider student growth data from state assessments and other assessments approved by the Board.
- The other assessments must meet specified criteria set by the Board and must be administered on a multistate or international basis, or administered as part of another state's accountability assessment program, or listed on the Virginia Department of Education Student Growth Assessment state contract. The test must incorporate or exceed the applicable SOL content and must measure and report individual growth relative to a year's worth of progress.
- A provision would be added to permit schools Accredited with Warning at the beginning of the third year to seek a Conditionally Accredited-Reconstituted rating for a period not to exceed three years.

The changes to comport with provisions of the *Code* are as follows:

- In accordance with HB 2028 and SB 986, beginning with the ninth-grade class of 2016-2017, students would be required to be trained in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators to be awarded a Standard or an Advanced Studies Diploma, in 8VAC20-131-50. There would also be a provision for a waiver for students with disabilities whose Individualized Education Plan (IEP) or 504 Plan documents that they cannot successfully complete the hands-on training.
- A provision would be added to specify the requirement in the Standards of Quality that elementary schools would be required to provide early identification, diagnosis, and assistance for students with deficits in reading or mathematics, pursuant to HB 2068 and SB 1171.
- Students in middle schools and secondary schools who need targeted mathematics remediation and intervention would be required to receive additional instruction in mathematics, pursuant to HB 1350.
- A provision would be added about the threat assessment team required by HB 2344.
- The number of lock-down drills would be increased to two, in accordance with HB 2346.
- The requirements for staff trained in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator would be added, pursuant to HB 2028 and SB 986.
- The requirements for procedures to follow for the possession and administration of epinephrine, as specified in HB 1107 and SB 656 (2012) would be added.
- The calculation for the Graduation and Completion Index would be revised to add three points for students who earn a diploma and a CTE credential, pursuant to HB 642 and SB 514 (2012).

Issues

Please identify the issues associated with the proposed regulatory action, including:

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.

If the regulatory action poses no disadvantages to the public or the Commonwealth, please indicate.

This regulatory action comports with the Code and poses no disadvantages to the public or the Commonwealth.

Requirements more restrictive than federal

Please identify and describe any requirements of the proposal, which are more restrictive than applicable federal requirements. Include a rationale for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

There are no applicable federal requirements.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

All 132 school divisions would be affected. It is not expected that any school division would incur a disproportionate material impact.

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so via the Regulatory Town Hall Web site (<http://www.townhall.virginia.gov>), or by mail, e-mail or fax to Anne Wescott, Virginia Department of Education, P. O. Box 2120, Richmond, VA 23218-2120, (804) 225-2403, and Anne.Wescott@doe.virginia.gov. Written comments must include the name and address of the commenter. In order to be considered, comments must be received by midnight on the last date of the public comment period.

A public hearing will be held after this regulatory stage is published in the *Virginia Register of Regulations* and notice of the hearing will be posted on the Virginia Regulatory Town Hall Web site (<http://www.townhall.virginia.gov>) and on the Commonwealth Calendar Web site (<http://www.virginia.gov/cmsportal3/cgi-bin/calendar.cgi>). Both oral and written comments may be submitted at that time.

Economic impact

Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirement creates the anticipated economic impact. Please keep in mind that we are looking at the impact of the proposed changes to the status quo.

