# Attachment B



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Proposed Regulation

Agency Background Document

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| **Agency name** | Virginia Board of Education |
| **Virginia Administrative Code (VAC) Chapter citation(s)** | 8VAC20-131 |
| **VAC Chapter title(s)** | Regulations Establishing Standards for the Accreditation of Public School in Virginia |
| **Action title** | 2021 Comprehensive Review of the SOA |
| **Date this document prepared** | October 22, 2021 |

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary  
[RIS1]

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

The Virginia Board of Education (Board) is proposing several technical and substantive amendments to its *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (also known as the Standards of Accreditation or SOA). The Standards of Accreditation seek to ensure that an effective educational program is established and maintained in all Virginia public schools and set out the following: expectations for student achievement; graduation requirements; requirements for instructional programs and staffing; standards for school facilities; standards for school and community communications; a system of accreditation; and plans for school improvement.

In 2017, the Board finalized its most recent comprehensive review of and update to the Standards of Accreditation. The Board approved a number of revisions to the SOA, including the addition of new and modified school quality indicators to the state accreditation model as well as an increased emphasis on closing achievement gaps and continuous improvement, among others. The update also allowed the Board to incorporate expectations for student achievement as outlined in the Profile of a Virginia graduate and the 5Cs (critical thinking, creative thinking, communication, collaboration, and citizenship). This regulatory action became effective January 11, 2018 and implementation of the new Standards of Accreditation began in the 2018-2019 school year.

Since implementation of the revised SOA, the Virginia Department of Education (VDOE) has monitored feedback and inquiries from the field as well as convened an internal committee representing various units across the agency to evaluate and address questions and concerns related to the SOA (also known as the SOA Implementation Committee). Additionally, in June 2020, the Board established its own Special Committee for the Review of the Standards of Accreditation comprised of Board members. The Special Committee was tasked with reflecting on the first years of implementation as well as identifying the positive, negative, and unintended consequences of the 2017 SOA revisions. The Special Committee received a number of informational presentations during its work, including proposals from VDOE’s SOA Implementation Committee on how to improve the impact and efficacy of the SOA. The Board’s Special Committee concluded its work in September 2021.

As result of work by the agency’s SOA Implementation Committee and the Board’s Special Committee, the Board has approved a package of technical and substantive amendments. Some of the major recommended changes include the following:

* Refining language related to the award of verified credits and locally-awarded verified credits as well as the use and administration of performance assessments;
* Amending language on the applicability of Certificates of Program Completion to align with the Standards of Quality;
* Adding a new diploma seal for Fine Arts;
* Amending graduation requirements for transfer students entering after the 9th grade year to reflect the number of testing opportunities in later high school years;
* Adding explicit expectations for the delivery of remediation to students, including remediation programs specific to numeracy;
* Adding a requirement for divisions to develop a comprehensive data security plan;
* Adding language about the appeals process for certain indicators when a school’s performance level was determined by Students with Limited and Interrupted Formal Education students;
* Allowing the Board to incorporate an improvement indicator for the College, Career, and Civic Readiness Index into the accreditation model when data is available; and
* Requiring comprehensive, long-range unified plans to draw on student group data to identify opportunity and achievement gaps and identify strategies to improve outcomes for all student groups.

The other proposed technical amendments provide clarification, update SOA language to mirror the vernacular in the field, ensure alignment with statute, and/or promote ease of use and readability.

[RIS2]   
Acronyms and Definitions

*Define all acronyms used in this form, and any technical terms that are not also defined in the “Definitions” section of the regulation.*

The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* may be referred to as the Standards of Accreditation or SOA.

The Virginia Department of Education is referred to as VDOE.

Mandate and Impetus

*Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in Executive Order 14 (as amended, July 16, 2018), “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”*

This regulatory action is being proposed at the Board’s discretion and is the result of feedback from the field, recommendations from VDOE staff and its SOA Implementation Committee, as well as findings from the Board’s Special Committee for the Review of the Standards of Accreditation.

Legal Basis

[RIS3]

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency’s overall regulatory authority.*

The Board of Education’s overall regulatory authority is found in § [22.1-16](https://law.lis.virginia.gov/vacode/title22.1/chapter2/section22.1-16/) of the *Code of Virginia*, which states that “[t]he 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.”

