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~~3. Partially Accredited: A school which meets criteria as prescribed by the Board of Education will be designated as Partially Accredited according to the specific categories shown below.~~

~~a. Approaching Benchmark (within specified margins):~~

~~(1) Graduation and Completion Index. Based on components of the graduation and completion index as described in 8VAC20-131-280 B 2, a school will be rated as Partially Accredited: Approaching Benchmark-Graduation and Completion Index when its eligible students meet pass rates required for full accreditation and its graduation and completion index is within a narrow margin of the minimum threshold as prescribed by the board. A school may remain in the Partially Accredited: Approaching Benchmark-Graduation and Completion Index status for no more than three consecutive years, unless an extension is granted based on criteria established by the board.~~

~~(2) Pass Rate. Based on tests administered in the previous academic year, a school will be rated as Partially Accredited: Approaching Benchmark-Pass Rate if the school does not meet the requirements for full accreditation in all of the four core academic subject areas but the pass rate in each subject area either (i) meets the pass rate required for full accreditation or (ii) is within a narrow margin of the pass rate required for full accreditation, as defined by the board. A school may remain in the Partially Accredited: Approaching Benchmark-Pass Rate status for no more than three consecutive years, unless an extension is granted based on criteria established by the board.~~

~~b. Improving School (meets criteria for improvement or student growth, or both, over previous year):~~

~~(1) Graduation and Completion Index. Based on components of the graduation and completion index as described in 8VAC20-131-280 B 2, a school will be rated as Partially Accredited: Improving School-Graduation and Completion Index when its eligible students meet pass rates required for full accreditation, but its graduation and completion index is not within the established narrow margin of the minimum threshold prescribed by the board; however it has achieved sufficient improvement in its graduation and completion index from the previous year, as prescribed by the board. A school may remain in the Partially Accredited: Improving School-Graduation and Completion Index status for no more than three consecutive years, unless an extension is granted based on criteria established by the board.~~

~~(2) Pass Rate. Based on tests administered in the previous academic year, a school will be rated as Partially Accredited: Improving School-Pass Rate if the school does not meet the requirements for full accreditation or for Partially Accredited: Approaching Benchmark-Pass Rate, but in each of the four core academic subject areas, one of the following criteria is met: (i) the pass rate meets the benchmark required for full accreditation; (ii) the pass rate is within a narrow margin of the benchmark required for full accreditation, as defined by the board; (iii) the school has demonstrated sufficient improvement in its pass rate from the previous year as defined by the board; or (iv) the school has demonstrated sufficient student growth, as defined by the board. A school may remain in the Partially Accredited: Improving School-Pass Rate status for no more than three consecutive years, unless an extension is granted based on criteria established by the board.~~

~~c. Warned School:~~

~~(1) Graduation and Completion Index. A school will be designated as Partially Accredited: Warned School-Graduation and Completion Index if it has failed to achieve Fully Accredited, Partially Accredited: Approaching Benchmark-Graduation and Completion Index, or Partially Accredited: Improving School-Graduation and Completion Index status. Such a school may remain in the Partially Accredited: Warned School-Graduation and Completion Index status for no more than three consecutive years.~~

~~(2) Pass Rate. A school will be designated as Partially Accredited: Warned School-Pass Rate if it has failed to achieve Fully Accredited, Partially Accredited: Approaching Benchmark-Pass Rate, or Partially Accredited: Improving School-Pass Rate status. Such a school may remain in the Partially Accredited: Warned School-Pass Rate status for no more than three consecutive years.~~

~~d. Reconstituted School. A Partially Accredited: Reconstituted School rating may be awarded to a school that is being reconstituted in accordance with the provisions of 8VAC20-131-340 upon approval by the Board of Education. A school awarded this rating under those circumstances will revert to a status of Accreditation Denied if it fails to meet the requirements to be rated Fully Accredited by the end of the agreed upon term or if it fails to have its annual application for such rating renewed.~~

~~4. Accreditation Denied. Based on a school's academic performance or performance for the graduation and completion index, or both, a school shall be rated Accreditation Denied if it fails to meet the requirements to be rated Fully Accredited or Partially Accredited for the preceding three consecutive years or for three consecutive years anytime thereafter.~~

~~In any school division in which one-third or more of the schools have been rated Accreditation Denied, the superintendent shall be evaluated by the local school board with a copy of such evaluation submitted to the Board of Education no later than December 1 of each year in which such condition exists. In addition, the Board of Education may take action against the local school board as permitted by the Standards of Quality due to the failure of the local board to maintain accredited schools.~~

~~**8VAC20-131-310. Action requirements for schools that are designated Partially Accredited in the following categories: (i) Improving School Pass Rate; (ii) Improving School Graduation and Completion Index; and (iii) Warned School. (Repealed.)**~~

~~A. With such funds as are appropriated by the General Assembly, the Department of Education shall develop a school academic review process and monitoring plan designed to assist schools rated Partially Accredited in the following categories: (i) Improving School Pass Rate; (ii) Improving School Graduation and Completion Index; and (iii) Warned School. All procedures and operations for the academic review process shall be approved and adopted by the board.~~

~~Schools rated Partially Accredited in the following categories: (i) Improving School Pass Rate; (ii) Improving School Graduation and Completion Index; and (iii) Warned School must undergo an academic review in accordance with guidelines adopted by the board and prepare a school improvement plan as required by subsection F of this section.~~

~~B. Any school that is rated Partially Accredited: Warned School Pass Rate because of pass rates in English or mathematics shall adopt a research-based instructional intervention that has a proven track record of success at raising student achievement in those areas as appropriate.~~

~~C. The superintendent and principal shall certify in writing to the Board of Education that such an intervention has been adopted and implemented.~~

~~D. The board shall publish a list of recommended instructional interventions, which may be amended from time to time.~~

~~E. Adoption of instructional interventions referenced in subsections B and D of this section shall be funded by eligible local, state, and federal funds.~~

~~F. A three-year School Improvement Plan must be developed and implemented, based on the results of an academic review of each school that is rated Partially Accredited in the following categories: (i) Improving School Pass Rate; (ii) Improving School Graduation and Completion Index; and (iii) Warned School, upon receipt of notification of the awarding of this rating and receipt of the results of the academic review. The plan:~~

