

**Regulations Establishing Standards for Accrediting Public Schools in Virginia  
(8 VAC 20-131)  
Response to Economic Impact Analysis  
July 18, 2017**

The Agency has reviewed the Economic Impact Analysis completed by the Department of Planning and Budget and submits the following corrections and clarifications:

The proposed Academic Achievement school quality indicators are not the same as the pass rates that are used in the current accreditation system. The current system accredits schools based upon a minimum percent of students who pass state assessments. The indicators used in the proposed system for English and mathematics will recognize the number of students in grades three through eight who pass as well as the number of students who do not pass and demonstrate adequate progress toward proficiency in each of those subject areas. These changes will allow schools that are not meeting the current pass rate benchmark to be recognized for making significant gains toward proficiency. The science indicator in the proposed system will continue to use pass rates as provided in the current system, because growth cannot be calculated in this subject area because science is not assessed annually. In addition, pass rates for social science and history will not be incorporated into the proposed system to allow performance-based assessments to be implemented in this subject area.

The proposed College, Career, and Civic Readiness Index school quality indicator will not be incorporated into the accreditation system until the 2021-22 school year, to align with the 2018-19 ninth-grade cohort that will be impacted by the revised graduation requirements.

When referring to performance levels, it should be noted that performance levels are designated in each school quality indicator for each school. For example, a school is not designated or labeled "Level Two." Rather, a particular school quality indicator is designated "Level Two" for a school.

If an Academic Achievement school quality indicator is designated Level Two, the school will not only be required to revise and implement school improvement plans, it also will be required to undergo an academic review conducted by the Agency.

While the proposed regulations will permit alterations to benchmarks and performance levels without a regulatory action through the Administrative Process Act, there are several reasons to support this arrangement. The existing regulations already authorize the Board to make certain adjustments to pass rates and other allowances in certain circumstances. Further, in practice, any proposed changes to proposed benchmarks and performance levels would always be made in consultation with the Secretary of Education and the Governor's office. In addition, the Board maintains an overall guidance document as a supplement for these regulations that is available to the public to explain any such adjustments that the Board has adopted. Finally, the regulations will require school divisions to be provided adequate notice before adopting any such changes.

The career investigation course that will be required for middle school students can also be delivered through alternative means that are equivalent in content and rigor. This addresses

some stakeholder's concerns that adding a new required course for middle school could cause scheduling problems that might prevent students from being able to take electives, and fine arts and foreign language courses. Potential alternative means to provide the course content include: virtual courses, exploratory "wheels," or weaving the course content into other subject areas.

The Agency concurs with the remainder of the Department of Planning and Budget's analysis, and will continue to examine the economic and administrative impact of the regulations as they progress through the APA process.