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8VAC20-700-10. Definitions.

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

“Department” means the Virginia Department of Education.

“Division-level academic review” means the process used to analyze a school division’s systems and practices to determine the degree to which the local school board is meeting its responsibilities under the Standards of Quality.

“External review” means a division-level academic review conducted by an organization or agency at the request of a local school board.

8VAC20-700-20. Criteria for Selection for Review.

The Board of Education shall consider the following criteria in selecting school divisions for division-level academic reviews:

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1. The school division's accountability determination for student achievement, as required in federal law; and
2. The percentage of students attending schools that are not fully accredited in the division exceeds the statewide average; and
3. School academic review findings in the division report the failure of the division's schools to reach full accreditation is related to the school board's noncompliance with the Standards of Quality.

8VAC20-700-30. Structure of the Review.

A. All division-level academic reviews shall be conducted in accordance with procedures adopted by the Board of Education, which may include, but not be limited to: on-site reviews; interviews of school division personnel; review and observation of operational practices; and, the analysis of data related to compliance with state and federal laws and regulations.

B. The Department of Education is authorized to contract with organizations or agencies to conduct division-level academic reviews.

C. Reports of the academic review findings shall be given to the division superintendent, the chair of the local school board, and the Board of Education.

8VAC20-700-40. Division Improvement Plans and Corrective Actions.

A. School divisions shall develop division improvement plans, including corrective actions for increasing student achievement and correcting any areas of noncompliance determined through the division-level academic review. The school board shall hold a public hearing on the improvement plan at least 15 days prior to the approval of the plan by the board. These plans shall be approved by the local school board and submitted to the Board of Education for approval within 60 business days of the issuance of the division-level academic review report. Upon Board of Education approval, the division improvement plan and corrective actions shall become part of the school division's divisionwide comprehensive, unified, long-range plan required by the Standards of Quality.

B. The division superintendent and chair of the local school board may request an extension of the due date for the division improvement plan and corrective actions for good cause shown by appearing before the Board of Education to explain the rationale for the request and provide evidence that a delay will not have an adverse impact upon student achievement.

C. The Board of Education shall monitor the implementation of the division improvement plan and corrective actions developed by a school division as part of the division-level academic review process. This plan must include a schedule for reporting the school division's progress

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toward completion of the corrective actions to the Board of Education and the public. Any school division not implementing corrective actions, not correcting areas of noncompliance, or failing to develop, submit, and implement required plans and status reports shall be required to report its lack of action directly to the Board of Education and the public.

D. Areas of noncompliance that remain uncorrected shall be reported in the Board of Education's Annual Report to the Governor and General Assembly on the Condition and Needs of Public Schools in Virginia. The Board of Education may take additional action to seek compliance with school laws pursuant to the relevant provisions of the Code of Virginia.

8VAC20-700-50. External Reviews.

A. The Board of Education may accept a division-level review conducted by an organization or agency upon the request of a local school board if the review meets or exceeds the requirements for reviews conducted by the Department as prescribed in 8VAC20-700-30. Agencies that conduct these reviews must employ individuals whose qualifications meet or exceed those of individuals who serve as Department representatives for the purpose of conducting academic reviews. The Board of Education shall monitor the implementation of any required corrective actions developed by the school division as prescribed in 8VAC20-700-40.

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B. Requests for approval of an external review process submitted to the Board must include, at a minimum, the following documentation:

1. A description of the organization or agency that will conduct the review;
2. The scope and dates of the review;
3. Qualifications of the individuals who will conduct the review;
4. Certification from the chairman of the local school board and division superintendent that the review will meet or exceed the requirements for academic reviews adopted by the Board.

C. Upon completion of the external review process, the division superintendent shall submit a copy of the final report provided by the reviewer to the Department of Education within 60 days of receipt of the report, and comply with the required follow-up activities prescribed in 8VAC 20-700-40 including a review of the report in a public meeting of the school board prior to submission.