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| <p>Description of the individuals, businesses or other entities likely to be affected (positively or negatively) by this regulatory proposal. Think broadly, e.g., these entities may or may not be regulated by this board</p> | <p>Students in K-12 public schools, their families, and local school divisions in Virginia would be affected by this regulation.</p> |
| <p>Agency’s best estimate of the number of (1) entities that will be affected, including (2) small businesses affected. Small business means a business, including affiliates, that is independently owned and operated, employs fewer than 500 full-time employees, or has gross annual sales of less than \$6 million.</p> | <p>There are 1.2 million students in K-12 public schools and 132 local school divisions in Virginia. It is not expected that any small business would be affected by this regulation.</p> |
| <p>Benefits expected as a result of this regulatory proposal.</p> | <p>This regulatory action will provide opportunities for all public school children to gain strong academic and career skills to become productive citizens and be prepared for postsecondary education and for employment in the workplace. The increased rigor of the diplomas as addressed in the legislation will increase economic self-sufficiency and pride in student accomplishments. The enhanced academic and workplace training for all students should provide the basis for securing highly-skilled employment opportunities after graduation and greater success in postsecondary education.</p> |
| <p>Projected cost to the state to implement and enforce this regulatory proposal.</p> | <p>Any additional cost is expected to be insignificant and can be absorbed within current resources.</p> |
| <p>Projected cost to localities to implement and enforce this regulatory proposal.</p> | <p>It is difficult to determine whether there would be additional costs to school divisions to implement the amendments. Several school divisions have noted that the new graduation requirement for hands-on CPR training would be an additional cost. However, the General Assembly passed legislation that mandated the hands-on CPR training, effective with the ninth-grade class of 2016-2017.</p> |
| <p>All projected costs of this regulatory proposal for affected individuals, businesses, or other entities. Please be specific and include all costs, including projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses, and costs related to real</p> | <p>None anticipated.</p> |

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Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

There are no alternatives to those regulatory actions that would comport with changes in statute. The proposed amendments are the least burdensome or intrusive alternative to prepare students for college and a career in the global economy.

Regulatory flexibility analysis

Pursuant to §2.2-4007.1B of the Code of Virginia, please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

These regulations are not expected to affect small businesses.

Public comment

Please summarize all comments received during the public comment period following the publication of the NOIRA, and provide the agency response.

| Commenter | Comment | Agency response |
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| Virginia Education Association | <p>Recommends reducing the number of tests at the elementary level, and supports expedited retakes of those tests.</p> <p>Supports the clarification of the staffing requirements.</p> | <p>An amendment to 8 VAC 20-131-30 says: “With such funds as may be appropriated by the General Assembly, the Board of Education may provide opportunities for students who meet criteria adopted by the Board for an expedited retake of a Standards of Learning test in grades three through eight.”</p> <p>An amendment to 8 VAC 20-131-240 would say (as amended) that the middle or secondary school classroom teacher’s standard load shall be based on teaching no more than 5/6 of the instructional day, or the equivalent in minutes per week, regardless of the configuration of the class schedules, with no more than 150</p> |

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| | <p>Opposes the provision that the teacher who teaches the content should not administer the associated SOL test.</p> | <p>students per school year. Physical education and music teachers, however, may teach 200 students per school year.</p> <p>If a classroom teacher teaches more than 5/6th of the total instructional time per day in minutes, or the equivalent per week, or more than 150 students each year, an appropriate contractual arrangement and compensation shall be provided.</p> <p>An amendment to 8 VAC 20-131-210 says: "...to the extent possible, the teacher should not administer the Standards of Learning test associated with the grade level content or class taught..."</p> |
| JustChildren | <p>Recommends updating the provision maintaining a safe and secure school environment to include reducing out-of-school suspensions. Encourages schools to use evidence-based programs to reduce disciplinary referrals. Questions the proposal to eliminate the 140 clock-hour requirement for high school courses. Questions the benefit of permitting the expedited retake of Standards of Learning tests for students in grades three through eight.</p> | <p>No change.</p> |
| Five school divisions/ superintendents | <p>Support allowing students in grades 3-8 to re-take Standards of Learning assessments</p> | <p>An amendment to 8 VAC 20-131-30 says: "With such funds as may be appropriated by the General Assembly, the Board of Education may provide opportunities for students who meet criteria adopted by the Board for an expedited retake of a Standards of Learning test in grades three through eight."</p> |
| Two school divisions/ superintendents | <p>Support multiple testing windows so that students can take Standards of Learning assessments early in the school year</p> | <p>No change.</p> |
| Six school divisions/ superintendents | <p>Oppose the new graduation requirement for hands-on training in cardiopulmonary resuscitation.</p> | <p>An amendment to 8 VAC 20-131-50 says: "Beginning with first-time ninth-grade students in the 2016-2017 school year, students shall be trained in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Any student with a disability whose Individualized Education Program (IEP) or 504 Plan documents that they cannot successfully complete this training shall be granted a waiver from this graduation requirement, as provided in 8VAC20-131-350."</p> |

