



townhall.virginia.gov

Final Regulation Agency Background Document

Agency name	Virginia Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8VAC20-160-10 et seq.
VAC Chapter title(s)	<i>Regulations Governing Secondary School Transcripts</i>
Action title	Comprehensive Revisions of the Regulations Governing Secondary School Transcripts
Date this document prepared	January 27, 2022

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

Changes in professional practice at postsecondary institutions and business and industry necessitated revisions to the *Regulations Governing Secondary School Transcripts* (8VAC20-160-10, et. seq). The Board of Education is proposing revisions that best serve the students of the Commonwealth by aligning elements contained in the student transcript to the needs and demands of postsecondary partners.

The *Regulations Governing Secondary School Transcripts* are composed of the following sections: Definitions, Effective date, Format options, Profile data sheet, Advanced-level courses, and Elements for weighting.

The last full revision to the *Regulations Governing Secondary School Transcripts* was approved by the Board of Education ("Board") in 2007.

In May 2016, the Board approved an amendment to the wording of [8VAC20-160-30](#) 25of the *Regulations Governing Secondary School Transcripts* in order to add an opt-out policy that allows flexibility to certain students who did not want standardized test scores sent to postsecondary institutions. The amendment to add the opt-out policy was the result of numerous educator and constituent calls expressing concern with the mandate to send standardized test scores as a part of the official transcript.

The Notice of Intent for Regulatory Action (NOIRA) was approved by the Board at the July 25, 2019, meeting. The NOIRA was published for public comment on September 16, 2019, and closed on October 16, 2019. There were no public comments received through Town Hall or submitted through the Board’s email address.

The Regulations Governing Secondary School Transcripts were accepted for first review by the Board at the January 23, 2020, meeting. One revision was made as a result of Board feedback. The definition of “Verified unit of credit” or “verified credit” was changed to accurately reflect the definition provided in the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, 8VAC20-131-5.

The *Regulations Governing Secondary School Transcripts* were accepted for final review under consent agenda at the March 19, 2020, meeting and submitted pursuant to the Administrative Process Act. The Governor’s office completed its review on July 22, 2021. The regulations were placed on Town Hall for public comment on September 13, 2021, and closed on November 12, 2021. There were six public comment submissions through Town Hall. Four comments expressed support for the change of making test scores on transcripts an “Opt-in” instead of Opt-out.” One comment expressed concern that section [8VAC20-160-60](#), Elements for Weighting, was not included in the revision proposal. It was communicated to the constituent that the section was not added because there were no proposed changes being considered. The last comment expressed concern about [8VAC20-160-50](#), Weight of advanced-level courses, and the proposed change of the language form “shall” to “may” for divisions determining courses and programs to receive weighted credits. The concern was that there would be inconsistencies between the grade point averages of students achieving the same grades in the same courses, but who live in different school divisions. It was communicated to the constituent that inconsistencies already exist between divisions now due to differing policies on weighting courses. Postsecondary institutions have protocol in place to assess advanced-level courses consistently and equitably for student admissions. The proposed change in language will still allow divisions to continue set weighting policy based on the best interest of their students, in particular those students who may not have equitable access to advanced-level courses.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the “Definitions” section of the regulation.

“Board” means the Virginia Board of Education

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The Board approved the final stage of the *Regulations Governing Secondary School Transcripts* on March 17, 2022.

Mandate and Impetus

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously reported information, include a specific statement to that effect.

The last comprehensive revision to the *Regulations Governing Secondary School Transcripts* was made by the Board in 2007. Changes in professional practice and postsecondary expectations warrant a revision to align with the needs of our students, parents, and postsecondary stakeholders.

In addition, the need for revisions was necessitated by educator and constituent calls expressing concern with outdated language and programs, as well as the need to clarify how specific transcript elements such as absences, previous schools attended, and course work are listed.