The Board of Education’s authority for promulgating regulations governing standards for accrediting public schools is found in § [22.1-253.13:3.A](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13:3/) of the Code of Virginia, which states, in part, that

[t]he Board shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ [2.2-4000](https://law.lis.virginia.gov/vacode/2.2-4000/) et seq.), which shall include (i) student outcome measures, (ii) requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, (iii) administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, (iv) student services, (v) auxiliary education programs such as library and media services, (vi) requirements for graduation from high school, (vii) community relations, and (viii) the philosophy, goals, and objectives of public education in Virginia.

The statutory authority for the *Regulations Establishing Standards for Accrediting Public Schools in* Virginia is delineated in § [22.1-19](https://law.lis.virginia.gov/vacode/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.

[RIS4]

Purpose

[RIS5]

*Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it’s intended to solve.*

This regulatory action is necessary to protect the health, safety, and welfare of citizens, particularly Virginia’s public school students. 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 seek 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 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 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.

This regulatory change is intended to ensure that the SOA is clear and effective in accomplishing the above. Additionally, this change promotes usability for these regulations so school divisions have a clear understanding of the expectations set out in the chapter and how to implement the regulations.

[RIS6]

Substance

[RIS7]

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of Changes” section below.

Some of the major recommended changes include the following:

* Refining language related to the award of verified credits and locally-awarded verified credits as well as the use and administration of performance assessments;
* Amending language on the applicability of Certificates of Program Completion to align with the Standards of Quality;
* Adding a new diploma seal for Fine Arts;
* Amending graduation requirements for transfer students entering after the 9th grade year to reflect the number of testing opportunities in later high school years;
* Adding explicit expectations for the delivery of remediation to students, including remediation programs specific to numeracy;
* Adding a requirement for divisions to develop a comprehensive data security plan;
* Adding language about the appeals process for certain indicators when a school’s performance level was determined by Students with Limited and Interrupted Formal Education students;
* Allowing the Board to incorporate an improvement indicator for the College, Career, and Civic Readiness Index into the accreditation model when data is available; and
* Requiring comprehensive, long-range unified plans to draw on student group data to identify opportunity and achievement gaps and identify strategies to improve outcomes for all student groups.

The other proposed technical amendments provide clarification, update SOA language to mirror the vernacular in the field, ensure alignment with statute, and/or promote ease of use and readability.

[RIS8]

Issues

[RIS9]

Identify the issues associated with the regulatory change, 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 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, include a specific statement to that effect.

The proposed regulatory amendments will positively affect the public, private citizens, school divisions, students, parents, school staff, and other constituents.

The advantage of these regulations, more broadly, to the Commonwealth include the following:

* 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.
* Continuing the implementation the Profile of a Virginia Graduate, to ensure that students not only acquire content knowledge, but also soft skills needed for success in employment and further education including: critical thinking, creative thinking, communication, collaboration, and citizenship.

This specific regulatory action benefits the Commonwealth in the following ways:

* The regulatory action provides a clear accountability system that will better reflect comprehensive picture of school quality for the public, and drive continuous improvement for all schools, including state assistance for low performing schools.
* The regulatory action clarifies the requirements and expectations set out in the SOA so that these provisions are implemented with fidelity and consistently across all of Virginia’s local school divisions.

These regulations and regulatory changes do not present any disadvantages to the public or the Commonwealth.

[RIS10]  
Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and 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 specific statement to that effect.

None of the proposed amendments to the SOA include requirements more restrictive than the applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Identify any other state agencies, localities, or other entities particularly affected by the regulatory change. “Particularly affected” are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. “Locality” can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

No other state agencies or entities are particularly affected. All 132 school divisions would be particularly affected as they would be responsible for implementing these regulatory changes.

Economic Impact

*Pursuant to § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits), anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is change versus the status quo.*

**Impact on State Agencies**

|  |  |
| --- | --- |
| *For your agency*: projected costs, savings, fees or revenues resulting from the regulatory change, including:  a) fund source / fund detail;  b) delineation of one-time versus on-going expenditures; and  c) whether any costs or revenue loss can be absorbed within existing resources | It is anticipated that any state costs associated with implementation would be absorbed within existing operational resources. |
| *For other state agencies*: projected costs, savings, fees or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures. | No other state agencies are affected. |
| *For all agencies:* Benefits the regulatory change is designed to produce. | This change is designed to support K-12 education in the Commonwealth. |

**Impact on Localities**

|  |  |
| --- | --- |
| Projected costs, savings, fees or revenues resulting from the regulatory change. | It is anticipated that any local costs associated with implementation would be absorbed within existing operational resources. |
| Benefits the regulatory change is designed to produce. | This change is designed to support K-12 education in the Commonwealth. |

