

Proposed Regulations
Standards for State-Funded Remedial Programs
8 VAC 20-630

8 VAC 20-630-10 Definitions.

The following words and terms when used in this regulation, shall have the following meanings, unless the context clearly indicates otherwise:

“Eligible students” are those students who meet either (i) the criteria identifying students who are educationally at risk which has been established by the local school board, or (ii) the state criteria identifying students who are educationally at risk as specified in §22.1-253.13:1.

“Regular instructional day” means the length of the school day in which instruction is provided for all children, but excluding before and after school programs for state-funded remedial programs.

“Regular school year” means the period of time during which the local school division provides instruction to meet the Standards of Quality, exclusive of summer school, Saturday sessions, or intercession periods.

“State-funded remedial programs” [~~are comprised of the following three state-funded programs: (i) Standards of Learning Assessment Remediation, (ii) Remedial Summer School, and (iii) Standards of Quality Remediation.~~ include

those programs defined in the local school division's remediation plan which serve eligible students from state funding sources.]

8 VAC 20-630-20 ~~[Program Remediation plan]~~ development and approval.

Each local school division shall develop a remediation ~~[program plan]~~ designed to strengthen and improve the academic achievement of ~~[these eligible]~~ students. ~~[who demonstrate substandard performance. Annually, local Local]~~ school divisions shall submit these plans ~~[to the Department by February 1 of each year]~~ for ~~[review and]~~ approval ~~[by the Board of Education. Following approval of the plan, each local school division shall submit, no later than July 1 of each year, a budget for the remediation plan that identifies the sources of state funds in the plan].~~

8 VAC 20-630-30 Individual student record.

Each local school division shall record, for each eligible student attending a state-funded remedial program: (i) the state or local criteria used to determine eligibility; (ii) the expected remediation goal for the student in terms of ~~[measurable student performance a target score on a locally designed or selected test which measures the SOL content being remediated]; [In the case of failure to pass a Standards of Learning test, the goal will be to pass the test; (iii) the pre- and post- test scores assessing the level of student performance before remediation and at the conclusion of the remedial program; in the case of students in grades 3, 5, 8 and for those taking end-of-course tests in high school, the pre- and post- test instrument will be the appropriate Standards of Learning~~

test;] and [(iv) (iii)] whether the student did or did not meet the expected remediation goal.

8 VAC 20-630-40 Program evaluation.

~~[Annually, each~~ Each] local school division shall ~~[annually]~~ evaluate ~~[the success of its state-funded remedial programs~~ and modify, as appropriate, their remediation plan] based on ~~[an analysis of]~~ the percentage of students meeting their remediation goals. ~~[, as measured by locally developed assessment tools, and, as required in 8 VAC 20-630-30, the~~ The] pass rate on the Standards of Learning assessments [shall also be a measure of the effectiveness of the remedial program].

8 VAC 20-630-50 Reporting requirements.

Annually, each local school division shall collect and report to the Department of Education, on-line or on forms provided by the Department, the following data pertaining to eligible students:

1. The number of students failing a state sponsored test required by the Standards of Quality or Standards of Accreditation;
2. A demographic profile of students attending state-funded remedial programs;
3. The academic status of each student attending state-funded remedial programs;
4. The types of instruction offered;

5. The length of the program(s);
6. The cost of the program(s);
7. The number of ungraded and disabled students, and those with limited English proficiency; ~~[and]~~
8. As required, the pass rate on Standards of Learning ~~[assessments-~~ assessments; and
9. The percentage of students at each grade level who have met their remediation goals.]

~~[The local school division shall utilize this data to make appropriate adjustments in improving the quality of its state-funded remedial programs.]~~

8 VAC 20-630-60 Teacher qualifications and staffing ratios.

Each local school division implementing a state-funded remedial summer school program shall provide a minimum of 20 hours of instruction per subject, exclusive of field trips, assemblies, recreational activities, lunch or post-program testing time.

For state-funded remedial summer school programs in grades K-5 that offer an integrated curriculum, a minimum of 40 hours of instruction shall be required.

The pupil-teacher ratios for state-funded summer remedial programs shall not exceed 18:1.

~~[Teachers providing~~ Individuals who provide] instruction in the state-funded remedial programs shall be licensed to teach in Virginia [or work under the direct supervision of an individual who is licensed to teach in Virginia; be] qualified to ~~[teach~~ provide instruction in] ~~[their assigned the]~~ area [to be remediated;] and [be] trained in remediation techniques.

8 VAC 20-630-70 Transportation formula.

~~[Funding Pursuant to the provisions of the state's Appropriation Act, funding]~~ for transportation services provided for students who are required to attend state-funded remedial programs outside the regular instructional day shall be based on a per pupil per day cost multiplied by the number of student days the program operates (i.e. the number of instructional days the state-funded remedial programs are offered multiplied by the number of students who attend the state-funded remedial programs). The per pupil per day cost shall be based on the latest prevailing cost data used to fund pupil transportation through the Standards of Quality.

For state-funded remedial programs that operate on days that are in addition to the regular school year, 100 percent of the per pupil per day cost shall be used in the formula. For state-funded remedial programs that begin before or end after the regular instructional day, 50 percent of the per pupil per day cost shall be used in the formula. The state share of the payment shall be based on the composite index.