- ~~1. Shall be developed with the assistance of parents and teachers and made available to the public;~~
- ~~2. Must include the components outlined in subsection G of this section; and~~
- ~~3. Must be approved by the division superintendent and the local school board and be designed to assist the school in meeting the student achievement standard to be Fully Accredited as outlined in 8VAC20-131-300.~~

~~G. The improvement plan shall include the following:~~

- ~~1. A description of how the school will meet the requirements to be Fully Accredited, for each of the years covered by the plan;~~
- ~~2. Specific measures for achieving and documenting student academic improvement;~~
- ~~3. A description of the amount of time in the school day devoted to instruction in the core academic areas;~~

- ~~4. Instructional practices designed to remediate students who have not been successful on SOL tests;~~
- ~~5. Intervention strategies designed to prevent further declines in student performance and graduation rates;~~
- ~~6. Staff development needed;~~
- ~~7. Strategies to involve and assist parents in raising their child's academic performance;~~
- ~~8. The need for flexibility or waivers to state or local regulations to meet the objectives of the plan; and~~
- ~~9. A description of the manner in which local, state, and federal funds are used to support the implementation of the components of this plan.~~

~~As part of its approval of the school improvement plan, the board may grant a local school board a waiver from the requirements of any regulations promulgated by the board when such a waiver is available.~~

~~H. The school improvement plan and related annual reports submitted to the board shall provide documentation of the continuous efforts of the school to achieve the requirements to become rated Fully Accredited. The board shall adopt and approve all policies and formats for the submission of annual reports under this section. The reports shall be due no later than October 1 of the school year.~~

**~~8VAC20-131-315. Action requirements for schools that are denied accreditation. (Repealed.)~~**

~~A. Any school rated Accreditation Denied in accordance with 8VAC20-131-300 shall be subject to actions prescribed by the Board of Education and shall provide parents of enrolled students and other interested parties with the following:~~

- ~~1. Written notice of the school's accreditation rating within 30 calendar days of the notification of the rating from the Department of Education;~~
- ~~2. A copy of the school division's proposed corrective action plan, including a timeline for implementation, to improve the school's accreditation rating; and~~
- ~~3. An opportunity to comment on the division's proposed corrective action plan. Such public comment shall be received and considered by the school division prior to finalizing the school's corrective action plan and a Board of Education memorandum of understanding with the local school board.~~

~~B. Any school rated Accreditation Denied in accordance with 8VAC20-131-300 shall be subject to actions prescribed by the Board of Education and affirmed through a memorandum of understanding between the Board of Education and the local school board. The local school board shall submit a corrective action plan to the Board of Education for its consideration in prescribing actions in the memorandum of understanding within 45 days of the notification of the rating. The memorandum of understanding shall be entered into no later than November 1 of the academic year in which the rating is awarded.~~

~~The local board shall submit status reports detailing implementation of actions prescribed by the memorandum of understanding to the Board of Education. The status reports shall be signed by the school principal, division superintendent, and the chair of the local school board. The school principal, division superintendent, and the chair of the local school board may be required to appear before the Board of Education to present status reports.~~

~~The memorandum of understanding may also include but not be limited to:~~

- ~~1. Undergoing an educational service delivery and management review. The Board of Education shall prescribe the content of such review and approve the reviewing authority retained by the school division.~~
- ~~2. Employing a turnaround specialist credentialed by the state to address those conditions at the school that may impede educational progress and effectiveness and academic success.~~

~~C. As an alternative to the memorandum of understanding outlined in subsection B of this section, a local school board may choose to reconstitute a school rated Accreditation Denied and apply to the Board of Education for a rating of Partially Accredited: Reconstituted School. The application shall outline specific responses that address all areas of deficiency that resulted in the Accreditation Denied rating and may include any of the provisions of subsection B of this section.~~

~~If a local school board chooses to reconstitute a school, it may annually apply for an accreditation rating of Partially Accredited: Reconstituted School as provided for in 8VAC20-131-300 C 3 d. The Partially Accredited: Reconstituted School rating may be granted for a period not to exceed three years if the school is making progress toward a rating of Fully Accredited in accordance with the terms of the Board of Education's approval~~



~~of the reconstitution application. The school will revert to a status of Accreditation Denied if it fails to meet the requirements to be rated Fully Accredited by the end of the three-year term or if it fails to have its annual application for such rating renewed.~~

~~D. The local school board may choose to close a school rated Accreditation Denied or to combine such school with a higher performing school in the division.~~

~~E. A local school board that has any school with the status of Accreditation Denied shall annually report each school's progress toward meeting the requirements to be rated Fully Accredited to the Board of Education. The local board shall submit such report in a manner prescribed by the Board of Education no later than October 1 of each year. Such reports on each school's progress shall be included in the Board of Education's annual report on the condition and needs of public education to the Governor and the General Assembly submitted on November 15 of each year.~~

~~**8VAC20-131-325. Recognitions and rewards for school and division accountability performance. (Repealed.)**~~

~~A. Schools and divisions may be recognized by the Board of Education in accordance with guidelines it shall establish for the Virginia Index of Performance (VIP) incentive program. In order to encourage school divisions to promote student achievement in science, technology, engineering, and mathematics (STEM), the board shall take into account in its guidelines a school division's increase in enrollments and elective course offerings in these STEM areas. Such recognition may include:~~

- ~~1. Public announcements recognizing individual schools and divisions;~~
- ~~2. Tangible rewards;~~
- ~~3. Waivers of certain board regulations;~~
- ~~4. Exemptions from certain reporting requirements; or~~
- ~~5. Other commendations deemed appropriate to recognize high achievement.~~

~~In addition to board recognition, local school boards shall adopt policies to recognize individual schools through public announcements, media releases, participation in community activities for input purposes when setting policy relating to schools and budget development, as well as other appropriate recognition.~~

