

# Virginia Board of Education Agenda Item



**Agenda Item:** C

**Date:** November 16, 2017

**Title:** Final Review of Proposed Amendments to the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia*, Parts I-VIII (8VAC 20-131) (Final Stage)

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**Purpose of Presentation:**

Action required by state or federal law or regulation.

**Executive Summary:**

The Board of Education's vision is to create a quality statewide system of public education that prepares all students for success in the twenty-first century workplace, for realization of personal goals, and for responsible contributions to the quality of civic life in our state, nation, and the world. The Board's *Regulations Establishing the Standards for Accrediting Public Schools in Virginia*, or more commonly referred to as the Standards of Accreditation (SOA), ensure that an effective educational program is established and maintained in Virginia's public schools. Since 2013, the Board has been considering comprehensive revisions to the SOA, and following extensive public engagement, on June 22, 2017 the Board approved draft proposed revisions to the regulations. Major provisions of the proposed revisions include revised graduation requirements to implement the *Profile of a Virginia Graduate*, and a new system for accrediting Virginia's public schools that applies multiple measures of school quality.

Following the Board's approval, the proposed regulations were submitted for the proposed stage of the *Administrative Process Act* (APA) regulatory review, and the Governor approved the regulations for proposed stage on July 18, 2017. A public comment period was initiated when the regulations were published in the *Virginia Register* on August 7, 2017, which ended on October 6, 2017. For the regulations to become effective, Board approval is requested in order

for them to be submitted for Executive Branch final stage review and approval, and final publication in the *Virginia Register* as required by the APA.

In addition to public comment received following publication in the *Virginia Register*, the Board conducted a series of five public hearings during June and August 2017. While public comment has been generally supportive of the proposed regulations, some individuals and organizations have submitted concerns. These were primarily focused on professional development needed for implementation, expansion and standardization of alternative assessment methods, impacts on fine arts and elective opportunities in middle school, the addition of a graduation requirement for a credit in fine arts, school improvement action requirements, and the need for recess in elementary school.

Staff has proposed limited technical changes and corrections to the proposed regulations. At the October Board meeting, additional changes were suggested. These proposed changes are highlighted in the attached language, and include a definition of the term growth, a modified definition of the term recess, and a requirement for a teacher supervising homebound instruction to be licensed in the relevant area.

These proposed regulations align with several of the goals outlined in the Board's *Comprehensive Plan*. In promulgating these regulations, the Board will establish the policies and standards necessary to ensure accountability of student learning (Goal 1) by implementing a system of continuous school improvement. The Board will have the ability to expand opportunities to learn (Goal 3) by developing policies that promote a more flexible environment in which to create innovative instructional programs. Further, the regulations will provide the Board with the opportunity to develop and implement sound policies for student success (Goal 6) by focusing on college and career readiness.

**Action Requested:**

Final review: Action requested at this meeting.

**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education approve the proposed revisions to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, Parts I-VIII (Final Stage), for final review and for further action as governed by the requirements of the Administrative process Act.

**Rationale for Action:**

The draft revisions to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* represents the careful review and consideration of the existing language, current educational needs, *Code of Virginia* requirements, and stakeholder participation.

**Background Information and Statutory Authority:**

The *Code of Virginia* requires the Board of Education to prescribe standards for the accreditation of public elementary, middle and high schools. Section 22.1-19 of the *Code* provides, in part:

The Board shall provide for the accreditation of public elementary, middle, and high schools in accordance with standards prescribed by it...

The *Code* also requires the Board to establish regulations establishing standards for accreditation, to include certain elements. Section 22.1-253.13:3 of the *Code* provides, in part:

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, requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia...

...The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements...

The Board's vision is to create a quality statewide system of public education that prepares all students for success in the twenty-first century workplace, for realization of personal goals, and for responsible contributions to the quality of civic life in our state, nation, and the world. The Board is committed to advancing its vision and examining the conditions and needs of public education, and to presenting them annually through a report to the General Assembly and the public. Through its adopted policies, the Board conveys high standards for student learning and achievement in preparation for graduation and life beyond high school. The Board's ongoing work is the further development and refinement of a system of accountability to define school quality and to support schools and school divisions by promoting continuous improvement, providing assistance, and acknowledging progress. The system of accountability is reflected in the Standards of Learning, the School Quality Profile, and the SOA.

The SOA is comprised of sections, or parts, which specify requirements for students' educational preparation and for school quality. Part I provides definitions of terms used in the regulations and statements of purpose for public education in Virginia and for the Standards of Accreditation. Part II provides the Board's philosophy, goals, and objectives, with the requirement that schools also have written goals and objectives. Part III presents student achievement expectations for graduation, including credits and requirements and components of

the *Profile of a Virginia Graduate*, and Part IV addresses instructional programs in elementary, middle, and high schools. Part V defines roles and expectations for principals and professional teaching staff aligned to Virginia standards and also staffing requirements for administrative and support staff, as well as teaching loads. Part VI provides criteria for school facilities and addresses school safety. Part VII provides requirements for school communications with parents and the community, and specifies requirements for the School Quality Profile. Part VIII provides the basis for measuring school quality, school accreditation, school improvement actions, and school support.

In October, 2014, the Board held a work session to focus on an in-depth comprehensive examination of the SOA in its entirety. The following month, the Board withdrew pending amendments to the SOA, approved in 2013 and proceeding through the regulatory process, in favor of conducting a more extensive review and consideration of revisions. From that time, the Board has conducted a section-by-section evaluation of the regulations, including extensive public outreach and participation through public comment, roundtables, and public hearings. Discussions of issues and proposals have taken place, including the topics of the School Performance Report Card (renamed the School Quality Profile), graduation requirements and the expected knowledge, skills, and competencies of a Virginia graduate, assessments, and accreditation.

Formal actions the Board has taken to amend the SOA prior to these proposed amendments include the following: (1) Notice of Intended Regulatory Action (NOIRA) on June 27, 2013; (2) amendments to the regulations (Proposed Stage) addressing legislation from the 2012 and 2013 General Assembly on October 24, 2013; and (3) amendments to the regulations to comport with legislation passed by the General Assembly under the Fast Track provisions of the Administrative Process Act. The separate fast track regulatory action was taken for the sole purpose of addressing legislation that was approved by the General Assembly during the 1999, 2012, 2013, 2014, and 2015 sessions.

During the 2016 legislative session, the Governor and the General Assembly supported the development of a *Profile of a Virginia Graduate* through the introduction and adoption of legislation which directed the Board to redefine the expectations of high school graduates in the Commonwealth. HB 895 (Greason) and SB 336 (Miller) amended [§ 22.1-253.13:4.D](#) of the *Code* to require the Board to develop and implement a *Profile of a Virginia Graduate* in consultation with stakeholders representing elementary and secondary education, higher education, and business and industry in the Commonwealth and including parents, policymakers, and community leaders in the Commonwealth. The *Profile* identifies the knowledge and skills that students should attain during high school in order to be successful contributors to the economy of the Commonwealth, giving due consideration to critical thinking, creative thinking, collaboration, communication, and citizenship (known as the 5 Cs).

The *Profile* has been developed by the Board of Education to describe the knowledge, skills, competencies, and experiences students should attain during their K-12 education to make them “life-ready.” The *Profile* presents and describes four overlapping areas for student learning and achievement considered essential to success beyond high school. These are knowledge of subject areas based on statewide standards and their application (content knowledge); demonstration of personal skills and behaviors required for productivity, effective relationships, and problem-solving within one’s workplace (workplace skills); understanding of the opportunities within civic organizations for service and decision-making and responsibility for respectful interaction with others (community engagement and civic responsibility); and individual participation in career exploration, planning, and preparation, based on understanding of personal interests, skills, and abilities and the needs of the economy (career exploration). Foundational skills for students to acquire and use in each of these areas are critical thinking, creative thinking, collaboration, communication, and citizenship. In July and August of 2016, the Board conducted four public hearings to receive initial public comment for consideration as the revised SOA was developed. The hearings were conducted in Abingdon, Lynchburg, Manassas, and Williamsburg-James City County.

*Parts I-VII.* The proposed revisions to Parts I through VII are based on decisions the Board has made throughout the comprehensive review, including concepts to implement the *Profile*. The Board received the revisions for first review on September 20, 2016, and for second review on November 17, 2016. The Board approved the revisions to Parts I through VII of the SOA at its January 26, 2017 meeting.

*Part VIII.* The Board considered revisions to Part VIII separately, to allow additional time for the Board to review approaches to measuring school quality, including alignment with new requirements for state accountability systems established by the new federal *Every Student Succeeds Act (ESSA)*, the reauthorization of the *Elementary and Secondary Education Act of 1965*. The Board’s Committee on School and Division Accountability initiated discussions regarding potential changes to the accountability system in July 2016. The following is a summary of the Committee’s discussions, which have led to the development of the proposed revisions to Part VIII:

- July 27, 2016: The indicators used in the existing accreditation system were reviewed, and the need to incorporate additional indicators of school quality to provide a more comprehensive picture of school quality was discussed.
- September 21, 2016: The purpose and philosophy of school accountability were reviewed. Criteria to be used in selecting indicators of school quality were presented, and a conceptual “matrix” that could be used to demonstrate levels of performance for each school quality indicator for each school was reviewed. Examples of school quality indicators presented included those required by *ESSA* (student achievement and progress, achievement gaps, English learner progress, and a graduation indicator), and additional

indicators such as the college and career readiness index, chronic absenteeism rates, and student discipline rates.

- October 26, 2016: A standard process to determine the benchmarks that would define performance levels for each school quality indicator was presented. The suggested process would first consider whether the proposed benchmarks reflect the Board's values and expectations. Setting benchmarks would be accomplished by reviewing scientific research, benchmarks used in other states, and the impact on Virginia's schools.
- November 16, 2016: Staff presented six concepts for a revised accreditation system, which were received by the Board for first review on the following day. The six concepts are:
  1. The accreditation system should focus on driving continuous improvement rather than requiring schools to meet minimum levels of performance.
  2. Multiple indicators of school quality should be selected using Board-established criteria to ensure that the indicator is an appropriate and effective measure of school quality.
  3. One of four performance levels would be assigned for each school quality indicator for every school, based upon demonstrated performance or improvement. (The number of performance levels was later reduced from four to three.)
  4. Benchmarks would form the upper and lower limits for each performance level in each school quality indicator, and such benchmarks would be determined following a standard process to ensure they are appropriate, are research-based, and accurately reflect the Board's expectations.
  5. Levels of support, technical assistance, actions, and state intervention for lower-performing schools and school divisions would be based upon performance levels in individual school quality indicators.
  6. Transition from the existing accreditation system to a system with additional indicators should allow school administrators to have sufficient time to examine areas of strengths and weaknesses, underlying causes, and potential actions.
- Beginning with the Committee's January 2017 meeting, the Committee reviewed and discussed the selection of school quality indicators for state accreditation and compliance with *ESSA* requirements. The indicators discussed during each month's meetings were:
  - January 25, 2017: Graduation and Completion Index and dropout rate;
  - February 22, 2017: Chronic absenteeism rate;
  - March 22, 2017: Academic achievement indicators for English, mathematics and science; and
  - April 26, 2017: College and career readiness index, and achievement gap indicators.

- April 26, 2017: The Committee reviewed a detailed outline of proposed amendments that would implement the concepts and incorporate them into Part VIII. The revised Part VIII:
  - Establishes expectations for school accountability and accreditation.
  - Provides that school quality for accreditation purposes will be measured using multiple school quality indicators, and that schools will be held accountable for performance on each of the adopted indicators.
  - Lists the school quality indicators to be used, and establishes criteria for the Board to consider when adding new school quality indicators in the future.
  - Establishes three performance levels which will be used to describe whether a school's performance in a given school quality indicator meets or exceeds standards, demonstrates adequate improvement, or does not meet the standards.
  - Establishes a process for determining appropriate benchmarks used to designate performance levels for each indicator.
  - Establishes school accreditation ratings of "Accredited," "Accredited with Conditions," and "Accreditation Denied," which will be designated based upon performance levels in school quality indicators, and the school's completion of required improvement actions. A three-year accreditation cycle is established for schools that are accredited consecutively for the three prior years.
  - Establishes actions required of schools and school divisions based upon performance levels for each school quality indicator, and provides that At-Risk Add-On funds may be withheld if a local school board fails or refuses to implement required corrective actions.
  - Provides recognition for schools that demonstrate exemplary performance on the school quality indicators.
  - Relocates and revises provisions allowing Board approval of alternative accreditation plans for schools with special circumstances.
  - Relocates and revises provisions allowing the Board to approve waivers from certain regulations.
  - Provides effective dates for the revised SOA.
- May 24, 2017: The Board reviewed draft language for Part VIII during a special work session, and suggested several revisions, which were incorporated into the proposed language, including:
  - Incorporating a measure of civic readiness, and successful completion of work-based learning into the college and career readiness index.
  - Articulating the actions and tiered levels of support that are available to the Board, VDOE, and school divisions before and after a school is rated "Accreditation Denied."

*Board of Education Approval (Proposed Stage)*. The Board was presented the proposed revisions to the SOA, including Parts I-VII and Part VIII for first review on May 25, 2017, and approved the revisions on final review at its June 22, 2017 meeting. At the June meeting, the Board approved the proposed regulations, incorporating several amendments, including the following substantial changes:

- Added the option of using an authentic performance assessment to earn a verified credit in English (writing).
- Eliminated the proposed reduction in the number of verified credits required in English so that two such credits will be required.
- Included chronic absenteeism rates as a school quality indicator for high school, in addition to elementary and middle schools.
- Permitted the Board to adopt alternative student growth measures to be used to calculate the Academic Achievement Indicators for English and mathematics and to determine the progress of English learners toward English proficiency.
- Provided a process for local school boards to appeal performance level designations for school quality indicators.
- Required school divisions to annually certify the school division's offering of history and social science and English, including writing.
- Eliminated the requirement for schools with Level One school quality indicators to have VDOE review of multi-year school improvement plans.
- Eliminated the requirement for schools with Level Two school quality indicators to have VDOE review of multi-year school improvement plans, unless the Level Two indicator is an academic achievement indicator.
- Added a requirement for schools with Level Two school quality indicators to have multi-year school improvement plans approved by the local school board, and permitted VDOE to implement an audit process to ensure compliance with Level Two requirements.
- Amended requirements for Corrective Action Plans developed for schools with Level Three school quality indicators to provide that such plans will be developed by the school and division in consultation with VDOE, rather than under VDOE's direction.

The Board's approval of the SOA included these school quality indicators to be used for the state accreditation system:

- Academic achievement in English, including measures of growth in elementary and middle schools, and progress toward English proficiency in English learners
- Academic achievement in mathematics, including measures of growth in elementary and middle schools
- Academic achievement in science
- Academic achievement gaps in English and mathematics
- Graduation and completion index for high schools only
- Dropout rate in high schools only

- Chronic absenteeism rates
- College, career, and civic readiness index for high schools only (effective for the 2021-22 school year)

The Board's approval of the amended SOA authorized VDOE staff to proceed with the proposed stage of the *Administrative Process Act* (APA) requirements. The Governor approved the regulations for proposed stage on July 18, 2017, and the public comment period was initiated when the regulations were published in the Virginia Register on August 7, 2017. The public comment period commenced on October 6, 2017.

The Board also solicited public comment on the proposed SOA through five public hearings conducted during June and August of 2017. The hearings were conducted in Harrisonburg, Fairfax, Mecklenburg County, Virginia Beach, and Wytheville. In total, 365 individuals attended the hearings, and 117 speakers addressed the Board. The Board also has received comments through letters, email and public testimony from individuals and organizations, including: The Virginia Alliance for School Counseling, the Virginia Association for Career and Technical Education, the Virginia Association for Health, Physical Education, Recreation, and Dance, the Virginia Association for Supervision and Curriculum Development, the Virginia Coalition for Fine Arts Education, the Virginia Association of Secondary School Principals, the Virginia Music Educators Association, the Virginia No Child Left Inside Coalition, the Virginia Partnership for Out-of-School Time, and the Virginia School Boards Association.

The remarks conveyed to the Board generally support the proposed changes to the Standards of Accreditation. Support was noted for the incorporation of the 5Cs into the curriculum and graduation requirements, expansion of career exposure and work-based learning opportunities, reduction in the number of verified credits required for graduation, the use of performance assessments, and reforms to the accreditation system to acknowledge additional indicators of school quality. Comments received also indicated a desire for further reduction to the number of required verified credits and standardized assessments, and more local control of school improvement efforts. Professional development and capacity building support were requested to assist with the implementation of the *Profile* and the proposed accreditation system. Several fine arts advocates noted concerns that the career and investigations course required for middle school students would impact fine arts and elective opportunities, and requested a separate graduation requirement for a credit in fine arts. Several commenters requested school divisions be provided flexibility in instructional time to permit additional time for recess. A detailed summary of the comments received was presented to the Board's Committee on School and Division Accountability on September 27, 2017, and is available at this link: [http://www.doe.virginia.gov/boe/committees\\_standing/accountability/2017/09-sep/summary-public-comment-on-the-proposed-revisions-to-the-SOA.pdf](http://www.doe.virginia.gov/boe/committees_standing/accountability/2017/09-sep/summary-public-comment-on-the-proposed-revisions-to-the-SOA.pdf). Subsequently, additional comments were submitted to suggest revisions to language in specific SOA sections, and the removal of

social science pass rates as a component of the accountability system. These additional comments have been provided to the Board.

At the Board’s October 26, 2017 meeting, additional changes were suggested. These proposed changes are highlighted in the attached language, and include a definition of the term growth, a modified definition of the term recess, provision of an additional semester to complete Academic and Career Plans, and a requirement for a teacher supervising homebound instruction to be licensed in the relevant area.

Sections in Parts I-VIII of the SOA are proposed to be amended as described in the chart below. Changes since the Governor approved the regulations for proposed stage are highlighted below.

Section	Proposed Changes
<b>Part I: Definitions and Purpose</b>	
8VAC20-131-5 Definitions	<p>Definition of the term “authentic performance assessment” has been added</p> <p>Definition of the term Board of Education or board added, as prescribed in the Constitution of Virginia and the Code of Virginia</p> <p>Definition of “class period” revised for clarity</p> <p>Definition of the term “combined school” has been deleted</p> <p>Definition of the term “department” added to reference the Virginia Department of Education</p> <p>Definition of the term “eligible students” has been deleted</p> <p>Definition of the term “English Learner” has been added as now referenced in the Elementary and Secondary Education Act</p> <p>Definition of the term “growth” has been added to establish that growth applies to student-level progress</p> <p>Definition of the term “instructional day” has been added</p> <p>Definition of the term “instructional hours” has been added</p> <p>Definition of the term “planning period” revised to mean a segment of time in middle and secondary schools during the instructional day that is unencumbered of any teaching or supervisory duties, is not less than 45 minutes or the equivalent of a class period, whichever is greater, and which includes passing time for class changes</p>

Section	Proposed Changes
	<p>Definition of the term “planning time” for elementary teachers has been added in accordance with the Code of Virginia at § 22.1-291.1</p> <p><b>Definition of the term “recess” has been amended for clarity</b></p> <p>Definition of the term “reconstitution” has been deleted</p> <p>Added definition of “reporting group,” as that term is applied to the achievement gap school quality indicator used for accreditation purposes</p> <p>Definition of “standard school year” revised to replace “teaching hours” with “instructional hours”</p> <p>Definition of “standard unit of credit” revised to reflect flexibility in Board of Education guidelines for local school board alternatives to 140 clock hour requirement</p> <p>Definition of “student” revised to replace term “person with Limited English Proficiency” with “for whom English is a second language”</p> <p>Definition of “student periods” deleted</p> <p>Definition of “verified units of credit” revised to include additional methods of receiving a verified credit, including locally awarded verified credits and authentic performance assessments</p>
<p>8VAC20-131-10 Purpose</p>	<p><b>Mission of the public education system to educate students so that they will be equipped for an informed and successful private life amended to eliminate the word “private”</b></p> <p>Language revised to indicate that the SOA will provide the foundation for the provision of a high quality public education, and intent statement revised and expanded</p> <p>Requires the Board to promulgate regulations 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</p>

Section	Proposed Changes
<b>Part II: Philosophy, Goals, and Objectives</b>	
8VAC20-131-20	<p>Language added regarding factors affecting school quality and continual improvement and overall goals and objectives for student learning, achievement, and preparation</p> <p>Language added regarding preparation of graduates who have explored and understand what opportunities exist for them after high school and who have the knowledge and abilities necessary for the next phase of their lives as adults</p> <p>Language added to show that the philosophy, goals, and objectives of individual schools should reflect and encompass the means by which both the Standards of Learning (SOL) and Standards of Accreditation (SOA) are to be achieved</p> <p>Language added to reflect the Board’s objective to provide an education foundation that ensures students are ready to be successful in a global economy, which includes a changing and growing technology.</p> <p>Language added to show that the Board is redesigning the public school experience so that students will be adequately prepared for future challenges</p> <p>Language added to clarify that the college, career, and citizenship ready student will be expected to achieve and apply appropriate academic and technical knowledge; attain and demonstrate age-appropriate productive workplace skills, qualities, and behavior; align knowledge, skills, and personal interests with career opportunities; and attain and demonstrate knowledge and skills necessary for productive citizenship and participation in communities and governments</p>
<b>Part III: Student Achievement</b>	
8VAC20-131-30 Student achievement expectations	<p>Revision made to clarify that students who are accelerated shall only take the test aligned with the highest grade level, following instruction on the content</p> <p>Language added that expedited retakes of tests are an exemption to the prohibition of students taking more than one test in any content area in each year</p> <p>Language referencing “with such funds as may be appropriated by the</p>

<b>Section</b>	<b>Proposed Changes</b>
	<p>General Assembly” deleted in reference to criteria for eligibility for an expedited retake of any SOL test</p> <p>Language added to specify Standards of Quality requirement that any student failing all SOL assessments for the relevant grade level in grades three through eight or failing an end-of-course test required for verified credit shall be required to receive remediation</p> <p>Language added to require a division superintendent to certify that division policy prevents changes in students’ course schedules to avoid end-of-course SOL assessments</p> <p>Language added to state that students shall not be required to take an end-of-course SOL test in a subject after they have earned the number of verified credits required for that academic content area for graduation, unless the test is necessary in order for the school to meet federal accountability requirements</p> <p>Clarifying language added to assessments taken for credit by foreign exchange students</p>
<p>8VAC20-131-50 Requirements for graduation (effective for students entering the ninth grade prior to the 2018-2019 school year)</p>	<p>Section title for 8VAC20-131-50 revised to reflect that the graduation requirements in this section will only be applicable for students who enter the ninth grade prior to the 2018-2019 school year. Refer to the new section 8VAC20-131-51 for graduation requirements for students entering the ninth grade in 2018-2019 or thereafter</p> <p>Language added which clarifies, per the Standards of Quality (§ 22.1-253.13:4), a computer science course credit earned by students may be considered a science, mathematics, or career and technical education course credit for a Standard or Advanced Studies Diploma</p> <p>Language added which clarifies eligibility for the Governor’s Seal and the Board of Education Seal</p>
<p>8VAC20-131-51 Requirements for graduation (effective with the students who enter the ninth grade in the 2018-2019</p>	<p>This proposed section will set forth the graduation requirements for students entering the ninth grade in the 2018-2019 school year or thereafter.</p> <p>The proposed graduation requirements are intended to provide multiple paths toward college, career, and citizenship readiness, and instructional programs leading toward a diploma are required to be aligned with the</p>

Section	Proposed Changes
school year)	<p data-bbox="475 233 976 268">Board’s Profile of a Virginia Graduate.</p> <p data-bbox="475 300 1422 422">Clarify that work-based learning opportunities provided may include, but not be limited to, internships, externships, credentialing, and blended learning.</p> <p data-bbox="475 453 1339 531">Eliminated reference to department guidelines related to graduation pathways.</p> <p data-bbox="475 562 1430 684">Eliminated requirement for Board approval of English courses eligible to be used toward meeting graduation requirements, which was inadvertently added at proposed stage.</p> <p data-bbox="475 716 1425 793">Provisions are included to clarify that middle school students shall receive credit toward graduation for successfully completing high school courses</p> <p data-bbox="475 825 1380 947">For clarity, the definitions and methods of receiving a standard and verified unit of credit are repeated from 8VAC20-131-5 and 8VAC20-131-110</p> <p data-bbox="475 978 1398 1056">No more than one locally awarded verified credit may be used to satisfy graduation requirements</p> <p data-bbox="475 1087 1419 1247">The requirements for receiving a Standard or Advanced Studies Diploma, previously presented in 8VAC20-131-50, have been reorganized in this new section and clearly provide the requirements in tables and eliminate footnotes.</p> <p data-bbox="475 1278 1430 1356">The substantive changes to the prior graduation requirements that were set forth in 8VAC20-131-50 include:</p> <ul data-bbox="524 1388 1427 1877" style="list-style-type: none"> <li data-bbox="524 1388 1300 1465">• Reduces the number of required verified credits from six (Standard) and nine (Advanced) to four for each.</li> <li data-bbox="524 1476 1378 1617">• Eliminates requirement for Standard Diploma for two different mathematics courses that must include those above level of Algebra II and replacement with mathematics courses approved by the Board</li> <li data-bbox="524 1627 1390 1728">• Laboratory science requirements to include interdisciplinary courses which incorporate SOL content from multiple academic areas</li> <li data-bbox="524 1738 1344 1839">• Clarification made to specify the circumstances in which a computer science course may be used to satisfy a graduation requirement.</li> <li data-bbox="524 1850 1328 1877">• Requires students seeking an Advanced Studies diploma to</li> </ul>

Section	Proposed Changes
	<p data-bbox="573 233 1357 302">complete two sequential electives, as required by the <i>Code of Virginia</i>.</p> <ul data-bbox="526 310 1419 562" style="list-style-type: none"> <li>• Requires students to complete either advanced coursework or earn a career and technical education credential for either a Standard or an Advanced Studies diploma.</li> <li>• Requires students to acquire and demonstrate skills in the “5Cs” – critical thinking, creative thinking, collaboration, communication, and citizenship, in accordance with the Board’s Profile of a Virginia Graduate.</li> </ul> <p data-bbox="477 604 1427 716">Incorporates requirements for an Applied Studies Diploma, a Certificate of Program Completion, or a high school equivalency credential which are currently set out in the Code</p> <p data-bbox="477 753 1317 827">Adds a new diploma seal: “Seal for Excellence in Science and the Environment”</p> <p data-bbox="477 865 1162 898">Replaces “Foreign language ” with “World language”</p>
8VAC20-131-60 Transfer students	<p data-bbox="477 938 1422 1094">Specifies the tests to be accepted by school divisions from a sending state, country, private school, or Department of Defense Educational Activity school for the award of verified credit in courses previously completed at another school or program of study</p> <p data-bbox="477 1131 1414 1247">Language added to provide that any substitute test approved by the Board for verified credit shall be accepted in lieu of the applicable SOL if the applicable standard credit has been earned by the student</p> <p data-bbox="477 1285 1321 1400">Consolidates all graduation requirements for transfer students into subsection G. Previously, only verified credit requirements were described</p> <p data-bbox="477 1438 1427 1596">Specifies whether diploma requirements provided in 8VAC20-131-50 or 8VAC20-131-51 are applicable to transfer students, depending on the year and grade in which the student transfers, to comply with enactment clause 6 in HB895 (2016)</p>
<b>Part IV: School Instructional Program</b>	
8VAC20-131-70 Program of instruction and learning objectives	<p data-bbox="477 1703 1349 1860">Specifies requirement for school boards to develop and implement a program of instruction that is aligned to the SOL and meets Board requirements, as currently set out in the Code. Subject areas to be emphasized are specified</p>

<b>Section</b>	<b>Proposed Changes</b>
	<p>Language added to require the instructional program and learning objectives provided through the Profile of a Virginia Graduate</p> <p>Sets forth expectations for instructional programs and learning objectives to include career exploration in elementary and middle schools. In the later school years, expectations are set forth for workplace and civic readiness</p> <p>Removes requirement for students identified as gifted/talented to be taught by teachers with specific training</p>
<p>8VAC20-131-80 Instructional program in elementary schools</p>	<p>Requires elementary schools to provide instruction in career exploration as required by 8VAC20-131-140</p> <p>Language added to reference the requirements in the SOQ that local school boards provide for early identification of reading and mathematics problems and provide instructional strategies for assistance and students' development of reading and mathematics skills</p> <p>Language added to reference the requirements in the SOQ that reading intervention services should be provided by school divisions to students who are in kindergarten through grade three and who demonstrate deficiencies in reading</p>
<p>8VAC20-131-90 Instructional program in middle schools</p>	<p>Requires middle schools to provide a course in career investigation as required by 8VAC20-131-140. This course may be delivered through alternate means provided that the alternative is equivalent in content and rigor.</p> <p>Reference to provision of 140 clock hours in each of the four academic disciplines is replaced with "a total of 560 instructional" hours per year in the four academic disciplines. Language regarding an alternative schedule of instruction for sixth-grade students is deleted</p> <p>Section F. added to require each school to ensure that students who need targeted mathematics remediation and intervention receive additional instruction, which may include summer school. Added language that schools are required to provide students in grades six through eight who are at risk of failing the Algebra I end-of-course test with algebra readiness intervention services</p>

