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Final Regulation Agency Background Document

Agency name	State Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8VAC20-132 [new chapter]; 8VAC20-131
VAC Chapter title(s)	Virginia Standards of Accreditation (8VAC20-132); Regulations Establishing Standards for Accrediting Public Schools in Virginia (8VAC20-131)
Action title	Revisions to the Virginia Standards of Accreditation
Date this document prepared	July 8, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

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 Regulations Establishing Standards for Accrediting Public Schools in Virginia (“SOA”) have the goal of ensuring that an effective educational program is established and maintained in Virginia’s public schools by (1) providing an essential foundation of educational programs of high quality for all schools for all students; (2) encouraging and promoting school quality and acknowledging achievement and continuous improvements by schools and school divisions in multiple areas; (3) fostering 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) assuring recognition of Virginia’s public schools by other institutions of learning; and (5) establishing 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 outcomes and growth measures and compliance with requirements for multiple inputs affecting school quality.

The State Board of Education is proposing to repeal the existing chapter and establish a new chapter for Establishing Standards for Accrediting Public Schools. The existing regulations created an accreditation system that did not transparently communicate information to the public about the quality of schools or student learning outcomes due to the complicated nature of the system and the inability of the system to meaningfully differentiate schools. The existing regulations also used the process for accrediting schools as an accountability system to foster school improvement, rather than deploying accreditation to ensure accreditation fosters the establishment of effective school-level educational programs. The new regulations will separate accountability from accreditation, creating two separate but inter-related systems. The proposed school accountability system would measure student outcomes and identify schools for supports, and the school accreditation system would determine full compliance with each of the inputs described in the SOA. The proposed regulations would also allow for flexibility in the future for the Board to continue to refine the accountability system and align to federal requirements, so Virginia would not have multiple systems of supports for divisions and schools.

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.

- “Board” means the State Board of Education.
- “NAEP” means the National Assessment of Educational Progress.
- “SOA” or “Standards of Accreditation” means the Regulations Establishing Standards for Accrediting Public Schools in Virginia (8VAC20-131).
- “VDOE” means the Virginia Department of Education.

Statement of Final Agency Action

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.

The Virginia Board of Education approved the revisions to the *Virginia Standards of Accreditation* (8VAC20-132) at its meeting on July 25, 2024.

Mandate and Impetus

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously reported information, include a specific statement to that effect.

In 2017, the Board completed a comprehensive review and update of the Standards of Accreditation. The Board approved numerous substantive 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).

Since that action, it has become apparent that the Standards of Accreditation merit further review to align better with Board goals. Although Virginia’s public schools have long been regarded as among the best in the nation, the Commonwealth has seen widening gaps in student achievement and a significant slip in

comparison with other states on numerous academic measures. For example, the National Assessment of Educational Progress (“NAEP”) shows that Virginia has wide gaps between student proficiency standards on state reading and math assessments and the grade-level proficiency benchmarks: only 38% of Virginia fourth graders and 33% of eighth graders were proficient in reading on the 2019 NAEP, compared with 75% and 76% respectively on the 2019 state fourth- and eighth-grade SOL reading tests.

Since 2017, NAEP scores have illustrated a downward trend after 20 years of high marks for Virginia’s students. On the most recent 2022 NAEP release, the first release since the COVID-19 pandemic, Virginia’s results showed a sharp decline in performance—even sharper than the rest of the nation. For example:

1. Grade 4 performance for Virginia’s students on the NAEP scaled scores declined 2 times more than the national average in Math and 3 times more in Reading;
2. Grade 8 Reading fell below 1998 performance levels;
3. Grade 8 Math nearly fell to 2000 performance levels; and
4. Results for Virginia’s Black, Hispanic, and students eligible for the National School Lunch Program (NSLP) showed no improvement in any grade or subject since 2000, with gaps in performance widening for some of these subgroups.