~~B. A school that maintains a passing rate on Virginia assessment program tests or additional tests approved by the board as outlined in 8VAC20-131-110 of 95% or above in each of the four core academic areas for two consecutive years may, upon application to the Department of Education, receive a waiver from annual accreditation. A school receiving such a waiver shall be Fully Accredited for a three-year period. However, such school shall continue to annually submit documentation in compliance with the preaccreditation eligibility requirements described in 8VAC20-131-280 F.~~

~~C. Schools may be eligible to receive the Governor's Award for Outstanding Achievement. This award will be given to schools rated Fully Accredited that significantly increase the achievement of students within student subgroups in accordance with guidelines prescribed by the Board of Education.~~

~~**8VAC20-131-340. Special provisions and sanctions. (Repealed.)**~~

~~A. Any school in violation of these regulations shall be subject to appropriate action by the Board of Education including, but not limited to, the withholding or denial of a school's accreditation.~~

~~B. A school's accreditation rating may be withheld by action of the Board of Education for any school found to be in violation of test security procedures pursuant to § 22.1-19.1 of the Code of Virginia. Withholding of a school's accreditation rating shall not be considered an interruption of the three-consecutive-year period for purposes of receiving an Accreditation Denied status pursuant to 8VAC20-131-300.~~

~~C. The Board of Education may exercise its authority to seek school division compliance with school laws pursuant to relevant provisions of the Code of Virginia when any school within a division is rated Accreditation Denied.~~

~~**8VAC20-131-350. Waivers. (Repealed.)**~~

~~Waivers of some of the requirements of these regulations may be granted by the Board of Education based on submission of a request from the division superintendent and chairman of the local school board. The request shall include documentation of the need for the waiver. In no event shall waivers be granted to the requirements of Part III (8VAC20-131-30 et seq.) of these regulations except that the Board of Education may provide for the waiver of certain graduation requirements in 8VAC20-131-50 (i) upon the board's initiative or (ii)~~

at the request of a local school board on a case-by-case basis. The board shall develop guidelines for implementing these requirements.

**8VAC20-131-360. Effective date. (Repealed.)**

~~A. The provisions in 8VAC20-131-30 B relating to double testing and the provisions in 8VAC20-131-60 C relating to Virtual Virginia shall become effective July 31, 2009.~~

~~B. Graduation requirements prescribed in 8VAC20-131-50 B and C for the Standard Diploma and the Advanced Studies Diploma shall become effective with the ninth-grade class of 2013-2014.~~

~~C. Schools with a graduating class shall meet prescribed thresholds on a graduation and completion rate index as prescribed in 8VAC20-131-280 and 8VAC20-131-300 for accreditation ratings earned in 2010-2011 and awarded in 2011-2012.~~

~~D. Accreditation ratings prescribed in 8VAC20-131-300 C 1 a shall become effective with tests administered in 2012-2013 for ratings awarded in 2013-2014 and beyond.~~

~~E. The Academic and Career Plan prescribed in 8VAC20-131-140 shall become effective in 2013-2014.~~

~~F. Unless otherwise specified, the remainder of these regulations shall be effective beginning with the 2011-2012 academic year.~~

~~G. The revision of the graduation rate formula, for purposes of the Standards of Accreditation, as described in 8VAC20-131-280 is effective as of July 1, 2016.~~

PART VIII  
SCHOOL ACCREDITATION

**8VAC20-131-370. Expectations for School Accountability and Accreditation.**

A. The system of school accountability and accreditation provides a means of determining the quality and effectiveness of schools for the purposes of:

1. Building on strengths in schools and addressing specific areas needing improvement;
2. Driving continuous improvement in school achievement for all schools;
3. Informing areas for technical assistance and the use of school improvement resources; and
4. Providing a comprehensive picture of school quality information to the public.

B. Components of the accountability system, which present expectations and standards for schools and school divisions include:

1. The Code of Virginia's Standards of Quality, which provide the foundational education program to be offered by school divisions, including priorities for instructional programs supporting the Standards of Learning, and encompass requirements for assessments and school accreditation;
2. The School Quality Profile, as referenced in 8VAC20-131-270 A 2, which provides information to parents, citizens, the community, businesses and other agencies, and the general public, about school characteristics and about a comprehensive range of school indicators;
3. The federal accountability provisions required under the Every Student Succeeds Act of 2015 and the Individuals with Disabilities Education Act; and
4. The state accreditation provisions for schools and school divisions, as presented in Part VIII of these regulations.

C. Each school shall be accredited based on achievement of the conditions specified in 8VAC20-131-400 and on continuous improvement of performance levels on measures of selected school quality indicators as described in 8VAC 20-131-380.

**8VAC20-131-380. Measurement of School Quality for Accreditation.**

A. School quality for the purposes of accreditation shall be measured for each school using multiple indicators as provided for in Part VIII of this chapter. School quality indicators include student academic outcomes and other factors which are associated with student learning.

Designation of school quality indicators for accreditation purposes by the board is based on the following criteria:

1. Research demonstrates that the indicator is related to academic performance;

2. Standardized procedures exist across schools and school divisions for collection of data used for the indicator;

3. The data about the indicator is reliable and valid;

4. Performance in the indicator can be positively impacted through division and school-level policies and procedures;

5. The measure meaningfully differentiates among schools based on progress of all students and student reporting groups;

6. The indicator does not unfairly impact one type or group of schools or students; and

7. The indicator is moderately to strongly correlated with school-level pass rates on state assessments.

Specific indicators designated by the board for accreditation purposes and defined in subsection E include, but are not limited to, the following:

1. Academic achievement for all students in English (reading and writing), mathematics, and science as measured through board-approved assessments, including measures of student growth in English (reading), mathematics, and English learner progress;

2. Academic achievement gaps in English (reading and writing) and mathematics for designated reporting groups, as determined through the performance of each reporting group against the state standard;

3. Graduation and school progress for schools with a graduating class as measured by the Graduation Completion Index;

4. Dropout rates in schools with a graduating class;

5. Student participation and engagement as measured by chronic absenteeism in schools; and

6. College, career, and civic readiness in schools with a graduating class.

B. When calculating passing rates and student growth on Virginia Assessment Program tests to measure academic achievement school quality indicators for the purpose of school accreditation, the following tolerances for English Learners (EL) and transfer students will apply:

1. The scores of EL students enrolled in Virginia public schools fewer than 11 semesters may be removed from the calculation used to measure academic achievement school quality indicators applied to accreditation. Completion of a semester shall be based on school membership days. Membership days are defined as the days the student is officially enrolled in a Virginia public school, regardless of days absent or present. For a semester to count as a completed semester, a student must have been in membership for a majority of the membership days of the semester. These semesters need not be consecutive.