Section	Proposed Changes
<p>8VAC20-131-100 Instructional program in secondary schools</p>	<p>Language added to require the provision of a program of instruction which encompasses the requirements of the Profile of Virginia Graduate, including student knowledge, skills, and competencies; the acquisition and demonstration of the 5Cs; and the offering of opportunities for internships, externships, work-based experiences, and credentialing</p> <p>Added language to require secondary schools to incorporate knowledge of regional workforce needs and opportunities into career and technical education</p> <p>Clarification added to show that opportunities for internships, externships, and other work-based learning experiences are examples of such experiences, and not intended to be exclusive</p> <p>Clarifying language added to define class periods required for driver education in equivalent minutes</p> <p>Added language to require that students in grade nine who are at-risk of failing the Algebra I end-of-course test (based on any diagnostic test approved by the department) shall be provided algebra readiness intervention services in accordance with the SOQ</p>
<p>8VAC20-131-110 Standard and verified units of credit</p>	<p>Revised language to provide that a school division may waive the 140-clock-hour requirement for instruction to earn a standard credit as prescribed in the Code and board guidelines, effective with students enrolled in the 2015-2016 school year</p> <p>Two methods of achieving a verified credit are added:</p> <ul style="list-style-type: none"> <li>• Students who enter the ninth grade for the first time in the 2018-2019 school year or thereafter and who do not pass certain SOL tests and who meet Board criteria may receive locally awarded verified credits in English, mathematics, laboratory science or history and social science according to Board guidelines. <i>Note: Currently, Board guidance limits locally awarded verified credits to be awarded for laboratory science and history/social science.</i></li> <li>• For history and social science and English (writing), an authentic performance assessment can be used to demonstrate mastery of content</li> </ul> <p>Criteria for additional tests approved by the Board adds “statewide” administration of a test, in addition to multistate or international administration</p>

Section	Proposed Changes
8VAC20-131-120 Summer School	Eliminates ability to earn course credit for summer school courses taken as a repeat course with reduced seat time
8VAC20-131-140 College and career readiness; career exposure, exploration, and planning; and opportunities for postsecondary credit	<p>Eliminates emphasis on college preparation to focus on college and career preparation</p> <p>Provides that current requirements for Academic and Career Plans (ACP) shall only be effective through the 2017-2018 school year</p> <p>New requirements for ACPs effective with the 2018-2019 school year are provided, including:</p> <ul style="list-style-type: none"> <li>• Requirements for elementary, middle, and high schools to provide for the identification by all students of personal interests, and to support planning for post-secondary and career preparation</li> <li>• Requires elementary students to begin career exploration through development of an Academic and Career Plan Portfolio, which is to be used as the foundation for the ACP that is developed in the seventh grade</li> <li>• Requires middle school students to complete a career investigations course, or an equivalent alternative, which is to be used as a basis for developing the ACP</li> <li>• Provisions are made for students who transfer after eighth grade to complete an ACP</li> </ul> <p>Requirement for ACP to be completed by the end of the seventh grade extended to the end of the fall semester in the eighth grade year.</p>
8VAC20-131-150 Standard school year and school day	Language added to include 990 instructional hours in the standard school year and to specify that the standard school day includes passing time for class changes
8VAC20-131-180 Off-site instruction	<p>Specified that homebound instruction is to be provided under the supervision of a licensed teacher, qualified in the relevant area, and deleted incorrect references from the current SOA language</p> <p>Reorganized language regarding alternative means of instruction and virtual courses combined into one section. Clarifying language regarding standard and verified credits also added. Language regarding correspondence courses deleted and replaced with the term “virtual courses”</p>
8VAC20-131-190 Library, media, materials and equipment	Word “resources” has been added to the list of supports for the instructional program

Section	Proposed Changes
<b>Part V: School and Instructional Leadership</b>	
8VAC20-131-200 Extracurricular and other school activities, recess	<p><b>Eliminated sentence addressing physical fitness to conform to legislation.</b></p> <p>Local school boards required to provide a program of physical activity for all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through twelve with a goal of at least 150 minutes per week on average during the regular school year</p>
8VAC20-131-210 Role of the principal	<p>Repetitive introductory paragraph regarding the principal deleted</p> <p>Language added to clarify the role of the principal</p> <p><b>Prohibition on student cell phones being in room during SOL tests amended to prohibiting student access to cell phones during SOL tests</b></p>
8VAC20-131-220 Role of professional teaching staff	<p>Replace the “correct use of language and spelling” with “the use of Standard English”</p> <p>Closure of the achievement gap among groups of students added as area of aspiration</p>
8VAC20-131-240 Administrative and support staff; staffing requirements	<p>Replaced outdated reference to guidance counselor with school counselor</p> <p>Eliminated staffing requirements for secondary school counselors, and replace with reference to the requirements as set out in Code for elementary, middle, and secondary schools</p> <p>Revised standard teaching load and planning periods required for middle and secondary school teachers so that they are identical.</p> <p>Revised language to eliminate references to student periods used to calculate a teacher’s standard load. References instead are made to numbers of students taught per week</p> <p>Revised to clarify and reference definition of planning period</p> <p>Language added to specify that each elementary classroom teacher shall be provided at least an average of 30 minutes per day during the students' school week as planning time as required by Code</p>
<b>Part VI: School Facilities and Safety</b>	

<b>Section</b>	<b>Proposed Changes</b>
8VAC20-131-260 School facilities and safety	Language revised, as provided by 2016 legislation, to require a fire drill at least twice during the first 20 school days and two additional fire drills during the remainder of the school term. Language removed to require two simulated lock down drills and crisis emergency evacuation activities each school year in September and January and replaced with requirement to conduct a lock-down drill at least twice during the first 20 school days and at least two additional lock-down drills during the remainder of the school term
<b>Part VII: School and Community Communications</b>	
8VAC20-131-270 School and community communications	<p>Changes the name of the School Performance Report Card to School Quality Profile</p> <p>Requires the School Quality Profile to include, but not be limited to: accountability, assessments, enrollment and demographics, college and career readiness, finance, learning environment, and teacher quality</p> <p>Eliminates requirement for notices sent to parents at beginning of year to include identification of sexually explicit materials. Such requirements are to be addressed through another regulatory action at 8VAC 20-720.</p>
<b>Part VIII: School Accreditation</b>	
8VAC20-131-280 through 8VAC20-131-360	All existing sections are repealed and replaced with sections 8VAC20-131-370 through 430.
8VAC20-131-370 Expectations for school accountability and accreditation (New Section)	<p>Establishes the principles and purpose of school accountability and accreditation systems, and describes the components of such systems</p> <p>Provides that schools are to be accredited based upon meeting certain minimum standards and on continuous improvement of performance levels on school quality indicators</p> <p>Provides that components of the accountability system include the federal accountability provisions required under the Every Student Succeeds Act of 2015 (ESSA) and the Individuals with Disabilities Education Act (IDEA)</p>
8VAC20-131-380 Measurement of school quality for accreditation (New Section)	<p>Provides that school quality is to be measured for each school using multiple school quality indicators including student academic outcome measures and other factors associated with student learning</p> <p>The school quality indicators include:</p> <ul style="list-style-type: none"> <li>• Academic achievement in English, including measures of growth in elementary and middle schools, and progress toward English proficiency in English learners</li> <li>• Academic achievement in mathematics, including measures of</li> </ul>

Section	Proposed Changes
	<p>growth in elementary and middle schools</p> <ul style="list-style-type: none"> <li>• Academic achievement in science</li> <li>• Academic achievement gaps in English and mathematics</li> <li>• Graduation and completion index for high schools only</li> <li>• Dropout rate in high schools only</li> <li>• Chronic absenteeism rates</li> <li>• College, career, and civic readiness index for high schools only (effective for the 2021-22 school year)</li> </ul> <p>Provides that schools will be held accountable on each of the adopted school quality indicators, based on its measurement against performance benchmarks for a given school quality indicator</p> <p>Establishes three performance levels:</p> <ul style="list-style-type: none"> <li>• Level One: At or Above Standard</li> <li>• Level Two: Near Standard</li> <li>• Level Three: Below Standard</li> </ul> <p>Provides that benchmarks are used to designate performance levels for each school quality indicator. Performance levels are used to describe whether a school's performance in a given school quality indicator meets standards or demonstrates adequate improvement</p> <p>Provides that a performance level will be assigned for each applicable school quality indicator for each school</p> <p>Specifies the criteria the Board is to consider when selecting school quality indicators and the process that the Board is to follow in determining the benchmarks that will form the upper and lower limits for each performance level</p> <p>Describes the school quality indicators that are to be used, and sets benchmarks for each performance level</p> <p>Performance levels described based on minimum levels of performance, which can be adjusted through board guidance as schools continuously improve, with adequate notice provided to school boards</p> <p>Provides that effective with the 2018-2019 school year, performance levels will be applied to school quality indicators for accreditation purposes, except for the college, career, and civic readiness index, which will not be applied until the 2021-2022 school year</p> <p>Provides clarifying language that during the transition year of 2018-2019, the designation "Accredited" may be awarded using the new accreditation</p>

Section	Proposed Changes
	<p data-bbox="475 233 846 266">rules or the 2017-2018 rules.</p> <p data-bbox="475 306 1409 411">Provides that if a school has a grade configuration where no state assessments are required to be administered, such schools shall be paired with another school for accreditation purposes</p> <p data-bbox="475 453 1395 590">Relocates and revises the provisions for when assessments for English Learner and transfer students apply to a school’s academic performance calculations. These provisions are currently set out in 8VAC20-131-280.D.</p> <p data-bbox="475 632 1373 705">Permits the Board to adopt special provisions for any indicator. Previously, only dropout rate included language for special provisions</p> <p data-bbox="475 747 1398 852">Permits the Board to add or remove assessments, and to adopt special provisions for school quality indicators when assessments are revised or phased in</p> <p data-bbox="475 894 1419 957">Permits the Board to adopt measures of student growth to be incorporated into the calculation of certain school quality indicators.</p> <p data-bbox="475 999 1398 1104">Includes language permitting school boards to appeal performance level designations in limited circumstances that would warrant special consideration</p>
8VAC20-131-390 Accreditation (New Section)	<p data-bbox="475 1115 1422 1251">Provides that schools shall be accredited provided that actions required by 8VAC20-131-400 are completed, and that compliance with certain SOA requirements has been documented by the principal and school superintendent</p> <p data-bbox="475 1293 1373 1356">Establishes school accreditation ratings which will be assigned for the academic year 2018-2019:</p> <ul data-bbox="524 1367 951 1482" style="list-style-type: none"> <li>• “Accredited”</li> <li>• “Accredited with Conditions”</li> <li>• “Accreditation Denied”</li> </ul> <p data-bbox="475 1524 1373 1629">Provides that performance levels for school quality indicators will be reviewed on an annual basis, and that the resulting actions required by 8VAC20-131-400 must be taken</p> <p data-bbox="475 1671 1398 1734">Establishes a triennial accreditation cycle for schools that meet the requirements for “Accredited” status for a consecutive three-year period</p>
8VAC20-131-400 Application of the school quality	<p data-bbox="475 1782 1422 1881">Requires all schools to develop comprehensive plans as required by <i>Code</i>, and requires improvement plans and corrective action plans to be incorporated into the comprehensive plans.</p>

Section	Proposed Changes
<p>indicator performance levels to actions (New Section)</p>	<p>Establishes actions required of schools and school divisions based upon performance levels in each school quality indicator and other factors</p> <p>Clarified that comprehensive needs assessments developed for Level Two indicators shall be used to further develop and revise existing multi-year school improvement plans</p> <p>School improvement plans for Level Two indicators would require local school boards approval, and such plans could be subject to a department-established review process</p> <p>If a school is at Level Two in an academic area, such schools would undergo a department academic review, and school improvement plans would be subject to a department-established review process, which may include peer review from another school division</p> <p>Corrective action plans would be required for Level Three indicators</p> <p>Provides a process by which a division may be required to enter into a state superintendent to local superintendent agreement, depending on the level of direction and intervention needed</p> <p>Establishes a process by which a school board would be required to enter into a memorandum of understanding to delineate school improvement responsibilities, when a school division fails to adopt or implements components of a corrective action plan</p> <p>Establishes the process by which the Board would consider designating a school as “Accreditation Denied” when a school fails to adopt and implement corrective action plans with fidelity.</p> <p>Provides, as provided in the Appropriation Act, that when a school board has failed or refused to meet certain school improvement obligations, the payment of At-Risk Add-On funds shall be withheld to the school division until it corrects its failures</p> <p>Language from existing SOA and SOQ related to Board authority to pursue additional remedies including court action to seek compliance with school laws</p>
<p>8VAC20-131-410 Recognitions and rewards for school</p>	<p>Relocates the provisions for the existing Virginia Index of Performance Program for recognizing high performing schools</p>

<b>Section</b>	<b>Proposed Changes</b>
and division accountability performance (New Section)	Establishes recognition for schools demonstrating exemplar performance on school quality indicators
8VAC20-131-420 Waivers and alternative accreditation plans (New Section)	Relocates and revises provisions permitting the Board to approve alternative accreditation plans and to waive certain provisions of the SOA. These provisions are currently set out in 8VAC20-131-280.C and F, 8VAC20-131-290.D, and 8VAC20-131-350.
8VAC20-131-430 Effective dates (New Section)	Establishes that the revised SOA will be effective for the 2018-2019 school year.  Clarifies the effective dates for phasing in revisions to graduation requirements, locally awarded verified credit provisions, academic and career planning requirements, and application of the career and college readiness indicator as a school quality indicator

**Previous Review or Action:**

Previous review and action. Specify date and action taken below:

Date: September 22, 2016

Action: First Review of Parts I-VII only (Proposed Stage)

Date: November 17, 2016

Action: Second Review of Parts I-VII only (Proposed Stage)

Action: First Review of Proposed Concepts for Amendments to Part VIII (Proposed Stage)

Date: January 26, 2017

Action: Final Review of Parts I-VII only (Proposed Stage)

May 25, 2017

Action: First Review of Parts I-VIII (Proposed Stage)

June 22, 2017

Action: Final Review of Parts I-VIII (Proposed Stage)

October 26, 2017

Action: First Review of Parts I-VIII (Final Stage)

**Timetable for Further Review/Action:**

The timetable for further action shall be governed by the requirements of the Administrative Process Act.

**Impact on Fiscal and Human Resources:**

The administrative impact required in promulgating these regulations will be absorbed within existing resources.

## Chapter 131. Regulations Establishing Standards for Accrediting Public Schools in Virginia

## Part I

## Definitions and Purpose

## 8VAC20-131-5. Definitions.

The following words and terms apply only to ~~these regulations~~ ***this chapter*** and do not supersede those definitions used for federal reporting purposes or for the calculation of costs related to the Standards of Quality (§ 22.1-253.13:1 et seq. of the Code of Virginia). When used in ~~these regulations~~ ***this chapter***, these words shall have the following meanings, unless the context clearly indicates otherwise:

"Accreditation" means a process used by the Virginia Department of Education (~~hereinafter "department"~~) to evaluate the ~~educational~~ performance of public schools in accordance with ~~these regulations~~ ***this chapter***.

"Additional test" means a test, including substitute tests approved by the ~~Board of Education~~ ***board*** that students may use in lieu of a Standards of Learning test to obtain verified credit.

***"Authentic performance assessment" means a test that complies with guidelines adopted by the board that requires students to perform a task or create a product that is typically scored using a rubric. An authentic performance assessment may be used to confer verified credit in accordance with the provisions of 8VAC20-131-110 B 4 and B 5.***

***"Board of Education" or "board" means the board responsible for the general supervision of the public schools system in Virginia as prescribed in Section 4 of Article VIII of the Constitution of Virginia and § 22.1-8 of the Code of Virginia.***

"Class period" means a segment of time ~~in~~ ***during*** the school ***instructional*** day that is approximately 1/6 of the ~~instructional day~~ ***allocated to lessons, courses, testing and assessments, or other instructional activities and excludes homeroom.***

"Combined school" means a public school that contains any combination of or all of the grade levels from kindergarten through grade 12. This definition does not include those schools defined as elementary, middle, or secondary schools.

"Credit accommodations" means adjustments to meet the standard and verified credit requirements for earning a Standard Diploma for students with disabilities.

***"Department" means the Virginia Department of Education.***

"Elementary school" means a public school with any grades kindergarten through ~~five~~ ***5***.

"Eligible students" means the total number of students of school age enrolled in the school at a grade or course for which a Standards of Learning test is required unless excluded under the provisions of 8VAC20-131-30 G and 8VAC20-131-280 D relative to limited English proficient (LEP) students.

***"English learner" or "EL" means, as prescribed in the Elementary and Secondary Education Act (P.L. 89-10, as amended), an individual:***

***1. Who is aged three through 21 years;***

***2. Who is enrolled or preparing to enroll in an elementary school or secondary school;***

***3. a. Who was not born in the United States or whose native language is a language other than English;***

**b. (1) Who is a Native American or Alaska native, or a native resident of the outlying areas; and**

**(2) Who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or**

**c. Who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and**

**4. Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the:**

**a. Ability to meet the challenging state academic standards;**

**b. Ability to successfully achieve in classrooms where the language of instruction is English; or**

**c. Opportunity to participate fully in society.**

"Enrollment" means the act of complying with state and local requirements relative to the registration or admission of a child for attendance in a school within a local school division. This term also means registration for courses within the student's home school or within related schools or programs.

"First time" means the student has not been enrolled in the school at any time during the current school year (for purposes of 8VAC20-131-60 with reference to students who transfer in during the school year).

"Four core areas" or "four core academic areas" means English, mathematics, science, and history and social science for purposes of testing for the Standards of Learning.

"Graduate" means a student who has earned a Board of Education **board** recognized diploma, which includes the Advanced Studies Diploma, the Standard Diploma, and the Applied Studies Diploma.

**"Growth" or "student growth" means student progress toward achievement as demonstrated through a valid and reliable measure.**

"Homebound instruction" means academic instruction provided to students who are confined at home or in a health care facility for periods **of time** that would prevent normal school attendance, based upon certification of need by a licensed physician or a licensed clinical psychologist.

**"Instructional day" means all the time in a standard school day, from the beginning of the first scheduled class period to the end of the last scheduled class period, including passing time for class changes and excluding breaks for meals and recess.**

**"Instructional hours" means the hours in a standard school day, from the beginning of the first scheduled class period to the end of the last scheduled class period, including passing time for class changes and excluding breaks for meals and recess.**

"Locally awarded verified credit" means a verified unit of credit awarded by a local school board in accordance with 8VAC20-131-110 **B.3.**

"Middle school" means a public school with any grades 6 through 8.

"Planning period" means one class period per day or the equivalent **a segment of time in middle and secondary schools during the instructional day that is** unencumbered of any teaching or supervisory duties, **is not less than 45 minutes or the equivalent of a class period, whichever is greater, and that includes passing time for class changes.**

**"Planning time" means a segment of time for elementary teachers that provides at least an average of 30 minutes per day for planning during the student's school week as provided in § 22.1-291.1 of the Code of Virginia.**

"Recess" means a segment of free time exclusive of time provided for meals during the standard school day in which students are given a break from **structured classroom** instruction.

"Reconstitution" means a process that may be used to initiate a range of accountability actions to improve pupil performance, curriculum, and instruction to address deficiencies that caused a school to be rated Accreditation Denied that may include, but not be limited to, restructuring a school's governance, instructional program, staff or student population.

**"Reporting group" means a subgroup of students who are identified as having common characteristics such as students identified as belonging to major racial and ethnic groups, economically disadvantaged students, students with disabilities, and English learners.**

"School" means a publicly funded institution where students are enrolled for all or a majority of the instructional day and:

1. Those students are reported in fall membership at the institution; and
2. At a minimum, the institution meets the preaccreditation eligibility requirements of ~~these regulations~~ **this chapter** as adopted by the ~~Board of Education~~ **board**.

"Secondary school" means a public school with any grades 9 through 12.

"Standard school day" means a calendar day that averages at least five and one-half instructional hours for students in grades 1 through 12, excluding breaks for meals and recess, and a minimum of three instructional hours for students in kindergarten.

"Standard school year" means a school year of at least 180 teaching days or a total of at least 990 teaching **instructional** hours per year, **as specified in § 22.1-98 of the Code of Virginia.**

"Standard unit of credit" or "standard credit" means credit awarded for a course in which the student successfully completes 140 clock hours of instruction and the requirements of the course. Local school boards may develop alternatives to the requirement for 140 clock hours of instruction as provided for in 8VAC20-131-110 **and in accordance with board guidelines.**

"Standards of Learning tests" or "SOL tests" means those criterion referenced assessments approved by the ~~Board of Education~~ **board** for use in the Virginia assessment program **Assessment Program** that measure attainment of knowledge and skills required by the Standards of Learning.

**"Standards of Quality" means the Standards of Quality prescribed in Chapter 13.2 (§ 22.1-253.13:1 et seq.) of Title 22.1 of the Code of Virginia.**

"Student" means a person of school age as defined by § 22.1-1 of the Code of Virginia, a child with disabilities as defined in § 22.1-213 of the Code of Virginia, and a person ~~with limited English proficiency~~ **for whom English is a second language** in accordance with § 22.1-5 of the Code of Virginia.

~~"Student periods" means the number of students a teacher instructs per class period multiplied by the number of class periods taught.~~

"Verified unit of credit" or "verified credit" means credit awarded for a course in which a student earns a standard unit of credit and **(i) achieves a passing score on a corresponding end-of-course SOL test or; (ii) achieves a passing score on** an additional test approved by the ~~Board of Education~~ **as defined in this section** as part of the Virginia assessment program **Assessment Program; (iii) meets the criteria for the**

receipt of a locally awarded verified credit conferred in accordance with board criteria and guidelines as provided in 8VAC20-131-110 B 3 when the student has not passed a corresponding SOL test in English, mathematics, laboratory science, or history and social science; (iv) meets the criteria for the receipt of a verified credit for history and social science by demonstrating mastery of the content of the associated course on an authentic performance assessment as provided in 8VAC20-131-110 B 4; or (v) meets the criteria for the receipt of a verified credit for English (writing) by demonstrating mastery of the content of the associated course on an authentic performance assessment, as provided in 8VAC20-131-110 B 5.

"Virginia assessment program Assessment Program" means a system used to evaluate student achievement that includes Standards of Learning SOL tests and additional tests that may be approved from time to time by the Board of Education board.

8VAC20-131-10. Purpose.

The foremost purpose of public education in Virginia is to provide children with a high quality education giving them opportunities to meet their fullest potential in life. The standards for the accreditation of public schools in Virginia are designed to ensure that an effective educational program is established and maintained in Virginia's public schools. The mission of the public education system is to educate students in the essential academic knowledge and skills in order that they may be equipped for citizenship, work, and a an informed and successful private life that is informed and free. The accreditation standards:

The Standards of Accreditation provide the foundation for the provision of a high quality public education within a system of accountability and continuous improvement. They are intended to:

1. Provide an essential foundation of educational programs of high quality in all schools for all students.
2. Encourage and promote school quality and acknowledge achievement and continuous improvement and appraisal of the school program for the purpose of raising student achievement improvements by schools and school divisions in multiple areas.
3. Foster public confidence that graduating students have mastered multiple areas of learning to include academic subjects, workplace skills, career exploration and planning, and civic and community responsibility.
4. Assure recognition of Virginia's public schools by other institutions of learning.
5. Establish a the means of determining the effectiveness of schools as prescribed in the Standards of Quality at § 22.1-253.13:3 of the Code of Virginia, including student learning and progress and student outcomes for multiple areas affecting school quality.

Section 22.1-253.13:3 B A of the Code of Virginia requires the Virginia Board of Education (hereinafter "board") board promulgate regulations establishing standards for accreditation, which shall include 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 statutory authority for these regulations this chapter is delineated in § 22.1-19 of the Code of Virginia, which includes the requirement that the board shall provide for the accreditation of public elementary, middle, and secondary schools in accordance with regulations prescribed by it.

~~These regulations govern~~ ***This chapter governs*** public schools operated by local school boards providing instruction to students as defined in 8VAC20-131-5. Other schools licensed under other state statutes are exempt from these requirements.

## Part II

### Philosophy, Goals, and Objectives

8VAC20-131-20. Philosophy, goals, and objectives.

***A. Achieving school quality and continuous improvement are accomplishments dependent upon multiple factors, including instruction, leadership, learning environment, professional staff development, student supports, parent and community engagement, and continual evaluation of outcomes. Goals and objectives to be achieved through these and other areas include student opportunities for learning, closure of achievement gaps, reduction of the dropout rate, increased graduation rates, and student mastery beyond minimum requirements.***

***Preparation of all students should result in graduates who have explored and understand what opportunities exist for them after high school and have the knowledge and abilities necessary for the next phase of their lives as adults. Students should attain essential knowledge and skills in order that they may be equipped to be responsible citizens, understand and meet expectations for work, gain and apply knowledge, and plan and achieve personal life goals. In addition to academic and technical knowledge, their education should encompass mastery of creative and critical thinking, analysis and problem solving, and the development of personal attributes such as communication and collaboration skills, dependability, and persistence.***

***The philosophy, goals, and objectives of individual schools should reflect and encompass the means by which the Standards of Learning and Standards of Accreditation are to be achieved.***

***The board's objective is to provide an educational foundation that ensures students are ready to be successful in a global economy, which includes changing and growing technology. Families, students, employers, representatives from institutions of higher education, and educators have all expressed concerns about adequate preparation of Virginia's students for the future. In addition to appropriate content knowledge, stakeholders have asked that graduates be prepared with skills and attributes such as critical thinking, creative thinking, communication, collaboration, and citizenship in order to be prepared to be successful in life and competitive in the work world. In response, the board is redesigning the public school experience for Virginia's students so that they are adequately prepared for the future challenges they face.***

***In Virginia, as a student progresses through elementary, middle, and secondary school, the college-ready, career-ready, and citizenship-ready student is expected to achieve and apply appropriate academic and technical knowledge; attain and demonstrate age-appropriate productive workplace skills, qualities, and behavior; align knowledge, skills, and personal interests with career and civic opportunities; and attain and demonstrate knowledge and skills necessary for productive citizenship and participation in communities and governments.***

~~A.~~ ***B.*** Each school shall have a current philosophy, goals, and objectives that shall serve as the basis for all policies and practices and shall be developed using the following criteria:

1. The philosophy, goals, and objectives shall be developed with the advice of professional and lay people who represent the various populations served by the school and in consideration of the needs of the community and shall serve as a basis for the creation and review of the biennial school plan.
2. The school's philosophy, goals, and objectives shall be consistent with the Standards of Quality.

3. The goals and objectives shall (i) be written in plain language so as to be understandable to noneducators, including parents; (ii) to the extent possible, be stated in measurable terms; and (iii) consist primarily of measurable objectives to raise student and school achievement in the core academic areas of the Standards of Learning (SOL), to improve student and staff attendance, to reduce student ~~drop-out~~ **dropout** rates, to increase graduation rates, and to increase the quality of instruction through professional staff development and licensure.

4. The school staff and community representatives shall review annually the extent to which the school has met its prior goals and objectives, analyze the school's student performance data, including data by grade level or academic department as necessary, and report these outcomes to the division superintendent and the community in accordance with local school board policy. This report shall be in addition to the school report card **quality profile** required by 8VAC20-131-270 ~~B A~~.

~~B~~ **C**. Copies of the school's philosophy, goals, and objectives shall be available upon request.

### Part III

#### Student Achievement

8VAC20-131-30. Student achievement expectations.

A. Each student should learn the relevant grade level/course subject matter before promotion to the next grade. The division superintendent shall certify to the Department of Education that the division's ~~promotion/retention~~ **promotion and retention** policy does not exclude students from membership in a grade, or participation in a course, in which SOL tests are to be administered. Each school shall have a process, as appropriate, to identify and recommend strategies to address the learning, behavior, communication, or development of individual children who are having difficulty in the educational setting.

B. In kindergarten through eighth grade, where the administration of Virginia ~~assessment program~~ **Assessment Program** tests are required by the ~~Board of Education~~ **board**, each student shall be expected to take the tests ~~students~~ **following instruction. Students** who are accelerated shall take the tests ~~of the grade level enrolled or the tests for the grade level of the content received in instruction~~ **test aligned with the highest grade level, following instruction in the content**. No student shall take more than one test in any content area in each year, **except in the case of expedited retakes as provided for in this section**. Schools shall use the Virginia ~~assessment program~~ **Assessment Program** test results in kindergarten through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students. Students promoted to high school from eighth grade should have attained basic mastery of the Standards of Learning in English, history and social science, mathematics, and science and should be prepared for high school work. Students shall not be required to retake the Virginia ~~assessment program~~ **Assessment Program** tests unless they are retained in grade and have not previously passed the related tests.

~~With such funds as may be appropriated by the General Assembly, the Board of Education~~ **The board** shall provide the same criteria for eligibility for an expedited retake of any ~~Standards of Learning SOL~~ **SOL** test, with the exception of the writing ~~Standards of Learning SOL~~ **SOL** tests, to each student regardless of grade level or course.

C. In kindergarten through grade 12, students may participate in a remediation recovery program as established by the board in English (~~Reading~~) **(reading)** or mathematics or both.

D. The board recommends that students in kindergarten through grade 8 not be required to attend summer school or weekend remediation classes solely based on failing a SOL test in science or ~~history/social~~ **history and social** science. **However, any student who fails to achieve a passing score on all Standard of Learning assessments for the relevant grade level in grades 3 through 8 shall be**

**required to attend a remediation program or to participate in another form of remediation. Further, any student who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation.**

E. Each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction. **The division superintendent shall certify to the Department of Education that the division's policy for dropping courses ensures that students' course schedules are not changed to avoid end-of-course SOL tests.** Students who achieve a passing score on an end-of-course SOL test shall be awarded a verified unit of credit in that course in accordance with the provisions of 8VAC20-131-110. Students may earn verified units of credit in any courses for which end-of-course SOL tests are available. **Students shall not be required to take an end-of-course SOL test in an academic subject after they have earned the number of verified credits required for that academic content area for graduation, unless such test is necessary in order for the school to meet federal accountability requirements.** Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade. However, no student who has failed an end-of-course SOL test but passed the related course shall be prevented from taking any other course in a content area and from taking the applicable end-of-course SOL test. The board may approve additional tests to verify student achievement in accordance with guidelines adopted for verified units of credit described in 8VAC20-131-110.