Superintendent's Memorandum [#133-18](#) was released May 21, 2018, to address some of the urgent issues and stated that the revision process for the *Regulations Governing Secondary School Transcripts* would begin in 2019.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

The Board's authority to promulgate regulations is found in § [22.1-16](#) of the *Code of Virginia*, which states that "[t]he 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

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it's intended to solve.

Secondary school transcripts are a complete record of a student's coursework, grades, and credits and provide concrete evidence to postsecondary institutions and the workforce of a student's preparation in matriculating, joining the military, or entering the workforce. It is imperative that the *Regulations Governing Secondary School Transcripts* be updated periodically to align with the needs of postsecondary education and the workforce.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.

In [8VAC20-160-10](#), words and terms that are outdated are revised or deleted and new words or terms are added that align with secondary and postsecondary expectations. For example, the following definition will be deleted because the program no longer exists:

"Commonwealth College Course Collaborative (CCCC) means a set of approved courses taken in high school that fully transfer as core requirements and degree credits at Virginia colleges and universities."

A revision was made to [8VAC20-160-10](#) and is included as a result of BOE feedback from the January 23, 2020 meeting. The definition of "Verified unit of credit" or "verified credit" was changed to accurately reflect the definition provided in the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, [8VAC20-131-5](#).

Also, the term "secondary" was replaced by the term "high school" in all sections where the term "secondary" was used to describe the student transcript, profile data, or courses.

In [8VAC20-160-20](#), the date that the secondary school transcript regulations shall become effective for students who take secondary courses for credit is changed to 2022-2023.

In [8VAC20-160-30](#), certain required elements for secondary school transcripts are revised or deleted and new elements added to align with secondary and postsecondary expectations. For example, the element below is deleted because the program no longer exists.

"13. Notation of Commonwealth Scholar Designation;"

In [8VAC20-160-40](#), [8VAC20-160-50](#), and [8VAC20-160-60](#) outdated information is deleted, and information added, to meet postsecondary demands.

Other elements include updated language and the deletion of items that are obsolete or no longer needed by postsecondary institutions or agencies.

Issues

Identify the issues associated with the regulatory change, 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 there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

The advantages to the public of the revisions to the *Regulations Governing Secondary School Transcripts* are that updated information and language will align with the needs of school divisions, postsecondary institutions, and business and industry to better position students in the Commonwealth to transition successfully to life after high school.

There are no disadvantages to this regulatory action.

Requirements More Restrictive than Federal

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than

applicable federal requirements. If there are no changes to previously reported information, include a specific statement to that effect.

There are no applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously reported information, include a specific statement to that effect.

Other State Agencies Particularly Affected

There are no other state agencies that are “particularly affected” by this regulatory action.

Localities Particularly Affected

Local education agencies will be affected insofar as changes to transcript elements will require changes to local systems that produce transcripts. This will be a one-time change, and it is anticipated that any financial impact can be absorbed within existing resources.

Other Entities Particularly Affected

There are no other entities that are “particularly affected” by this regulatory action.

Public Comment

Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.

Commenter	Comment	Agency response
Matthew Savage	<p>Advanced Course Weighting:</p> <p>I'm concerned with some of the proposed changes to 8VAC20-160-50 "Weight of advanced-level courses," specifically, striking the word "shall" with "may." By removing the requirement that school divisions include weighted grading for IB/AP courses, there would be inconsistencies between the grade point averages of students achieving the same grades in the same courses, but who merely live in different school districts. I don't understand the intention of the Board with this</p>	<p>Dear Virginia Constituent,</p> <p>Thank you for providing public comment during the 9/13/21-11/12/21 window to address the revision to the <i>Regulations Governing Secondary School Transcripts</i> (8VAC20-160-10, et. seq). Your input is important to us as the Board of Education (BOE) continues through the regulatory process.</p> <p>Inconsistencies already exist between divisions now due to differing policies on weighting courses. Postsecondary institutions have protocols in place to assess advanced-level courses consistently and equitably for student admissions. The proposed change in language will still allow divisions to continue to</p>