2. In accordance with the provisions of 8VAC20-131-30, all students who transfer into Virginia public schools are expected to take and pass all applicable SOL tests in the content areas in which they receive instruction.

3. All students who transfer within a school division shall have their scores counted in the calculation of the school's academic achievement school quality indicators. Students who transfer into a Virginia school from home instruction, or from another Virginia school division, another state, or another country, in grades kindergarten through 8 shall be expected to take all applicable SOL tests or additional tests approved by the board as outlined in 8VAC20-131-110. If the transfer takes place after the 20th instructional day following the opening of school, the scores on these tests may be used in calculating academic achievement school quality indicators applied to school accreditation.

4. Students who transfer into a Virginia middle or high school from home instruction, or from another Virginia school division, another state or country, and enroll in a course for which there is an end-of-course SOL test, shall be expected to take the test or additional tests for that course approved by the board as outlined in 8VAC20-131-30 and 8VAC20-131-110. If the transfer takes place after 20 instructional hours per course have elapsed following the opening of school or beginning of the semester, if applicable, the scores on those tests may be used in calculating academic achievement school quality indicators applied to school accreditation in the year the transfer occurs.

5. Students who enroll on the first day of school and subsequently transfer to a school outside of the division for a total amount of instructional time equal to or exceeding 50 percent of a current school

year or semester, whether the transfer was a singular or multiple occurrence, and return during the same school year shall be expected to take any applicable SOL test. The scores of those tests may be used in measuring the school academic indicator in the year in which the transfers occur.

C. Performance Benchmarks. Each school shall be held accountable for attainment on each of the school quality indicators adopted by the board for accreditation purposes, based on measurement against performance benchmarks. Benchmarks measure actual performance or improvement or decline in performance over time, or a combination of the two, for each school quality indicator used for accreditation.

In establishing performance benchmarks, the board shall use standard analytic protocols to assess the impact on schools. Consideration is to be given to whether a proposed benchmark reflects the board's values and expectations, or if the proposed benchmark results in consequences that were not anticipated which could adversely affect schools.

The board may incorporate additional indicators of school quality used for accreditation into these regulations according to the criteria in subsection A, provided that when the board incorporates additional indicators, the board shall also establish performance benchmarks to assign performance levels.

D. Performance Levels. Performance levels on school quality indicators are determined through the definition and application of board-established benchmarks. Performance levels will be designated for each indicator as one of the following: (a) Level One: At or Above Standard; (b) Level Two: Near Standard; or (c) Level Three: Below Standard.

The performance levels are described as follows:

1. Level One: At or Above Standard. A school's achievement on the specific indicator demonstrates acceptable performance or performance above the benchmark, or adequate improvement on the indicator.

2. Level Two: Near Standard. A school's achievement on the specific indicator, although below Level One: At or Above Standard, is within specified ranges of performance which represent either: (1) achievement near Level One; or (2) improvement from Level Three: Below Standard within a specified range.

A school quality indicator within the Level Two: Near Standard range which does not improve to the Level One: At or Above Standard, at the end of four years, with progress evaluated by the end of the second year as specified in 8VAC20-131-400 B 5, shall be designated as Level Three: Below Standard, at the end of the four-year period.

3. Level Three: Below Standard. A school's achievement on the specific indicator is below the performance benchmarks for Level One and Level Two.

Performance levels illustrate a school's standing for each school quality indicator. Displaying accountability information in this manner provides a comprehensive picture of a school's areas of strength, as well as specific areas where improvement is needed. Areas needing improvement shall be addressed through a multi-year school improvement plan or corrective action plan as provided in 8VAC20-131-400 C, which will include specific interventions and strategies.

E. School Quality Indicators for Accreditation Purposes. Effective with the 2018-2019 school year, the board will measure performance levels on the school quality indicators and apply them to accreditation. As described in 8VAC20-131-390 B, the year 2018-2019 will be considered a transition year, with school accreditation designations evaluated using both the 2017-2018 criteria and the application of performance levels to school quality indicators according to board guidelines. For 2018-2019 only, a school may achieve accreditation by meeting the criteria of either the 2017-2018 year or the criteria effective 2018-2019, whichever benefits it the most.

1. The school quality indicators and performance levels for each are described below:

<u>School Quality Indicator</u>	<u>Performance Levels</u>
<u>a. Academic Achievement Indicator for all students for English (reading and writing): the academic indicator will be calculated based on the rate of students who passed board-approved</u>	<u>Level One: Schools with a current year or three-year average rate of at least 75 percent, or schools that were at Level Two the prior year and decrease the failure rate by ten percent or more from the prior year.</u> <u>Level Two: Schools not meeting Level One performance with a</u>