F. Participation in the Virginia ~~assessment program~~ **Assessment Program** by students with disabilities shall be prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan. All students with disabilities shall be assessed with appropriate accommodations and alternate assessments where necessary.

G. All students **Any student** identified as ~~limited English proficient (LEP)~~ **an English Learner (EL)** shall participate in the Virginia ~~assessment program~~ **Assessment Program**. A school-based committee shall convene and make determinations regarding the participation level of ~~LEP~~ **EL** students in the Virginia ~~assessment program~~ **Assessment Program**. In kindergarten through eighth grade, ~~limited English proficient~~ **EL** students may be granted a one-time exemption from SOL testing in the areas of writing, ~~science,~~ and history and social science.

H. Students identified as foreign exchange students taking courses for credit shall be required to take the relevant Virginia ~~assessment program~~ **Assessment Program** tests, **as specified in subsection E of this section.** Foreign exchange students who are auditing courses **are not eligible for academic credit for those courses** and ~~who will not receive a standard unit of credit for such courses~~ shall not be required to take the Standards of Learning **SOL** tests for those courses.

8VAC20-131-40. [Repealed]

8VAC20-131-50. Requirements for graduation **(effective for the students entering ninth grade prior to the 2018-2019 school year).**

A. The requirements for a student to earn a diploma and graduate from a Virginia high school shall be those in effect when that student enters the ninth grade for the first time. Students shall be awarded a diploma upon graduation from a Virginia high school.

The Advanced Studies Diploma shall be the recommended diploma for students pursuing baccalaureate study. Both the Standard Diploma and the Advanced Studies Diploma shall prepare students for postsecondary education and the career readiness required by the Commonwealth's economy.

When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit shall be counted toward meeting the standard units required for graduation provided the courses

are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students must meet the requirements of 8VAC20-131-110.

The following requirements shall be the only requirements for a diploma, unless a local school board has prescribed additional requirements that have been approved by the ~~Board of Education~~ **board**. All additional requirements prescribed by local school boards that have been approved by the ~~Board of Education~~ **board** remain in effect until such time as the local school board submits a request to the board to amend or discontinue them.

#### B. Requirements for a Standard Diploma.

1. Beginning with the ninth-grade class of 2013-2014 and ~~beyond~~ **through the ninth-grade class of 2017-2018**, students shall earn the required standard and verified units of credit described in subdivision 2 of this subsection.

#### 2. Credits required for graduation with a Standard Diploma.

Discipline Area	Standard Units of Credit Required	Verified Credits Required
English	4	2
Mathematics <sup>1</sup>	3	1
Laboratory Science <sup>2,6</sup>	3	1
History and Social Sciences <sup>3,6</sup>	3	1
Health and Physical Education	2	
Foreign Language, Fine Arts or Career and Technical Education <sup>7</sup>	2	
Economics and Personal Finance	1	
Electives <sup>4</sup>	4	
Student Selected Test <sup>5</sup>		1
Career and Technical Education Credential <sup>8</sup>		
Total <sup>9</sup>	22	6

<sup>1</sup>Courses completed to satisfy this requirement shall include at least two different course selections from among: Algebra I, Geometry, Algebra, Functions, and Data Analysis, Algebra II, or other mathematics courses above the level of Algebra II. The board shall approve courses to satisfy this requirement. **Per the Standards of Quality, a computer science course credit earned by students may be considered a mathematics course credit.**

<sup>2</sup>Courses completed to satisfy this requirement shall include course selections from at least two different science disciplines: earth sciences, biology, chemistry, or physics, or completion of the sequence of science courses required for the International Baccalaureate Diploma. The board shall approve courses to satisfy this requirement. **Per the Standards of Quality, a computer science course credit earned by students may be considered a science course credit.**

<sup>3</sup>Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and

Virginia Government, and one course in either world history or geography or both. The board shall approve courses to satisfy this requirement.

<sup>4</sup>Courses to satisfy this requirement shall include at least two sequential electives as required by the Standards of Quality.

<sup>5</sup>A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education, economics or other areas as prescribed by the board in 8VAC20-131-110.

<sup>6</sup>Students who complete a career and technical education program sequence and pass an examination or occupational competency assessment in a career and technical education field that confers certification or an occupational competency credential from a recognized industry, or trade or professional association, or acquires a professional license in a career and technical education field from the Commonwealth of Virginia may substitute the certification, competency credential, or license for (i) the student-selected verified credit and (ii) either a science or history and social science verified credit when the certification, license, or credential confers more than one verified credit. The examination or occupational competency assessment must be approved by the ~~Board of Education~~ **board** as an additional test to verify student achievement.

<sup>7</sup>Pursuant to § 22.1-253.13:4 of the Code of Virginia, credits earned for this requirement shall include one credit in fine or performing arts or career and technical education. **Per the Standards of Quality, a computer science course credit earned by students may be considered a career and technical education course credit.**

<sup>8</sup>Students shall earn a career and technical education credential approved by the Board of Education, except when a career and technical education credential in a particular subject area is not readily available or appropriate or does not adequately measure student competency, in which case the student shall receive satisfactory competency-based instruction in the subject area to satisfy the standard diploma requirements. The career and technical education credential, when required, could include the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness assessment.

<sup>9</sup>Students shall successfully complete one virtual course, which may be a noncredit-bearing course or a required or elective credit-bearing course that is offered online.

Beginning with first-time ninth-grade students in the 2016-2017 school year, students shall be trained in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Students with an Individualized Education Program (IEP) or 504 Plan which documents that they cannot successfully complete this training shall be granted a waiver from this graduation requirement, as provided in ~~8VAC20-131-350~~ **8VAC20-131-420 B.**

3. The ~~Board of Education~~ **board** shall establish, through guidelines, credit accommodations to the standard and verified credit requirements for a Standard Diploma. Such credit accommodations for students with disabilities may include:

- a. Approval of alternative courses to meet the standard credit requirements;
- b. Modifications to the requirements for local school divisions to award locally awarded verified credits;
- c. Approval of additional tests to earn a verified credit;
- d. Adjusted cut scores required to earn verified credit; and

e. Allowance of work-based learning experiences.

The student's ~~Individualized Education Program (IEP) IEP~~ or 504 Plan ~~would~~ ***shall*** specify any credit accommodations that ~~would be~~ ***are*** applicable for the student.

Students completing the requirements for the Standard Diploma may be eligible to receive an honor deemed appropriate by the local school board as described in subsection H of this section.

C. Requirements for an Advanced Studies Diploma.

1. Beginning with the ninth-grade class of 2013-2014 and ~~beyond~~ ***through the ninth-grade class of 2017-2018***, students shall earn the required standard and verified units of credit described in subdivision 2 of this subsection.

2. Credits required for graduation with an Advanced Studies Diploma.

Discipline Area	Standard Units of Credit Required	Verified Credits Required
English	4	2
Mathematics <sup>1</sup>	4	2
Laboratory Science <sup>2</sup>	4	2
History and Social Sciences <sup>3</sup>	4	2
Foreign Language <sup>4</sup>	3	
Health and Physical Education	2	
Fine Arts or Career and Technical Education <sup>5</sup>	1	
Economics and Personal Finance	1	
Electives	3	
Student Selected Test <sup>5-6</sup>		1
Total <sup>6Z</sup>	26	9

<sup>1</sup>Courses completed to satisfy this requirement shall include at least three different course selections from among: Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra II. The board shall approve courses to satisfy this requirement. ***Per the Standards of Quality, a computer science course credit earned by students may be considered a mathematics course credit.***

<sup>2</sup>Courses completed to satisfy this requirement shall include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics or completion of the sequence of science courses required for the International Baccalaureate Diploma. The board shall approve additional courses to satisfy this requirement. ***Per the Standards of Quality, a computer science course credit earned by students may be considered a science course credit.***

<sup>3</sup>Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and Virginia Government, and two courses in either world history or geography or both. The board shall approve additional courses to satisfy this requirement.

<sup>4</sup>Courses completed to satisfy this requirement shall include three years of one language or two years of two languages.

<sup>5</sup>**Per the Standards of Quality, a computer science course credit earned by students may be considered a career and technical education course credit.**

<sup>6</sup>A student may utilize additional tests for earning verified credit in computer science, technology, career or technical education, economics or other areas as prescribed by the board in 8VAC20-131-110.

<sup>6Z</sup>Students shall successfully complete one virtual course, which may be a noncredit-bearing course, or may be a course required to earn this diploma that is offered online.

Students completing the requirements for the Advanced Studies Diploma may be eligible to receive an honor deemed appropriate by the local school board as described in subsection H of this section.

Beginning with first-time ninth-grade students in the 2016-2017 school year, students shall be trained in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Students with an ~~Individualized Education Program (IEP)~~ **IEP** or 504 Plan ~~which~~ **that** documents that they cannot successfully complete this training shall be granted a waiver from this graduation requirement, as provided in ~~8VAC20-131-350~~ **8VAC20-131-420 B.**

D. In accordance with the requirements of the Standards of Quality, students with disabilities who complete the requirements of their ~~Individualized Education Program (IEP)~~ **IEP** and do not meet the requirements for other diplomas shall be awarded Applied Studies Diplomas.

E. In accordance with the requirements of the Standards of Quality, students who complete prescribed programs of studies defined by the local school board but do not qualify for a Standard Diploma, an Advanced Studies Diploma, or an Applied Studies Diploma shall be awarded Certificates of Program Completion. The requirements for Certificates of Program Completion are developed by local school boards in accordance with the Standards of Quality.

F. In accordance with the provisions of the compulsory attendance law and 8VAC20-30, Regulations Governing Adult High School Programs, students who do not qualify for diplomas may earn a high school equivalency credential.

G. At a student's request, the local school board shall communicate or otherwise make known to institutions of higher education, potential employers, or other applicable third parties, in a manner that the local school board deems appropriate, that a student has attained the state's academic expectations by earning a Virginia diploma and that the value of such a diploma is not affected in any way by the accreditation status of the student's school.

H. Awards for exemplary student performance. Students who demonstrate academic excellence ~~and/or~~ outstanding achievement may be eligible for one or more of the following awards:

1. ~~Students~~ **The Governor's Seal shall be awarded to students** who complete the requirements for an Advanced Studies Diploma with an average grade of "B" or better, and successfully complete college-level coursework that will earn the student at least nine transferable college credits in Advanced Placement (AP), International Baccalaureate (IB), Cambridge, or dual enrollment courses ~~shall receive the Governor's Seal on the diploma.~~

2. ~~Students~~ **The Board of Education Seal shall be awarded to students** who complete the requirements for a Standard Diploma or an Advanced Studies Diploma with an average grade of "A" ~~shall receive a Board of Education Seal on the diploma.~~

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3. The Board of Education's Career and Technical Education Seal ~~will~~ **shall** be awarded to students who earn a Standard Diploma or an Advanced Studies Diploma and complete a prescribed sequence of courses in a career and technical education concentration or specialization that they choose and maintain a "B" or better average in those courses; or (i) pass an examination or an occupational competency assessment in a career and technical education concentration or specialization that confers certification or occupational competency credential from a recognized industry, trade or professional association or (ii) acquire a professional license in that career and technical education field from the Commonwealth of Virginia. The ~~Board of Education~~ **board** shall approve all professional licenses and examinations used to satisfy these requirements.

4. The Board of Education's Seal of Advanced Mathematics and Technology ~~will~~ **shall** be awarded to students who earn either a Standard Diploma or an Advanced Studies Diploma and (i) satisfy all of the mathematics requirements for the Advanced Studies Diploma (four units of credit including Algebra II; two verified units of credit) with a "B" average or better; and (ii) either (a) pass an examination in a career and technical education field that confers certification from a recognized industry, ~~or trade,~~ or professional association; (b) acquire a professional license in a career and technical education field from the Commonwealth of Virginia; or (c) pass an examination approved by the board that confers college-level credit in a technology or computer science area. The ~~Board of Education~~ **board** shall approve all professional licenses and examinations used to satisfy these requirements.

5. The Board of Education's Seal for Excellence in Civics Education ~~will~~ **shall** be awarded to students who earn either a Standard Diploma or an Advanced Studies Diploma and (i) complete Virginia and United States ~~History~~ **history** and Virginia and United States ~~Government~~ **government** courses with a grade of "B" or higher; (ii) have good attendance and no disciplinary infractions as determined by local school board policies; and (iii) complete 50 hours of voluntary participation in community service or extracurricular activities. Activities that ~~would~~ satisfy the requirements of clause (iii) of this subdivision include: (a) volunteering for a charitable or religious organization that provides services to the poor, sick, or less fortunate; (b) participating in Boy Scouts, Girl Scouts, or similar youth organizations; (c) participating in JROTC; (d) participating in political campaigns or government internships, or Boys State, Girls State, or Model General Assembly; or (e) participating in school-sponsored extracurricular activities that have a civics focus. Any student who enlists in the United States military prior to graduation ~~will~~ **shall** be deemed to have met this community service requirement.

6. The Board of Education's Seal of Biliteracy ~~will~~ **shall** be awarded to students who demonstrate proficiency in English and at least one other language and meet additional criteria established by the board. Such seal ~~will~~ **shall** be awarded to eligible students graduating from public high schools in the Commonwealth beginning in 2016.

7. Students may receive other seals or awards for exceptional academic, career and technical, citizenship, or other exemplary performance in accordance with criteria defined by the local school board.

I. Students completing graduation requirements in a summer school program shall be eligible for a diploma. The last school attended by the student during the regular session shall award the diploma unless otherwise agreed upon by the principals of the two schools.

J. Students who complete Advanced Placement courses, college-level courses, or courses required for an International Baccalaureate Diploma shall be deemed to have completed the requirements for graduation under these standards provided they have earned the standard units of credit and earned verified units of credit in accordance with the requirements for the Standard Diploma and the Advanced Studies Diploma, as specified in subsections B and C of this section.

K. Students shall be counseled annually regarding the opportunities for using additional tests for earning verified credits, as provided in accordance with the provisions of 8VAC20-131-110, and the consequences of failing to fulfill the obligations to complete the requirements for verified units of credit.

**8VAC20-131-51. Requirements for graduation (effective with the students who enter the ninth grade in the 2018-2019 school year).**

**A. The requirements for a student to earn a diploma and graduate from a Virginia high school shall be those in effect when that student enters the ninth grade for the first time. Students shall be awarded a diploma upon graduation from a Virginia high school.**

**Both the Standard Diploma and the Advanced Studies Diploma shall provide multiple paths toward college, career, and citizenship readiness for students to follow in the later years of high school. Each such pathway shall provide meaningful and rigorous opportunities tied to instruction to achieve workplace and citizenship skills through experiences such as internships, externships, credentialing, and blended learning, which may be offered for credit toward high school graduation, in accordance with department guidelines.**

**In accordance with the Profile of a Virginia Graduate approved by the board, the instructional program leading to a Standard Diploma or Advanced Studies Diploma shall ensure that students (i) attain the knowledge, skills, competencies, and experiences necessary to be successful in the evolving global economy whether immediately entering the world of work or pursuing a postsecondary education and (ii) acquire and be able to demonstrate foundational skills in critical thinking, creative thinking, collaboration, communication, and citizenship.**

**When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit shall be counted toward meeting the standard units required for graduation provided the courses are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students must meet the requirements of 8VAC20-131-110.**

**The requirements in this section shall be the only requirements for a diploma, unless a local school board has prescribed additional requirements that have been approved by the board. All additional requirements prescribed by local school boards that have been approved by the board remain in effect until such time as the local school board submits a request to the board to amend or discontinue them.**

**B. Requirements for a Standard Diploma.**

**1. Beginning with the ninth-grade class of 2018-2019 and beyond, students shall earn the required standard and verified units of credit described in subdivision 2 of this subsection.**

**2. Credits required for graduation with a Standard Diploma.**

**A "standard unit of credit" or "standard credit" is a credit awarded for a course in which the student successfully completes 140 clock hours of instruction and the requirements of the course. Local school boards may develop alternatives to the requirement for 140 clock hours of instruction as provided for in 8VAC20-131-110 and in accordance with board guidelines.**

**A "verified unit of credit" or "verified credit" is a credit awarded for a course in which a student earns a standard unit of credit and (i) achieves a passing score on a corresponding end-of-course SOL test; (ii) achieves a passing score on an additional test, as defined in 8VAC20-131-5 as part of the Virginia Assessment Program; (iii) meets the criteria for the receipt of a locally awarded verified credit conferred in accordance with board criteria and guidelines as provided in 8VAC20-131-110 B 3 when the student has not passed a corresponding SOL test in English, mathematics, laboratory science, or**

*history and social science; (iv) meets the criteria for the receipt of a verified credit for history and social science by demonstrating mastery of the content of the associated course on an authentic performance assessment, as provided in 8VAC20-131-110 B 4; or (v) meets the criteria for the receipt of a verified credit for English (writing) by demonstrating mastery of the content of the associated course on authentic performance assessments as provided in 8VAC20-131-110 B 5.*

*No more than one locally awarded verified credit may be used to satisfy these requirements, except as provided in subdivision 3 of this subsection for credit accommodations for students with disabilities.*

<u>Discipline Area</u>	<u>Standard Units of Credit Required</u>	<u>Verified Credits Required</u>
<u>English (reading and writing)</u>	<u>4</u>	<u>2</u>
<u>Mathematics</u>	<u>3</u>	<u>1</u>
<u>Laboratory Science</u>	<u>3</u>	<u>1</u>
<u>History and Social Science</u>	<u>3</u>	<u>1</u>
<u>Health and Physical Education</u>	<u>2</u>	
<u>World Language, Fine Arts or Career and Technical Education</u>	<u>2</u>	
<u>Economics and Personal Finance</u>	<u>1</u>	
<u>Electives</u>	<u>4</u>	
<u>Total</u>	<u>22</u>	<u>5</u>

<u>Discipline Area</u>	<u>Specifications</u>
<u>English (reading and writing)</u>	<u>The board shall approve courses to satisfy this requirement.</u>
<u>Mathematics</u>	<u>Courses completed to satisfy this requirement shall include at least two different course selections from among: algebra I, geometry, algebra functions, and data analysis, algebra II, or other mathematics courses approved by the board to satisfy this requirement. Per the Standards of Quality, a computer science course credit earned by students may be considered a mathematics course credit.</u>
<u>Laboratory Science</u>	<u>Courses completed to satisfy this requirement shall include course selection from at least two different science disciplines: earth sciences, biology, chemistry, or physics, or completion of the sequence of science courses required for the International Baccalaureate Diploma and shall include interdisciplinary courses that incorporate Standards of Learning content from multiple academic areas. The board shall approve courses to satisfy this requirement. Per the Standards of Quality, a computer science</u>

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	<u>course credit earned by students may be considered a science course credit.</u>
<u>History and Social Science</u>	<u>Courses completed to satisfy this requirement shall include Virginia and U.S. history, Virginia and U.S. government, and one course in either world history or geography or both. The board shall approve courses to satisfy this requirement.</u>
<u>Laboratory Science, and History and Social Science</u>	<u>Students who complete a career and technical education program sequence and pass an examination or occupational competency assessment in a career and technical education field that confers certification or an occupational competency credential from a recognized industry, or trade or professional association, or acquires a professional license in a career and technical education field from the Commonwealth of Virginia may substitute the certification, competency credential, or license for either a laboratory science or history and social science verified credit when the certification, license, or credential confers more than one verified credit. The examination or occupational competency assessment must be approved by the board as an additional test to verify student achievement.</u>
<u>World Language, Fine Arts or Career and Technical Education</u>	<u>Per the Standards of Quality, credits earned for this requirement shall include one credit in fine or performing arts or career and technical education. Per the Standards of Quality, a computer science course credit earned by students may be considered a career and technical course credit.</u>
<u>Electives</u>	<u>Courses to satisfy this requirement shall include at least two sequential electives as required by the Standards of Quality.</u>

<u>Additional Requirements for Graduation</u>	
<u>Advanced Placement, Honors, or International Baccalaureate Course or Career and Technical Education Credential</u>	<u>In accordance with the Standards of Quality, students shall either (i) complete an Advanced Placement, honors, or International Baccalaureate course, or (ii) earn a career and technical education credential approved by the board, except when a career and technical education credential in a particular subject area is not readily available or appropriate or does not adequately measure student competency, in which case the student shall receive satisfactory competency-based instruction in the subject area to satisfy the standard diploma requirements. The career and technical education credential, when required, could include the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness assessment.</u>
<u>Virtual Course</u>	<u>Students shall successfully complete one virtual course, which may be a non-credit-bearing course or a required or elective credit-bearing course that is offered online.</u>

<u>Training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AED)</u>	<u>Students shall be trained in emergency first aid, CPR, and the use of AED, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Students with an IEP or 504 Plan that documents that they cannot successfully complete this training shall be granted a waiver from this graduation requirement, as provided in 8VAC20-131-420 B.</u>
<u>Demonstration of the five Cs</u>	<u>Students shall acquire and demonstrate foundational skills in critical thinking, creative thinking, collaboration, communication, and citizenship in accordance with the Profile of a Virginia Graduate approved by the board.</u>

3. The board shall establish through guidelines credit accommodations to the standard and verified credit requirements for a Standard Diploma. Such credit accommodations for students with disabilities may include:

a. Approval of alternative courses to meet the standard credit requirements;

b. Modifications to the requirements for local school divisions to award locally awarded verified credits;

c. Approval of additional tests to earn a verified credit;

d. Adjusted cut scores required to earn verified credit; and

e. Allowance of work-based learning experiences.

The student's IEP or 504 Plan shall specify any credit accommodations applicable for the student.

Students completing the requirements for the Standard Diploma may be eligible to receive an honor deemed appropriate by the local school board as described in subsection H of this section.

C. Requirements for an Advanced Studies Diploma.

1. Beginning with the ninth-grade class of 2018-2019 and beyond, students shall earn the required standard and verified units of credit described in subdivision 2 of this subsection.

2. Credits required for graduation with an Advanced Studies Diploma.

A "standard unit of credit" or "standard credit" is a credit awarded for a course in which the student successfully completes 140 clock hours of instruction and the requirements of the course. Local school boards may develop alternatives to the requirement for 140 clock hours of instruction as provided for in 8VAC20-131-110 and in accordance with board guidelines.

A "verified unit of credit" or "verified credit" is a credit awarded for a course in which a student earns a standard unit of credit and (i) achieves a passing score on a corresponding end-of-course SOL test; (ii) achieves a passing score on an additional test, as defined in 8VAC20-131-5, as part of the Virginia Assessment Program; (iii) meets the criteria for the receipt of a locally awarded verified credit conferred in accordance with board criteria and guidelines as provided in 8VAC20-131-110 B 3 when the student has not passed a corresponding SOL test in English, mathematics, laboratory science, or history and social science; (iv) meets the criteria for the receipt of a verified credit for history and social science by demonstrating mastery of the content of the associated course on an authentic performance assessment, as provided in 8VAC20-131-110 B 4; or (v) meets the criteria for the receipt of a verified credit for English (writing) by demonstrating mastery of the content of the associated course on an authentic performance assessment, as provided in 8VAC20-131-110 B 5.

No more than one locally awarded verified credit may be used to satisfy these requirements.

<u>Discipline Area</u>	<u>Standard Units of Credit Required</u>	<u>Verified Credits Required</u>
<u>English (reading and writing)</u>	<u>4</u>	<u>2</u>
<u>Mathematics</u>	<u>4</u>	<u>1</u>
<u>Laboratory Science</u>	<u>4</u>	<u>1</u>
<u>History and Social Science</u>	<u>4</u>	<u>1</u>
<u>World Language</u>	<u>3</u>	
<u>Health and Physical Education</u>	<u>2</u>	
<u>Fine Arts or Career and Technical Education</u>	<u>1</u>	
<u>Economics and Personal Finance</u>	<u>1</u>	
<u>Electives</u>	<u>3</u>	
<u>Total</u>	<u>26</u>	<u>5</u>

<u>Discipline Area</u>	<u>Specifications</u>
<u>English (reading and writing)</u>	<u>The board shall approve courses to satisfy this requirement.</u>
<u>Mathematics</u>	<u>Courses completed to satisfy this requirement shall include at least three different course selections from among: algebra I, geometry, algebra II, or other mathematics courses above the level of algebra II. The board shall approve courses to satisfy this requirement. Per the Standards of Quality, a computer science course credit earned by students may be considered a mathematics course credit.</u>
<u>Laboratory Science</u>	<u>Courses completed to satisfy this requirement shall include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics or completion of the sequence of science courses required for the International Baccalaureate Diploma and shall include interdisciplinary courses that incorporate Standards of Learning content from multiple academic areas. The board shall approve additional courses to satisfy this requirement. Per the Standards of Quality, a computer science course credit earned by students may be considered a science course credit.</u>
<u>History and Social Science</u>	<u>Courses completed to satisfy this requirement shall include Virginia and U.S. history, Virginia and U.S. government, and two courses in either world history or geography or both. The board shall approve</u>

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	<u>additional courses to satisfy this requirement.</u>
<u>World Language</u>	<u>Courses completed to satisfy this requirement shall include three years of one language or two years of two languages.</u>
<u>Fine Arts or Career and Technical Education</u>	<u>Per the Standards of Quality, a computer science course credit earned by students may be considered a career and technical credit.</u>
<u>Electives</u>	<u>Courses to satisfy this requirement shall include at least two sequential electives as required by the Standards of Quality.</u>

<u>Additional Requirements for Graduation</u>	
<u>Advanced Placement, Honors, or International Baccalaureate Course or Career and Technical Education Credential</u>	<u>In accordance with the Standards of Quality, students shall either (i) complete an Advanced Placement, honors, or International Baccalaureate course or (ii) earn a career and technical education credential approved by the board, except when a career and technical education credential in a particular subject area is not readily available or appropriate or does not adequately measure student competency, in which case the student shall receive satisfactory competency-based instruction in the subject area to satisfy the advanced studies diploma requirements. The career and technical education credential, when required, could include the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness assessment.</u>
<u>Virtual Course</u>	<u>Students shall successfully complete one virtual course, which may be a non-credit-bearing course or a required or elective credit-bearing course that is offered online.</u>
<u>Training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AED).</u>	<u>Students shall be trained in emergency first aid, CPR, and the use of AED, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Students with an IEP or 504 Plan that documents that they cannot successfully complete this training shall be granted a waiver from this graduation requirement, as provided in 8VAC20-131-420 B.</u>
<u>Demonstration of the five Cs</u>	<u>Students shall acquire and demonstrate foundational skills in critical thinking, creative thinking, collaboration, communication, and citizenship in accordance with the Profile of a Virginia Graduate approved by the board.</u>

D. Requirements for an Applied Studies Diploma. In accordance with the requirements of the Standards of Quality, a student with disabilities who completes the requirements of the student's IEP and does not meet the requirements for other diplomas shall be awarded Applied Studies Diplomas in accordance with state and federal laws and regulations regarding special education.

Students who pursue an Applied Studies Diploma shall be allowed to pursue a Standard Diploma or an Advanced Studies Diploma at any time during high school. Such students shall not be excluded from courses or tests required to earn these diplomas.

**E. Requirements for Certificates of Program Completion. In accordance with the requirements of the Standards of Quality, students who complete prescribed programs of studies defined by the local school board but do not qualify for a Standard Diploma, an Advanced Studies Diploma, or an Applied Studies Diploma shall be awarded Certificates of Program Completion. The requirements for Certificates of Program Completion are developed by local school boards in accordance with the Standards of Quality.**

**F. In accordance with the provisions of the compulsory attendance law and 8VAC20-30, Regulations Governing Adult High School Programs, students who do not qualify for diplomas may earn a high school equivalency credential. The requirements for the General Achievement Diploma are provided in 8VAC20-20.**

**G. At a student's request, the local school board shall communicate or otherwise make known to institutions of higher education, potential employers, or other applicable third parties, in a manner that the local school board deems appropriate, that a student has attained the state's academic expectations by earning a Virginia diploma and that the value of such a diploma is not affected in any way by the accreditation status of the student's school.**

**H. Awards for exemplary student performance. Students who demonstrate academic excellence and outstanding achievement may be eligible for one or more of the following awards:**

**1. The Governor's Seal shall be awarded to students who complete the requirements for an Advanced Studies Diploma with an average grade of "B" or better and successfully complete college-level coursework that shall earn the student at least nine transferable college credits in Advanced Placement (AP), International Baccalaureate (IB), Cambridge, or dual enrollment courses.**

**2. The Board of Education Seal shall be awarded to students who complete the requirements for a Standard Diploma or an Advanced Studies Diploma with an average grade of "A."**

**3. The Board of Education's Career and Technical Education Seal shall be awarded to students who earn a Standard Diploma or an Advanced Studies Diploma and complete a prescribed sequence of courses in a career and technical education concentration or specialization that they choose and maintain a "B" or better average in those courses or (i) pass an examination or an occupational competency assessment in a career and technical education concentration or specialization that confers certification or occupational competency credential from a recognized industry, trade, or professional association or (ii) acquire a professional license in that career and technical education field from the Commonwealth of Virginia. The board shall approve all professional licenses and examinations used to satisfy these requirements.**

**4. The Board of Education's Seal of Advanced Mathematics and Technology shall be awarded to students who earn either a Standard Diploma or an Advanced Studies Diploma and (i) satisfy all of the mathematics requirements for the Advanced Studies Diploma with a "B" average or better and (ii) pass an examination in a career and technical education field that confers certification from a recognized industry, or trade or professional association; acquire a professional license in a career and technical education field from the Commonwealth of Virginia; or pass an examination approved by the board that confers college-level credit in a technology or computer science area. The board shall approve all professional licenses and examinations used to satisfy these requirements.**

**5. The Board of Education's Seal for Excellence in Civics Education shall be awarded to students who earn either a Standard Diploma or an Advanced Studies Diploma and (i) complete Virginia and United States history and Virginia and United States government courses with a grade of "B" or higher; (ii) have good attendance and no disciplinary infractions as determined by local school board policies; and (iii) complete 50 hours of voluntary participation in community service or extracurricular activities.**

Activities that satisfy the requirements of clause (iii) of this subdivision include (a) volunteering for a charitable or religious organization that provides services to the poor, sick, or less fortunate; (b) participating in Boy Scouts, Girl Scouts, or similar youth organizations; (c) participating in JROTC; (d) participating in political campaigns or government internships, or Boys State, Girls State, or Model General Assembly; or (e) participating in school-sponsored extracurricular activities that have a civics focus. Any student who enlists in the United States military prior to graduation shall be deemed to have met this community service requirement.