Further compounding these issues is pandemic-related learning loss, which one publisher of widely used K-12 assessments has shown to be worse in Virginia than the national average (see *Renaissance: How Kids Are Performing*). Moreover, statewide SOL assessment results for the 2022–2023 school year show that the pass rates for reading and math remain well behind 2018–2019 pass rates for both elementary and middle school students. More than half of Grade 3–8 students either failed or are at risk of failing their reading SOL exam. Nearly two-thirds of Grade 3–8 students either failed or are at risk of failing their math SOL exam. Additional information can be found in the VDOE’s *Our Commitment to Virginians*.

The true state of Virginia’s school system, however, is not adequately captured by the current accreditation system. For example, the current accreditation system shows that in 2023-2024 88% of schools are accredited, while 12% of schools are accredited with conditions. This binary reporting does not show an honest picture of how schools are able to support student learning. To create a more honest and transparent reporting of school performance, the Board will revise the current accreditation system and separate accreditation and accountability, increasing transparency to improve student success for all students and aid in the allocation of Commonwealth resources into Virginia schools. Without a clear picture of the relationship between school performance and student performance, neither the Board nor the General Assembly can find the proper solutions to the problems faced by Virginia students.

There are no changes to previously reported information.

Legal Basis

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 of the Code of Virginia:

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.

The Board of Education’s authority for promulgating regulations governing standards for accrediting public schools is found in § 22.1-253.13:3 of the Code of Virginia:

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.

Purpose

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 is intended to solve.

A revision to the SOA is essential to fixing the learning loss experienced by Virginia students before the damage becomes long-term and irreparable. The health of Virginia schools and the performance of Virginia students is essential to the health of the Commonwealth’s civic and economic life. Failure to act immediately could have repercussions that last generations.

The current accreditation system blends what many other states separately refer to as accreditation and accountability, and it is one of the most complex in the nation. The Board is addressing how these two aspects of the current system can be transformed to increase transparency of school and student performance. A transparent system will benefit students, parents, schools, and policy makers by providing more accurate data regarding the performance of students and schools. Further, by establishing a system for accountability, the Board will ensure the schools that are struggling most to address learning loss and academic gaps are identified for, and receive, supports from their division and the VDOE—which will create a single system for delivering interventions and assistance to low performing schools.

Substance

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.

The Board has made numerous revisions to the Standards of Accreditation, especially in separating the accountability and accreditation system:

- New definitions and edits to existing definitions;
- Substantial revisions that result in a new Part VIII on School Accountability;
- Substantial revisions that result in a new Part IX on School Accreditation.

The Board has made conforming changes to the following sections in order to support the substantive revisions described above:

- Purpose;

- The philosophy, goals, and objectives of public education and the SOA;
- School and community communications.

The Board has also made a few organizational changes to increase clarity and has updated citations throughout the chapter.

Issues

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 primary advantages to the public include a positive impact on private citizens, school divisions, students, parents, school staff, and other constituents.

There are numerous advantages to the agency and the Commonwealth that will result from these updates to the SOA.

- Improving school accountability measures that will more clearly state the following:
 - Expectations for school accountability;
 - Measurement of school quality for accountability;
 - Identification of schools for improvement and identification of schools for required actions; and
 - Recognitions and rewards for school and division accountability.
- Improving the school accreditation process and descriptions to include the following:
 - Accreditation;
 - Waivers and alternative accreditation plans; and
 - Effective dates.
- Updating regulations to conform with these modifications to include the following:
 - Definitions found within the Standards of Accreditation;
 - The purpose of the Virginia Standards of Accreditation;
 - Philosophy, goals, and objectives of the Virginia Standards of Accreditation; and
 - School and community communication requirements.

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

Requirements More Restrictive than Federal

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than applicable federal requirements. If there are no changes to previously reported information, include a specific statement to that effect.

Virginia continues to develop and implement regulations that will align state requirements with the current federal requirements. Through this action Virginia seeks to seize the opportunity to better align state requirements with federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously reported information, include a specific statement to that effect.

Other State Agencies Particularly Affected

- No other state agencies will be particularly affected by this regulatory change.

Localities Particularly Affected

- No localities will be particularly affected by this regulatory change.

Other Entities Particularly Affected

- No other entities will be particularly affected by this regulatory change.

Public Comment

Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency’s 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.