<p><u>assessments, any additional students who showed growth using board-approved measures, and any additional students who are English learners who showed growth toward English proficiency using board-approved measures.</u></p>	<p><u>current year or three-year average rate of at least 66 percent, or schools with a prior year rate of at least 50 percent that decrease the failure rate by ten percent or more from the prior year. A school shall not receive a Level Two performance designation for more than four consecutive years.</u></p> <p><u>Level Three: Schools not meeting Level One or Level Two performance.</u></p>
<p><u>b. Academic Achievement Indicator for all students for Mathematics: the academic indicator will be calculated based on the rate of students who passed board-approved assessments, and any additional students who showed growth using board-approved measures.</u></p>	<p><u>Level One: Schools with a current year or three-year average rate of at least 70 percent, or schools that were at Level Two the prior year and decrease the failure rate by ten percent or more from the prior year.</u></p> <p><u>Level Two: Schools not meeting Level One performance with a current year or three-year average rate of at least 66 percent, or schools with a prior year rate of at least 50 percent that decrease the failure rate by ten percent or more from the prior year. A school shall not receive a Level Two performance designation for more than four consecutive years.</u></p> <p><u>Level Three: Schools not meeting Level One or Level Two performance.</u></p>
<p><u>c. Academic Achievement Indicator for all students for Science: the academic indicator will be calculated based on the rate of students who passed board-approved assessments.</u></p>	<p><u>Level One: Schools with a current year or three-year average rate of at least 70 percent, or schools that were at Level Two the prior year and decrease the failure rate by ten percent or more from the prior year.</u></p> <p><u>Level Two: Schools not meeting Level One performance with a current year or three-year average rate of at least 66 percent, or schools with a prior year rate of at least 50 percent and decrease the failure rate by ten percent or more from the prior year. A school shall not receive a Level Two performance designation for more than four consecutive years.</u></p> <p><u>Level Three: Schools not meeting Level One or Level Two performance.</u></p>
<p><u>d. Academic Achievement Gaps for English (reading and writing). A single performance level is assigned for Academic Achievement Gaps for English (reading and writing), based upon the composite of performance levels calculated individually for each reporting group using the same methodology and benchmarks as provided for in the Academic Achievement Indicators for All Students.</u></p>	<p><u>Level One: Schools with no more than one reporting group demonstrating Level Two performance.</u></p> <p><u>Level Two: Schools with two or more reporting groups demonstrating Level Two performance and no more than one reporting group demonstrating Level Three performance.</u></p> <p><u>Level Three: Schools with two or more reporting groups demonstrating Level Three performance.</u></p>
<p><u>e. Academic Achievement Gaps for Mathematics. A single performance level is assigned for Academic Achievement Gaps for Mathematics, based upon the composite of performance levels calculated individually for each reporting group using the same methodology and benchmarks as provided for in the Academic Achievement Indicators for All</u></p>	<p><u>Level One: Schools with no more than one reporting group demonstrating Level Two performance.</u></p> <p><u>Level Two: Schools with two or more reporting groups demonstrating Level Two performance and no more than one reporting group demonstrating Level Three performance.</u></p> <p><u>Level Three: Schools with two or more reporting groups demonstrating Level Three performance.</u></p>

<p><u>Students.</u></p>	
<p><u>f. Graduation and Completion Index (GCI) for schools with a graduating class. The GCI is the percentage of students graduating from or completing high school based upon a graduation and completion index prescribed by the board. The board's GCI shall include weighted points for diploma graduates, recipients of high school equivalency credentials approved by the board, students not graduating but still in school, and students earning certificates of program completion.</u></p>	<p><u>Level One: Schools with a current year or three-year average index of at least 88, or schools that were at Level Two the prior year and increase the index by 2.5 percent or more from the prior year.</u></p> <p><u>Level Two: Schools not meeting Level One performance with a current year or three-year average index of at least 81, or schools that were at Level Three the prior year and increase the index by 2.5 percent or more from the prior year. A school shall not receive a Level Two performance designation for more than four consecutive years.</u></p> <p><u>Level Three: Schools not meeting Level One or Level Two performance.</u></p>
<p><u>g. Dropout Rate for schools with a graduating class.</u></p>	<p><u>Level One: Schools with a current year or three-year average rate of no more than six percent, or schools that were at Level Two the prior year and decrease the rate by ten percent or more from the prior year.</u></p> <p><u>Level Two: Schools not meeting Level One performance with a current year or three-year average rate of no more than nine percent, or schools that were at Level Three the prior year and decrease the rate by ten percent or more from the prior year. A school shall not receive a Level Two performance designation for more than four consecutive years.</u></p> <p><u>Level Three: Schools not meeting Level One or Level Two performance.</u></p>
<p><u>h. Chronic Absenteeism. Chronically absent students are defined as those who are enrolled in a given school who miss ten percent or more of the school year, regardless of reason. Students receiving homebound instruction, as defined in 8VAC20-131-5, shall be excluded from the chronic absenteeism rate.</u></p>	<p><u>Level One: Schools with a current year or three-year average rate of no more than 15 percent, or schools that were at Level Two the prior year and decrease the rate by ten percent or more from the prior year.</u></p> <p><u>Level Two: Schools not meeting Level One performance with a current year or three-year average rate of no more than 25 percent, or schools that were at Level Three the prior year and decrease the rate by ten percent or more from the prior year. A school shall not receive a Level Two performance designation for more than four consecutive years.</u></p> <p><u>Level Three: Schools not meeting Level One or Level Two performance.</u></p>
<p><u>i. College, Career, and Civic Readiness Index for schools with a graduating class. The College, Career, and Civic Readiness Index measures the extent to which a school's students successfully complete advanced coursework, Career and Technical Education (CTE) coursework and credentialing, and work- and service-based learning. Application of the College, Career, and Civic Readiness index indicator to performance levels for accreditation purposes shall occur no later than the 2021-2022 school year.</u></p>	<p><u>Level One: Schools with a current year index of at least 85.</u></p> <p><u>Level Two: Schools not meeting Level One performance with a current year index of at least 71. A school shall not receive a Level Two performance designation for more than four consecutive years.</u></p> <p><u>Level Three: Schools not meeting Level One or Level Two performance.</u></p>

2. To focus on continuous improvement for all schools, the benchmarks delineating the performance levels provided in subsection E 1 above may be adjusted as provided in subsection C, through board-approved guidance. Adequate notice shall be provided to local school boards of any such adjustment.

3. The board may adopt special provisions related to the measurement and use of a school quality indicator, as prescribed by the board. The board may also alter the inclusions and exclusions from the performance level calculations by providing adequate notice to local school boards.

4. The board may add new assessments or discontinue the use of existing assessments in the Virginia Assessment Program by providing adequate notice to local school boards. As specified in the Standards of Quality, the board may adopt special provisions related to the administration and use of any Standards of Learning test(s) as applied to school quality indicators for any period during which the Standards of Learning content or assessments in that area are being revised and phased in. Notice shall be provided to local school boards regarding the special provisions prior to statewide administration of such tests.