6. The Board of Education's Seal of Biliteracy shall be awarded to students who demonstrate proficiency in English and at least one other language and meet additional criteria established by the board.

7. The Board of Education's Seal for Excellence in Science and the Environment shall be awarded to students who earn either a Standard Diploma or Advanced Studies Diploma and (i) complete at least three different first-level board-approved laboratory science courses and at least one rigorous advanced-level or postsecondary-level laboratory science course, each with a grade of "B" or higher; (ii) complete laboratory or field-science research and present that research in a formal, juried setting; and (iii) complete at least 50 hours of voluntary participation in community service or extracurricular activities that involve the application of science such as environmental monitoring, protection, management, or restoration.

8. Students may receive other seals or awards for exceptional academic, career and technical, citizenship, or other exemplary performance in accordance with criteria defined by the local school board.

I. Students completing graduation requirements in a summer school program shall be eligible for a diploma. The last school attended by the student during the regular session shall award the diploma unless otherwise agreed upon by the principals of the two schools.

J. Students who complete Advanced Placement courses, college-level courses, or courses required for an International Baccalaureate Diploma shall be deemed to have completed the course requirements for graduation under these standards provided they have earned the total number of standard units of credit and verified units of credit in each discipline area in accordance with the requirements for the Standard Diploma and the Advanced Studies Diploma, as specified in subsections B and C of this section.

K. Students shall be counseled annually regarding the opportunities for using additional tests for earning verified credits, as provided in accordance with the provisions of 8VAC20-131-110, and the consequences of failing to fulfill the obligations to complete the requirements for verified units of credit.

8VAC20-131-60. Transfer students.

A. The provisions of this section pertain generally to students who transfer into Virginia high schools. Students transferring in grades ~~K-8~~ **kindergarten through 8** from Virginia public schools or nonpublic schools accredited by one of the approved accrediting constituent members of the Virginia Council for Private Education (**VCPE**) shall be given recognition for all grade-level work completed. The academic record of students transferring from all other schools shall be evaluated to determine appropriate grade placement in accordance with policies adopted by the local school board. The State Testing Identifier (STI) for students who transfer into a Virginia public school from another Virginia public school shall be retained by the receiving school.

B. For the purposes of this section, the term "beginning" means within the first 20 hours of instruction per course. The term "during" means after the first 20 hours of instruction per course.

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C. Standard or verified units of credit earned by a student in a Virginia public school shall be transferable without limitation regardless of the accreditation status of the Virginia public school in which the credits were earned. Virginia public schools shall accept standard and verified units of credit from other Virginia public schools, Virginia's virtual learning program, Virtual Virginia, and state-operated programs. Standard units of credit also shall be accepted for courses satisfactorily completed in accredited colleges and universities when prior written approval of the principal has been granted or the student has been given credit by the previous school attended.

D. A secondary school shall accept credits toward graduation received from Virginia nonpublic schools accredited by one of the approved accrediting constituent members of the ~~Virginia Council for Private Education (VCPE)~~ **VCPE**. ~~The Board of Education will~~ **board shall** maintain contact with the VCPE and may periodically review its accrediting procedures and policies as part of its policies under this section.

Nothing in these standards shall prohibit a public school from accepting standard units of credit toward graduation awarded to students who transfer from all other schools when the courses for which the student receives credit generally match the description of or can be substituted for courses for which the receiving school gives standard credit, and the school from which the child transfers certifies that the courses for which credit is given meet the requirements of 8VAC20-131-110 A.

~~Students transferring into a Virginia public school shall be required to meet the requirements prescribed in 8VAC20-131-50 to receive a Standard Diploma or an Advanced Studies Diploma, except as provided by subsection G of this section. To receive an Applied Studies Diploma or Certificate of Program Completion, a student must meet the requirements prescribed by the Standards of Quality.~~

E. The academic record of a student transferring from other Virginia public schools shall be sent directly to the school receiving the student upon request of the receiving school in accordance with the provisions of ~~the~~ 8VAC20-150, Management of the Student's Scholastic Record in the Public Schools of Virginia. The State Testing Identifier (STI) for students who transfer into a Virginia public school from another Virginia public school shall be retained by the receiving school.

F. The academic record of a student transferring into Virginia public schools from other than a Virginia public school shall be evaluated to determine the number of standard units of credit that have been earned, including credit from schools outside the United States, and the number of verified units of credit needed to graduate in accordance with subsection G of this section. Standard units of credit also shall be accepted for courses satisfactorily completed in accredited colleges and universities when the student has been given credit by the previous school attended.

Students transferring above the tenth grade from schools or other education programs that do not require or give credit for health and physical education shall not be required to take these courses to meet graduation requirements.

**Students transferring into a Virginia public school from other than a Virginia public school shall earn no fewer than the number of verified units listed in subdivision G 1 or G 2 of this section. The school division shall accept the following tests from the sending state, country, private school, or Department of Defense Educational Activity school for the purpose of awarding verified units of credit in courses previously completed at another school or program of study, for the purpose of awarding a Virginia high school diploma:**

**1. End-of-course tests required for graduation by the sending state;**

**2. Exit tests required for graduation by the sending state; and**

**3. National norm-referenced achievement tests. When students transfer to a Virginia public school from a state that requires a national norm-referenced achievement test, and that state education**

agency has set a "cut score" or passing score for the purpose of graduation, the school division shall accept the test for the purpose of awarding a verified credit if the test includes some content in a subject for which a verified credit may be awarded. If that state education agency has not set a cut score for the norm-referenced test, the test may not be used for the purpose of awarding a verified credit or earning a high school diploma.

Any substitute test approved by the board for verified credit shall be accepted in lieu of the applicable SOL tests if the applicable standard credit has been earned by the student.

The sending state's test must include content in the subjects for which verified credit is awarded. The test does not have to be comparable to a Virginia SOL test, so long as the test includes some content in the subject area. If the test includes some content from more than one subject, verified credits shall be awarded for every subject area covered by the test.

G. Students entering a Virginia public high school for the first time after the tenth grade shall earn as many credits as possible toward the prescribed graduation requirements prescribed in 8VAC20-131-50. However, schools may substitute courses required in other states in the same content area if the student is unable to meet the specific content requirements of 8VAC20-131-50 or 8VAC20-131-51, respectively, without taking a heavier than normal course load in any semester, by taking summer school, or by taking courses after the time when he the student otherwise would have graduated. ~~In any event, no such student shall earn fewer than the following number of verified units, nor shall such students be required to take SOL tests or additional tests as defined in 8VAC20-131-110 for verified units of credit in courses previously completed at another school or program of study, unless necessary to meet the requirements listed in subdivisions 1 and 2 of this subsection:~~

The graduation requirements for students transferring into a Virginia high school for the first time shall be as follows:

1. For a Standard Diploma:

a. Students entering a Virginia high school for the first time at the beginning of or during the ninth grade ~~or at the beginning of the tenth grade~~ prior to the 2018-2019 school year shall earn credit as meet the graduation requirements prescribed in 8VAC20-131-50; Students entering a Virginia high school for the first time at the beginning of or during the ninth grade in the 2018-2019 school year or thereafter shall meet the graduation requirements prescribed in 8VAC20-131-51.

b. Students entering a Virginia high school for the first time at the beginning of or during the tenth grade prior to the 2019-2020 school year or at the beginning of the eleventh grade prior to the 2020-2021 school year shall meet the graduation requirements prescribed in 8VAC20-131-50, except that such students shall only be required to earn a minimum of four verified units of credit: one each in English, mathematics, history, and science. ~~Students who complete a career and technical education program sequence may substitute a certificate, occupational competency credential or license for either a science or history and social science verified credit pursuant to 8VAC20-131-50; and~~ entering a Virginia high school for the first time at the beginning of or during the tenth grade in the 2019-2020 school year or thereafter or at the beginning of the eleventh grade in the 2020-2021 school year or thereafter, shall meet the graduation requirements prescribed in 8VAC20-131-51.

c. Students entering a Virginia high school for the first time during the eleventh grade prior to the 2020-2021 school year or at the beginning of the twelfth grade prior to the 2021-2022 school year shall meet the graduation requirements prescribed in 8VAC20-131-50, except that such students shall only be required to earn a minimum of two verified units of credit: one in English and one in mathematics if participation in mathematics testing is required by federal law, otherwise, such verified credit may be of the student's own choosing. Students entering a Virginia high school for the first time during the

eleventh grade in the 2020-2021 school year or thereafter, or at the beginning of twelfth grade in the 2021-2022 school year or thereafter, shall meet the graduation requirements prescribed in 8VAC20-131-51, except that such students shall only be required to earn a minimum of two verified units of credit: one in English and one in mathematics if participation in mathematics testing is required by federal law, otherwise, such verified credit may be of the student's own choosing.

d. Students transferring after 20 instructional hours per course of their senior or twelfth grade year shall be given every opportunity to earn a diploma following the graduation requirements prescribed in 8VAC20-131-50 for students entering prior to the 2021-2022 school year, or following the graduation requirements prescribed in 8VAC20-131-51 for students entering in the 2021-2022 school year or thereafter. If it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student's previous school to award the diploma. If these arrangements cannot be made, a waiver of the verified unit of credit requirements may be available to the student. The Department of Education may grant such waivers upon request by the local school board in accordance with guidelines prescribed by the board.

2. For an Advanced Studies Diploma:

a. Students entering a Virginia high school for the first time at the beginning of or during the ninth grade ~~or at the beginning of the tenth grade~~ prior to the 2018-2019 school year shall earn credit as prescribed in 8VAC20-131-50; Students entering a Virginia high school for the first time at the beginning of or during the ninth grade in the 2018-2019 school year or thereafter shall earn credit as prescribed in 8VAC20-131-51.

b. Students entering a Virginia high school for the first time at the beginning of or during the tenth grade prior to the 2019-2020 school year or at the beginning of the eleventh grade prior to the 2020-2021 school year shall meet the graduation requirements prescribed in 8VAC20-131-50, except that such students shall only be required to earn a minimum of six verified units of credit: two in English and one each in mathematics, history, and science and one of the student's own choosing; ~~and~~ Students entering a Virginia high school for the first time at the beginning of or during the tenth grade in the 2019-2020 school year or thereafter or at the beginning of the eleventh grade in the 2020-2021 school year or thereafter shall earn credit as prescribed in 8VAC20-131-51.

c. Students entering a Virginia high school for the first time during the eleventh grade prior to the 2020-2021 school year or at the beginning of the twelfth grade prior to the 2021-2022 school year shall meet the graduation requirements prescribed in 8VAC20-131-50, except that such students shall only be required to earn a minimum of four verified units of credit: one in English ~~and three~~, one in mathematics if required participation in mathematics testing is required by federal law, otherwise such verified credit may be of the student's own choosing, and two additional verified credits of the student's own choosing. Students entering a Virginia high school for the first time during the eleventh grade in the 2020-2021 school year or thereafter, or at the beginning of the twelfth grade in the 2021-2022 school year or thereafter, shall meet the graduation requirements prescribed in 8VAC20-131-51, except that such students shall only be required to earn a minimum of two verified units of credit: one in English, and one in mathematics if required participation in mathematics testing is required by federal law, otherwise such verified credit may be of the student's own choosing.

d. Students transferring after 20 instructional hours per course of their senior or twelfth grade year shall be given every opportunity to earn a diploma following the graduation requirements prescribed in 8VAC20-131-50 for students entering prior to the 2021-2022 school year, or following the graduation requirements prescribed in 8VAC20-131-51 for students entering in the 2021-2022 school year or thereafter. If it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student's previous school to award the diploma. If these arrangements cannot be made, a waiver of the verified unit of credit requirements may be available to the student. The

**Department of Education may grant such waivers upon request by the local school board in accordance with guidelines prescribed by the board.**

**3. For an Applied Studies Diploma: In accordance with the requirements of the Standards of Quality, students with disabilities who complete the requirements of their Individualized Education Plan and do not meet the requirements for other diplomas shall be awarded Applied Studies Diplomas in accordance with state and federal laws and regulations regarding special education.**

**Students who pursue an Applied Studies Diploma shall be allowed to pursue a Standard Diploma or an Advanced Studies Diploma at any time during high school. Such students shall not be excluded from courses or tests required to earn these diplomas.**

**4. For a Certificate of Program Completion: In accordance with the requirements of the Standards of Quality, students who complete prescribed programs of studies defined by the local school board, but do not qualify for a Standard Diploma, an Advanced Studies Diploma, or an Applied Studies Diploma shall be awarded Certificates of Program Completion. The requirements for Certificates of Program Completion are developed by local school boards in accordance with the Standards of Quality.**

H. Students entering a Virginia high school for the first time after the first semester of their eleventh grade year must meet the requirements of subdivision G 1 e or G 2 e of this section. Students transferring after 20 instructional hours per course of their senior or twelfth grade year shall be given every opportunity to earn a Standard Diploma or an Advanced Studies Diploma. If it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student's previous school to award the diploma. If these arrangements cannot be made, a waiver of the verified unit of credit requirements may be available to the student. The Department of Education may grant such waivers upon request by the local school board in accordance with guidelines prescribed by the Board of Education.

I. ~~H.~~ Any local school division receiving approval to increase its course credit requirements for a diploma may not deny either the Standard Diploma or the Advanced Studies Diploma to any transfer student who has otherwise met the requirements contained in these standards if the transfer student can only meet the division's additional requirements by taking a heavier than normal course load in any semester, by taking summer school, or by taking courses after the time when ~~he~~ **the student** otherwise would have graduated.

J. ~~I.~~ The transcript of a student who graduates or transfers from a Virginia secondary school shall conform to the requirements of 8VAC20-160, Regulations Governing Secondary School Transcripts.

~~K.~~ ~~J.~~ The accreditation status of a high school shall not be included on the student transcript provided to colleges, universities, or employers. The board expressly states that any student who has met the graduation requirements established in 8VAC20-131-50 and has received a Virginia diploma holds a diploma that should be recognized as equal to any other Virginia diploma of the same type, regardless of the accreditation status of the student's high school. It is the express policy of the board that no student shall be affected by the accreditation status of the student's school. The board shall take appropriate action, from time to time, to ensure that no student is affected by the accreditation status of the student's school.

#### Part IV

##### School Instructional Program

8VAC20-131-70. Program of instruction and learning objectives.

**A. As required by the Standards of Quality, each local school board shall develop and implement a program of instruction for grades kindergarten through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the board. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of**

computers and related technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues, and geography necessary for responsible participation in American society and in the international community; fine arts, which may include music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

B. As described in 8VAC20-131-51 and in accordance with the Profile of a Virginia Graduate approved by the board, the instructional program and learning objectives shall ensure that students (i) attain the knowledge, skills, competencies, and experiences necessary to be successful in the evolving global economy whether immediately entering the world of work or pursuing a postsecondary education and (ii) acquire and be able to demonstrate foundational skills in critical thinking, creative thinking, collaboration, communication, and citizenship. Consistent with the Profile of a Virginia Graduate, the instructional program and learning objectives shall ensure that, as age appropriate, during the kindergarten through grade 12 experience, students achieve and apply appropriate career development and technical knowledge. During the elementary and middle school years, students shall explore personal interests, be exposed to different types of careers, and plan for career development. In the later school years students are to attain and demonstrate productive workplace skills, qualities, and behaviors; align knowledge, skills, and personal interests with career opportunities; and understand and demonstrate civic responsibility and community engagement.

~~A.~~ C. Each school shall provide a program of instruction that promotes individual student academic achievement in the essential academic disciplines and shall provide additional instructional opportunities that meet the abilities, interests, and educational needs of students. Each school shall establish learning objectives to be achieved by students at successive grade levels that meet or exceed the knowledge and skills contained in the Standards of Learning for English, mathematics, science, and ~~history/social~~ history and social science adopted by the board and shall continually assess the progress of each student in relation to the objectives.

~~B.~~ D. Instruction shall 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, as amended, those identified as ~~gifted/talented~~ gifted or talented, and those who have limited English proficiency are ELs. Each school shall provide students identified as ~~gifted/talented~~ with ~~instructional programs taught by teachers with special training or experience in working with gifted/talented students.~~ Students with disabilities shall have the opportunity to receive a full continuum of education services, in accordance with ~~8VAC20-80~~ 8VAC20-81, Regulations Governing Special Education Programs for Children with Disabilities in Virginia and other pertinent federal and state laws and regulations.

8VAC20-131-80. Instructional program in elementary schools.

A. The elementary school shall provide each student a program of instruction that corresponds to the Standards of Learning for English, mathematics, science, and ~~history/social~~ history and social science. In addition, each school shall provide instruction in art, music, and physical education and health and shall require students to participate in a program of physical fitness during the regular school year in accordance with guidelines established by the ~~Board of Education~~ board. In addition, each school shall provide instruction in career exploration in accordance with the provisions of 8VAC20-131-140.

B. In kindergarten through grade 3, reading, writing, spelling, and mathematics shall be the focus of the instructional program. Schools shall maintain an early skills and knowledge achievement record in

reading and mathematics for each student in grades kindergarten through grade 3 to monitor student progress and to promote successful achievement on the third grade SOL tests. This record shall be included with the student's records if the student transfers to a new school.

**In accordance with the Standards of Quality, local school boards shall implement early identification, diagnosis, and assistance for students with reading and mathematics problems and provide instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students.**

C. To provide students with sufficient opportunity to learn, a minimum of 75% of the annual instructional time of 990 hours shall be given to instruction in the disciplines of English, mathematics, science, and ~~history/social~~ **history and social** science. Students who are not successfully progressing in early reading proficiency or who are unable to read with comprehension the materials used for instruction shall receive additional instructional time in reading, which may include summer school.

**In accordance with the Standards of Quality, local school divisions shall provide reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on the SOL reading test or any reading diagnostic test that meets criteria established by the Department of Education. The local school division, in its discretion, shall provide such reading intervention services prior to promoting a student from grade 3 to grade 4.**

D. Elementary schools are encouraged to provide instruction in ~~foreign~~ **world** languages.

8VAC20-131-90. Instructional program in middle schools.

A. The middle school shall provide each student a program of instruction ~~which~~ **that** corresponds to the Standards of Learning for English, mathematics, science, and ~~history/social~~ **history and social** science. In addition, each school shall provide instruction in art, music, ~~foreign~~ **world** language, physical education and health, and career and technical exploration and shall require students to participate in a program of physical fitness during the regular school year in accordance with guidelines established by the ~~Board of Education~~ **board**. **Each middle school shall provide a course in career investigation in accordance with the provisions of 8VAC20-131-140. School divisions may seek alternate means of delivering the career investigation course content provided it is equivalent in content and rigor and provides the foundation for students to develop their academic and career plans as described in 8VAC20-131-140 C 2. Possible alternative means to deliver the career investigation course content could include online methods, middle school exploratory course options, and delivering the course content through other courses.**

B. The middle school shall provide a minimum of eight courses to students in the eighth grade. English, mathematics, science, and ~~history/social~~ **history and social** science shall be required. Four elective courses shall be available: level one of a ~~foreign~~ **world** language, one in health and physical education, one in fine arts, and one in career and technical exploration.

C. Level one of a ~~foreign~~ **world** language and an Algebra I course shall be available to all eighth grade students. For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course in accordance with policies adopted by the local school board. Notice of this provision must be provided to parents with a deadline and format for making such a request. Nothing in ~~these regulations~~ **this chapter** shall be construed to prevent a middle school from offering any other credit-bearing courses for graduation.

D. To provide students a sufficient opportunity to learn, each student shall be provided 140 clock ~~a total~~ **of 560 instructional** hours per year of instruction in each of ~~in~~ the four **academic** disciplines of English, mathematics, science, and ~~history/social~~ **history and social** science. ~~Sixth grade students may receive an~~

alternative schedule of instruction provided each student receives at least 560 total clock hours of instruction in the four academic disciplines.

E. Each school shall ensure that students who are unable to read with comprehension the materials used for instruction receive additional instruction in reading, which may include summer school.

**F. In accordance with the Standards of Quality each school shall ensure that students in grades 6 through 8 who need targeted mathematics remediation and intervention, including remediation or intervention for computational deficiencies as demonstrated by their individual performance on any diagnostic test or grade-level SOL mathematics test, shall receive additional instruction in mathematics, which may include summer school. Students in grades 6 through 8 who are at-risk of failing the algebra I end-of-course test shall be provided algebra readiness intervention services.**

8VAC20-131-100. Instructional program in secondary schools.

**A. The secondary school, in accordance with the Profile of a Virginia Graduate approved by the board, shall provide a program of instruction to ensure that students (i) attain the knowledge, skills, competencies, and experiences necessary to be successful in the evolving global economy whether immediately entering the world of work or pursuing a postsecondary education and (ii) acquire and be able to demonstrate foundational skills in critical thinking and creative thinking, collaboration, communication, and citizenship in accordance with 8VAC20-131-70 and the Profile of a Virginia Graduate.**

The secondary school shall provide each student a program of instruction in the **four core** academic areas of English, mathematics, science, and ~~history/social~~ **history and social** science that **identifies the knowledge and skills that students should attain, giving due consideration to critical thinking, creative thinking, collaboration, communication, and citizenship, in the early years of high school and** enables each student to meet the **prescribed** graduation requirements described in 8VAC20-131-50 and **The secondary school** shall offer opportunities for students **each student** to pursue a program of studies in foreign languages, fine arts, and career and technical areas including **include**:

1. Career and technical education choices that **incorporate knowledge of regional workforce needs and opportunities**; prepare the student as a career and technical education program completer in one of three or more occupational areas; and that prepare the student for technical or preprofessional postsecondary programs;
2. Coursework and experiences that prepare the student for college-level studies including access to at least three Advanced Placement (AP) courses, college-level courses for degree credit, International Baccalaureate (IB) courses, Cambridge courses, or any combination thereof;
3. Preparation for college admissions tests; ~~and~~
4. Opportunities to study and explore **Study and exploration of** the fine arts and foreign **world** languages; **and**
5. **Participation in work experiences such as internships, externships, and other work-based learning experiences, and to attaining attain workforce and career readiness and industry credentials.**

B. Minimum course offerings for each secondary school shall provide opportunities for students to meet the graduation requirements stated in 8VAC20-131-50 **this chapter** and must include:

English	4
Mathematics	4

Science (Laboratory)	4
History and Social Sciences <del>Science</del>	4
Foreign <u>World</u> Language	3
Electives	4
Career and Technical Education	11
Fine Arts	2
Health and Physical Education	2
Economics and Personal Finance	1
Total Units	39

C. Classroom driver education may count for 36 class periods, ***or the equivalent in minutes***, of health education. Students shall not be removed from classes other than health and physical education for the in-car phase of driver education.

D. Each school shall ensure that students who are unable to read with comprehension the materials used for instruction receive additional instruction in reading, which may include summer school.

***E. In accordance with the Standards of Quality, each school shall ensure that students who need targeted mathematics remediation and intervention, including remediation or intervention for computational deficiencies as demonstrated by their individual performance on any diagnostic test or grade-level SOL mathematics test shall receive additional instruction in mathematics, which may include summer school. Students in grade 9 who are at-risk of failing the algebra I end-of-course test, as demonstrated by their individual performance on any diagnostic test that has been approved by the department, shall be provided algebra readiness intervention services.***

8VAC20-131-110. Standard and verified units of credit.

A. ~~The standard unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction and successful completion of the requirements of the course. A "standard unit of credit" or "standard credit" is a credit awarded for a course in which the student successfully completes 140 clock hours of instruction and the requirements of the course. A school division may waive the requirement that a student receive 140 clock hours of instruction to earn a standard credit, effective with students enrolled in the 2015-2016 school year, as prescribed in the Standards of Quality and board guidelines.~~ When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 140 hours of instruction provided. If a school division elects to award credit on a basis other than the 140 clock hours of instruction required for a standard unit of credit defined in this subsection, the local school division shall provide the ~~Board of Education~~ **board** with satisfactory proof, based on board guidelines, that the students for whom the 140-clock-hour requirement is waived have learned the content and skills included in the relevant Standards of Learning. In addition, the local school division shall develop a written policy approved by the superintendent and school board that ensures:

1. That the content of the course for which credit is awarded is comparable to 140 clock hours of instruction; and
2. That upon completion, ~~the student will have met~~ the aims and objectives of the course **have been met**.

B. A verified unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction, successful completion of the requirements of the course, and the achievement by the student of a passing score on the end-of-course SOL test for that course or additional tests as described in this subsection. A student may also earn a verified unit of credit by the following methods **A "verified unit of credit" or "verified credit" is a credit awarded for a course in which a student earns a standard unit of credit, and completes one of the following:**

1. **Achieves a passing score on a corresponding end-of-course SOL test.** In accordance with the provisions of the Standards of Quality, students may earn a standard and verified unit of credit for any elective course in which the core academic SOL **Standards of Learning** course content has been integrated and the student passes the related end-of-course SOL test. Such course and test combinations must be approved by the Board of Education **board**.

2. Upon waiver of the 140-clock-hour requirement according to Board of Education **board** guidelines, qualified students who have received a standard unit of credit ~~will~~ **shall** be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement.

**2. Achieves a passing score on an additional test, as defined in 8VAC20-131-5, as a part of the Virginia Assessment Program.**

**3. Meets the criteria for the receipt of a locally awarded verified credit when the student has not passed a corresponding SOL test.**

**a. Students who enter the ninth grade for the first time prior to the 2018-2019 school year and do not pass Standards of Learning SOL tests in science or history and social science may receive locally awarded verified credits from the local school board in accordance with criteria established in guidelines adopted by the Board of Education board. Credit accommodations for students with disabilities may be used to confer locally awarded verified credits as provided in 8VAC20-131-50 B 3.**

**b. Students who enter the ninth grade for the first time in the 2018-2019 school year or thereafter and do not pass SOL tests in English, mathematics, laboratory science, or history and social science may receive locally awarded verified credits from the local school board in accordance with criteria established in guidelines adopted by the board. No more than one locally awarded verified credit may be used to satisfy graduation requirements, except as provided in 8VAC20-131-51 B 3 for students with disabilities seeking a standard diploma.**

**4. Meets the criteria for the receipt of a verified credit in history and social science by demonstrating mastery of the content of the associated course on an authentic performance assessment that complies with guidelines adopted by the board. Such students shall not also be required to take the corresponding SOL test in history and social science.**

**5. Meets the criteria for the receipt of a verified credit in English (writing) by demonstrating mastery of the content of the associated course on an authentic performance assessment, that complies with guidelines adopted by the board. Such students shall not also be required to take the corresponding SOL test in English (writing).**

C. The Board of Education **board** may from time to time approve additional tests for the purpose of awarding verified credit. Such additional tests, which enable students to earn verified units of credit, must, at a minimum, meet the following criteria:

1. The test must be standardized and graded independently of the school or school division in which the test is given;

2. The test must be knowledge based;

3. The test must be administered on a **statewide**, multistate or international basis, or administered as part of another state's accountability assessment program; and

4. To be counted in a specific academic area, the test must measure content that incorporates or exceeds the SOL ***Standards of Learning*** content in the course for which verified credit is given.

The Board of Education will ***board shall*** set the score that must be achieved to earn a verified unit of credit on the additional test options.

D. With such funds as are appropriated by the General Assembly, the Board of Education will ***board shall*** provide opportunities for students who meet criteria adopted by the board to have an expedited retake of a SOL test to earn verified credit.

8VAC20-131-120. Summer school.

A. The courses offered and the quality of instruction in the summer school program shall be comparable to that offered during the regular school term. At the middle and secondary school levels, credit for courses taken for credit toward graduation other than a repeat course shall be awarded in accordance with the requirements of 8VAC20-131-110. Students must also meet the requirements for SOL testing if appropriate.

~~B. At the middle and secondary school levels, credit for repeat courses ordinarily will be granted on the same basis as that for new courses; however, with prior approval of the principal, students may be allowed to enroll in repeat courses to be completed in no less than 70 clock hours of instruction per unit of credit. Students must also meet the requirements for SOL testing if appropriate.~~

~~C. B.~~ Summer school instruction at any level, which is provided as part of a state-funded remedial program, shall be designed to improve specific identified student deficiencies. Such programs shall be conducted in accordance with regulations adopted by the board.