	<p>change, but I support the rest of the revisions.</p>	<p>set weighting policy based on the best interest of their students, in particular those students who may not have equitable access to advanced-level courses.</p> <p>Please be assured that your feedback is being closely considered. If we need clarification or have follow up questions regarding your public comment submission we will contact you via email. It is anticipated that the regulations will go before the BOE at the January 27, 2022 meeting for final review.</p>
<p>Liz Parker</p>	<p>8 VAC 20-160-60. Elements for weighting:</p> <p>I do not see where Elements for Weighting is included in the revision proposal, although it is currently part of transcript regulations. Does this mean that there are no proposed revisions to this section and that it will remain as is, or is it being proposed that this section is no longer included in transcript regulations? This section provides valuable direction for local school divisions that results in some form of consistency for the weighting of courses, and I would recommend that this section remain. Thank you!</p>	<p>Dear Virginia Constituent,</p> <p>Thank you for providing public comment during the 9/13/21-11/12/21 window to address the revision to the <i>Regulations Governing Secondary School Transcripts</i> (8VAC20-160-10, et. seq).</p> <p>Section 8 VAC 20-160-60. <i>Elements for weighting</i> was not added because there were no changes to that section. It will remain as-is with no changes as we move forward. If you have further questions please let me know.</p> <p>Your input is important to us as the Board of Education (BOE) continues through the regulatory process. If we need clarification or have follow up questions regarding your public comment submission we will contact you via email. It is anticipated that the regulations will go before the BOE at the January 27, 2022 meeting for final review.</p>
<p>Janet K. Smith</p>	<p>Support of proposed revision regarding SAT/ACT score opt in:</p> <p>I am in full support of the proposed revision regarding the inclusion of SAT/ACT test scores on a student transcript, changing the policy from an opt-out to an opt-in.</p>	<p>Dear Virginia Constituent,</p> <p>Thank you for providing public comment during the 9/13/21-11/12/21 window to address the revision to the <i>Regulations Governing Secondary School Transcripts</i> (8VAC20-160-10, et. seq). Your input is important to us as the Board of Education (BOE) continues through the regulatory process. Please be assured that your feedback is being closely considered. If we need clarification or have follow up questions regarding your public comment submission we will contact you via email. It is anticipated that the regulations will go before the BOE at the January 27, 2022 meeting for final review.</p>

<p>Charlie Williams</p>	<p>In favor of SAT/ACT Opt-In:</p> <p>I write to support the proposed change to status of standardized test scores on student transcripts to opt-in. From observations working with students and transcripts in a school building, it would clearly be to their benefit to approve this change.</p>	<p>Dear Virginia Constituent,</p> <p>Thank you for providing public comment during the 9/13/21-11/12/21 window to address the revision to the <i>Regulations Governing Secondary School Transcripts</i> (8VAC20-160-10, et. seq). Your input is important to us as the Board of Education (BOE) continues through the regulatory process. Please be assured that your feedback is being closely considered. If we need clarification or have follow up questions regarding your public comment submission we will contact you via email. It is anticipated that the regulations will go before the BOE at the January 27, 2022 meeting for final review.</p>
<p>Morgan Meadows</p>	<p>Opt in for Test Scores:</p> <p>As a high school counselor, I am fully in support of making test scores on transcripts be an opt IN. Many universities are continuing their test optional policy and students (and counselors!) are required to go through extra steps to NOT report scores to schools, creating more work for everyone. Students should have easy control over what information is sent to colleges. There is no advantage to including scores on transcripts as it is unofficial anyway - colleges who require official scores will not accept transcript scores. Colleges who accept unofficial scores will ask students to self report in the application. Scores are not automatically updated after each test and therefore often not accurate for students' most recent test, which can then be contradictory to what students self report. Making test scores opt IN is the best route for everyone.</p>	<p>Dear Virginia Constituent,</p> <p>Thank you for providing public comment during the 9/13/21-11/12/21 window to address the revision to the <i>Regulations Governing Secondary School Transcripts</i> (8VAC20-160-10, et. seq). Your input is important to us as the Board of Education (BOE) continues through the regulatory process. Please be assured that your feedback is being closely considered. If we need clarification or have follow up questions regarding your public comment submission we will contact you via email. It is anticipated that the regulations will go before the BOE at the January 27, 2022 meeting for final review.</p>
<p>Susie Good</p>	<p>Opt in for test scores:</p> <p>I write to support the proposed change to the status of Standardized Test Scores to opt-in. I believe this change would</p>	<p>Dear Virginia Constituent,</p> <p>Thank you for providing public comment during the 9/13/21-11/12/21 window to address the revision to the <i>Regulations Governing Secondary School Transcripts</i> (8VAC20-160-10, et. seq). Your input is important to us as the Board of</p>