**Impact on Other Entities**

|  |  |
| --- | --- |
| Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no otherentities will be affected, include a specific statement to that effect. | Students in K-12 public schools, their families,and local school divisions in Virginia would be affected by this regulation. |
| Agency’s best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that:  a) is independently owned and operated and;  b) employs fewer than 500 full-time employees or has gross annual sales of less than $6 million. | There are more than 1,251,000 students in K-12  public schools and 132 local school divisions in  Virginia. |
| All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to:  a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses;  b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change;  c) fees;  d) purchases of equipment or services; and  e) time required to comply with the requirements. | None anticipated. |
| Benefits the regulatory change is designed to produce. | This change is designed to support K-12 education in the Commonwealth. |

Alternatives to Regulation

*Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.*

The Board and VDOE have attempted to correct the issues identified during implementation of the revised SOA through new guidance, clarifications in Superintendent’s memos, training opportunities, or additional Board action. However, in order to ensure the SOA are effectively and consistently implemented across Virginia’s public schools and divisions, several of these issues need to be addressed in the regulatory language.

Regulatory Flexibility Analysis

*Pursuant to § 2.2-4007.1B of the Code of Virginia, describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.*

These regulations are not expected to affect small businesses.

Periodic Review and   
Small Business Impact Review Report of Findings

[RIS11]

If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the NOIRA stage, indicate whether the regulatory change meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable.

In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency’s consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to the which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency’s decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.

Not applicable.

[RIS12]  
Public Comment

*Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.*

There were no public comments received during the NOIRA phase relevant to the Standards of Accreditation. Town Hall does indicate 540 comments were received during the comment period but this forum was conflated with concurrent action items related to Social Emotional Learning guidance.

Public Participation

*Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.*

The Virginia Board of Education is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, (iii) the potential impacts of the regulation, and (iv) the agency's regulatory flexibility analysis stated in that section of this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by mail, email or fax to Holly Coy, Assistant Superintendent of Policy and Communications, (804)225-2092, Holly.Coy@doe.virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will not be held following the publication of this stage of this regulatory action.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.

*If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between existing VAC Chapter(s) and the proposed regulation. If existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.*

