

Review of the Scope and Authority for Amending the Standards of Accreditation to Include Public Virtual Schools

Authority for regulations governing full-time public virtual schools

- § 22.1-253.13:3.A of the *Code of Virginia* states: “The Board of Education shall promulgate regulations establishing standards for accreditation of public virtual schools under the authority of the local school board that enroll students full time.”

Applicability of laws and regulations

- Public virtual schools are public schools and must meet all of the laws, regulations, standards, and policies required of all other Virginia public schools, unless otherwise specified in the Standards of Accreditation.
- Instruction in a public virtual school must be designed to accommodate all students, including those identified with disabilities in accordance with the Individuals with Disabilities Education Act or § 504 of the Rehabilitation Act, those identified as gifted, and those who have limited English proficiency.
- Public virtual schools must meet the same accreditation requirements as any other Virginia public school, and the students must meet the same graduation requirements.
- Like all other public schools in Virginia, at the request of the local school board public virtual schools may be granted waivers from requirements of the Standards of Accreditation by the Board of Education, and may be granted approval of an alternative accreditation plan.

Instruction

- Instruction provided by a public virtual school must comport with the requirements of the Standards of Learning and career and technical education competencies.
- The teachers must be licensed by the Board of Education and endorsed in the subjects in which they provide instruction.
- Students enrolled in a public virtual school are required to take all applicable Virginia assessment program tests in a secure, controlled and proctored environment.

Required clock hours and seat time

- The requirement for 140-clock hours of instruction to earn a standard unit of credit may be waived at the local level, pursuant to 8 VAC 20-131-110.
- Section 22.1-98 of the *Code of Virginia* requires the school term to be not less than 180 teaching days or 990 teaching hours in any school year unless there are severe weather conditions or other emergencies resulting in the closing of the school.
- If the school term is less than 180 teaching days or 990 teaching hours in any school year, the amount paid to the school division from the Basic School Aid Fund could be reduced. The students are subject to the provisions of the compulsory attendance law in § 22.1-154 of the *Code*.