

# Board of Education Agenda Item

Item: I.

Date: January 12, 2004

Topic: First Review of the Notice of Intended Regulatory Action (NOIRA) to Amend the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8VAC20-131-10 et seq.)

Presenter: Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

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## Origin:

Topic presented for information only (no board action required)

Board review required by

State or federal law or regulation

Board of Education regulation

Other: \_\_\_\_\_

Action requested at this meeting  Action requested at future meeting: \_\_\_\_\_

## Previous Review/Action:

No previous board review/action

Previous review/action

date \_\_\_\_\_

action \_\_\_\_\_

**Background Information:** Section 22.1-253.13:3 of the Code of Virginia requires the Board of Education to promulgate Standards of Accreditation for Virginia's K-12 public schools. The Code states:

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 current regulations were adopted by the Board of Education on July 29, 2000, and became effective September 28, 2000.

**Summary of Major Elements:** The attached Notice of Intended Regulatory Action (NOIRA) Background Document summarizes the major elements. It is anticipated that the Board of Education will conduct a comprehensive review of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (Standards of Accreditation) similar to its recent reviews of the Standards of Quality. The review is expected to include an examination of the regulations in their entirety, including requirements for student achievement; the school instructional program; school and instructional leadership; school facilities and safety; school and community communications, and school accreditation.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education waive first review and authorize the Department of Education staff to proceed with the requirements of the Administrative Process Act regarding the Notice of Intended Regulatory Action for promulgating regulations.

**Impact on Resources:** The impact on resources for the review and revision of these regulations is not expected to be significant.

**Timetable for Further Review/Action:** The timetable for further action will be governed by the requirements of the Administrative Process Act.



## 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 20-131-10 et seq.
<b>Regulation title</b>	<i>Regulations Establishing Standards for Accrediting Public Schools in Virginia</i>
<b>Action title</b>	<i>Amendments to the Regulations Establishing Standards for Accrediting Public Schools in Virginia</i>
<b>Document preparation date</b>	January 2005

This information is required for executive review ([www.townhall.state.va.us/dpbpages/apaintro.htm#execreview](http://www.townhall.state.va.us/dpbpages/apaintro.htm#execreview)) and the Virginia Registrar of Regulations ([legis.state.va.us/codecomm/register/regindex.htm](http://legis.state.va.us/codecomm/register/regindex.htm)), pursuant to the Virginia Administrative Process Act ([www.townhall.state.va.us/dpbpages/dpb\\_apa.htm](http://www.townhall.state.va.us/dpbpages/dpb_apa.htm)), Executive Orders 21 (2002) and 58 (1999) ([www.governor.state.va.us/Press\\_Policy/Executive\\_Orders/EOHome.html](http://www.governor.state.va.us/Press_Policy/Executive_Orders/EOHome.html)), and the *Virginia Register Form, Style, and Procedure Manual* ([http://legis.state.va.us/codecomm/register/download/styl8\\_95.rtf](http://legis.state.va.us/codecomm/register/download/styl8_95.rtf)).

### 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.*

Section 22.1-253.13:3 of the Code of Virginia requires the Board of Education to establish standards for accreditation. The regulations were last amended in 2000. Since that time, public schools in Virginia have implemented more rigorous requirements for accountability both at the school level and the student level. Now that most Virginia schools are fully accredited, and the first high school class required to earn verified units of credit has graduated from high school, it is time for a comprehensive review of the regulations to determine if there are changes that might be needed.

### Legal basis

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

Section 22.1-253.13:3 of the Code of Virginia states: “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.

**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 regulation 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.*

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A comprehensive review of the Standards of Accreditation will be conducted. The regulations will be examined in their entirety, including the requirements for student achievement; the school instructional program; school and instructional leadership; school facilities and safety; school and community communications, and school accreditation.

**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.*

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No specific alternatives to amending these regulations have been considered.

**Family impact**

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

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The proposed amendments to the regulations are not expected to have an impact on the institution of the family and family stability.