	benefit the students that I work with	Education (BOE) continues through the regulatory process. Please be assured that your feedback is being closely considered. If we need clarification or have follow up questions regarding your public comment submission we will contact you via email. It is anticipated that the regulations will go before the BOE at the January 27, 2022 meeting for final review.
--	---------------------------------------	--

Detail of Changes Made Since the Previous Stage

*List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. * Put an asterisk next to any substantive changes.*

Current chapter-section number	New chapter-section number, if applicable	New requirement from previous stage	Updated new requirement since previous stage	Change, intent, rationale, and likely impact of updated requirements
8VAC20-160-10			<p>The addition of the term “high school course” that replaces the term “secondary course.” The definition will stay the same.</p> <p>The addition of the term “high school profile data” that replaces the term “secondary school profile data.” The definition will stay the same.</p> <p>The addition of the term “high school transcript” that replaces the term “secondary school transcript.” The definition will stay the same.</p>	<p>Replacing the term “secondary” with the term “high school” will provide clarity and consistency to school divisions and postsecondary institutions, as well as align with the SOA.</p> <p>Replacing the term “secondary” with the term “high school” will provide clarity and consistency to school divisions and postsecondary institutions, as well as align with the SOA.</p> <p>Replacing the term “secondary” with the term “high school” will provide clarity and consistency to school divisions and postsecondary institutions, as well as align with the SOA.</p>
8VAC20-160-20			Deleted the term “secondary” and replaced with the term “high.”	Replacing the term “secondary” with the term “high school” will provide clarity and consistency to

			The effective date changed to 2022-2023.	school divisions and postsecondary institutions, as well as align with the SOA. The effective date is changed to align with anticipated approval of the regulations.
8VAC20-160-30			Deleted the term “secondary” in the opening paragraph of the section and replaced with the term “high.”	Replacing the term “secondary” with the term “high school” will provide clarity and consistency to school divisions and postsecondary institutions, as well as align with the SOA.
8VAC20-160-40			Deleted the term “secondary” in the opening paragraph of the section and replaced with the term “high.”	Replacing the term “secondary” with the term “high school” will provide clarity and consistency to school divisions and postsecondary institutions, as well as align with the SOA.

Detail of All Changes Proposed in this Regulatory Action

*List all changes proposed in this action and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. * Put an asterisk next to any substantive changes.*

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of updated requirements
8VAC20-160-10		This section includes definitions for these regulations.	Definition of “Accelerated course” has been deleted. Definition of “Advanced-level courses/programs” has been revised to remove language not needed.