**Table 1: Changes to Existing VAC Chapter(s)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Current chapter-section number** | **New chapter-section number, if applicable** | **Current requirements in VAC** | **Change, intent, rationale, and likely impact of new requirements** |
| 8VAC20-131-5 |  | This section includes definitions for the regulation. | Strikes "Authentic" from the term "Authentic performance assessment" and pluralizes assessments to align terminology and clarify expectations for the use of performance assessments.  Adds a definition for "Comprehensive, unified, long-range plan" to clarify the connection to the Standards of Quality requirement and standardize terminology.  Adds a definition for "Corrective action plan" to clarify its development and use as it applies to accreditation.  To align with SB323 (2020), deletes reference to the specific types of diplomas to which "Credit accommodations" can apply.  Adds definition of "Essential actions" as it relates to comprehensive needs assessments and the comprehensive, unified, long-range plan  Adds "but not limited to" the list of diploma to clarify the term "Graduate.”  Adds a definition for "High school" to reference schools with grades 9 through 12. This change is carried through the SOA.  Adds definition for "Memorandum of Understanding" to clarify the use of an MOU as it applies to accreditation.  Amends definition of "Secondary school" to include both middle and high school grades and align with common vernacular.  Amends the "Reporting group" to "Student group" to align with reporting practices.  Amends definition of the "Standard school day" to comport with SB238 (2020) and the requirement that all kindergarten programs are full-time. Additional changes forthcoming once amendments are finalized.  Amends the definition of a "Verified unit of credit" to include new option related to history and social science and align language changes throughout the SOA. |
| 8VAC20-131-30 |  | This section describes student academic and assessment requirements. | Moves language on expectations for promotion to high school to promote clarity.  Sets clear expectation that English Learners should not be retained in any grade solely due to language skills and proficiency.  Strikes language related to expedited retakes to move to section F.  Strikes language regarding requirements and expectations for remediation to move to 8VAC20-131-70 regarding instructional programs.  Strikes language regarding requirements and expectations for remediation to move to 8VAC20-131-80 and 90 regarding instructional programs for elementary and middle schools, respectively.  Clarifies requirements for students to take end-of-course assessments.  Incorporates language on expedited retakes into the section on assessment.  Strikes language regarding foreign exchange students and end-of-course assessments. Expectation clarified in |
| 8VAC20-131-50 |  | This section describes graduation requirements for those entering high school prior to 2018-2019. | Makes grammatical edit in list of mathematics courses.  Makes technical edits and adds language to clarify the numbers and types of courses that can apply towards certain graduation requirements.  Clarifies what types of courses can fulfill the virtual course requirement.  Makes technical edits and adds language to clarify the numbers and types of courses that can apply towards certain graduation requirements.  Clarifies what types of courses can fulfill the virtual course requirement.  Amends requirements for the Governor’s Seal to clarify that not all college-level coursework may translate to college credit but may still be applied towards earning the diploma seal.  Makes technical edit to amend Boy Scouts, Girl Scouts to just Scouts.  Adds additional language that requires informing students about potential consequences of bypassing or delaying opportunities to earn verified credits. |
| 8VAC20-131-51 |  | This section describes graduation requirements for those entering high school after 2018-2019. | Updates language related to workplace and citizenship skills to reflect the variety of work-based learning experiences that may apply.  Removes outdated language related to the Virginia Assessment Program.  Clarifies that locally-awarded verified credits are available in reading and writing as subsets of English.  Adds language to indicate that performance assessments can be used to earn a verified credit in history/social science based on new language in the Appropriation Act.  Amends language related to expectations for students on performance assessments.  Strikes "authentic" language as it relates to performance assessments for writing and clarifies their administration.  Strikes language on the cap for locally-awarded verified credits for students following graduation requirements in 8VAC20-131-51 to move to SOA guidance.  Makes grammatical edit in list of mathematics courses.  Makes technical edits and adds language to clarify the numbers and types of courses that can apply towards certain graduation requirements.  Clarifies what types of courses can fulfill the virtual course requirement.  Removes outdated language related to the Virginia Assessment program.  Clarifies that locally-awarded verified credits are available in reading and writing as subsets of English.  Adds language to indicate that performance assessments can be used to earn a verified credit in history/social science based on new language in the Appropriation Act.  Amends language related to expectations for students on performance assessments.  Strikes "authentic" language as it relates to performance assessments and clarifies their administration.  Pluralizes authentic performance assessments to clarify the expectation that multiple assessments are required for the purpose of earning verified credit.  Makes grammatical edit on the awarding of an Applied Studies Diploma.  Amends language related to Certificates of Program Completion to align with language in the Standards of Quality and to clarify how these certificates can be employed.  Makes a technical edit for language consistency on the use of the singular student.  Amends requirements for the Governor’s Seal to clarify that not all college-level coursework may translate to college credit but may still be applied towards earning the diploma seal.  Amends the requirements for a Career and Technical Education Seal to enhance rigor for earning the diploma seal. The change requires the student maintain a “B” in CTE coursework as well as pass an exam leading to certification or a credential.  Provides clarifying language on the meaning of “concentration” and “specialization” in CTE coursework.  Makes technical edit to amend Boy Scouts, Girl Scouts to just Scouts.  Adds a new diploma seal for Fine Arts.  Adds additional language that requires informing students about potential consequences of bypassing or delaying opportunities to earn verified credits. |