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| | | HB 2028 and SB 986, passed by the 2013 General Assembly and signed by the Governor, mandate this requirement, beginning with the ninth-grade class of 2016-2017. |
| Five school divisions/ superintendents | Oppose the language about requiring remediation for students who need extra instruction in reading and mathematics. | An amendment to 8 VAC 20-131-80 says: "In accordance with the Standards of Quality, each school shall implement early identification, diagnosis, and assistance for students with reading or mathematics deficits and provide instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students." HB 2068 and SB 1171, passed by the 2013 General Assembly and signed by the Governor, clarify the language in the Standards of Quality requiring remediation in reading and mathematics. |
| Seven school divisions/ superintendents | Support the elimination of the clock hour requirements for students to earn a standard credit. | An amendment to 8 VAC 20-131-90 would replace the 140 clock hour requirement for English, mathematics, science, and history/social science with a requirement of at least 560 clock hours of instruction in these four academic disciplines. Amendments to 8 VAC 20-131-110 would eliminate the 140 clock hour requirement to earn a standard credit. An amendment to 8 VAC 20-131-120 eliminates the 70 clock hour requirement for summer school. |
| Six school divisions/ superintendents | Oppose the provision about sensitive or sexually explicit materials and said it is unnecessary. | An amendment to 8 VAC 20-131-270 would add a requirement to give "a notice to parents identifying any sensitive or sexually explicit materials that may be included in the course, the textbook, or any supplemental instructional materials..." This amendment would be added in response to concerns brought to the Board's attention by parents (although the parents' concerns were not public comments on these regulations). |
| One superintendent | Supports a definition of an instructional day that would be the total time from the first bell to the last bell, minus time for lunch and class breaks | No change. Current language in 8 VAC 20-131-05 defines the standards school day as "a calendar day that averages at least five and one-half instructional hours for students in grades 1 through 12, excluding breaks for meals and recess, and a minimum of three instructional hours for students in kindergarten." |
| One school division | Supports the changes in provisions for transfer students, the role of the principal, clarification of the standard school day and year, the new accreditation rating of Fully Accredited with Distinction, the appeal of an accreditation rating, and the provision to allow schools | Amendments to 8 VAC 20-131-60, 8 VAC 20-131-150, 8 VAC 20-131-210, 8 VAC 20-131-300, and 8 VAC 20-131-310 would make these changes. |

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| | that are accredited with warning to seek conditional accreditation after the second year. | |
| Seven educators | Support the creation of a new diploma Seal of Biliteracy to recognize students who are fluent in more than one language. | No change. |

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

This regulatory action will impact the family by providing opportunities for all public school children to gain strong academic and career skills to become productive citizens and be prepared for postsecondary education and for employment in the workplace. The increased rigor of the diplomas as addressed in the legislation will increase economic self-sufficiency and pride in student accomplishments. The enhanced academic and workplace training for all students should provide the basis for securing highly-skilled employment opportunities after graduation and greater success in postsecondary education.

Detail of changes

Please list all changes that are being proposed and the consequences of the proposed changes. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact. Please describe the difference between existing regulation(s) and/or agency practice(s) and what is being proposed in this regulatory action.