5. The board may adopt valid and reliable measures of student growth to be used in calculating the Academic Achievement Indicators for English and mathematics and in determining the progress of English learners toward English proficiency.

6. The board shall provide a process for a local school board to appeal the performance level designation for a specific school quality indicator for any school in the division. The board shall grant such appeals only in limited circumstances that would warrant special consideration in designating performance levels. In order to appeal such designation, the local school board shall submit a request to the board, signed by the chairman of the school board and the school superintendent explaining why the school board is appealing the designation, and shall include documentation supporting the request to change the performance level designation.

7. The board may designate and approve additional school quality indicators, according to its criteria as specified in subsection A.

F. To establish performance levels for any of the school quality indicators that are based on Virginia Assessment Program outcome data in schools with grade configurations that do not house a grade or offer courses for which SOL tests or additional tests approved by the board as outlined in 8VAC20-131-110 are administered, such schools will be paired with another school in the division housing one or more of the grades in which SOL tests are administered. The pairing of such schools will be made upon the recommendation of the local superintendent. The schools should have a “feeder” relationship and the grades should be contiguous.

#### **8VAC20-131-390. Accreditation.**

A. The board shall accredit schools, based on achievement of the school accountability requirements of these regulations.

The principal of each new or existing school and the division superintendent shall annually document and report to the Department of Education, in a manner prescribed by the board, the following:

1. The division’s promotion/retention policies have been developed in accordance with the requirements of 8VAC20-131-30;

2. Compliance with the requirements to offer courses that will allow students to complete the graduation requirements in 8VAC20-131-50 and 8VAC2021-131-51, as applicable;

3. The school and school division’s ability to offer the instructional program prescribed in 8VAC20-131-70 through 8VAC20-131-100;

4. The school and school division’s offering of history and social science and English, to include writing, as prescribed in 8VAC20-131-70 C;

5. Compliance with the leadership and staffing requirements of 8VAC20-131-210 through 8VAC20-131-240;

6. Compliance with the facilities and safety provisions of 8VAC20-131-260;

7. Compliance with the parental notification provisions of 8VAC20-131-270 B;

8. The SOL have been fully incorporated into the school division’s curriculum in all accreditation-eligible schools, and the SOL material is being taught to all students eligible to take the SOL tests;

9. A comprehensive school plan has been prepared and implemented as required by the Standards of Quality, in conjunction with the long-range comprehensive plan of the division. Such plan shall be available to students, parents, staff, and the public. Each school plan shall be evaluated as part of the development of the next plan. Schools may use other plans to satisfy this requirement with prior written approval from the Department of Education.

10. Actions prescribed by 8VAC20-131-400 of these regulations have been completed.

11. Each school continues to meet the Standards in this chapter that the school reported that it met in the previous year, and actions taken to correct any noncompliance issues that the school reported in the previous year.

#### B. Accreditation Ratings

Effective no later than the academic year 2018-2019, schools that meet the conditions described in subsection A shall be assigned one of the following accreditation designations as described in this section.

1. Accredited: When a school has each of its school quality indicators at Level One or the Level Two, it shall be "Accredited." For the transition year of 2018-2019, when a school meets the accreditation standards for designation as accredited under either the 2017-2018 accreditation calculation rules or the 2018-2019 rules for multiple school quality indicators, it shall be designated "Accredited."

2. Accredited with Conditions: When a school has any school quality indicator at Level Three, it shall be "Accredited with Conditions."

3. Accreditation Denied: If a school is designated "Accredited with Conditions," and the school or school division fails to adopt and implement school division or school corrective action plans with fidelity as specified by 8VAC20-131-400 C., it may be designated by the board as "Accreditation Denied" as provided in 8VAC20-131-400 C 4.

C. Any school in violation of these regulations shall be subject to appropriate action by the board including, but not limited to designating the school as "Accreditation Denied."

D. A school's accreditation rating may be withheld by action of the board for any school found to be in violation of test security procedures pursuant to § 22.1-19.1 of the Code of Virginia.

#### E. Review Cycles.

1. The board shall review annually the status of the performance levels for school quality indicators applied to accreditation for all schools in the Commonwealth.

2. If a school has been designated "Accredited" for three consecutive years, the board shall review the accreditation status of the school every three years. However, the board shall review the status of each school quality indicator used for accreditation each individual year within that triennial period. If the board finds that the school would have been accredited every year of the triennial review period, the board shall accredit the school for another three years. A multiyear accreditation status shall not relieve any school or division of annual reporting requirements, nor shall it relieve any school or division of annual review of school quality indicators used for school accreditation and subsequent actions as appropriate and provided for in 8VAC20-131-400, depending on performance level.

#### **8VAC20-131-400. Application of the School Quality Indicator Performance Levels to Actions.**

In accordance with the Standards of Quality at § 22.1-253.13:6 D of the Code of Virginia, all schools shall develop a comprehensive, unified, long-range plan. To develop such plans, schools shall conduct a comprehensive needs assessment, in collaboration with their school division staff, to identify needed actions to ensure continuous improvement for their students. Results of the comprehensive needs assessment shall be used to develop a multi-year improvement plan which shall be a component of the school's comprehensive, unified, long-range plan. The multi-year improvement plan shall be reviewed and updated as needed on an annual basis. Confirmation of completion of the actions required by this section shall be provided to meet requirements of 8VAC20-131-390 A 10.

In determining required actions for schools and school divisions, levels of performance shall be considered separately for each school quality indicator. Responses and actions to be taken by school divisions and schools, under the leadership of division superintendents and school principals, according to the performance level of each school quality indicator are as follows:

A. Level One. If a school quality indicator is at Level One, the school and its school division shall continue to monitor the indicator and the multi-year school improvement plan for continuous improvement.



B. Level Two. If a school quality indicator is at Level Two, the school and its school division shall have primary responsibility to develop and implement a multi-year school improvement plan.

In developing such plan, the school and its school division shall determine the issues and conditions which are likely contributing to the school's performance on the indicator and plan and implement essential actions and research based strategies designed to improve performance on the indicator to achieve the Level One standard.