| 8VAC20-131-60 |  | This section describes graduation requirements for students who transfer into Virginia’s public high schools. | Strikes definitions of "beginning" and "during" as no longer necessary for determining graduation requirements for transfer students.  Allows transfer students to use other states’ assessments for earning verified credit in Virginia.  Removes “only” throughout the subsection to clarify that students can earn more than the enumerated verified credits.  Reorganizes language on graduation requirements for transfer students depending on the applicable graduation requirements and time of entry.  Clarifies discipline area verified credit requirements for transfer students  Adjusts verified credit requirement for students entering tenth grade, recognizing some test opportunities will be unavailable. |
| 8VAC20-131-70 |  | This section describes the requirements for the school division’s instructional program and learning objectives. | Updates language related to mathematics instruction.  Adds engineering to the program of instruction.  Refines language related to the arts.  Updates language related to CTE to align with practice in the field and also clarifies expectations related to career exploration and readiness.  Incorporates remediation language formerly in 8VAC20-131-30. |
| 8VAC20-131-80 |  | This section describes the requirements for the instructional program in elementary school. | Strengthens language concerning what Standards of Learning objectives must be taught in English, mathematics, science, and history and social science.  Reorders section language for clarity and adds language to comport with SB238 (2020) requiring full-time kindergarten.  Refines language related to the purpose of maintaining student achievement records.  Refines language related to goals of the elementary instructional program and clarifies the responsibility of school boards relations to early identification, diagnosis, and assistance for students with reading and mathematics problems.  Adds language about remediation and intervention for students not progressing in early mathematics proficiency. Mirrors language already included regarding intervention and remediation for students not progressing in early reading.  Adds language to clarify the expectation that remediation and intervention services do not impede progress in other classes.  Sets out, explicitly, the requirement that the instructional program in elementary school include daily recess.  Incorporates remediation language formerly in 8VAC20-131-30. |
| 8VAC20-131-90 |  | This section describes the requirements for the instructional program in middle school. | Strengthens language concerning what Standards of Learning objectives must be taught in English, mathematics, science, and history and social science.  Clarifies requirements for remediation and intervention for mathematics.  Incorporates remediation language formerly in 8VAC20-131-30. |
| 8VAC20-131-100 |  | This section describes the requirements for the instructional program in high school. | Amends "secondary" to "high" in reference to the instructional program. |
| 8VAC20-131-110 | 8VAC20-131-45 | This section explains the award of standard and verified units of credit. | Removes outdated language related to the Virginia Assessment program.  Clarifies that locally-awarded verified credits are available in reading and writing as subsets of English.  Adds language to indicate that performance assessments can be used to earn a verified credit in history/social science based on new language in the Appropriation Act.  Amends language related to expectations for students on performance assessments.  Clarifies language related to the administration of performance assessments.  Pluralizes authentic performance assessments to clarify the expectation that multiple assessments are required for the purpose of earning verified credit.  Strikes language on the cap for locally-awarded verified credits for students following graduation requirements in 8VAC20-131-51 to move to SOA guidance. |
| 8VAC20-131-140 |  | This section describes the opportunities for college and career readiness, career exposure and planning, as well as opportunities for post-secondary credit. | Strikes section for phased in implementation of Academic Career Plans as well as opportunities for advanced coursework and work-based learning opportunities.  Makes technical changes to align with current practice and terminology in career and technical education. |
| 8VAC20-131-170 |  | This section outlines family life education. | Removes outdated language regarding the specific components of Family Life Education. |
| 8VAC20-131-210 |  | This section describes the role of the principal. | Updates the responsibilities of the principal as they pertain to statewide standardized assessments. |
| 8VAC20-131-260 |  | This section describes the requirements for school facilities and safety. | Requires schools to maintain suitable space in a school for various functions, including recess.  Clarifies expectations regarding the requirements and frequency of fire drills and lock down drills to comport with the Code of Virginia and other relevant regulatory language.  Add language related to security and the requirement to establish a comprehensive data security plan. |
| 8VAC20-131-380 |  | This section describes the measurement for school quality for accreditation. | Makes a technical edit in the subsection related to English Learners.  Updates language related to comprehensive, unified, long-range plan for clarity and consistency.  Modifies Level 1 and Level 2 descriptors to improve clarity around improvement measures and what prompts a change in Level.  Changes the College, Career, and Civic Readiness Index to College, Career, and Civic Readiness Indicator.  Adds language about the appeals process for certain indicators when performance level was determined by students with limited or interrupted formal education. |
| 8VAC20-131-390 |  | This section described prerequisites for accreditation, ratings, and review cycles. | Removes language that suggests only students that take Standards of Learning assessments are taught the Standards of Learning which is inaccurate.  Updates language related to comprehensive, unified, long-range plan for clarity and consistency.  Requires comprehensive, long-range unified plans to identify and address opportunity and achievement gaps and advancing outcomes for all learners.  Reinstates the "new school" accreditation rating which was inadvertently dropped during the 2017 revisions to the Standards of Accreditation. All valid accreditation ratings must be defined in the SOA. |
| 8VAC20-131-400 |  | This section describes the application of the school quality indicator performance levels to action. | Clarifies language and expectations around comprehensive, unified, long-range plans.  Adds language regarding the Board's authority to require a division-level academic review under certain circumstances. |
| 8VAC20-131-420 |  | This section describes waivers and alternative accreditation plans. | Eliminates the alternative accreditation plans based on graduation classes with fewer than 50 students as there is no longer a need. |
| 8VAC20-131-430 |  | This section outlines implementation timetable for the regulations. | Strikes section on effective dates as implementation will be in full-effect. |