8VAC20-131-130. Elective courses.

Locally developed elective courses offered for credit toward high school graduation shall be approved by the division superintendent and local school board.

8VAC20-131-140. College and career ~~preparation programs~~ ***readiness; career exposure, exploration, and planning***; and opportunities for postsecondary credit.

~~Each middle and secondary school shall provide for the early identification and enrollment of students in a college preparation program with a range of educational and academic experiences in and outside the classroom, including an emphasis on experiences that will motivate disadvantaged and minority students to attend college.~~

~~Beginning in the middle school years, students shall be counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities shall include access to at least three Advanced Placement courses or three college level courses for degree credit pursuant to 8VAC20-131-100. Students taking advantage of such opportunities shall not be denied participation in school activities for which they are otherwise eligible. Wherever possible, students shall be encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:~~

~~1. Written approval of the high school principal prior to participation in dual enrollment must be obtained;~~

2. The college must accept the student for admission to the course or courses; and
3. The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

Schools that comply with this standard shall not be penalized in receiving state appropriations.

Beginning with the 2013-2014 academic year, all schools shall begin development of a personal Academic and Career Plan for each seventh-grade student with completion by the fall of the student's eighth-grade year. Students who transfer from other than a Virginia public school into the eighth grade shall have the Plan developed as soon as practicable following enrollment. Beginning with the 2014-2015 academic year, students who transfer into a Virginia public school after their eighth-grade year shall have an Academic and Career Plan developed upon enrollment. The components of the Plan shall include, but not be limited to, the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests. The Academic and Career Plan shall be developed in accordance with guidelines established by the Board of Education and signed by the student, student's parent or guardian, and school official(s) designated by the principal. The Plan shall be included in the student's record and shall be reviewed and updated, if necessary, before the student enters the ninth and eleventh grades. The school shall have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the Plan. Any personal academic and career plans prescribed by local school boards for students in grades 7 through 12 and in effect as of June 30, 2009, are approved to continue without further action by the board.

**A. Each middle and secondary school shall provide for the early identification and enrollment of students in a program with a range of educational and academic experiences related to college and career readiness in and outside the classroom, including an emphasis on experiences that will motivate disadvantaged and minority students to prepare for a career or postsecondary education.**

**B. Beginning with the 2013-2014 academic year and through the 2017-2018 academic year:**

**1. All schools shall begin development of a personal Academic and Career Plan (ACP) for each seventh-grade student with completion by the fall of the student's eighth-grade year. Students who transfer from other than a Virginia public school into the eighth grade shall have the plan developed as soon as practicable following enrollment. Beginning with the 2014-2015 academic year, students who transfer into a Virginia public school after their eighth-grade year shall have an ACP developed upon enrollment. The components of the ACP shall include the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests. The ACP shall be developed in accordance with guidelines established by the board and signed by the student, student's parent or guardian, and school official or officials designated by the principal. The ACP shall be included in the student's record and shall be reviewed and updated, if necessary, before the student enters the ninth and eleventh grades. The school shall have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the ACP. Any personal ACPs prescribed by local school boards for students in grades 7 through 12 and in effect as of June 30, 2009, are approved to continue without further action by the board.**

**2. Beginning in the middle school years, students shall be counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities shall include access to at least three Advanced Placement (AP), International Baccalaureate (IB), or Cambridge courses or three college-level courses for degree credit pursuant to 8VAC20-131-100. Students taking advantage of such opportunities shall not be denied participation in school activities for which they are otherwise eligible. Wherever possible, students shall**

be encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

- a. Written approval of the high school principal prior to participation in dual enrollment must be obtained;
- b. The college must accept the student for admission to the course or courses; and
- c. The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

Schools that comply with this standard shall not be penalized in receiving state appropriations.

C. Beginning with the 2018-2019 academic year:

1. Each elementary, middle, and secondary school shall provide for the identification by all students of personal interests and abilities to support planning for postsecondary opportunities and career preparation. Such support shall include provision of information concerning exploration of career cluster areas in elementary schools, and course information and planning for college preparation programs, opportunities for educational and academic experiences in and outside the classroom, including internships and work-based learning, and the multiple pathways to college and career readiness in middle and high school.

2. Beginning in the elementary school years, students are to explore the different occupations associated with career clusters and select an area or areas of interest. Students shall begin the development of an academic and career plan portfolio (ACPP) in elementary grades to include information about interests, values such as dependability and responsibility, and skills supporting decisions about their future interests and goals. The ACPP is a repository for planning notes, class projects, interest inventory results, awards and recognitions, and other information related to academic and career plans and preparation. The ACPP is student led and updated and revised as the student continues to plan for the student's future throughout school years. The information contained in the ACPP shall serve as the foundation for creating the ACP in grade 7.

In middle school, students are to complete a locally selected career interest inventory and select a career pathway. To support development of the ACP, students shall complete a career investigations course selected from the career and technical education state-approved list, or a school division-provided alternative means of delivering the career investigations course content, provided that the alternative is equivalent in content and academic rigor. The course, or its alternative, shall address, at a minimum, planning for academic courses, work-based learning opportunities, completion of industry certifications, possible independent projects, and postsecondary education. The course, or its alternative, shall include demonstration of personal, professional, and technical workplace readiness skills.

All schools shall continue development of a personal ACP with each seventh-grade student with completion by the end of the fall semester of the student's ~~seventh~~ eighth-grade year. Students who transfer from other than a Virginia public school into the eighth grade shall have the ACP developed as soon as practicable following enrollment. Students who transfer into a Virginia public school after their eighth-grade year shall have an ACP developed upon enrollment. The components of the ACP shall include the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests. In high school, a career-related learning experience shall be chosen by the student and documented in the ACP.

**3. The ACP shall be developed in accordance with guidelines established by the board and signed by the student, student's parent or guardian, and school official or officials designated by the principal. The ACP shall be included in the student's record and shall be reviewed and updated annually.**

**4. Beginning in the middle school years, students shall be counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities shall include access to at least three Advanced Placement (AP), International Baccalaureate (IB), or Cambridge courses or three college-level courses for degree credit pursuant to 8VAC20-131-100. Students taking advantage of such opportunities shall not be denied participation in school activities for which they are otherwise eligible. Wherever possible, students shall be encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:**

**a. Written approval of the high school principal prior to participation in dual enrollment must be obtained;**

**b. The college must accept the student for admission to the course or courses; and**

**c. The course or courses must be given by the college for degree credits (no remedial courses will be accepted).**

8VAC20-131-150. Standard school year and school day.

A. The standard school year shall be 180 instructional days **or 990 instructional hours**. The standard school day for students in grades 1 through 12 shall average at least 5-1/2 instructional hours, **including passing time for class changes and** excluding breaks for meals and recess, and a minimum of three hours for kindergarten.

B. All students in grades 1 through 12 shall maintain a full day schedule of classes (5-1/2 hours), unless a waiver is granted in accordance with policies defined by the local school board.

8VAC20-131-160. [Repealed]

8VAC20-131-170. Family Life Education.

Each school may implement the Standards of Learning for the Family Life Education program promulgated by the ~~Board of Education~~ **board** or a Family Life Education program consistent with the guidelines developed by the board, which shall have the goals of reducing the incidence of pregnancy and sexually-transmitted diseases and substance abuse among teenagers.

8VAC20-131-180

8VAC20-131-180. Off-site instruction.

A. Homebound instruction shall be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinical psychologist. For students eligible for special education or related services, the Individualized Education Program (**IEP**) committee must revise the IEP, as appropriate. Credit for the work shall be awarded when it is done under the supervision of a licensed teacher **qualified in the relevant subject areas**, ~~a person eligible to hold a Virginia license, or other appropriately licensed professional~~ employed by the local school board, and there is evidence that the instructional time requirements or alternative means of awarding credit adopted by the local school board in accordance with the provisions of 8VAC20-131-110 have been met.

***B. Schools are encouraged to pursue alternative means to deliver instruction to accommodate student needs through virtual courses, emerging technologies, and other similar means.*** Students may enroll in and receive a standard and verified unit of credit for supervised correspondence courses ***virtual courses*** with prior approval of the principal. Standard units of credit shall be awarded for the successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, approved by the local school board. Verified units of credit may be earned when the student has passed the SOL test associated with the correspondence course completed. The local school board shall develop policies governing this method of ***delivery of*** instruction in accordance with ***that shall include*** the provisions of ~~8VAC 20-131-110~~ ***8VAC20-131-110*** and the administration of required SOL tests prescribed by 8VAC20-131-30. ***C. Schools are encouraged to pursue alternative means to deliver instruction to accommodate student needs through emerging technologies and other similar means.*** Standard ***For courses offered for possible high school credit, standard*** units of credit shall be awarded for successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher ***qualified in the relevant subject areas***, or a person eligible to hold a Virginia teaching license and approved by the local school board. Verified units ***A verified unit*** of credit may be earned when the student has successfully completed the requirements and passed the SOL test associated with the course. The local school board shall develop policies governing this method of delivery of instruction that shall include the provisions of ~~8VAC20-131-110~~ and the administration of required SOL tests prescribed by 8VAC20-131-30 ***specified in 8VAC20-131-110.***

8VAC20-131-190

8VAC20-131-190. Library media, materials, and equipment.

A. Each school shall maintain an organized library media center as the resource center of the school and provide a unified program of media services and activities for students and teachers before, during, and after school. The library media center shall contain hard copy, electronic technological resources, materials, and equipment that are sufficient to meet research, inquiry, and reading requirements of the instructional program and general student interest.

B. Each school shall provide a variety of materials, ***resources***, and equipment to support the instructional program.

8VAC20-131-200

8VAC20-131-200. Extracurricular and other school activities; recess.

A. School sponsored extracurricular activities shall be under the direct supervision of the staff and shall contribute to the educational objectives of the school. Extracurricular activities must be organized to avoid interrupting the instructional program. Extracurricular activities shall not be permitted to interfere with the student's required instructional activities. Extracurricular activities and eligibility requirements shall be established and approved by the superintendent and the school board.

B. Competitive sports of a varsity nature (scheduled league games) shall be prohibited as a part of the elementary school program.

C. Each elementary school shall provide students with a daily recess during the regular school year as determined appropriate by the school.

***D. A program of physical fitness shall be available to all students with a goal of at least 150 minutes per week on average during the regular school year. Effective beginning with the 2018-2019 school year, local Local school boards shall provide a program of physical activity for all students in grades kindergarten through 5 consisting of at least 20 minutes per day or an average of 100 minutes per***

*week during the regular school year and available to all students in grades 6 through 12 with a goal of at least 150 minutes per week on average during the regular school year.*

8VAC20-131-210

Part V

School and Instructional Leadership

8VAC20-131-210. Role of the principal.

A. The principal is recognized as the instructional leader ***and manager*** of the school and is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources.:

***1. Fostering the success of all students by facilitating the development, communication, implementation, and evaluation of a shared vision of teaching and learning that leads to student academic progress and school improvement;***

***2. Fostering the success of all students by developing, advocating, and sustaining an academically rigorous, positive, and safe school climate for all stakeholders;***

***3. Fostering effective human resources management by appropriately assigning, selecting, inducting, supporting, evaluating, and retaining quality instructional and support personnel;***

***4. Fostering the success of all students by communicating and collaborating effectively with stakeholders;***

***5. Fostering the success of all students by demonstrating professional standards and ethics, engaging in continuous professional development, and contributing to the profession;***

***6. Providing leadership that results in acceptable, measurable student academic progress based on established standards.***

As a matter of policy, the board, through these standards, recognizes the critically important role of principals to the success of public schools and the students who attend those schools and recommends that local school boards provide principals with the maximum authority available under law in all matters affecting the school, including, but not limited to, instruction and personnel ***instructional leadership, school climate, human resources management, organizational management, communication and community relations, and student academic progress***, in a manner that allows the principal to be held accountable in a fair and consistent manner for matters under his ***the principal's*** direct control.

B. As the instructional leader, the principal is responsible for ensuring that students are provided an opportunity to learn and shall:

1. Protect the academic instructional time from unnecessary interruptions and disruptions and enable the professional teaching staff to spend the maximum time possible in the teaching/learning process by keeping to a minimum clerical responsibility and the time students are out of class ***Lead the collaborative development and sustainment of a student-centered shared vision for educational improvement and work collaboratively with staff, students, parents, and other stakeholders to develop a mission and programs for effective teaching and learning, consistent with the division's strategic plan and school's goals;***

2. Ensure that the school division's student code of conduct is enforced and seek to maintain a safe and secure school environment ***Collaboratively plan, implement, support, monitor, and evaluate instructional programs that enhance teaching and student academic progress, and lead to school improvement;***

3. Analyze the school's test scores annually **current academic achievement data and instructional strategies and monitor and evaluate the use of diagnostic, formative, and summative assessment**, by grade and by discipline, to:

a. Direct **Make appropriate educational decisions to improve classroom instruction, increase student achievement, and improve overall school effectiveness; provide timely and accurate feedback to students and parents and to inform instructional practices; and direct** and require appropriate prevention, intervention, ~~and/or~~ **or** remediation to those students performing below grade level or not **meeting expectations, including** passing the SOL tests;

b. Involve the staff of the school in identifying ~~the types of staff~~ **and evaluating professional** development needed to improve student achievement and **provide professional development opportunities and** ensure that the staff participate in those activities; ~~and~~

c. Analyze **Evaluate and improve** classroom practices and methods for improvement of instruction; **and**

**d. Seek to ensure students' successful attainment of knowledge and skills set forth in the Standards of Learning;**

4. Ensure that students' records are maintained and that criteria used in making placement and promotion decisions, as well as any instructional interventions used to improve the student's performance, are included in the record;

5. Monitor and evaluate the quality of instruction, provide staff development, provide support that is designed to improve instruction, and seek to ensure the successful attainment of the knowledge and skills required for students by the SOL tests; **Protect the academic instructional time from unnecessary interruptions and disruptions and provide collaborative leadership for the design and implementation of effective and efficient schedules that protect and maximize instructional time;**

**6. Involve students, staff, parents, and the community to create and sustain a positive, safe, and healthy learning environment that enforces state, division, and local rules, policies, and procedures and consistently model and collaboratively promote high expectations, mutual respect, care, and concern for students, staff, parents, and the community.**

**7. Create a culture of shared accountability and continuous school improvement;**

**8. Involve students, families, staff, and other stakeholders to promote community engagement;**

~~6-9.~~ **9.** Maintain records of students who drop out of school, including their reasons for dropping out and actions taken to prevent these students from dropping out;

~~7-~~ **10.** Notify the parents of rising eleventh-grade and twelfth-grade students of:

a. The number of standard and verified units of credit required for graduation; and

b. The remaining number of such units of credit the individual student requires for graduation; and

~~8-~~ **11.** Notify the parent or guardian of students removed from class for disciplinary reasons for two or more consecutive days in whole or in part. The school shall have met its obligation if it makes a good faith effort to notify the parent or guardian.

C. As the school manager, the principal shall:

1. **Support, manage, and oversee the school's organization, operation, and use of resources;**

**2. Demonstrate and communicate a knowledge and understanding of Virginia public education rules, regulations, laws, and school division policies and procedures;**

**3. Work with staff to create an atmosphere of mutual respect and courtesy and to facilitate constructive communication by establishing and maintaining a current handbook of personnel policies and procedures;**

**4. Ensure the use of data systems and technology to support goals;**

~~2. Work~~ **5. Disseminate information to staff, parents, and other stakeholders in a timely manner through multiple channels and sources;**

**6. Work** with the community to involve parents and citizens in the educational program ~~and facilitate;~~

**7. Facilitate** communication with parents by maintaining and disseminating a current student handbook of policies and procedures that includes the school division's standards of student conduct and procedures for enforcement, along with other matters of interest to parents and students;

**8. Manage the supervision and research-based evaluation of staff in accordance with local and state requirements;**

~~3. 9.~~ Maintain a current record of licensure, endorsement, **staff's licenses and endorsements to ensure compliance** and in-service training **professional development** completed by staff; ~~and~~

**10. Follow local and state laws and policies with regard to finances, school accountability, and reporting;**

~~4. 11.~~ Maintain records of receipts and disbursements of all funds handled. ~~These records,~~ **which** shall be audited annually by a professional accountant approved by the local school board; ~~;~~ **and**

**12. Ensure the security of all tests administered to students, including those required by the board and the local school division. This includes:**

**a. The requirement that all schools adhere to a policy that prohibits students' **access to cell phones and other electronic devices with texting or camera capabilities to be in the room where a SOL test is being administered during the administration of the SOL tests;****

**b. The requirement that, to the extent possible, the teacher should not administer the SOL test associated with the grade level content or class taught;**

**c. Notification to teachers of the penalties for breaching security on SOL tests, including actions against the teacher's license and civil penalties; and**

**d. Establishment of penalties for students who breach security on SOL tests.**

8VAC20-131-220

8VAC20-131-220. Role of professional teaching staff.

The professional teaching staff shall be responsible for providing instruction that is educationally sound in an atmosphere of mutual respect and courtesy, which is conducive to learning, and in which all students are expected to achieve the objectives of the Standards of Learning for the appropriate grade level or course. The staff shall:

1. Serve as role models for effective oral and written communication with special attention to ~~the correct use of language and spelling~~ **the use of standard English;**

2. Strive to strengthen the basic skills of students in all subjects **and to close any achievement gaps among groups of students in the school;**

**Highlighting** represents changes from the approved Proposed Stage regulations

3. Establish teaching objectives to achieve the following:
    - a. Identify what students are expected to learn; and
    - b. Inform students of the achievement expected and keep them engaged in learning tasks;
  4. Provide for individual differences of students through the use of differentiated instruction, varied materials, and activities suitable to their interests and abilities; and
  5. Assess the progress of students and report promptly and constructively to them and their parents.
- 8VAC20-131-230. Role of support staff.

The school's support staff shall work with the principal and professional teaching staff to promote student achievement and successful attainment of the school's goals.

8VAC20-131-240. Administrative and support staff; staffing requirements.

A. Each school shall have at a minimum the staff as specified in the Standards of Quality with proper licenses and endorsements for the positions they hold.

B. The principal of each middle and secondary school shall be employed on a 12-month basis.

C. Each ***elementary, middle, and*** secondary school ~~with 350 or more students and each middle school with 400 or more students~~ shall employ ~~at least one member of the guidance staff for 11 months~~ ***school counseling staff as prescribed by the Standards of Quality***. ~~Guidance~~ ***School*** counseling shall be provided for students to ensure that a program of studies contributing to the student's academic achievement and meeting the graduation requirements specified in 8VAC20-131-50 is ***this chapter*** being followed.

D. The counseling program for elementary, middle, and secondary schools shall provide a minimum of 60% of the time for each member of the ~~guidance~~ ***school counseling*** staff devoted to counseling of students.

E. ~~The middle school classroom teacher's standard load shall be based on teaching no more than 5/6 of the instructional day with no more than 150 student periods per day or 30 class periods per week. A middle school classroom teacher's standard load shall be based on teaching no more than 5/6 of the instructional day~~ ***minus one planning period per day or the equivalent*** with no more than 150 student periods per day ***students*** or 25 class periods per week. ***If a middle school classroom teacher teaches more than 150 students or 25 class periods per week, an appropriate contractual arrangement and compensation shall be provided.***

F. The secondary classroom teacher's standard load shall be based on teaching no more than 5/6 of the instructional day ***minus one planning period per day or the equivalent*** with no more than 150 student periods per day ***students*** or 25 class periods per week. ~~Teachers of block programs that encompass more than one class period with no more than 120 student periods per day may teach 30 class periods per week. Teachers who teach very small classes may teach 30 class periods per week, provided the teaching load does not exceed 75 student periods per day.~~ If a ***secondary school*** classroom teacher teaches 30 class periods per week with more than 75 student periods per day ***more than 150 students or 25 class periods per week***, an appropriate contractual arrangement and compensation shall be provided.

G. Middle or secondary school teachers shall teach no more than ~~750 student periods~~ ***150 students*** per week; however, physical education and music teachers may teach ~~1,000 student periods~~ ***200 students*** per week. ***If a middle or secondary school physical education or music teacher teaches more than 200 students per week, an appropriate contractual arrangement and compensation shall be provided.***

H. ~~Notwithstanding the provisions of subsections E, F, and G, each~~ ***Each elementary classroom teacher shall be provided at least an average of 30 minutes per day during the students' school week as planning time. Each*** full-time middle and secondary classroom teacher shall be provided one planning period per day or the equivalent, ***as defined in 8VAC20-131-5,*** unencumbered of any teaching or supervisory duties.

I. Staff-student ratios in special ***education*** and career and technical education classrooms shall comply with regulations of the ~~Board of Education~~ ***board.***

J. Student ~~services personnel~~ ***support positions*** as defined in the Standards of Quality shall be available as necessary to promote academic achievement and to provide support services to the ***students in the*** school.

8VAC20-131-250. [Repealed]

## Part VI

### School Facilities and Safety

8VAC20-131-260. School facilities and safety.

A. Each school shall be maintained in a manner ensuring compliance with the Virginia Statewide Building Code (13VAC5-63). In addition, the school administration shall:

1. Maintain a physical plant that is accessible, barrier free, safe, and clean;
2. Provide for the proper outdoor display of flags of the United States and of the Commonwealth of Virginia;
3. Provide suitable space for classrooms, administrative staff, pupil personnel services, library and media services, and for the needs and safety of physical education;
4. Provide adequate, safe, and properly-equipped laboratories to meet the needs of instruction in the sciences, technology, fine arts, and career and technical programs;
5. Provide facilities for the adequate and safe administration and storage of student medications; and
6. Carry out the duties of the threat assessment team established by the division superintendent and implement policies established by the local school board related to threat assessment, pursuant to § 22.1-79.4 of the Code of Virginia.

B. Each school shall maintain records of regular safety, health, and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections shall be determined by the local school board in consultation with the local health and fire departments. In addition, the school administration shall:

1. Equip all exit doors with panic hardware as required by the Virginia Statewide Building Code (13VAC5-63);
2. Conduct ~~a fire drills~~ ***drill*** at least ~~once a week during the first month~~ ***twice during the first 20 days*** of school and ~~conduct~~ ***conduct*** at least ~~once each month~~ ***for two additional fire drills during*** the remainder of the school term. Evacuation routes for students shall be posted in each room; and
3. Conduct ~~at least two simulated lock-down drills and crisis emergency evacuation activities each school year, one in September and one in January~~ ***a lock-down drill at least twice during the first 20 days of school and conduct at least two additional lock-down drills during the remainder of the school term.***

C. Each school shall have contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first aid.

Each school building with instructional or administrative staff of 10 or more shall have at least three employees with current certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator. If one or more students diagnosed as having diabetes attend such school, at least two employees shall have been trained in the administration of insulin and glucagon.

Each school building with instructional or administrative staff fewer than 10 shall have at least two employees with current certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator. If one or more students diagnosed as having diabetes attend such school, at least one employee shall have been trained in the administration of insulin and glucagon.

D. In addition, the school administration shall ensure that the school has:

1. Written procedures to follow in emergencies such as fire, injury, illness, allergic reactions, and violent or threatening behavior. This shall include school board policies for the possession and administration of epinephrine in every school, to be administered by any school nurse, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to any student believed to be having an anaphylactic reaction. The plan shall be outlined in the student handbook and discussed with staff and students during the first week of each school year;
2. Space for the proper care of students who become ill;
3. A written procedure, in accordance with guidelines established by the local school board, for responding to violent, disruptive, or illegal activities by students on school property or during a school sponsored activity; and
4. Written procedures to follow for the safe evacuation of persons with special physical, medical, or language needs who may need assistance to exit a facility.

## Part VII

### School and Community Communications

8VAC20-131-270. School and community communications.

A. Each school shall promote communication and foster mutual understanding with parents and the community. Each school shall:

1. Involve parents, citizens, community agencies, and representatives from business and industry in developing, disseminating, and explaining the biennial school plan; on advisory committees; in curriculum studies; and in evaluating the educational program.
2. Provide annually to the parents and the community the School ~~Performance Report Card~~ **Quality Profile** in a manner prescribed by the board. ~~The information contained therein will be~~ **School Quality Profile shall include designated information** for the most recent three-year period. Such information shall **be designated by the board to** include but not be limited to **indicators of the following: accountability, assessments, enrollment and demographics, college and career readiness, finance, learning environment, and teacher quality. Specific indicators shall include:**
  - a. Virginia assessment program **Assessment Program** results by percentage of participation and proficiency and disaggregated by student subgroups **reporting groups**.
  - b. ~~The accreditation rating earned by the school~~ **Accreditation status**.

c. Attendance ~~rates~~ **and absenteeism** for students.

d. Information related to school safety to include, ~~but not limited to,~~ incidents of crime and violence.

e. Information related to qualifications and educational attainment of the teaching staff.

f. In addition, secondary schools' School ~~Performance Report Cards~~ **Quality Profiles** shall include the following:

(1) Advanced Placement (AP) information to include percentage of students who take AP courses and percentage of students who take AP tests;

(2) International Baccalaureate (IB) and Cambridge course information to include percentage of students who are enrolled in IB or Cambridge programs and percentage of students who receive IB or Cambridge Diplomas;

(3) College-level course information to include percentage of students who take college-level courses including dual enrollment courses;

(4) Number and percentage of (i) graduates by diploma type as prescribed by the ~~Board of Education~~ **board**, (ii) certificates awarded to the senior class including high school equivalency preparation program credentials approved by the board, and (iii) students who do not complete high school;

(5) As a separate category on the ~~school report card~~ **School Quality Profile**, the number of students obtaining board-approved industry certifications, and passing state licensure examinations, national occupational competency assessments and Virginia workplace readiness skills assessments while still in high school and the number of career and technical education completers who graduated; and

(6) Number and percentage of ~~drop-outs~~ **dropouts**.

3. Cooperate with business and industry in formulating career and technical educational programs and conducting joint enterprises involving personnel, facilities, training programs, and other resources.

4. Encourage and support the establishment ~~and/or~~ **or** continuation of a parent-teacher association or other organization and work cooperatively with it.

B. At the beginning of each school year, each school shall provide to its students' parents or guardians information on the availability of and source for receiving:

1. The learning objectives developed in accordance with the provisions of 8VAC20-131-70 to be achieved at their child's grade level or, in high school, a copy of the syllabus for each of their child's courses, and ~~a copy of the school division promotion, retention, and~~ **a copy of the school division promotion, retention, and** remediation policies;

2. The Standards of Learning applicable to the child's grade or course requirements and the approximate date and potential impact of the child's next SOL testing; and

3. An annual notice to students in all grade levels of all requirements for Standard Diploma and Advanced Studies Diploma, and the board's policies on promotion and retention as outlined in 8VAC20-131-30.

The division superintendent shall report to the department compliance with this subsection ~~through the preaccreditation eligibility procedures in 8VAC20-131-290~~ **as required by 8VAC20-131-390 A.**

~~Part VIII~~  
~~School Accreditation~~

8VAC20-131-280. ~~Expectations for school accountability. *(Repealed.)*~~

~~A. Schools will be accredited annually based on compliance with preaccreditation eligibility requirements and achievement of the school accountability requirements of 8VAC20-131-300 C.~~

~~B. Each school shall be accredited based, primarily, on achievement of the criteria established in 8VAC20-131-30 and in 8VAC20-131-50 as specified below:~~

~~1. The percentage of students passing the Virginia assessment program tests in the four core academic areas administered in the school with the accreditation rating calculated on a trailing three-year average that includes the current year scores and the scores from the two most recent years in each applicable academic area, or on the current year's scores, whichever is higher.~~

~~2. The percentage of students graduating from or completing high school based on a graduation and completion index prescribed by the Board of Education. The accreditation rating of any school with a twelfth grade shall be determined based on achievement of required SOL pass rates and percentage points on the board's graduation and completion index. School accreditation shall be determined by the school's current year index points or a trailing three-year average of index points that includes the current year and the two most recent years, whichever is higher. The Board of Education's graduation and completion index shall include weighted points for diploma graduates (100 points), recipients of high school equivalency credentials approved by the board (75 points), students not graduating but still in school (70 points), and students earning certificates of program completion (25 points).~~

~~The graduation and completion index calculation for a school shall be increased by three points for each student who obtains both a diploma and an industry certification, industry pathway certification, a state licensure, or an occupational competency credential in a career and technical education program, when such certification, licensure, or credential is approved by the Board of Education as student selected verified credit; however, the additional three points shall not be used to obtain a higher accreditation rating.~~

~~The Board of Education's graduation and completion index shall account for all students in the graduating class's ninth-grade cohort, plus students transferring in, minus students transferring out, deceased students, and students who fail to graduate because they are in the custody of the Department of Corrections, the Department of Juvenile Justice, or local law enforcement. Those students who are not included in one of the preceding categories will also be included in the index.~~

~~For the purposes of the Standards of Accreditation, the Board of Education shall use a graduation rate formula that excludes any student who fails to graduate because such student is in the custody of the Department of Corrections, the Department of Juvenile Justice, or local law enforcement.~~

~~3. The number of students who successfully complete a remediation recovery program.~~

~~4. Schools, with grade configurations that do not house a grade or offer courses for which SOL tests or additional tests approved by the Board of Education as outlined in 8VAC20-131-110 are administered, 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.~~

~~C. Subject to the provisions of 8VAC20-131-350, 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 of Education. Schools offering alternative education programs and 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.

In addition, pursuant to § 22.1-253.13:3 of the Code of Virginia, any school board, on behalf of one or more of its schools, may request the Board of Education for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for special purpose schools.