			<p>Definition of “Advanced Placement (AP) course” has been revised for clarity.</p> <p>Definition of “Certificate of Program Completion award date” has been revised to add clarity and a reference to the applicable regulatory section of the SOA.</p> <p>Definition of “Commonwealth College Course Collaborative” has been deleted as it is no longer available.</p> <p>Definition of “Commonwealth Scholar” has been deleted, as it is no longer available.</p> <p>Definition of “Credit” has been deleted in favor of adding definitions for both a “Standard Credit” and “Verified unit of credit.”</p> <p>Definition of “Credit summary” has been revised.</p> <p>Definition of “Curriculum” has been deleted and replaced with the definition of “Curricular Program.”</p> <p>Definition of “Dual enrollment course” has been revised for clarity.</p> <p>Definition of “Honors course” has been revised to update language.</p> <p>Definition of “Secondary course” has been revised by removing language not needed.</p> <p>Definition of “Secondary school profile data” has been revised to remove language not needed.</p> <p>Added definition of “Standard credit” or “standard credit” with language from the revised SOA.</p> <p>Added definition of “Verified unit of credit” or “verified credit” with language from the revised SOA.</p>
8VAC20-160-20		This section includes the effective date for the change to the	Effective date changed to 2022-2023.

8VAC20-160-30		<p>regulations for students who take secondary courses.</p> <p>This section describes the format options for secondary school transcripts.</p>	<p>Revision was made to the language in the opening paragraph to encourage the use by divisions of using XML as the digital data exchange method for electronic transcript transmission.</p> <p>Requirement for “Gender” was deleted. Secondary and postsecondary partners stated that this information is gathered in other ways and not needed on the official transcript.</p> <p>Revision was made to change “Home address” to “Primary address.”</p> <p>Revision was made to change “Home telephone number” to “Primary phone number.”</p> <p>Revision to the language of “Type of diploma” for clarity.</p> <p>Language added to include “High School Equivalency” to the information included on the transcript if no diploma has been awarded.</p> <p>Language added to include completion of First Aid, Cardiopulmonary Resuscitation (CPR), and Automated External Defibrillator (AED) to transcripts to align with requirements in 8VAC20-131-51.</p> <p>Requirement for “Notation of Commonwealth Scholar Designation” deleted as it is no longer available.</p> <p>Language added to clarify that information provided on the transcript for contact information for schools where high school credits were earned be the name of the school “at the time” the credits were earned. This revision is directly related to constituent feedback.</p> <p>Language added to clarify that days absent on the transcript reflect only those for years in which the student was taking courses for high school</p>
---------------	--	--	---

			<p>credit. This revision is directly related to constituent feedback.</p> <p>Language added to clarify that all courses, to include repeated courses, are to be on the transcript, except those purged from the middle school record in accordance with 8VAC20-131-90.</p> <p>Language added to “credits to date” to specify both standard and verified credits.</p> <p>Language added to specify “overall standard credit summary” needed on the transcript.</p> <p>Revision made to change the language for the transcript to include the standardized testing record from an “Opt-Out” to an “Opt-In.” The transcript will now NOT include scores such as SAT/ACT unless the student or parent elect to have it added, per the division policy (Opt-In). This revision is a result of stakeholder feedback.</p> <p>Language added to allow for signature and title of school official to be transmitted through a secure and verified electronic method.</p> <p>Language added to allow for the date of the official signature to be transmitted through a secure and verified electronic method.</p> <p>Language added to include “College Entrance Examination Board” to clarify the acronym “CEEB.”</p>
<p>8VAC20-160-40</p>		<p>This section describes information that must be contained on the school profile data sheet sent with transcripts.</p>	<p>Language revised to “curricular program” to align with revision in 8VAC20-160-10.</p> <p>Required information “Grade distribution” was deleted. Secondary and postsecondary partners agreed that this is not needed.</p> <p>Language “if applicable” added for schools sending an explanation and computation for weighting grades.</p>

8VAC20-160-50		This section describes courses that shall be weighted by school divisions.	Language was revised to change Advanced Placement and International Baccalaureate to "Advanced-level" and to change "shall" to "may." A statement was also added for divisions to consider the impact of weighting courses on equitable access to advanced-level courses.
---------------	--	--	---