*If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all differences between the **pre-emergency** regulation and this proposed regulation, and (2) only changes made since the publication of the emergency regulation.*

For changes to existing regulation(s) or regulations that are being repealed and replaced, use this chart:

| Current section number | Proposed new section number, if applicable | Current requirement | Proposed change, intent, rationale, and likely impact of proposed requirements |
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| 8 VAC 20-131-20 | | Philosophy, goals, and objectives | Closing the achievement gap would be added as a major objective for schools. |
| 8 VAC 20-131-30 | | Student achievement expectations | Language that prohibits students in grades three through eight from taking more than one test in a content area in the same year would be deleted. A provision would be added to allow the |

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| | | | <p>Board of Education to permit students in grades three through eight to have opportunities to take an expedited retake of a Standards of Learning test should funds for such purposes be appropriated by the General Assembly, and consistent with criteria set by the Board.</p> <p>A provision would be added to clarify that students who fail to achieve a passing score on all relevant Standards of Learning tests in grades three through eight, and for students who fail to achieve a passing score on an end-of-course Standards of Learning test required for verified credit are required to attend a remediation program or participate in another form of remediation.</p> <p>The division would be required to have a policy for dropping courses that ensures that students' course schedules are not changes to avoid end-of-course assessments.</p> |
| <p>8 VAC 20-131-50</p> | | <p>Diploma requirements</p> | <p>In accordance with HB 2028 and SB 986, beginning with the ninth-grade class of 2016-2017, students would be required to be trained in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators to be awarded a Standard or an Advanced Studies Diploma, in 8VAC20-131-50. There would also be a provision for a waiver for students with disabilities whose Individualized Education Plan (IEP) or 504 Plan documents that they cannot successfully complete the hands-on training.</p> <p>Language would clarify that students who were first-time ninth graders prior to 2013-2014 would continue to be eligible to earn a Modified Standard Diploma.</p> <p>The requirements for a Special Diploma for students with disabilities in 8VAC20-131-50 would include career competencies identified by the IEP team, in accordance with guidelines developed by the Board, and the IEP team would be responsible for verifying the successful completion of these competencies.</p> <p>The requirements for a Governor's Diploma Seal would be more rigorous, and would include a provision that the student must</p> |

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| | | | <p>earn a one-year Uniform Certificate of General Studies or an associate degree earned concurrent with the high school diploma.</p> <p>The requirements for a Board of Education's Diploma Seal would also be more rigorous and would include a provision that the student must earn at least nine transferable college credits in Advanced Placement, International Baccalaureate, Cambridge, or dual enrollment courses, which is currently included in the requirements to earn the Governor's Diploma Seal.</p> |
| 8 VAC 20-131-60 | | Transfer students | <p>The requirements for transfer students would be revised to comport with the provisions for the Interstate Compact on Educational Opportunity for Military Children (with the exception of students transferring from one Virginia public school to another). Under those provisions, other states' end-of-course and exit assessments required for graduation would be accepted for the purpose of earning a verified credit.</p> |
| 8 VAC 20-131-80 | | Instructional programs in elementary schools | <p>A provision would be added to specify the requirement in the Standards of Quality that elementary schools would be required to provide early identification, diagnosis, and assistance for students with deficits in reading or mathematics.</p> <p>Students in grade three who have reading deficiencies based on their performance on the Standards of Learning test in reading would be required to receive intervention services.</p> |
| 8 VAC 20-131-90 | | Instructional programs in middle schools | <p>Students in middle schools and secondary schools who need targeted mathematics remediation and intervention would be required to receive additional instruction in mathematics.</p> <p>The requirement that students be provided with 140 clock hours of instruction in English, mathematics, science, and history/social science would be eliminated. Instead, students would be provided with a total of at least 560 clock hours of instruction in these four academic disciplines.</p> |
| 8 VAC 20-131-100 | | Instructional programs in secondary schools | <p>Students in middle schools and secondary schools who need targeted mathematics remediation and intervention would be required to receive additional instruction in mathematics.</p> |