D. When calculating the passing rates on Virginia assessment program tests for the purpose of school accreditation, the following tolerances for limited English proficient (LEP) and transfer students will apply:

1. The scores of LEP students enrolled in Virginia public schools fewer than 11 semesters may be removed from the calculation used for the purpose of school accreditation required by subsection B of this section and 8VAC20-131-300 C. 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 accreditation rating. 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 school accreditation ratings.

4. Students who transfer into a Virginia middle or high school from home instruction, or from 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 8VAC20-131-110. 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 school accreditation ratings 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% 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 calculating the school accreditation rating in the year in which the transfers occur.

E. The Board of Education may adopt special provisions related to the administration and use of any Virginia assessment program test in a content area. The Board of Education may adopt special provisions related to the administration and use of the graduation and completion index, as prescribed by the board. The Board of Education may also alter the inclusions and exclusions from the accreditation calculations by providing adequate notice to local school boards. The board may add new tests or discontinue the use of existing tests in the Virginia Assessment Program by providing adequate notice to local school boards.

~~F. As a prerequisite to the awarding of an accreditation rating as defined in 8VAC20-131-300, each new or existing school shall document, in a manner prescribed by the board, the following: (i) the division's promotion/retention policies developed in accordance with the requirements of 8VAC20-131-30, (ii) compliance with the requirements to offer courses that will allow students to complete the graduation requirements in 8VAC20-131-50, (iii) the ability to offer the instructional program prescribed in 8VAC20-131-70 through 8VAC20-131-100, (iv) the leadership and staffing requirements of 8VAC20-131-210 through 8VAC20-131-240, and (v) the facilities and safety provisions of 8VAC20-131-260. The division superintendent shall report to the department compliance with this subsection through the preaccreditation eligibility procedures in 8VAC20-131-290.~~

8VAC20-131-290. Procedures for certifying accreditation eligibility. *(Repealed.)*

~~A. Schools will be accredited under these standards annually based, in part, on compliance with the preaccreditation eligibility requirements described in 8VAC20-131-280 F.~~

~~B. To be eligible for accreditation, the principal of each school and the division superintendent shall report to the Department of Education:~~

~~1. The extent to which each school continues to meet standards reported as met in the previous year described in 8VAC20-131-280 F.~~

~~2. That 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. This shall be certified by each school division superintendent as part of the preaccreditation eligibility determination process.~~

~~3. Actions taken to correct any noncompliance issues cited in the previous year.~~

~~4. Compliance with 8VAC20-131-270 B.~~

~~The principal of each school and the division superintendent shall submit preaccreditation eligibility reports in a manner prescribed by the board to the Department of Education. Failure to submit the reports on time will constitute grounds for denying accreditation to the school.~~

~~C. In keeping with provisions of the Standards of Quality, and in conjunction with the long range comprehensive plan of the division, each school shall prepare and implement a biennial school plan which shall be available to students, parents, staff, and the public. Each biennial school plan shall be evaluated as part of the development of the next biennial plan. Schools may use other plans to satisfy the requirement for the biennial plan with prior written approval from the Department of Education.~~

~~D. With the approval of the local school board, local 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.~~

Except as specified below, the board may grant, for a period 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. Waivers of requirements in 8VAC20-131-30, 8VAC20-131-50, 8VAC20-131-70, and 8VAC20-131-280 through 8VAC20-131-340 shall not be granted, and no waiver may be approved for a program which would violate the provisions of the Standards of Quality.

8VAC20-131-300. Application of the standards. *(Repealed.)*

A. Effective no later than the academic year 2016-2017, schools that meet the preaccreditation eligibility requirements prescribed in 8VAC20-131-280 F shall be assigned one of the following ratings as described in this section:

1. Fully Accredited

2. Conditionally Accredited: New School

3. Partially Accredited according to criteria in one or more of the following categories:

a. Approaching Benchmark within specified margins

(1) Graduation and Completion Index

(2) Pass Rate

b. Improving School meets criteria for improvement over previous year or for student growth

(1) Graduation and Completion Index

(2) Pass Rate

c. Warned School

(1) Graduation and Completion Index

(2) Pass Rate

d. Reconstituted School

4. Accreditation Denied

B. Compliance with the student academic achievement expectations shall be documented to the board directly through the reporting of the results of student performance on SOL tests and other alternative means of assessing student academic achievement as outlined in 8VAC20-131-110. To facilitate accurate reporting of the graduation and completion index, the State Testing Identifier (STI) for students who transfer into a Virginia public school from another Virginia public school shall be retained by the receiving school. Compliance with other provisions of these regulations will be documented in accordance with procedures prescribed by the Board of Education.

C. Accreditation ratings defined. Accreditation ratings awarded in an academic year are based upon Virginia assessment program scores from the academic year immediately prior to the year to which the accreditation rating applies and on graduation and completion indexes (for schools with twelfth grade) established for the current year. Effective no later than the academic year 2016-2017, accreditation ratings are defined as follows:

1. Fully Accredited:

a. A school will be rated Fully Accredited when its eligible students meet the pass rate of 75% in English and the pass rate of 70% in mathematics, science, and history and social science. Additionally, each school with a graduating class shall achieve a minimum of 85 percentage points on the Board of Education's graduation and completion index, as described in 8VAC20-131-280 B 2, to be rated Fully Accredited.

b. For accreditation purposes, the pass rate will be calculated as single rates for each of the four core academic areas by combining all scores of all tests administered in each subject area.

2. Conditionally Accredited: New School. New schools that are comprised of students from one or more existing schools in the division will be awarded a Conditionally Accredited: New School status for one year pending an evaluation of the school's eligible students' performance on SOL tests or additional tests approved by the Board of Education to be rated Fully Accredited.

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.

e. 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 Identifying 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 encompassing 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 (P.L. 114-95, as amended) and the Individuals with Disabilities Education Act (20 USC § 1400 et seq.); and

4. The state accreditation provisions for schools and school divisions as presented in this part.

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 this part. School quality indicators include student academic outcomes and other factors that 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.

B. Specific indicators designated by the board for accreditation purposes and defined in subsection F of this section include 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 and writing), mathematics, and English learner (EL) 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.

C. 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 EL and transfer students shall 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 another 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% 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.

D. 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.

The board may incorporate additional indicators of school quality used for accreditation into this chapter according to the criteria in subsection A of this section, provided that when the board

incorporates additional indicators, the board shall also establish performance benchmarks to assign performance levels.

E. Performance levels. Performance levels on school quality indicators are determined through the definition and application of board-established benchmarks. Performance levels shall be designated for each indicator as one of the following: (i) Level One: At or Above Standard; (ii) Level Two: Near Standard; or (iii) 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 that either represent: (i) achievement near Level One or (ii) improvement from Level Three: Below Standard, within a specified range.

A school quality indicator within the Level Two: Near Standard range that 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 C 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 D, which shall include specific interventions and strategies.

F. School quality indicators for accreditation purposes. Effective with the 2018-2019 school year, the board shall measure performance levels on the school quality indicators and apply them to accreditation, except as provided in 8VAC20-131-390 B 1 for the 2018-2019 school year. As described in 8VAC20-131-390 B, the year 2018-2019 shall 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 in this subdivision:

<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 shall be calculated based on the rate of (i) students who passed board-approved assessments, (ii) any additional students who showed growth using board-approved measures, and (iii) any</u>	<p><u>Level One: Schools with a current year or three-year average rate of at least 75%, or schools that were at Level Two the prior year and decrease the failure rate by 10% 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%, or schools with a prior year rate of at least 50% that decrease the failure rate by 10% or more from the prior year. A school</u></p>

Highlighting represents changes from the approved Proposed Stage regulations

<p><u>additional students who are English learners who showed growth toward English proficiency using board-approved measures.</u></p>	<p><u>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 shall be calculated based on the rate of (i) students who passed board-approved assessments and (ii) 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%, or schools that were at Level Two the prior year and decrease the failure rate by 10% 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%, or schools with a prior year rate of at least 50% that decrease the failure rate by 10% 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 <b>science</b>: the academic indicator shall 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%, or schools that were at Level Two the prior year and decrease the failure rate by 10% 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%, or schools with a prior year rate of at least 50% and decrease the failure rate by 10% 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, as provided in subdivision F 1 a of this subsection.</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</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</u></p>

<p><u>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 students, as provided in subdivision F 1 b of this subsection.</u></p>	<p><u>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>f. Graduation and completion index (GCI) for schools with a graduating class: The GCI is <b>the percentage</b> 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% 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% 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 6.0%, or schools that were at Level Two the prior year and decrease the rate by 10% 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 9.0%, or schools that were at Level Three the prior year and decrease the rate by 10% 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 10% 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%, or schools that were at Level Two the prior year and decrease the rate by 10% 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%, or schools that were at Level Three the prior year and decrease the rate by 10% 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</u></p>

<p><u><i>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-based and service-based learning.</i></u></p> <p><u><i>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.</i></u></p>	<p><u><i>performance.</i></u></p> <p><u><i>Level One: Schools with a current year index of at least 85.</i></u></p> <p><u><i>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.</i></u></p> <p><u><i>Level Three: Schools not meeting Level One or Level Two performance.</i></u></p>
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*2. To focus on continuous improvement for all schools, the benchmarks delineating the performance levels provided in subdivision 1 of this subsection may be adjusted as provided in subsection D of this section, 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 SOL tests 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 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 of this section, provided that when the board incorporates additional indicators, the board shall also establish performance benchmarks to assign performance levels.*

*G. 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 shall 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 shall be made upon the recommendation of the division 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 this chapter.

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 and retention policies have been developed in accordance with the requirements of 8VAC20-131-30;
2. Compliance with the requirements to offer courses that shall 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 Standards of Learning have been fully incorporated into the school division's curriculum in all accreditation-eligible schools, and the Standards of Learning 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 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 of this section 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 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 D, it may be designated by the board as "Accreditation Denied" as provided in 8VAC20-131-400 D 4.

C. Any school in violation of this chapter shall be subject to appropriate action by the board including withholding the school's accreditation rating.

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 multi-year 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.

A. 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 prescribed in subsections B, C, and D of this section.

B. 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.

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

In developing such plan, the school and its school division shall determine the issues and conditions that 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** and revise the multi-year school improvement plan **that addresses to address** 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 indicators 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 F 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.

D. 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 that are likely contributing to the school's performance on the indicator and 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 that are at Level Three.

a. Considerations for the level of direction and intervention from the department include:

(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 indicators 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 that 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 indicators, 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 and is making adequate and timely progress in implementing the plan. 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 of Public Instruction 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 of the Code of Virginia, 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 of the Code of Virginia, 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 enrollment 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 the board 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 in this section, the board may grant, for a period of up to five years, a waiver of requirements of this chapter 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 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 that violates the Standards of Quality.

B. Waivers of some of the requirements of this chapter 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 need for the waiver. In no event shall waivers be granted to the requirements of Part III (8VAC20-131-30 et seq.) of this chapter except that the board may provide for the waiver of certain graduation requirements in 8VAC20-131-50 and 8VAC20-131-51 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 this chapter.

Any student with a disability whose Individualized Education Program (IEP) or 504 Plan documents that the student 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 8VAC20-31-50 B 2 and C 2 and 8VAC20-131-51 B 2 and C 2 shall be granted a waiver from this graduation requirement.

C. Waivers for innovative 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 this chapter shall submit a waiver request to the board for evaluation and approval prior to implementation. The request must include the following:

1. Purpose and objectives of the experimental or 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 of this section, 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 B 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 C 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 shall be made no later than the 2021-2022 school year .

E. Unless otherwise specified, the remainder of this chapter shall become effective beginning with the 2018-2019 academic year.



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## Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Education
<b>Virginia Administrative Code (VAC) citation(s)</b>	<u>8VAC20-131</u>
<b>Regulation title(s)</b>	<i>Regulations Establishing the Standards for Accrediting Public Schools in Virginia</i>
<b>Action title</b>	Comprehensive review of the Standards of Accreditation
<b>Date this document prepared</b>	November 7, 2017

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The Board of Education's vision is to create a high quality statewide system of public education that prepares all students for success in the twenty-first century workplace, for realization of personal goals, and for responsible contributions to the quality of civic life in our state, nation, and the world. The system of accountability is reflected in the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia*, or more commonly referred to as the Standards of Accreditation (SOA).

The proposed amendments to the SOA provide for the implementation of the *Profile of a Virginia Graduate* as required by the 2016 General Assembly (HB 895, SB 336), and a new school accreditation system designed to provide a comprehensive picture of school quality, drive continuous improvement, build on the strengths in the existing accreditation system, and inform areas of technical assistance and support to schools. The amendments also further policy changes identified by the Board as part of its comprehensive review. Proposed changes identified by the Board include the following:

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1. Revising the philosophy and goals to reflect expectations for preparation of a Virginia public school graduate; recognition of multiple areas affecting school quality; and provision of continuous school improvement and school support.
2. Expanding the use of performance assessments and reducing the number of credits verified by Standards of Learning tests to satisfy graduation requirements.
3. Increasing the emphasis on internships and work-based learning experiences.
4. Increasing career exposure, exploration, and planning in elementary, middle, and high school.
5. Emphasizing critical thinking, creative thinking, collaboration, communication, and citizenship (the five Cs)
6. Implementing the *Profile of a Virginia Graduate*.
7. Reflecting changes in the School Quality Profile.
8. Establishing a new school accreditation system that measures school quality through multiple indicators and the designation of performance levels each indicator.

### Acronyms and Definitions

*Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.*

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The "**Five Cs**" refer to critical thinking, creative thinking, collaboration, communication and citizenship. These are five foundational skills that students will be expected to acquire and demonstrate to obtain a Standard or Advanced Studies diploma, in accordance with the *Profile of a Virginia Graduate*.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.*

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The Board of Education [is reviewing] the final stage of the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia* on November 16, 2017.

### Legal basis

*Please identify the (1) the agency (includes any type of promulgating entity) and (2) the state and/or federal legal authority for the proposed regulatory action, including the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable. Your citation should include a specific provision, if any, authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

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The Board of Education is the promulgating entity.

The statutory authority for these regulations is provided by §§ 22.1-16 and 22.1-253.13:3 of the *Code of Virginia*. In addition, Chapter 720 and Chapter 750, *2016 Acts of Assembly*, directed the Board of Education to promulgate regulation to implement the *Profile of a Virginia Graduate* and associated revised graduation requirements. The legislation further directed the Board to submit final regulations to the Registrar of Regulations no later than December 1, 2017. Such regulations are incorporated into this regulatory action.

Section 22.1-16 of the *Code of Virginia* provides:

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The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title.

Section 22.1-253.13:3 provides, in part:

A. 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 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, requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia...

Chapters 720 and 750 of the *2016 Acts of Assembly* amended § 22.1-253.13:4 of the *Code of Virginia* to state, in part:

D. In establishing graduation requirements, the Board shall:

1. Develop and implement, in consultation with stakeholders representing elementary and secondary education, higher education, and business and industry in the Commonwealth and including parents, policymakers, and community leaders in the Commonwealth, a Profile of a Virginia Graduate that identifies the knowledge and skills that students should attain during high school in order to be successful contributors to the economy of the Commonwealth, giving due consideration to critical thinking, creative thinking, collaboration, communication, and citizenship.
2. Emphasize the development of core skill sets in the early years of high school.
3. Establish multiple paths toward college and career readiness for students to follow in the later years of high school. Each such pathway shall include opportunities for internships, externships, and credentialing.
4. Provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation requirements, which shall include Standards of Learning testing, as necessary...

Enactment clause 6 of Chapter 720 and enactment clause 5 of Chapter 750 of the *2016 Acts of Assembly* states:

That no later than December 1, 2017, the Board of Education shall submit to the Registrar of Regulations final regulations to establish graduation requirements pursuant to the provisions of subdivisions D 1, 2, and 3 of § 22.1-253.13:4 of the Code of Virginia, as amended by this act.

## Purpose

*Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Describe the specific reasons the regulation is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.*

These regulations provide the foundation for the provision of a quality public education within a system of school accountability and continuous improvement. They are intended to:

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1. Provide an essential foundation of educational programs of high quality in all schools for all students.
2. Encourage and promote school quality in multiple indicators and acknowledge achievement and continuous improvements by schools and school divisions.
3. Foster public confidence that graduating students have mastered multiple areas of learning to include academic subjects, workplace skills, career exploration and planning, and civic and community responsibility; that is, that they are college-, career-, and citizenship-ready.
4. Assure recognition of Virginia's public schools by other institutions of learning.
5. Establish the means of determining the effectiveness of schools as prescribed in the Standards of Quality at § 22.1-253.13:3 of the *Code of Virginia*, including student learning and progress and student outcomes for multiple areas affecting school quality.
6. Identify the specific areas to be addressed by school divisions in order to achieve accreditation standards, as well as the technical assistance to be provided by the Virginia Department of Education.

## Substance

*Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both.*

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### **Part I. Definitions**

Many definitions have been added or revised in the proposed SOA. Several of these amendments provide additional clarification, for example, how minimum instructional and planning time are calculated. Others implement changes, such as standard and verified unit of credit requirements and how they may be earned. Other changes provide consistent definitions for English learner, and reporting group.

Definitions for obsolete terms have been deleted. In addition, technical edits have been made throughout the definitions.

The purpose of the regulations has been expanded to include the promotion of school quality and continuous improvement of schools and school divisions. A new provision specifies that the SOA establishes the foundation of a high quality public education within a system of accountability and continual improvement.

### **Part II. Philosophy, Goals, and Objectives**

The philosophy, goals, and objectives of the regulations have been expanded to address factors affecting school quality and continual improvement and overall goals and objectives for student learning, achievement, and preparation.

Student preparation is expected to include exploration and understanding of the opportunities that exist after high school and development of knowledge and abilities needed for the next phase of their life as an adult. Student preparation is also expected to encompass mastery of creative and critical thinking, analysis and problem solving, and the development of personal attributes, such as communication and collaboration skills, dependability, and persistence.

Philosophy, goals and objectives for schools are expected to reflect the means by which Standards of Learning and the SOA are met.

The Board's objective is to provide an educational foundation to ensure that students are ready for success in a global economy. The Board recognizes stakeholder concerns that students need to be

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prepared not only in content knowledge, but also in skills, such as critical thinking, creative thinking, communication, collaboration, and citizenship (the five Cs). Expectations are added for students, as they progress through the public education system, to achieve and apply certain knowledge, skills, qualities, and behaviors related to academic content and technology, and workplace and civic readiness. As students' progress through elementary, middle, and secondary schools, it is expected that they will be prepared to be college-, career-, and citizenship-ready at the end of their public school journey.

### Part III. Student Achievement

Part III includes those sections which address student achievement expectations, graduation requirements, and graduation requirements and waivers for transfer students. This part now requires the school superintendent to certify that the division's policy for dropping courses ensures that students' course schedules are not changed to avoid taking an end-of-course Standards of Learning test. In addition, students no longer will be required to take an end-of course SOL test in an academic subject after they have earned the number of verified credits required for that academic content area for graduation unless the test is required to meet federal requirements.

Significant changes are made to the graduation requirements for those students who will enroll in the ninth grade as of the 2018-2019 school year. Two separate sections specify the changes in requirements for high school students for those enrolled in the ninth grade prior to the 2018-2019 school year and those enrolled in the ninth grade as of the 2018-2019 school year.

For students who enroll in the ninth grade as of the 2018-2019 school year, the number of verified credits required for the Standard and Advanced Studies Diplomas have been reduced to five, and students will be expected to demonstrate competency in each of: critical thinking, creative thinking, communication, collaboration, and citizenship. Additional methods of achieving a verified credit are also established, including the use of authentic performance assessments in history/social science and English (writing), and expansion of the locally awarded verified credit option to include all four core academic areas. For students who transfer into Virginia public schools, amendments clarify whether the existing or proposed graduation requirements will be applicable.

### Part IV. School Instructional Program

Part IV includes sections referencing instructional programs, standard and verified units of credit, college and career preparatory programs, and standard school year and school day. Language has been added to reflect the Standards of Quality instructional requirements, to reference the *Profile of a Virginia Graduate* and instructional programs, college and career readiness, and critical thinking, creative thinking, collaboration, communication, and citizenship.

Career knowledge and exploration is expanded in the proposed regulations and begins in earlier grades. Beginning in elementary school, development of academic and career planning portfolios are to be established and maintained for each student to document career interests, and to be used to develop the academic and career plan in the seventh grade. All middle school students would be required to complete a career investigation course, or an equivalent alternative, that will be used as the foundation to develop academic and career plans. High schools would be required to provide opportunities for students to participate in work experiences such as internships, externships, and other work-based learning experiences.

### Part V. School and Instructional Leadership

Significant language has been included to clarify and expand the role of the principal and to clearly present professional expectations. The principal is expected to foster the success of all students and provide leadership that results in acceptable, measurable, student academic progress based on established standards. In addition, language has been added to reflect the Standards of Quality

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instructional requirements, to reference the *Profile of a Virginia Graduate* and instructional programs, as well as college-, career-, and citizenship-readiness.

### **Part VI. School Facilities and Safety**

This section addresses school communications and safety. Language in this part has been revised per state requirements to require a fire drill at least twice during the first 20 school days and two additional fire drills during the remainder of the school term. School divisions also must conduct a lock-down drill at least twice during the first 20 school days and at least two additional lock-down drills during the remainder of the school term. The requirements fall outside of the parameters of the Virginia Department of Education and have been required to ensure the safety of school students and staff.

### **Part VII. School and Community Communications**

This part includes those regulations which address school and community communications. The School Performance Report Card is now referred to as the School Quality Profile. In addition, the regulation specifies certain indicators to be included in that profile, including accreditation status and absenteeism. These changes give the stakeholders a more complete picture as to how the schools and school divisions are performing.

### **Part VIII. School Accreditation**

In this part, new language establishes the principles and purpose of the school accountability system and accreditation, and describes its components. The proposed school accreditation system is established, which will use multiple indicators of school quality. The indicators include measures of academic achievement, achievement gaps among student subgroups, graduation and completion, dropout rates, chronic absenteeism, and college, career, and civic readiness. Performance levels are established for each school quality indicator, as Level One, Two, or Three. Annually, performance levels will be designated for each school quality indicator in each school.

A school will be required to take actions corresponding with each performance level in each school quality indicator. These actions establish expectations for schools to develop and implement plans for improving performance in school quality indicators. A series of more intensive actions are established, including state interventions, for school quality indicators at Level Three, which represents below standard performance.

Each school will receive an accreditation status of “Accredited,” “Accredited with Conditions,” or “Accreditation Denied.” A school will be designated “Accredited with Conditions” if it has any school quality indicators at Level Three. A school will be designated “Accreditation Denied” if it has been designated “Accredited with Conditions” and fails to adopt and implement corrective action plans with fidelity.

The proposed language also permits the Board to designate and recognize schools for exemplar performance in school quality indicators, including recognition for high performance among specific peer school categories, such as schools with high levels of poverty.

Part VIII also establishes that the regulations, unless otherwise noted, will be effective for the 2018-2019 school year.

## **Issues**

*Please identify the issues associated with the proposed regulatory action, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the*

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agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please indicate.

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These regulations will positively impact the public, private citizens, school divisions, students, parents, school staff, and other constituents.

The advantage of these regulations to the Commonwealth include:

- Ensuring all students are prepared for success in the twenty-first century workplace, for realization of personal goals, and for responsible contributions to the quality of civic life in our state, nation, and the world.
- Implementing the *Profile of a Virginia Graduate*, to ensure that students not only acquire content knowledge, but also skills needed for success in employment and further education including: critical thinking, creative thinking, communication, collaboration, and citizenship.
- Supporting students with additional career exploration and planning opportunities.
- Providing an accountability system that will provide a comprehensive picture of school quality for the public, and drive continuous improvement for all schools, including state assistance for low performing schools.

These regulations do not present any disadvantages to the public or the commonwealth.

### Requirements more restrictive than federal

*Please identify and describe any requirement of the proposal which is more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.*

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The *Every Student Succeeds Act of 2015* (ESSA) was signed into law on December 10, 2015. The new law replaces the *No Child Left Behind Act of 2001* (NCLB). Under ESSA, states will develop new federal accountability systems during the 2016-2017 year, to be implemented during the 2018-2019 school year. That reauthorization presented Virginia with an opportunity to align federal requirements with state requirements.

### Localities particularly affected

*Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.*

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All 132 school divisions would be affected. It is not expected that any school division would incur a disproportionate material impact.

### Family impact

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*Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

In 2014 the Board committed to conducting a comprehensive review and revision of these regulations which govern student achievement and graduation requirements. Since that time, the Board has conducted public hearings, met with stakeholders, and received public comment to best determine how to revise these standards to create a quality statewide system of public education that prepares all students for success in the twenty-first century workplace, for realization of personal goals, and for responsible contributions to the quality of civic life in our state, nation, and the world.

This regulatory action will positively impact the families in Virginia by encouraging economic self-sufficiency and the assumption of self-responsibility. During the 2016 legislative session, the Governor and the General Assembly supported the development of a *Profile of a Virginia Graduate* (Profile) through the introduction and adoption of legislation which directed the Board to redefine the expectations of high school graduates in the Commonwealth. HB 895 (Greason) and SB 336 (Miller) amended § 22.1-253.13:4.D of the *Code of Virginia* to require the Board to develop and implement, in consultation with stakeholders representing elementary and secondary education, higher education, business and industry, parents, policymakers, and community leaders in the Commonwealth, a *Profile of a Virginia Graduate* that identifies the knowledge and skills that students should attain during high school in order to be successful contributors to the economy of the Commonwealth, giving due consideration to critical thinking, creative thinking, collaboration, communication, and citizenship (known as the 5 Cs). The *Profile* has been developed by the Board of Education to describe the knowledge, skills, competencies, and experiences students should attain during their K-12 education to make them college-, career-, and citizenship-ready.

In addition, proposed changes to the accreditation system will provide a more comprehensive picture of school quality and state support to schools. This will help identify areas of weakness in schools that are currently not recognized, and direct appropriate assistance to such schools.

**Changes made since the proposed stage**

*Please list all changes that made to the text since the proposed regulation was published in the Virginia Register of Regulations and the rationale for the changes; explain the new requirements and what they mean rather than merely quoting the proposed text of the regulation. \*Please put an asterisk next to any substantive changes.*

<b>Section number</b>	<b>Requirement at proposed stage</b>	<b>What has changed</b>	<b>Rationale for change</b>
*Section 5	Student growth is referenced in Section 380.F.1.	Definition added for "growth" and "student growth."	Establishes that the term refers to student level progress, as opposed to school level improvement.
*Section 5	Recess is described as a student's break from instruction.	Clarified that recess is a break from "structured classroom" instruction.	Provides additional direction as to the intent of recess.
*Section 10	Part of the mission of public education system is	"Private life" changed to "life."	The mission should impact a student's whole

	to equip students for an informed and successful private life.		life – not just his or her private life.
*Section 51.A	Pathways to a Standard or Advanced Diploma shall provide opportunities for work-based learning in accordance with department guidelines.	Eliminated “in accordance with department guidelines.”  Adds language to clarify that work-based learning opportunities provided may include, but not to be limited to, internships, externships, credentialing, and blended learning.	To allow school divisions to establish innovative approaches toward graduation pathways and work-based learning.
*Section 51.B.2 and C.2	Courses used to satisfy English (reading and writing) standard credit requirements for a Standard diploma or Advanced Studies diploma shall be approved by the Board of Education.	Eliminated the requirement that the Board approve English courses used to satisfy diploma requirements.	Board approval has never been required for English courses used to satisfy graduation requirements. This was inadvertently added to Section 51 when the footnotes from the diploma requirements in Section 50 were reorganized into the new diploma requirements in Section 51. Board approval will still be required for courses used to satisfy mathematics, science, and history and social science courses.
*Section 51.C.2	Students seeking an Advanced Studies diploma must receive three standard credits in electives.	At least two of these electives must be sequential elective courses.	This is a requirement of <i>Va. Code</i> §22.1-253.13:4.D.5, as amended by HB 895/SB 336 (2016). It was inadvertently not included at the proposed stage.
Section 60.G.2.b	Establishes diploma requirements for students seeking an Advanced Studies diploma who transferred into a Virginia school in the ninth grade	Clarifies that the requirements apply to both those transferring “at the beginning of” as well as those transferring during the ninth grade, consistent with the requirements for the Standard diploma in subsection G.1.b.	Technical edit.
Section 90.A	School divisions may use alternate means to deliver the career investigative course content, provided it is equivalent in content and rigor and provides the <u>foundation students</u> to develop their academic and career plans.	Inserted “for” between “foundation students.”	Technical edit.

