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## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Education
<b>Virginia Administrative Code (VAC) citation(s)</b>	8VAC20-543
<b>Regulation title(s)</b>	<i>Regulations Governing the Review and Approval of Education Programs in Virginia</i>
<b>Action title</b>	<i>Amend the Regulations Governing the Review and Approval of Education Programs in Virginia</i>
<b>Final agency action date</b>	October 18, 2018
<b>Date this document prepared</b>	April 12, 2019

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

### Brief Summary

*Please 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.*

The following 2018 General Assembly legislation impacts the *Regulations Governing the Review and Approval of Education Programs in Virginia*:

**HB1125** amends the *Code of Virginia* to expand the definition of education preparation program as follows: "*Education preparation program*" includes four-year bachelor's degree programs in teacher education. This bill is identical to **SB 349**.

**HB1265** requires each education preparation program offered by a public institution of higher education or private institution of higher education that leads to a degree, concentration, or certificate for reading specialists to include a program of coursework or other training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder. The bill requires such programs to (i) include coursework in the constructs and pedagogy underlying remediation of reading, spelling, and writing and (ii) require reading specialists to demonstrate mastery of an evidence-based, structured literacy instructional approach that includes explicit, systematic, sequential, and cumulative instruction. This bill is identical to **SB 368**.

**The regulations need to be amended to include these requirements.**

### **Statement of Final Agency Action**

*Please 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.*

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The Virginia Board of Education approved the exempt provisions on October 18, 2018.

### **Periodic Review Small Business Impact Review Report of Findings**

*If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the proposed stage, please indicate whether the regulatory change meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable.*

*In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, include a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.*

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N/A: The amendment is not a result of a small business impact review.

<b>Commenter</b>	<b>Comment</b>	<b>Agency response</b>