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| 8 VAC 20-131-110 | | Standard and verified units of credit | The 140 clock hour requirement for a standard credit would be eliminated, and would be replaced with the requirement to demonstrate mastery of the course content. |
| 8 VAC 20-131-120 | | Summer school | The 70 clock hour requirement for summer school courses would also be eliminated. |
| 8 VAC 20-131-210 | | Role of the principal | <p>The role of the principal would include determining strategies necessary to close the achievement gap.</p> <p>A provision would clarify that the principal is also responsible for ensuring the security of tests administered to students, and cell phones and other devices with texting and camera capabilities would be prohibited in a room where Standards of Learning tests are administered.</p> <p>A provision would be added to say that to the extent possible, the teacher should not administer the Standards of Learning test associated with the grade level content or class taught.</p> <p>A provision would be added to specify that the principal's role includes facilitating collaborative partnerships with families and the community.</p> |
| 8 VAC 20-131-240 | | Administrative and support staff; staffing requirements | <p>The requirements for the standard teaching load for middle and secondary school teachers would be clarified to include 5/6th of the instructional day, or the equivalent in minutes per week, with no more than 150 students per school year; however, physical education and music teachers may teach 200 students per school year.</p> <p>A teacher's planning period would be 1/6th of the instructional day, or the equivalent in minutes per week, regardless of the configuration of the class schedules.</p> |
| 8 VAC 20-131-260 | | School facilities and safety | <p>A provision would be added about the threat assessment team required by HB 2344.</p> <p>The number of lock-down drills would be increased to two, in accordance with HB 2346.</p> <p>The requirements for staff trained in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator would be added, pursuant to HB 2028 and SB 986.</p> |

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| | | | The requirements for procedures to follow for the possession and administration of epinephrine, as specified in HB 1107 and SB 656 (2012) would be added. |
| 8 VAC 20-131-270 | | School and community communications | Language would be added to include a notice to parents identifying any sensitive or sexually explicit materials that may be included in the course, the textbook, or any supplemental instructional materials. |
| 8 VAC 20-131-280 | | Expectations for school accountability | <p>The calculation for the Graduation and Completion Index would be revised to add three points for students who earn a diploma and a CTE credential, pursuant to HB 642 and SB 514 (2012).</p> <p>A school that is “paired” for accreditation purposes, and has no tested grades, may be unpaired and accredited based on an alternative accreditation plan, using growth indicators, approved by the Board.</p> |
| 8 VAC 20-131-300 | | Application of the standards | <p>A new accreditation rating, Fully Accredited with Distinction, would be added. The criteria for this rating would be a pass rate of 90 percent or above in each of the four core academic areas; and in the case of elementary and middle schools, at least 50 percent of the lowest performing 25 percent of students meet student growth indicators approved by the Board; or in the case of high schools with a graduating class, a graduation rate of 90 percent or higher, based on Virginia’s On-Time Graduation Rate.</p> <p>The ratings would be separated for Conditionally Accredited – New and Conditionally Accredited – Reconstituted.</p> <p>With tests administered beginning in 2015-2016, for accreditation ratings awarded in 2016-2017 and beyond, the pass rate would increase to 75 percent in mathematics for a school to be Fully Accredited.</p> <p>There would be a process for a local school board to appeal an accreditation rating. The appeal process may consider student growth data from state assessments and other assessments approved by the Board.</p> <p>The other assessments must meet specified criteria set by the Board and must be administered on a multistate or international basis, or administered as</p> |

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| | | | <p>part of another state’s accountability assessment program, or listed on the Virginia Department of Education Student Growth Assessment state contract. The test must incorporate or exceed the applicable SOL content and must measure and report individual growth relative to a year’s worth of progress.</p> <p>Language references §§ 22.1-27.1 through 22.1-27.6 of the <i>Code of Virginia</i>, related to the Opportunity Educational Institution. There is similar language in 8VAC20-131-315, Action requirements for schools that are denied accreditation.</p> |
| <p>8 VAC 20-131-310</p> | | <p>Action requirements for schools that are Accredited with Warning or Provisionally Accredited-Graduation Rate</p> | <p>A provision would be added to permit schools Accredited with Warning at the beginning of the third year to seek a Conditionally Accredited-Reconstituted rating for a period not to exceed three years. The school division must apply annually to the Board for this rating. If the school fails to have its annual application approved, or if it fails to be Fully Accredited at the end of three years, the accreditation rating will revert to Accreditation Denied.</p> |