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*Section 100.A.5	Secondary schools are required to provide opportunities to participate in internships, externships, and other work-based learning experiences, and <u>to attaining</u> workforce and career readiness and industry credentials.	Adds language to clarify that work-based learning opportunities provided may include, but not to be limited to, internships, externships, credentialing, and blended learning.  "to attaining" changed "to attain"	Establishes that school divisions shall have flexibility to determine how to provide these opportunities.  Technical edit.
Section 110.C.3	Establishes the types of tests that may be considered as substitute tests for verified credit.	Inserts a missing comma.	Technical edit.
Section 110.B	A verified credit is a credit awarded for a course in which a student earns a standard unit of credit.	Added "and completes one of the following" to refer to the list of requirements that follows.	Technical edit.
*Section 140.C.2	Academic and career plans should be developed for each student by the end of seventh grade.	Academic and career plans should be developed for each student by the end of the fall semester in the eighth grade.	Provides schools flexibility to offer the career investigations course content in the first half of the eighth grade year if necessary, as it provides the foundation for the academic and career plan.
*Section 180.A and B	Credit for coursework completed through home instruction shall be awarded when it is completed under the supervision of a licensed teacher, a person eligible for a Virginia license, or other appropriately licensed personnel employed by the school board, and there is evidence that the credit requirements have been met.	Eliminated "person eligible for a Virginia license, or other appropriately licensed personnel," as qualified individuals to supervise home instruction.  Added requirement for such teacher to be licensed in the relevant area.	<i>Va. Code</i> § 22.1-253.13:2.B requires school boards to employ licensed instructional personnel qualified in the relevant areas.  <i>Va. Code</i> § 22.1-199 requires teachers employed by a school board or paid with public funds to be licensed.
*Section 200.D	A program of physical fitness shall be available to all students with a goal of at least 150 minutes per week on average during the regular school year. Effective with the 2018-19 year, physical activity is mandated for 100 minutes per week in grades K-5, and to be made available to other grades.	Eliminated sentence referring to a program of physical fitness.  Eliminated effective date language for physical activity.	Physical fitness program requirements are addressed in 8VAC131-80 and 90. Also incorporates new language from SB211 (2016).  Effective date language unnecessary because it is duplicative of the entire regulation's

			effective date.
*Section 210.C.12.a	Principals are required to ensure test security, in part by implementing a policy prohibiting student cell phones or other electronic devices with text and camera functions from being in the room where the SOL test is administered.	Amended to prohibit students from having access to cell phones or other devices during test administration, rather than prohibiting the devices from being in the room during test administration.	Parents have expressed the desire to be able to communicate with their children in the event of an emergency or lockdown situation. Students will not have access to devices during testing; however, adults may have access.
Section 370.A.3	One of the purposes of school accreditation and accountability is to inform areas for technical resources and school improvement.	Changes “inform” to “identify.”	Technical edit.
Section 370.B.1	Establishes the academic achievement indicators.	Adds “and writing” to the measure of growth for clarification.	Technical edit.
*Section 380.F	Schools will be accredited during the 2018-2019 transition year using either the new accreditation system rules or the existing accreditation system rules, whichever benefits the school the most.	Replaced this language addressing transition with a reference to Section 390.B.1. During the 2018-2019 transition year, a school may achieve the designation “Accredited” using either the existing accreditation rules, or the new accreditation system rules.	Avoids any potential conflict between Section 380.F and Section 390.B.1. Only the “Accredited” designation needs to be addressed for the transition. Schools with “Partially Accredited” or “Denied Accreditation” statuses in the existing system should be evaluated using the new system rules.
Section 380.F	Performance levels will be applied to school quality indicators according to board guidelines.	Eliminated reference to Board of Education guidelines.	This was erroneously included from an earlier draft, when the performance levels were planned to be implemented through guidance rather than regulation.
Section 380.F.1.c	Academic achievement indicator for <u>ccience</u> .	Corrected “ccience” to “science.”	Technical edit.
Section 380.F.1.f	The graduation and completion index is the <u>%age</u> of students...	Corrected “%age” to “percentage.”	Technical edit.
Section 400.C.2	Schools with school quality indicators at Level Two shall use the results of the comprehensive needs assessment to develop a multi-year school improvement plan that addresses the factors identified in the needs	Clarified that an existing multi-year school improvement plan is revised to address Level Two performance. An entirely new plan is not required to be developed.	Technical edit.

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	assessment that are related to the performance on the indicator.		
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**Public comment**

*Please summarize all comments received during the public comment period following the publication of the proposed stage, and provide the agency response. If no comment was received, please so indicate. Please distinguish between comments received on Town Hall versus those made in a public hearing or submitted directly to the agency or board.*

The Board solicited public comment on the proposed regulations through five public hearings conducted during June and August of 2017. The hearings were conducted in Harrisonburg, Fairfax, Mecklenburg County, Virginia Beach, and Wytheville. In total, 365 individuals attended the hearings, and 117 speakers addressed the Board. The public comment period opened on August 7, 2017 and closed on October 6, 2017. The Board also has received comments through letters, email, and public testimony from individuals and organizations. Presented below is a summary comments received since the Board approved the proposed regulations on June 22, 2017 through October 31, 2017.

Comments from organizations are presented first, followed by those from individuals.

<b>Commenter</b>	<b>Comment</b>	<b>Agency response</b>
Virginia Association of School Superintendents (VASS)	<p>VASS believes that school divisions should use a variety of assessments to document and enhance student growth and achievement. State assessments are not the only means to ensure that curriculum is taught and students learn.</p> <p>VASS supports the reduction in the number of verified credits for graduation so that school divisions will have more flexibility in providing opportunities for civic engagement and career exposure.</p> <p>VASS supports the proposed Accreditation Matrix, however, multiple indicators are limited by available data required for documentation. The superintendents hope they can work with the Virginia Department of Education (Department) if they have schools at Level 3 to determine how best to improve their indicators.</p> <p>Concerns exist for expectations for Level 2 schools.</p>	<p>The proposed regulations provide a variety of assessments: substitute tests, expansion of locally-awarded verified credits, and performance assessments for verified credits. The regulations also permit the Board to adopt alternative measures to determine growth in the future.</p> <p>The agency notes the support for this proposal.</p> <p>The agency intends to make data available to school divisions in advance of the implementation of the new accreditation system. Technical assistance will be provided to schools with indicators at Level Three.</p> <p>The regulation will require schools with indicators at Level Two to proactively plan for improvement to prevent the indicator from</p>

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Commenter	Comment	Agency response
Virginia Association of Secondary School Principals (VASSP)	<p>Middle school students need exposure to a career and technical exploration course, but successful implementation depends in part on teacher and administrator preparation.</p> <p>Academic achievement indicators are essential in determining the effectiveness of a school. In the past significant progress has not been recognized. We ask that tools be provided to understand how this will be measured. Schools need a thorough explanation of all indicators and data points.</p> <p>VASSP supports the use of performance indicators and agree that it is important to recognize and award accredited status to struggling schools whose students may not achieve a passing score on the SOL, but who have consistent growth in their scores.</p> <p>School requirements based on Level 2 or Level 3 must be thoroughly outlined.</p>	<p>declining to Level Three.</p> <p>Technical assistance and professional development is to be provided to ensure that these regulations are implemented with fidelity.</p> <p>The agency notes the support for academic achievement indicators, which will continue to be a component of the new accreditation system. The agency intends to make data and technical assistance available to assist with understanding how progress will be measured.</p> <p>The agency notes the support for this proposal.</p> <p>The regulations establish the requirements for Level 2 and Level 3 indicators. The agency will provide additional technical assistance and guidance as implementation nears.</p>
Virginia Association for Health, Physical Education, Recreation, and Dance	Use of authentic performance assessments should be scaled up to include all content areas and used as a measure for accrediting schools.	Performance assessments used to verify credit will only be offered for English (writing) and history/social science. Schools may opt to use performance assessments in other content areas. The proposed regulations do not use performance assessments as a means for accrediting schools.
Virginia Association for Career and Technical Education (VACTE)	VACTE supports the opportunity to incorporate knowledge of regional workforce needs and participate in internships, externships, and other work-based learning experiences and to obtain workforce, career readiness, and industry credentials; supports the opportunity for career exploration in elementary school; and supports the opportunity for establishing paths toward college and career readiness.	The agency notes the support for this proposal.
Virginia Coalition for Fine Arts	This organization recommends that fine arts be assigned one full credit for graduation, and not shared with	There has been no change in the fine arts credit, as §22.1-253.13:4.D.5 of the <i>Code</i> establishes this requirement.

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Commenter	Comment	Agency response
Education	<p>Career and Technical Education, foreign language, or any other discipline.</p> <p>There are also concerns about the impact of the career investigation course on semester and year-long fine arts courses that will be most negatively impacted.</p>	<p>The proposed regulations provide flexibility for school divisions to determine at what grade level the course will be provided at the middle school level, and to permit alternative means to be used to deliver the course content.</p>
Virginia School Board Association (VSBA)	<p>VSBA expressed support for the proposed matrix, however, concerns remain about the implementation of the matrix and the proposed requirements for schools that fall to Level 2. These schools and divisions should have the ability to evaluate, plan, and implement appropriate action to address weak performance indicators rather than face specific requirements from the Board.</p> <p>VSBA noted that the proposed language includes potentially onerous requirements for improvement that schools will face if they fall to Level 3.</p> <p>Support for the proposed reduction in the number of verified credits for graduation was also noted as it will give local school boards the flexibility to provide students opportunity for civic engagement and career exposure.</p> <p>Flexibility encouraged for student growth measures other than state assessments.</p>	<p>The regulation will require schools with indicators at Level Two to proactively plan for improvement to prevent the indicator from declining to Level Three. Local school divisions will control the improvement planning process for Level Two indicators, unless academic achievement indicators are at Level Two, in which case an academic review will be performed either by the agency or under its guidance.</p> <p>The proposed regulation establishes a process to plan improvement in the indicator. The proposed system will focus efforts on the specific indicator and the level of intervention will vary depending on several factors.</p> <p>The agency notes the support for this proposal.</p> <p>The regulations permit the Board to adopt alternative measures to determine growth in the future.</p>
Virginia Music Educators Association	<p>This organization recommends that the fine arts be assigned one full credit for graduation which is not shared with CTE, foreign language, or any other discipline.</p> <p>This organization also has concerns about the career investigation course and its impact on fine arts courses, particularly in music where the courses are year-long and sequenced.</p>	<p>There has been no change in the fine arts credit, as §22.1-253.13:4.D.5 of the Code establishes this requirement.</p> <p>The proposed regulations provide flexibility for school divisions to determine at what grade level the course will be provided at the middle school level, and to permit alternative means to be used to deliver the course content.</p>
Virginia Council on Economic Education	<p>Support expressed for the use of authentic performance assessments in middle and high school as part of a</p>	<p>The agency notes the support for this proposal.</p>

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Commenter	Comment	Agency response
	<p>balanced system that also includes some multiple choice and constructive response questions through a state-wide system.</p> <p>Support expressed for the requirement that all students earn an economics and personal finance credit</p> <p>Support expressed for the Board's emphasis on the 5 Cs.</p> <p>Concern expressed for the need to ensure social studies is taught in the classroom consistent with Virginia's SOL.</p>	<p>The agency notes the support.</p> <p>The agency notes the support.</p> <p>The Standards of Learning and Curriculum Framework include the history and social science content that teachers in Virginia are expected to teach and students are expected to learn.</p>
Virginia Partnership for Out-of-School Time	<p>Out-of-school time programming should be considered as an alternative means to deliver instruction, beginning with the 21<sup>st</sup> Century Community Learning Centers.</p> <p>Noted the need to connect and measure the 5 Cs, social-emotional learning, and workplace readiness skills.</p>	<p>Section 180.B of the proposed regulations encourages alternative means to deliver instruction to accommodate student needs through emerging technologies and other similar means.</p> <p>Local school divisions will verify that the 5 Cs have been attained. Performance assessments present an opportunity to connect these three areas.</p>
Virginia Association for Supervision and Curriculum Development	Support expressed for a balanced assessment system – one that incorporates SOL tests, measures of growth in literacy and mathematics, and performance assessments in which students must demonstrate not only what they know, but what they can do with what they know.	The agency notes the support for this proposal.
Virginia No Child Left Inside Coalition	Environmental literacy should be incorporated into the SOA.	The regulations provide a new diploma seal recognizing excellence in science and the environment. The Board has also amended its approved course list to permit environmental courses to be used to satisfy graduation requirements.
Virginia Alliance for School Counseling	Increase the ratio of school counselors to students to support the acquisition of technical skills that prepare students for careers, to increase work-based learning experiences, and to support the learning of skills, such as: conflict resolution, social skills, study skills, and problem solving.	The Board has recognized the need for increased ratios of school counselors to students; however, the ratio is established in <i>Code</i> through the Standards of Quality.
Northern Virginia	Supports expressed for the efforts that highlight industry certification	The agency notes the support for this proposal.

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Commenter	Comment	Agency response
Chamber of Commerce	<p>and credential programs as a pathway for career opportunity consistent with Virginia's workforce needs.</p> <p>Noted that it is important to ensure that all of Virginia's students are introduced to all available education and training options that will lead them to a productive career</p>	<p>The proposed regulations establish expectations for school divisions to provide specific learning opportunities to students, including work-based learning opportunities</p>
Citizen (via letter)	<p>The letter submitted suggested several specific amendments:</p> <ul style="list-style-type: none"> <li>• the term "effective for students who enter the ninth grade in the 2018-2019 school" should be clarified so it is understood who it applies to.</li> <li>• clarification should be provided for the definition of recess and program of physical fitness.</li> <li>• Section 260, regarding school facilities should include language requiring schools to "Provide adequate, safe, and properly-equipped classrooms to meet the needs of students with disabilities that are substantially equivalent to those classrooms for non-disabled students."</li> <li>• Narcan should be added to the list of medications which staff must be trained in, in addition to insulin, glucagon, and epinephrine.</li> </ul>	<p>The proposed regulations clearly establish which ninth grade class the graduation requirements are applicable to at Section 50.B.1 and C.1, and Section 51.B.1 and C.1.</p> <p>The definition of recess is proposed to be amended for clarification. Programs of physical fitness are clarified through board-issued guidance.</p> <p>There is already language requiring the physical plant to be accessible, barrier free, clean, and safe. Other requirements, including federal laws should address concerns relative to equitable facilities.</p> <p>The training requirements for insulin, glucagon, and epinephrine are based in <i>Code</i> requirements. Discussions continue to emerge regarding the appropriateness of Narcan in schools</p>
Citizen (via letter)	<p>The letter submitted raised several concerns, including:</p> <ul style="list-style-type: none"> <li>• The proposed regulations do not comply with various provisions in the <i>Constitution</i> and <i>Code</i>.</li> <li>• A school cannot be denied accreditation, so long as it has created a plan and executes the plan with fidelity</li> </ul>	<p>The proposed revisions have been made based on decisions the Board has made throughout its comprehensive review. As part of the executive branch review process, these regulations are reviewed by the Office of the Attorney General.</p> <p>In the proposed system, when a school fails to meet benchmarks, the school will be assigned a Level Three indicator in a particular school quality indicator, rather than being "denied accreditation." If a school fails to develop and implement improvement plans with fidelity, "Accreditation Denied" status will be designated. If an improvement</p>

Commenter	Comment	Agency response
	<ul style="list-style-type: none"> <li>• Authentic performance assessments may facilitate cheating</li> <li>• Each school should not be required to develop philosophy, goals, and objectives</li> <li>• The use of a local committee to determine English learner eligibility is an invitation for abuse.</li> <li>• The dilution of graduation requirements will improve graduation rates, but cheapen the diploma. Instead, the regulations should cause schools to be more effective.</li> <li>• Student growth profiles have been abandoned. They are a transparent and objective measure and the only measure unaffected by poverty rendering new accreditation system unfair.</li> <li>• Abandoning history as a criterion for accreditation dilutes standards in order to improve accreditation rates.</li> <li>• The academic achievement indicators for English and mathematics acknowledge students with increasing scores,</li> </ul>	<p>plan does not result in improvement, the school and division are expected to revisit the plan.</p> <p>The Board will be developing criteria for the implementation of authentic performance assessments, and the department will be providing professional development and technical assistance, as well as monitoring.</p> <p>This is included in the existing regulation, and serves as the basis for the comprehensive plan that each school is required to develop as required by the Standards of Quality.</p> <p>Federal criteria is used to determine eligibility.</p> <p>The proposed regulations provide a more balanced approach to student assessment, and require students to demonstrate proficiency in the 5Cs skills, in response to business, higher education, and other stakeholder’s input. The regulations also require all schools to continually review and plan for improvement. The number of standard credits required for the Standard and Advanced Studies diplomas have not changed.</p> <p>The proposed system recognizes student-level growth using progress tables which demonstrate when a student demonstrates adequate year-over-year growth in a content area. The new system recognizes student-level growth, as well as improvements made at the school level, whereas the old system did not recognize schools until they had reached the testing benchmarks.</p> <p>Schools continue to be expected to provide instruction in this subject area in accordance with the SOL. In 2017, no schools have failed to be fully accredited solely due to pass rates in history and social science.</p> <p>These proposed indicators recognize adequate student growth only in students who fail to pass the SOL. As long as a student is passing or the student is</p>

Commenter	Comment	Agency response
	<p>but ignores students with declining scores. Further, how much growth is deemed adequate is not defined.</p>	<p>demonstrating growth, the student will be counted in the rate for these two indicators. The Board’s approved progress tables will be used to determine adequate growth. The Board also may approve additional measures in the future.</p>
<p>Division superintendent (via letter)</p>	<p>The letter submitted addressed several areas, including:</p> <ul style="list-style-type: none"> <li>• Maintain the existing “11 semester rule” that permits English learner test scores to be excluded. Consider applying the “11 semester rule” to the graduation and completion index (GCI).</li> <li>• Include English learners that enroll for the first time in the second semester of ninth grade in the following year’s cohort for the purpose of the GCI.</li> <li>• Consider alternate assessment methods, such as performance assessments, to determine verified credits for English learners, and to determine accountability for schools with significant English learner populations.</li> <li>• Consider allowing students who do not graduate by age 22 but who continue schooling at an approved adult high school to count as a transfer out of their original high school for the GCI calculation.</li> <li>• Further reduce the number of standardized assessments.</li> <li>• Expand the use of performance assessments used to verify credit to include geometry, earth science, and biology</li> </ul>	<p>The exclusion is maintained in the proposed regulations. The agency notes this recommendation. The proposed regulations will permit the Board to establish the GCI through guidance, thus the Board could consider this proposal after the regulations are adopted.</p> <p>The agency notes this recommendation. The proposed regulations will permit the Board to establish the GCI through guidance, thus the Board could consider this proposal after the regulations are adopted.</p> <p>The agency notes this recommendation. The proposed regulations reduce the number of verified credits required for graduation and provide additional ways to acquire certain verified credits. School divisions may apply for alternative accreditation programs in special circumstances.</p> <p>The agency notes this recommendation. The proposed regulations will permit the Board to establish the GCI through guidance, thus the Board could consider this proposal after the regulations are adopted.</p> <p>The proposed regulations are intended to provide a balanced approach to student assessment. Federal law requires a minimum number of standardized tests be assessed in English, mathematics and science.</p> <p>To earn a Standard or an Advanced Studies diploma, the proposed regulations require one verified credit in mathematics and one in science. The end-of-course tests used to earn these verified credits are also used to meet the federal requirement for students to be assessed in these subject areas at least</p>

Commenter	Comment	Agency response
	<ul style="list-style-type: none"> <li>• Encourage the use of electives, especially career-related courses that could be approved to satisfy graduation requirements in other areas. For example, Practical Nursing could be considered a science course.</li> <li>• Thoroughly review approved industry certifications and those that can be used to satisfy verified credit requirements.</li> <li>• Consider additional flexibility for graduation requirements for students who transfer into Virginia late in high school. A frequent issue unique to Virginia diploma requirements is the Economics and Personal Finance course requirement.</li> </ul>	<p>once in high school with a standardized test.</p> <p>The agency notes this recommendation. The proposed regulations encourage the integration of instruction across content areas. The Board could consider this proposal through amending its approved course list.</p> <p>The agency notes this recommendation. The Board could consider this proposal by amending its list of approved credentials.</p> <p>Some graduation requirements, such as Economics and Personal Finance, are required by <i>Code</i>. The agency encourages the use of virtual programs if flexibility is needed to receive the course content. Further, if a student transfers in the twelfth grade, it is encouraged to first attempt to have the sending school issue the diploma by transferring the credits back to the sending school.</p>
<p>Parents (2)</p> <p>Parent</p> <p>Parent of a student with a disability</p> <p>School board member</p>	<p>Several comments were submitted or provided at public hearings that were specific to the <b>Profile of a Virginia Graduate</b>:</p> <ul style="list-style-type: none"> <li>• Consider emphasizing inclusion for students with disabilities to ensure that all children develop the soft skills emphasized in the Profile.</li> <li>• Noted that not everyone wants to go to college.</li> <li>• Focus should be made on trades such as mechanics, welding, etc.</li> <li>• Support expressed for access to industry certifications and career pathways as it will better prepare students to meet the expectations of the Profile. Requested consideration be given to use of industry</li> </ul>	<p>The agency encourages inclusive practices as part of providing education in the least restrictive environment to students with disabilities.</p> <p>The proposed regulations emphasize multiple pathways to graduation for both college and career readiness.</p> <p>The proposed regulations emphasize multiple pathways to graduation for both college and career readiness, one of which includes earning a career credential, which could be in a trade.</p> <p>The agency notes the support of this proposal. Industry credentials are permitted to be used as a substitute for either science or history/social science verified credit in certain circumstances.</p>

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Commenter	Comment	Agency response
<p>Parent</p> <p>Several Administrators</p>	<p>credentials as substitutes for verified credit requirements at the high school level</p> <ul style="list-style-type: none"> <li>• Concern that citizenship is added as a factor in graduation but there are not quantifiable metrics or definitions.</li> <li>• Guidance and capacity-building support requested for implementation, some noting that extensive staff development, modifications to scheduling, and reallocation of staff, and stressed that time and resources will be needed.</li> </ul>	<p>The <i>Profile of a Virginia Graduate</i> describes the traits for community and civic responsibility. Each school division will determine how each of the 5Cs will be assessed.</p> <p>The agency intends to provide capacity building support and technical assistance as implementation nears.</p>
<p>Parent of a student with a disability</p> <p>Fine arts teacher</p> <p>School board member</p> <p>Teacher</p> <p>School counselor</p>	<p>Several comments were submitted or provided at public hearings that were specific to <b>career readiness and exploration</b>:</p> <ul style="list-style-type: none"> <li>• Internships should be available for students with disabilities.</li> <li>• The required middle school career investigations course could have a negative impact on all elective classes, especially those in the arts that are sequential in nature. Fine arts electives will be particularly affected.</li> <li>• Some school divisions will have little opportunity to provide internships because of a lack of industry in the community</li> <li>• Appreciation expressed for the Board's emphasis on workforce readiness.</li> <li>• Concern that school counselors will be needed to support academic and career planning, meanwhile their roles have shifted to non-counseling duties in recent years.</li> </ul>	<p>The proposed regulations will require school divisions to provide work-based learning opportunities, such as internships.</p> <p>The proposed regulations provide flexibility for school divisions to determine at what grade level the course will be provided at the middle school level, and to permit alternative means to be used to deliver the course content.</p> <p>Internships are one of a variety of work-based learning opportunities that may be provided. Work-based learning can be provided in a variety of ways, such as simulated workplaces, and local government settings.</p> <p>The agency notes the support.</p> <p>The agency notes this concern. School divisions can involve teaching staff and other school professionals in the academic and career planning process.</p>

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Commenter	Comment	Agency response
Parent	<p>Several comments were submitted or provided at public hearings that were specific to <b>graduation requirements</b>:</p> <ul style="list-style-type: none"> <li>Noted opposition to the verified credit system, because the system increases the pressure for students to pass the SOL tests and penalizes students with disabilities and their teachers.</li> </ul>	<p>The proposed regulations reduce the number of verified credits required for graduation, and introduces additional methods of earning some verified credits</p>
School psychologist	<ul style="list-style-type: none"> <li>Desire expressed for more flexibility and opportunities to explore careers and other interests, a reduction in the graduation credits for mathematics. Mathematics courses should be tied to everyday life and typical jobs.</li> </ul>	<p>The proposed regulations expand career exploration and require schools to provide work-based learning opportunities. No reduction in mathematics credits is proposed. As the 5Cs are implemented, opportunities exist to apply concepts across curriculum areas such as mathematics.</p>
Student	<ul style="list-style-type: none"> <li>Concern expressed for difficulties students have accruing credits when they transfer into the state. When students are required to meet Virginia's credit requirements, they do not have the opportunity to take the courses that are of most interest to them, but are forced to re-take coursework they may have completed previously in another state.</li> </ul>	<p>Section 60 of the regulations includes new language providing more flexibility for transfer students, particularly with regard to verified credits and tests taken in other states.</p>
Approximately 20 teachers through submitted letters and public comment	<ul style="list-style-type: none"> <li>Fine arts should be a separate graduation requirement and not shared with career and technical education.</li> </ul>	<p>There has been no change in the fine arts credit, as §22.1-253.13:4.D.5 of the <i>Code</i> establishes this requirement.</p>
Citizens (2)	<ul style="list-style-type: none"> <li>Consider allowing a two-year sequence of computer programming courses to meet the requirements for two years of foreign language and include a one-semester course in written communication mandatory for all students. (Two commenters)</li> </ul>	<p>This has not been included in the graduation requirements. A student may take a two-year sequence of computer programming courses as sequential electives. In addition, instruction in writing is provided in all grade levels and assessed in several grades.</p>
Teacher	<ul style="list-style-type: none"> <li>Support expressed for the development of performance-</li> </ul>	<p>The agency notes the support for this proposal.</p>

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Commenter	Comment	Agency response
	based assessments for history and social science.	
<p>Parent of a student with a disability</p> <p>Parent of a student with a disability</p> <p>Parent of a student with a disability</p> <p>Parents of a student with a disability (2)</p>	<p>Several comments were submitted or provided at public hearings that were specific to <b>graduation requirements for students with an individualized education plan (IEP)</b>:</p> <ul style="list-style-type: none"> <li>• Noted there is a lack of clear guidance on how and when to implement the Standard Diploma with credit accommodations and the Applied Studies Diploma.</li> <li>• Noted that many disabled students are being tracked off the Standard Diploma track</li> <li>• Concern expressed that public and private post-secondary schools do not recognize the Applied Studies Diploma for admission.</li> <li>• Concerns expressed about the inability of children with disabilities to earn a regular diploma when they pass their courses, but continue to fail their SOL tests.</li> </ul>	<p>The agency is in the process of developing guidance addressing this topic.</p> <p>The agency is in the process of developing guidance addressing this topic.</p> <p>The agency is in the process of developing guidance to establish more consistent expectations for this diploma among IEP teams.</p> <p>The proposed regulations reduce the number of verified credits required to earn a diploma, and provide opportunities for credit accommodations for qualified students with disabilities.</p>
<p>Citizen</p> <p>Superintendent</p> <p>Citizen</p>	<p>Several comments were submitted or provided at public hearings that were specific to <b>assessments</b>:</p> <ul style="list-style-type: none"> <li>• Remediation should not be required because it is rote remediation used to inflate passing statistics.</li> <li>• Virginia's assessment components should be updated. In the interim, consider allowing school divisions with better assessment measures to use alternatives.</li> <li>• School divisions should be required to notify parents of the alternative testing methods that are being used in the schools.</li> </ul>	<p>The <i>Code</i> requires students identified in need of mathematics or reading intervention services must receive these services. These students to participate in remediation for recovery credit.</p> <p>The proposed regulations introduce new approaches to assessment through the introduction of performance assessments for verified credit. School divisions may nominate alternative tests used as part of the verified credit system.</p> <p>Schools are encouraged to communicate this information with parents. The regulations require schools to annually provide parents information about certain policies and testing.</p>

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Commenter	Comment	Agency response
Administrator	<ul style="list-style-type: none"> <li>Continue reducing SOL testing and increase the expectations that school divisions incorporate performance-based assessments that focus on problem solving, critical thinking, and collaboration.</li> </ul>	The agency notes the support for reducing SOL testing and the incorporation of performance assessments. Federal requirements and state law continue to require testing at certain grade levels.
Citizen	<ul style="list-style-type: none"> <li>Reduce the number of SOL tests and focus on the 5Cs</li> </ul>	The regulations reduce the number of end-of-course tests that students will be required to take to earn a diploma and require students to demonstrate skills in each of the 5Cs.
Teacher	<ul style="list-style-type: none"> <li>Reinstate the writing assessment in 5th grade to prepare students for those assessments in middle and high school.</li> </ul>	State law limits the SOL tests administered in the fifth grade to reading, mathematics, and science.
A School board member, a Division superintendent, and an administrator	<ul style="list-style-type: none"> <li>Performance-based assessments will allow teachers to engage students in authentic experiences to focus on supporting growth. (Three commenters)</li> </ul>	The agency notes the support for performance based assessments.
Parent (via Town Hall)	<ul style="list-style-type: none"> <li>Virginia should move beyond using a single test to determine if a student has the appropriate skills, as it places pressure on students. Consider a more balanced approach that includes multiple measures and student growth.</li> </ul>	The proposed regulations introduce performance assessments to be used as a part of the assessment system. Schools also may administer approved substitute tests. The regulations implement and recognize student growth as a component of the accreditation system.
Parent (via Town Hall)	<ul style="list-style-type: none"> <li>Support noted for changing the system of SOL testing, as it is stressful and does not evaluate the whole student. This is an outdated method of testing basic memorization and forces teachers to teach to the test.</li> </ul>	The agency notes the support, and notes that the implementation performance assessments and local alternative assessments are intended to implement more balanced approaches to evaluate student achievement.
Citizen	<p>Several comments were submitted or provided at public hearings that were specific to the <b>proposed accreditation system</b>:</p> <ul style="list-style-type: none"> <li>Opposition to a system where a school that failed standardized testing requirements is deemed accredited.</li> </ul>	In the proposed accreditation system, when one or more school quality indicators are at Level Three, the school will be designated "Accredited with Conditions." Further, the current system does not recognize when students do not pass the test, but

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Commenter	Comment	Agency response
Parent	<ul style="list-style-type: none"> <li>Concern that the proposed accreditation system would allow a school failing the benchmarks for English to be accredited based on improvement made.</li> </ul>	<p>demonstrate significant growth.</p> <p>The proposed system intends to recognize school and student level progress along with passing rates in content areas. The current system only recognizes when a school meets benchmarks.</p>
Parent	<ul style="list-style-type: none"> <li>The proposed system will still rely on SOL testing and students with an IEP are not receiving appropriate support to pass those tests.</li> </ul>	<p>The proposed system will include an achievement gap indicator that, which will hold schools accountable for raising the achievement of student subgroups, including students with disabilities.</p>
Administrator	<ul style="list-style-type: none"> <li>The proposed system will select and sort school divisions based on demographics, especially the chronic absenteeism indicator.</li> </ul>	<p>The current system results in selection and sorting of schools by demographics. The proposed system improves upon this by emphasizing division- and school-level improvement planning actions that can be taken to improve performance in an indicator.</p>
School Board member	<ul style="list-style-type: none"> <li>Further consideration should be given to school divisions that have a high percentage of children living in poverty.</li> </ul>	<p>The proposed system will recognize high performance in high poverty schools that can share best practices with similarly-situated schools.</p>
School Board member	<ul style="list-style-type: none"> <li>The current accreditation system fails to reflect the achievement gaps of students of color and economically disadvantaged students, and fails to celebrate the success that schools have achieved over the years because their gains have not met the targets set by the state.</li> </ul>	<p>The proposed system addresses these concerns.</p>
Citizens (several) and administrators (2)	<ul style="list-style-type: none"> <li>Support expressed for the use of multiple measures that will determine a school's performance and accountability status.</li> </ul>	<p>The agency notes the support for this proposal.</p>
Administrator	<ul style="list-style-type: none"> <li>Concern expressed about the potential of impacting a school accreditation status if high performing students opt-out of SOL assessments due to having already met the verified credit requirement. Suggestion made to align the required SOL assessments to the required</li> </ul>	<p>High schools are held accountable for the performance of all students, not only the high-performing students. Keeping the same number of end-of-course assessments available will provide students several opportunities to acquire verified credit.</p>





Commenter	Comment	Agency response
Citizen	<ul style="list-style-type: none"> <li>A greater focus should be made on interdisciplinary learning, environmental literacy, and civic action.</li> </ul>	The regulations emphasize interdisciplinary science courses, and provide a new diploma seal recognizing excellence in science and the environment. The Board has also amended its approved course list to permit environmental courses to be used to satisfy graduation requirements. Civic responsibility has been emphasized as a component of the 5Cs.
Citizen	<ul style="list-style-type: none"> <li>World languages should be taught at every grade level.</li> </ul>	Sections 80 through 100 of the regulations require world language to be offered in middle school and high school, and encourage such offerings in elementary school.