School division and school staff shall:

1. identify factors related to the school's performance on the indicator as part of the school's comprehensive needs assessment;
2. use the results of the comprehensive needs assessment to develop a multi-year school improvement plan which addresses the factors identified in the needs assessment that are related to the performance on the indicator. The school's multi-year improvement plan shall be approved by the local school board. The department may implement an audit process to ensure compliance with this provision;
3. implement the essential actions and research/based strategies with fidelity;
4. regularly evaluate evidence of the school's progress in implementing the plan, monitor changes on the school quality indicator, and make adjustments as warranted; and
5. evaluate the progress of the school quality indicator(s) at Level Two at the end of each year, and assess the results of the school improvement plan actions at the end of two years. If no progress is made within the two-year period on such school quality indicators, the plan shall be revised.

If any of the Academic Achievement Indicators for all students, as provided in 8VAC20-131-380 E 1 a, 1 b or 1 c is at Level Two, the school must undergo an academic review conducted by the department, or under its guidance, to further identify required actions to improve student achievement. Review of other indicators by the department, or under its guidance, may occur based on the school's multi-year school improvement plan. School improvement plans developed for Academic Achievement Indicators for all students that are at Level Two shall be reviewed through a department-established process, which may include peer review by staff from other school divisions.

School divisions with indicators at Level Two may request technical assistance from the department.

C. Level Three.

1. Corrective Action Plans. If any school quality indicator is at Level Three, the school and school division shall work cooperatively and in consultation with the department to develop a corrective action plan, which shall be incorporated as a component of the school's comprehensive, unified, long-range plan.

In developing such plan, the school and school division, in consultation with the department, shall determine the issues and conditions which are likely contributing to the school's performance on the indicator, and to plan and implement essential actions and research-based strategies to achieve improvement to the Level One standard.

All schools with indicators at Level Three must undergo an academic or other review, as appropriate, conducted by the department, or under its guidance, to further identify required actions to improve student achievement and the school quality indicators which are at Level Three.

a. Considerations for the level of direction and intervention from the department include, but are not limited to:

- (1). specific characteristics of the school and school division;
- (2). the number of school quality indicators at Level Three for the school;
- (3). a school's trajectory on the indicator(s) at Level Three;
- (4). the length of time the school indicator has been at Level Three; and
- (5). the number of schools in the division with multiple school quality indicators at Level Three.

b. In consultation with department staff, school division and school staff shall:

- (1). identify factors related to the school's performance on the indicators at Level Three as part of the school's comprehensive needs assessment;

- (2). use the results of the comprehensive needs assessment to develop a multi-year corrective action plan which addresses the factors identified in the needs assessment that are related to the performance on the indicator through essential actions and research-based strategies;
- (3). submit the completed corrective action plan to the department, through the division superintendent for department approval;
- (4) amend the plan, if the department disapproves any portion thereof, as needed to secure the department's approval;
- (5). implement the approved corrective action plan with fidelity; and
- (6). meet regularly with department staff to monitor evidence of the school's progress in implementing the plan, to track improvement on the indicator, and to identify next steps.

2. Superintendent Agreement. The level of direction and intervention from the department may include requiring the local school division superintendent and the Superintendent of Public Instruction to enter into an agreement which shall delineate the responsibilities for the school division staff, school staff, and department staff and shall also include required essential actions to improve student achievement and to improve performance on school quality indicators.

3. Memorandum of Understanding. School divisions that do not demonstrate evidence of progress in adopting or implementing corrective action plans for a school or schools with indicators at Level Three shall be required to enter into a Memorandum of Understanding between the local school board and the board. The Memorandum of Understanding shall delineate responsibilities for the local school board, the board, school division staff, school staff, and department staff and shall also include required essential actions to improve student achievement and to improve performance on school quality indicators.

Department staff shall meet regularly with school division staff to monitor the Memorandum of Understanding and corrective action plan, to track progress on the indicator(s), and to identify next steps.

School divisions that do not demonstrate evidence of progress under the Memorandum of Understanding and the associated corrective action plan shall be subject to additional actions which may include more frequent meetings with department staff, required technical assistance, or appearance before the board.

4. Denial of Accreditation. If a school is designated "Accredited with Conditions," and the school or school division fails to adopt and implement corrective action plans with fidelity as specified by this section, the Superintendent of Public Instruction shall review the school for potential designation by the board as "Accreditation Denied" and shall present the results of such review to the board with recommendations. If the board determines that any such school is at Level Three on any school quality indicator due to its failure to adopt and implement corrective action plans with fidelity as required by this section, the board shall designate such school as "Accreditation Denied." The local school board shall be given an opportunity to correct such failure, and if successful in a timely manner, the school's "Accreditation Denied" designation may be rescinded at the board's discretion.

5. At-Risk Add-On Funds. As provided in the Appropriation Act, if the board has required a local school board to submit a corrective action plan pursuant to § 22.1-253.13:3(A) of the Code of Virginia, either for the school division pursuant to a division level review, or for any schools within its division that have been designated as not meeting the standards as approved by the board, the Superintendent of Public Instruction shall determine and report to the board whether each such local school board has met its obligation to develop and submit such corrective action plan(s) and is making adequate and timely progress in implementing the plan(s). Additionally, if an academic review process undertaken pursuant to § 22.1-253.13:3(A) of the Code of Virginia has identified actions for a local school board to implement, the Superintendent of Public Instruction shall determine and report to the board whether the local school board has implemented required actions. If the Superintendent certifies that a local school board has failed or refused to meet any of those obligations, the board shall withhold payment of some or all At-Risk Add-On funds otherwise allocated to the affected division pursuant to this allocation for the pending fiscal year. In determining the amount of At-Risk Add-On funds to be withheld, the board shall take into consideration the extent to which such funds have already been expended or contractually obligated. The local school board shall be given an opportunity to correct its failure and, if

successful in a timely manner, may have some or all of its At-Risk Add-On funds restored at the board's discretion.

6. Additional Remedies. The board may exercise its authority to seek school division compliance with school laws pursuant to the relevant provisions of the Code of Virginia when any school within a division receives an accreditation designation other than "Accredited."

