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## Notice of Intended Regulatory Action (NOIRA) Agency Background Document

<b>Agency name</b>	Department of Education
<b>Virginia Administrative Code (VAC) citation</b>	8 VAC 20-160
<b>Regulation title</b>	Regulations Governing Secondary School Transcripts.
<b>Action title</b>	Revision of information requirements for secondary school transcripts and profile data sheets.
<b>Document preparation date</b>	August 29, 2005

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Purpose

*Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.*

The Regulations Governing Secondary School Transcripts provide definitions, format options for transcripts and profile data sheets, and the elements for weighting advanced, accelerated, advanced placement and honors level courses. One section of the regulations states that the regulations became effective beginning in the 1988-89 school year. The purpose of these proposed revisions is to remove the 1988-89 effective date provision, revise the definitions as necessary to comport with those in other Board of Education regulations, and revise the format options for the transcript and profile data sheets to reflect both Board of Education regulations and state and federal law. The sections concerning class rankings, AP courses and the elements of weighting of advanced, accelerated, advanced placement, and honors level courses also need to be reviewed to ensure that they comport with best instructional practices, as well as other state requirements.

### Legal basis

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

Section 22.1-16 of the Code of Virginia vests the Board of Education with the authority to 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 Title 22.1.

**Substance**

*Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed. Include the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. Delineate any potential issues that may need to be addressed as the regulation is developed.*

*A preliminary list of issues that will be addressed concerning changes to the secondary school transcript regulations includes:*

1. Changes to the definitions section to ensure that terms are defined in the same manner as other Board of Education regulations.
2. Deletion of the effective date section of the regulations. This section states that the regulations become effective beginning in the 1988-89 school year.
3. Revision of the requirement that school divisions must include the type of diploma on the student's secondary school transcript to ensure that the different types of diplomas are reflected, but that the inclusion of the information does not violate the Family Educational Rights and Privacy Act.
4. Review of the requirement that the profile data sheet include the student's rank in class.
5. Review of the sections concerning AP courses and the elements of weighting of advanced, accelerated, advanced placement, and honors level courses to ensure that they comport with other state requirements.

**Alternatives**

*Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action.*

The proposed action is to amend existing regulations. The current regulations should be revised for clarity and to ensure that there are no conflicts with existing Board of Education regulations and state law. There are no other viable alternatives.

**Family impact**

**Assess the potential impact of the proposed regulatory action on the institution of the family and family stability.**

There will be minimal impact on the institution of the family and family stability.