**All changes made in this regulatory action**

*Please list all changes that are being proposed and the consequences of the proposed changes. Describe new provisions and/or all changes to existing sections. Explain the new requirements and what they mean rather than merely quoting the proposed text of the regulation.*

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
<u>8VAC20-131-5</u>	NA	This section includes additional definitions for these regulations.	<p>Definition of the term “authentic performance assessment” has been added.</p> <p>Definition of the term “Board of Education” or “board” added, as prescribed in the <i>Constitution of Virginia</i> and the <i>Code of Virginia</i>.</p> <p>Definition of “class period” revised for clarity.</p> <p>Definition of the term “combined school” has been deleted.</p> <p>Definition of the term “department” added to reference the Virginia Department of Education.</p> <p>Definition of the term “eligible students” has been deleted.</p> <p>Definition of the term “English Learner” has been added as now referenced in the</p>

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
			<p>Elementary and Secondary Education Act.</p> <p>Definition of the term “growth” has been added to establish that growth applies to student-level progress.</p> <p>Definition of the term “instructional day” has been added.</p> <p>Definition of the term “instructional hours” has been added.</p> <p>Definition of the term “planning period” revised to mean a segment of time in middle and secondary schools during the instructional day that is unencumbered of any teaching or supervisory duties, is not less than 45 minutes or the equivalent of a class period, whichever is greater, and which includes passing time for class changes.</p> <p>Definition of the term “planning time” for elementary teachers has been added in accordance with the <i>Code of Virginia</i> at § 22.1-291.1.</p> <p>Definition of the term “recess” has been amended for clarity.</p> <p>Definition of the term “reconstitution” has been deleted.</p> <p>Added definition of “reporting group,” as that term is applied to the achievement gap school quality indicator used for accreditation purposes.</p> <p>Definition of “standard school year” revised to replace “teaching hours” with “instructional hours.”</p> <p>Definition of “standard unit of credit” revised to reflect flexibility in Board of Education guidelines for local school board alternatives to 140 clock hour requirement.</p> <p>Definition of “student” revised to replace term “person with Limited English Proficiency” with “for whom English is a second language.”</p>

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
			<p>Definition of “student periods” has been deleted.</p> <p>Definition of “verified units of credit” revised to include additional methods of receiving a verified credit, including locally awarded verified credits and authentic performance assessments.</p>
<p><u>8VAC20-131-10</u></p>	<p>NA</p>	<p>This regulation describes the purpose of the regulations to provide the foundation of high quality educational programs, encourage continuous improvement, foster public confidence, assure recognition of Virginia’s public schools by other institutions of learning, and establish a means of determining the effectiveness of schools.</p>	<p>The mission of the public education system to educate students so that they will be equipped for an informed and successful private life is amended to eliminate the word “private,” to impact a student’s whole life – not just his or her private life.</p> <p>Language revised to indicate that the regulations will provide the foundation for the provision of a high quality public education, and the intent statement is revised and expanded.</p> <p>Requires the Board to promulgate regulations 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, as established in the Standards of Quality.</p>
<p><u>8VAC20-131-20</u></p>	<p>NA</p>	<p>Requires schools to have current philosophy, goals, and objectives, and establishes criteria for such.</p>	<p>Establishes factors affecting school quality and continual improvement and overall goals and objectives for student learning, achievement, and preparation.</p> <p>Establishes expectations for preparation of graduates who have explored and understand what opportunities exist for them after high school and who have the knowledge and abilities necessary for the next phase of their lives as adults</p> <p>Requires the philosophy, goals, and</p>

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
			<p>objectives of individual schools to reflect and encompass the means by which both the Standards of Learning (SOL) and Standards of Accreditation (SOA) are to be achieved</p> <p>Establishes the Board’s objective to provide an education foundation that ensures students are ready to be successful in a global economy, which includes a changing and growing technology.</p> <p>Explains that the Board is redesigning the public school experience so students will be adequately prepared for future challenges.</p> <p>Establishes the expectation for college-, career-, and citizenship- ready students to have mastered academic knowledge, workplace skills, career exploration and planning, and civic and community responsibility.</p>
<p><u>8VAC20-131-30</u></p>	<p>NA</p>	<p>In kindergarten through the eighth grade, students are expected to take Virginia assessment program tests and accelerated students are required to take tests of the grade level enrolled or the test for the grade level of the content received in instruction.</p> <p>Students are not required to take more than one test in any content area per year.</p> <p>With such funds as may be appropriated by the General Assembly, the board shall provide criteria for an expedited retake of an SOL test.</p> <p>Recommends that students in kindergarten through eighth grade not be required to attend summer or weekend remediation solely due to failing a</p>	<p>Clarifies that students who are accelerated shall only take the test aligned with the highest grade level, following instruction on the content</p> <p>Language added to clarify that expedited retakes are an exemption to the prohibition on requiring students to take more than one test in any content area per year.</p> <p>Language referencing “with such funds as may be appropriated by the General Assembly” deleted in reference to criteria for an expedited retake of any SOL test.</p> <p>Specifies that any student failing all SOL assessments for the relevant grade level in grades three through eight or failing an end-of-course test required for verified credit shall be required to receive remediation, as required by the Standards of Quality.</p>

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Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
		<p>science or history/social science SOL test.</p> <p>Requires students in middle and secondary schools to take all applicable SOL tests at the end of the course, and a corresponding verified credit shall be awarded to students with passing scores.</p>	<p>Requires division certification that policies prevents changes in students' course schedules to avoid end-of-course SOL assessments.</p> <p>Exempts students from taking an end of course SOL test if they have already acquired the number of verified credits needed to graduate, unless the test is required by federal accountability rules.</p>
<u>8VAC20-131-50</u>		<p>Establishes the requirements for a high school diploma.</p> <p>Students earning a diploma must earn a certain number of credits in mathematics, laboratory science, and career and technical education areas.</p> <p>Students completing certain requirements shall receive the Governor's Seal or Board of Education Seal.</p>	<p>This section is amended to only be applicable to students in the ninth grade class through 2017-2018. <i>Refer to the new section 8VAC20-131-51 for graduation requirements for students entering the ninth grade in 2018-2019 or thereafter</i></p> <p>In accordance with the Standards of Quality (§ 22.1-253.13:4), a computer science course credit earned by students may be considered a science, mathematics, or career and technical education course credit.</p> <p>Technical edit to clarify eligibility for the Governor's Seal and Board of Education Seal.</p>
<u>NA</u>	<u>8VAC20-131-51</u>	<p>Currently, graduation requirements are set forth in 8VAC20-131-50. That section is proposed to be retained, to reflect graduation requirements for students who enter the ninth grade prior to the 2018-2019 school year.</p>	<p>This proposed section will set forth the graduation requirements for students entering the ninth grade in the 2018-2019 school year or thereafter.</p> <p>The proposed graduation requirements are intended to provide multiple paths toward college, career, and citizenship readiness, and instructional programs leading toward a diploma are required to be aligned with the Board's <i>Profile of a Virginia Graduate</i>.</p> <p>Pathways toward graduation shall provide opportunities tied to instruction to achieve workplace and citizenship skills through experiences such as internships, externships, credentialing, and blended learning, which may be offered for credit toward graduation.</p>

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			<p>Provisions are included to clarify that middle school students shall receive credit toward graduation for successfully completing high school courses.</p> <p>For clarity, the definitions and methods of receiving a standard and verified unit of credit are repeated from 8VAC20-131-5 and 8VAC20-131-110.</p> <p>No more than one locally awarded verified credit may be used to satisfy graduation requirements.</p> <p>The requirements for receiving a Standard or Advanced Studies Diploma, previously presented in 8VAC20-131-50, have been reorganized in this new section and clearly provide the requirements in tables and eliminate footnotes.</p> <p>The substantive changes to the prior graduation requirements that were set forth in 8VAC20-131-50 include:</p> <ul style="list-style-type: none"> <li>• Reduces the number of required verified credits from six (Standard) and nine (Advanced) to five for each.</li> <li>• Permits the Board to approve additional mathematics courses used to satisfy graduation requirements for a Standard Diploma.</li> <li>• Courses used to meet laboratory science course requirements shall include interdisciplinary courses that incorporate SOL content from multiple academic areas.</li> <li>• In accordance with the Standards of Quality (§ 22.1-253.13:4), a computer science course credit earned by students may be considered a science, mathematics, or career and technical education course credit.</li> <li>• Requires students seeking an Advanced Studies diploma to complete two sequential electives,</li> </ul>

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			<p>as required by HB895/SB336 (2016).</p> <ul style="list-style-type: none"> <li>• Requires students to complete either advanced coursework or earn a career and technical education credential for either a Standard or an Advanced Studies diploma as required by HB895/SB336 (2016).</li> <li>• Requires students to acquire and demonstrate skills in the “5Cs” – critical thinking, creative thinking, collaboration, communication, and citizenship, in accordance with the Board’s <i>Profile of a Virginia Graduate</i>.</li> </ul> <p>Incorporates requirements for an Applied Studies Diploma, a Certificate of Program Completion, or a high school equivalency credential which are currently set out in the <i>Code</i>.</p> <p>Adds a new diploma seal: “Seal for Excellence in Science and the Environment.”</p> <p>Replaces the term “foreign language ” with “world language.”</p>
<p><u>8VAC20-131-60</u></p>	<p>NA</p>	<p>This section provides the graduation requirements for students who transfer into Virginia’s public high schools.</p>	<p>Specifies the tests to be accepted by school divisions from a sending state, country, private school, or Department of Defense Educational Activity school for the award of verified credit in courses previously completed at another school or program of study.</p> <p>Provides that any substitute test approved by the Board for verified credit shall be accepted in lieu of the applicable SOL if the applicable standard credit has been earned by the student.</p> <p>Consolidates all graduation requirements for transfer students into subsection G. Previously, only verified credit requirements were described.</p> <p>Specifies whether diploma requirements provided in 8VAC20-131-50 or 8VAC20-131-51 are applicable to transfer students,</p>

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			depending on the year and grade in which the student transfers, to comply with enactment clause 6 in HB895 (2016).
<u>8VAC20-131-70</u>	NA	<p>This regulation describes the requirements for the school divisions' program of instruction and learning objectives.</p> <p>Requires gifted/talented students to be taught by teachers with special training or experience with such students.</p>	<p>Adds requirement for school boards to develop and implement a program of instruction that is aligned to the SOL and meets Board requirements, as currently set out in the <i>Code</i>. Subject areas to be emphasized are specified.</p> <p>Adds expectation for instructional programs and learning objectives to ensure students acquire knowledge, skills, competencies and experiences needed for success, and acquire and demonstrate proficiency in the "5Cs."</p> <p>Sets expectation for instructional programs and learning objectives to include career exploration in elementary and middle schools. In the later school years, expectations are set forth for workplace and civic readiness.</p> <p>Eliminates this requirement.</p>
<u>8VAC20-131-80</u>	NA	Requires elementary schools to provide instruction in certain subject areas.	<p>Adds requirement for elementary schools to provide instruction in career exploration.</p> <p>In accordance with the Standards of Quality, requires provision of early identification of reading and mathematics problems and provide instructional strategies for assisting students in those areas.</p> <p>In accordance with the Standards of Quality, reading intervention services should be provided by school divisions to students who are in kindergarten through grade three and who demonstrate deficiencies in reading.</p>
<u>8VAC20-131-90</u>	NA	<p>Requires middle schools to provide instruction in certain subject areas.</p> <p>Requires middle school students to be provided 140</p>	<p>Adds requirement for middle schools to provide a course in career investigation. This course may be delivered through alternate means provided that the alternative is equivalent in content and rigor.</p> <p>Replaces the 140 clock hour requirement in each of the four academic disciplines with "a</p>

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
		<p>clock hours in English, mathematics, science, and history and social science, however sixth grade students may be provided an alternative schedule, so long as those four subject areas total 560 clock hours.</p> <p>Requires students with reading difficulties to be provided additional instruction in reading, which may include summer school.</p>	<p>total of 560 instructional hours” per year in the four academic disciplines. Language referencing an alternative schedule of instruction for sixth-grade is deleted.</p> <p>In accordance with the Standards of Quality, adds a requirement to require certain students in need of mathematics remediation in grades 6-8 to be provided with additional instruction in mathematics, which may include summer school, and algebra readiness intervention.</p>
<u>8VAC20-131-100</u>	NA	<p>Requires high schools to provide instruction in certain subject areas.</p> <p>Requires high schools to offer career and technical education choices.</p> <p>Permits classroom driver education to count for 36 class periods of health education.</p> <p>Requires students with reading difficulties to be provided additional instruction in reading, which may include summer school.</p>	<p>Adds requirement for secondary schools to provide a program of instruction which encompasses the requirements of the Profile of Virginia Graduate, including student knowledge, skills, and competencies; the acquisition and demonstration of the 5Cs; and the offering of opportunities for internships, externships, work-based experiences, and credentialing.</p> <p>Adds requirement for such career and technical education choices to incorporate knowledge of regional workforce needs and opportunities.</p> <p>Adds requirement for high schools to offer opportunities for participation in work experiences, such as internships, externships, and other work-based learning experiences, and to attain workforce and career readiness and industry credentials.</p> <p>Permits the 36 class periods to be calculated as the equivalent of 36 class periods in minutes.</p> <p>In accordance with the Standards of Quality, adds a requirement to require certain students in need of mathematics remediation in the ninth grade to be provided with algebra readiness intervention services.</p>
<u>8VAC20-131-110</u>	NA	Establishes the standard unit of credit used to meet	Permits waiver of the 140 clock hours of instruction as provided in the Standards of

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
		<p>graduation requirements, which is based on a minimum of 140 clock hours of instruction and successful completion of the course.</p> <p>Establishes the verified unit of credit and describes the methods of earning such credits, and permits locally awarded verified credits to be awarded in science and history and social science.</p> <p>Sets criteria for board-approved additional tests used to confer verified credit, including requirement that the test be administered on a multistate or international basis.</p>	<p>Quality, and in accordance with Board guidelines, effective with students enrolled in the 2015-2016 school year.</p> <p>Adds to the methods of achieving a verified credit:</p> <ul style="list-style-type: none"> <li>• Students entering the ninth grade for the first time in the 2018-2019 school year or thereafter and who do not pass certain SOL tests and who meet Board criteria may receive locally awarded verified credits in English, mathematics, laboratory science or history and social science according to Board guidelines. Not more than one verified credit may be counted toward graduation requirements.</li> <li>• For history and social science and English (writing), an authentic performance assessment can be used to demonstrate mastery of content.</li> </ul> <p>Adds option for a statewide-administered test be considered for approval as an additional test.</p>
<u>8VAC20-131-120</u>	NA	Permits credit to be awarded for middle and secondary summer school courses in 70 clock hours if the credit is for a repeat course	Eliminates this provision
<u>8VAC20-131-140</u>	NA	Requires middle and secondary schools to provide early identification and enrollment of students in a college preparation program including an emphasis on experiences to motivate disadvantaged and minority students to attend college	Emphasis on college preparation is replaced with equal emphasis on college <u>and career</u> preparation.

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		Establishes requirements for Academic and Career Plans (ACP) to be developed during the middle school years and updated in the ninth and eleventh grades.	<p>Provides that current requirements for ACPs shall only be effective through the 2017-2018 school year.</p> <p>New requirements for ACPs effective with the 2018-2019 school year are provided, including:</p> <ul style="list-style-type: none"> <li>• Requirements for elementary, middle, and high schools to provide for the identification by all students of personal interests, and to support planning for post-secondary and career preparation.</li> <li>• Requires elementary students to begin career exploration through development of an Academic and Career Plan Portfolio, which is to be used as the foundation for the ACP that is developed in the seventh grade and completed by the end of the fall semester of the eighth grade year.</li> <li>• Requires middle school students to select a career pathway and complete a career investigations course, or an equivalent alternative, which is to be used as a basis for developing the ACP.</li> <li>• Requires the ACP to be reviewed and updated annually.</li> <li>• Provisions are made for students who transfer after eighth grade to complete an ACP.</li> </ul>
<u>8VAC20-131-150</u>	NA	Establishes a standard school year as 180 instructional days, and a standard school day for grades one through 12 as an average of 5 ½ instructional hours, excluding breaks for meals and recess.	<p>Language added to include 990 instructional hours as the length of the standard school year.</p> <p>Specifies that the standard school day includes passing time for class changes.</p>
<u>8VAC20-131-180</u>	NA	Requires credit for work completed by students receiving home instruction to be awarded when it is completed under supervision of a licensed teacher, person eligible to be licensed, or other	Amended to specify that homebound instruction is to be provided under the supervision of a licensed teacher, qualified in the relevant area, as required by <i>Va. Code</i> §§ 22.1-253.13:2 and 22.1-299.

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Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
		<p>appropriately licensed professional.</p> <p>Permits students receiving home instruction to enroll in and receive credit for supervised correspondence courses.</p>	<p>Reorganized language regarding alternative means of instruction and virtual courses combined into one section. Clarifying language regarding standard and verified credits also added. Language regarding correspondence courses deleted and replaced with the term “virtual courses.”</p>
8VAC20-131-190	NA	Requires schools to provide a variety of materials and equipment.	Adds “resources” to list of supports for the instructional program.
8VAC20-131-200	NA	The regulation provides the requirements for extracurricular and other school activities, including recess.	In accordance with Standards of Quality requirements, adds requirement for schools to provide a physical fitness program for all students in kindergarten through grade five for 100 minutes per week on average. Also adds requirement for schools to make available a physical fitness program for all students in grades 6-12 with a goal of 150 minutes per week on average.
8VAC20-131-210	NA	Recognizes the principal as the school’s instructional leader and manager and establishes several responsibilities for each role.	<p>Repetitive introductory paragraph regarding principal deleted.</p> <p>Revises and clarifies several of the principal’s responsibilities. The revisions focus on fostering the success of all students through several core principles, including community engagement, a culture of continuous improvement, compliance with regulations and laws, effectively managing resources, and ensuring test security, including a prohibition on student’s access to cell phones during test administration.</p>
8VAC20-131-220	NA	Establishes the roles of professional teaching staff, including serving as a role model for effective communication and the correct use of language and spelling, and striving to strengthen basic skills of students in all subjects.	<p>Revises the “correct use of language and spelling” with “the use of Standard English.”</p> <p>Closure of achievement gaps among groups of students added as an area of aspiration.</p>
8VAC20-131-240	NA	Establishes minimum guidance counselor staffing levels for middle and secondary schools.	<p>Replaced outdated reference to guidance counselor with school counselor.</p> <p>Eliminated staffing requirements for secondary school counselors, and replaced</p>

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
		<p>Establishes standard teaching load, including maximum numbers of class periods and student periods, and planning periods required for middle and secondary school teachers.</p> <p>Requires each middle and high school teacher to be provided one planning period per day or the equivalent, as provided in the Standards of Quality.</p>	<p>with reference to requirements set out in <i>Code</i>.</p> <p>Revised standard teaching load and planning periods required for middle and secondary school teachers so that they are identical.</p> <p>Revised language to eliminate references to student periods used to calculate a teacher's standard load. References instead are made to the numbers of students taught per week.</p> <p>Revised to clarify and reference definition of "planning period."</p> <p>Specifies that elementary classroom teacher shall be provided at least an average of 30 minutes per day during the students' school week as planning time as required by the <i>Code of Virginia</i>.</p>
8VAC20-131-260	NA	<p>Requires a fire drill to be conducted once weekly during the first month of school and once monthly during the remainder of the year.</p> <p>Requires at least two lock down drills each school year, in September and January.</p>	Language revised, as provided by 2016 legislation, to require a fire drill at least twice during the first 20 school days and two additional fire drills during the remainder of the school term.
8VAC20-131-270	NA	As part of parent and community school communications programs, schools shall provide annually the School Performance Report Card.	<p>Renames the School Performance Report Card to the School Quality Profile.</p> <p>Requires the School Quality Profile to include, but not be limited to: accountability, assessments, enrollment and demographics, college and career readiness, finance, learning environment, and teacher quality.</p>
8VAC20-131-280 through 8VAC20-131-360	NA	These sections establish the process for accrediting public schools, improvement actions required of schools not meeting the requirements for full accreditation, certain procedures to waive these regulations, and effective dates.	These sections are proposed to be repealed and replaced with Sections 8VAC20-131-370 through 8VAC20-131-430.
	8VAC20-131-370		Establishes the principles and purpose of school accountability and accreditation

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			<p>systems, and describes the components of such systems.</p> <p>Provides that schools are to be accredited based upon meeting certain minimum standards and on continuous improvement of performance levels on school quality indicators.</p> <p>Provides that components of the accountability system include the federal accountability provisions required under the Every Student Succeeds Act of 2015 (ESSA) and the Individuals with Disabilities Education Act (IDEA).</p>
	<p>8VAC20-131-380</p>	<p>The existing accreditation system is described in 8VAC20-131-280 through 8VAC20-131-300, which are to be repealed.</p>	<p>Provides that school quality is to be measured for each school using multiple school quality indicators including student academic outcome measures and other factors associated with student learning.</p> <p>The school quality indicators include:</p> <ul style="list-style-type: none"> <li>• Academic achievement in English, including measures of growth in elementary and middle schools, and progress toward English proficiency in English learners</li> <li>• Academic achievement in mathematics, including measures of growth in elementary and middle schools</li> <li>• Academic achievement in science</li> <li>• Academic achievement gaps in English and mathematics</li> <li>• Graduation and completion index for high schools only</li> <li>• Dropout rate in high schools only</li> <li>• Chronic absenteeism rates</li> <li>• College, career, and civic readiness index for high schools only (effective for the 2021-22 school year)</li> </ul> <p>Provides that schools will be held accountable on each of the adopted school quality indicators, based on its measurement against performance benchmarks for a given school quality indicator.</p> <p>Establishes three performance levels:</p> <ul style="list-style-type: none"> <li>• Level One: At or Above Standard</li> <li>• Level Two: Near Standard</li> </ul>

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
			<ul style="list-style-type: none"> <li>• Level Three: Below Standard</li> </ul> <p>Provides that benchmarks are used to designate performance levels for each school quality indicator. Performance levels are used to describe whether a school's performance in a given school quality indicator meets standards or demonstrates adequate improvement.</p> <p>Provides that a performance level will be assigned for each applicable school quality indicator for each school.</p> <p>Specifies the criteria the Board is to consider when selecting school quality indicators and the process that the Board is to follow in determining the benchmarks that will form the upper and lower limits for each performance level.</p> <p>Describes the school quality indicators that are to be used, and sets benchmarks for each performance level.</p> <p>Performance levels described based on minimum levels of performance, which can be adjusted through board guidance as schools continuously improve, with adequate notice provided to school boards.</p> <p>Provides that effective with the 2018-2019 school year, performance levels will be applied to school quality indicators for accreditation purposes, except for the college, career, and civic readiness index, which will not be applied until the 2021-2022 school year.</p> <p>Provides that during the transition year of 2018-2019, the designation "Accredited" may be awarded using the new accreditation rules or the 2017-2018 rules.</p> <p>Provides that if a school has a grade configuration where no state assessments are required to be administered, such schools shall be paired with another school for accreditation purposes.</p> <p>Relocates and revises the provisions for</p>

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			<p>when assessments for English Learner and transfer students apply to a school's academic performance calculations. These provisions are currently set out in 8VAC20-131-280.D.</p> <p>Permits the Board to adopt special provisions for any indicator. Previously, only dropout rate included language for special provisions.</p> <p>Permits the Board to add or remove assessments, and to adopt special provisions for school quality indicators when assessments are revised or phased in.</p> <p>Permits the Board to adopt measures of student growth to be incorporated into the calculation of certain school quality indicators.</p> <p>Includes language permitting school boards to appeal performance level designations in limited circumstances that would warrant special consideration.</p>
	8VAC20-131-390	The existing accreditation system is described in 8VAC20-131-280 through 8VAC20-131-300, which are to be repealed.	<p>Provides that schools shall be accredited provided that actions required by 8VAC20-131-400 are completed, and that compliance with certain SOA requirements has been documented by the principal and school superintendent.</p> <p>Establishes school accreditation ratings which will be assigned for the academic year 2018-2019:</p> <ul style="list-style-type: none"> <li>• "Accredited"</li> <li>• "Accredited with Conditions"</li> <li>• "Accreditation Denied"</li> </ul> <p>Provides that performance levels for school quality indicators will be reviewed on an annual basis, and that the resulting actions required by 8VAC20-131-400 must be taken.</p> <p>Establishes a triennial accreditation cycle for schools that meet the requirements for "Accredited" status for a consecutive three-year period.</p>
	8VAC20-131-400	Actions required of schools that are not meeting expectations are currently	Requires all schools to develop comprehensive plans as required by <i>Code</i> , and requires improvement plans and

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		<p>described in 8VAC131-310 and 8VAC20-131-315, which are to be repealed.</p>	<p>corrective action plans to be incorporated into the comprehensive plans.</p> <p>Establishes actions required of schools and school divisions based upon performance levels in each school quality indicator and other factors.</p> <p>School improvement plans for Level Two indicators would require local school boards approval, and such plans could be subject to a department-established review process.</p> <p>If a school is at Level Two in an academic area, such schools would undergo a department academic review, and school improvement plans would be subject to a department-established review process, which may include peer review from another school division.</p> <p>Corrective action plans would be required for Level Three indicators.</p> <p>Provides a process by which a division may be required to enter into a state superintendent to local superintendent agreement, depending on the level of direction and intervention needed.</p> <p>Establishes a process by which a school board would be required to enter into a memorandum of understanding to delineate school improvement responsibilities, when a school division fails to adopt or implements components of a corrective action plan.</p> <p>Establishes the process by which the Board would consider designating a school as "Accreditation Denied" when a school fails to adopt and implement corrective action plans with fidelity.</p> <p>Provides, as provided in the Appropriation Act, that when a school board has failed or refused to meet certain school improvement obligations, the payment of At-Risk Add-On funds shall be withheld to the school division until it corrects its failures.</p> <p>Language from existing SOA and SOQ</p>

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			related to Board authority to pursue additional remedies including court action to seek compliance with school laws.
	8VAC20-131-410	The Virginia Index of Performance Program is established in 8VAC20-131-325, which is to be repealed.	Relocates the provisions for the existing Virginia Index of Performance Program for recognizing high performing schools from 8VAC20-131-325.  Establishes recognition for schools demonstrating exemplar performance on school quality indicators.
	8VAC20-131-420	Alternative accreditation plans and certain waivers may be granted in accordance with 8VAC20-131-280.C and F, 8VAC20-131-290.D, and 8VAC20-131-350, which are to be repealed.	Relocates and revises provisions permitting the Board to approve alternative accreditation plans and to waive certain provisions of the SOA.
	8VAC20-131-430	Effective dates are currently described in 8VAC20-131-360, which is to be repealed.	Establishes that the revised SOA will be effective for the 2018-2019 school year.  Clarifies the effective dates for phasing in revisions to graduation requirements, locally awarded verified credit provisions, academic and career planning requirements, and application of the career and college readiness indicator as a school quality indicator.