In accordance with the Standards of Quality at § 22.1-253.13:3 A, if the board determines that a school division has failed or refused, and continues to fail or refuse, to comply with any of the Standards of Quality, including the requirement for local school boards to maintain schools designated as "Accredited" as provided in §22.1-253.13:3 A, the board may petition the circuit court having jurisdiction in the school division to mandate or otherwise enforce compliance with such standard, including the development or implementation of any required corrective action plan that a local school board has failed or refused to develop or implement in a timely manner.

#### **8VAC20-131-410. Recognitions and Rewards for School and Division Accountability.**

A. Schools and divisions may be recognized by the board in accordance with guidelines it shall establish for the Virginia Index of Performance (VIP) incentive program. In order to encourage school divisions to promote student achievement in science, technology engineering, and mathematics (STEM), the board shall take into account in its guidelines a school division's increase in enrollments and elective course offerings in these STEM areas. Such recognition may include:

1. Public announcements recognizing individual schools and divisions;
2. Tangible rewards;
3. Waivers of certain board regulations;
4. Exemptions from certain reporting requirements; or
5. Other commendations deemed appropriate to recognize high achievement.

In addition to board recognition, local school boards shall adopt policies to recognize individual schools through public announcements, media releases, and participation in community activities when setting policy relating to schools and budget development, as well as other appropriate recognition.

B. Schools and divisions may be designated and recognized by the board for exemplar performance in accordance with criteria and guidelines it shall establish for top achievement in one or more school quality indicators, and may include recognition for high performing schools in specific peer categories, such as schools with high levels of poverty.

#### **8VAC20-131-420. Waivers and Alternative Accreditation Plans.**

A. Except as specified herein, the board may grant, for a period of up to five years, a waiver of these regulations that are not mandated by state or federal law or designed to promote health or safety. The board may grant all or a portion of the request for a waiver(s) and designate conditions as appropriate. Waivers of requirements in 8VAC20-131-30, 8VAC20-131-50, 8VAC20-131-51, 8VAC20-131-70, and 8VAC20-131-370 through 8VAC20-131-430 shall not be granted, and no waiver may be approved for a program which would violate the Standards of Quality.

B. Waivers of some of the requirements of these regulations may be granted by the board based on submission of a request from the division superintendent and chairman of the local school board. The request shall include documentation of the justification and/or need for the waiver. In no event shall waivers be granted to the requirements of Part III (8VAC20-131-30 et seq.) of these regulations except that the board may provide for the waiver of certain graduation requirements in 8 VAC20-131-50 and VAC20-131-51 upon: (i) the board's initiative or (ii) the request of a local school board on a case-by-case basis. The board shall develop guidelines for implementing these requirements.

Any student with a disability whose Individualized Education Program (IEP) or § 504 Plan documents that he or she cannot successfully complete training in emergency first aid, cardiopulmonary resuscitation, or the use of automated external defibrillators, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation, as required for graduation in B 2 and C 2 of 8VAC20-31-50 and 8VAC20-131-51 shall be granted a waiver from this graduation requirement.

C. Waivers for innovative and/or school experimental programs.

With the approval of the local school board, schools seeking to implement experimental or innovative programs, or both, that are not consistent with these Standards shall submit a waiver request, on forms provided, to the board for evaluation and approval prior to implementation. The request must include the following:

1. Purpose and objectives of the experimental/innovative programs;
2. Description and duration of the programs;
3. Anticipated outcomes;
4. Number of students affected;
5. Evaluation procedures; and
6. Mechanisms for measuring goals, objectives, and student academic achievement.

D. Alternative Accreditation Plans. Subject to the provisions of subsection B, the governing school board of special purpose schools such as those provided for in § 22.1-26 of the Code of Virginia, Governor's schools, special education schools, alternative schools, or career and technical schools that serve as the student's school of principal enrollment may seek approval of an alternative accreditation plan from the board. Schools offering alternative education programs, schools with a graduation cohort of 50 or fewer students as defined by the graduation rate formula adopted by the board, may request that the board approve an alternative accreditation plan to meet the graduation and completion index benchmark. Special purpose schools with alternative accreditation plans shall be evaluated on Standards appropriate to the programs offered in the school and approved by the board prior to August 1 of the school year for which approval is requested. Any student graduating from a special purpose school with a Standard Diploma or an Advanced Studies Diploma must meet the requirements prescribed in 8VAC20-131-50 or 8VAC20-131-51.

As set forth in the Standards of Quality and according to department procedures, any school board may request the board for release from state regulations or, on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for schools enumerated in this subsection, based on special circumstances.

**8VAC20-131-430. Effective dates.**

A. Graduation requirements.

1. The graduation requirements for students entering the ninth grade for the first time in the 2013-2014 school year and prior to the 2018-2019 school year shall be those provided in 8VAC20-131-50.
2. The graduation requirements for students entering the ninth grade for the first time in the 2018-2019 school year and beyond shall be those provided in 8VAC20-131-51.
3. The graduation requirements applicable to students transferring into a Virginia high school for the first time shall be as determined by 8VAC20-131-60 G.

B. Locally awarded verified credits.

1. Locally awarded verified credits conferred for history and social science for students entering the ninth grade for the first time prior to the 2018-2019 school year, shall be as provided in 8VAC20-131-110.B 3 a.
2. Locally awarded verified credits conferred for English, mathematics, laboratory science, and history and social science for students entering the ninth grade for the first time in 2018-2019 or thereafter shall be as provided in 8VAC20-131-110.B 3 b.

C. Academic and Career Planning.

1. The requirements for academic and career planning prescribed in 8VAC20-131-140 A shall be effective beginning with the 2013-2014 academic year and through the 2017-2018 academic year.
2. The requirements for Academic and Career Plans prescribed in 8VAC20-131-140 B shall be effective beginning with the 2018-2019 academic year.

D. The application of the College, Career, and Civic Readiness Index as a school quality indicator used for accreditation will be made no later than the 2021-2022 school year .

E. Unless otherwise specified, the remainder of these regulations shall be effective beginning with the 2018-2019 academic year.