Commenter	Comment	Agency response
Greg Eastman, Parent	<p>Greg Eastman, a parent, and active participant in Arlington public schools, spoke in support of the proposed accountability framework. The key points of his comments included the following:</p> <ul style="list-style-type: none"> • Endorsed the new framework, particularly its emphasis on mastery and the separation of accreditation and accountability aspects. He stressed the importance of having a simple and accurate metric for communities to understand school performance. • Criticized the current accreditation system for using a combined measure of achievement and growth, which masks differences in SOL pass rates and fails to accurately reflect school performance. • Emphasized the need for honest accounting of school performance, especially in light of significant learning losses due to the pandemic. He noted that Virginia students' SOL scores have declined by approximately 15% in math and writing since 2019, with the greatest impact on economically disadvantaged 	<p>VDOE thanks the commenter for their support of this action and acknowledges the comment.</p>

	<p>students. He also mentioned that Virginia recorded the largest drop in NAEP scores for 4th graders among all states between 2017 and 2022.</p> <ul style="list-style-type: none"> • Stated the proposed accountability system, which gives greater weight to mastery, will provide the tools needed to address these shortcomings. By emphasizing mastery in the summary performance measure, schools will be incentivized to teach students according to the Standards of Learning (SOL). The mastery index will reward schools for students' advanced performance, encouraging them to develop students to their full potential. • Supported the middle school readiness measures, which will incentivize schools to offer algebra and other courses that set students up for success in high school. He cited Arlington's positive experience with middle school honors courses, which saw strong uptake and equitable enrollment, as evidence of the effectiveness of this approach. <p>Eastman concluded by reaffirming his support for the proposed accountability framework and its potential to improve educational outcomes for Virginia students.</p>	
<p>Betrys Huffman, Division Director of Testing for Fairfax County Public Schools</p>	<p>Betrys Huffman, a Division Director of Testing for Fairfax County Public Schools, shared concerns and suggestions regarding the proposed Virginia school performance and support framework. Huffman's key points included the following:</p> <ul style="list-style-type: none"> • expressed appreciation for the opportunity to contribute to developing a clear system for measuring student success that aligns state and federal accountability systems. • emphasized the need for the framework to account for the needs of students with disabilities and multilingual learners. Huffman 	<p>VDOE acknowledges the comment. No change will be made to the regulation in response to this comment. The adjustment period for English learners aligns the accountability system with federal requirements and allows schools where English learners are struggling to be identified for support earlier. Many of the other key points in this comment fall outside the scope of the regulatory action.</p>

	<p>recommended that growth targets be designed with these students in mind and suggested alternative options for fulfilling readiness and graduation measurements.</p> <ul style="list-style-type: none">• argued that chronic absenteeism calculations should recognize that not all absences are equal. For instance, medically fragile students should not be penalized for their conditions.• suggested including the Graduation and Completion Index as a supplemental measure alongside the federal graduation indicator to reflect outcomes for students who need additional time to graduate.• raised concerns about the proposal to reduce the adjustment period for multilingual learners from 11 semesters to three, pointing out that research indicates it generally takes 5 to 7 years to acquire English proficiency.• highlighted concerns about the testing burden in Virginia schools, which often takes time away from instruction. Huffman asked that readiness measures across levels not rely on more assessments. Instead, they suggested using existing components like the integrated reading and writing component of the SOL reading test or tasks from the Virginia Language and Literacy Screening System.• urged consideration of the extent of control schools have over certain factors when finalizing overall school ratings. For example, they suggested that science should represent a lower proportion of mastery than English and mathematics, as science tests involve a smaller representation of students.• advocated for maintaining adjustments for cases where parents refuse participation in testing. <p>Huffman concluded by affirming Fairfax County Public Schools'</p>	
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	<p>commitment to student success and urged consideration of these recommendations to ensure the system reflects the hard work and outcomes of students and educators.</p>	
<p>Todd Truitt, Parent</p>	<p>Todd Truitt, a parent of two Virginia public school students, expressed strong support for the proposed accountability framework. Truitt's key points included the following:</p> <ul style="list-style-type: none"> • endorsed the new framework, emphasizing its importance in ensuring proper disclosure of academic performance data to Virginia students, parents, and communities. • referenced a New York Times editorial, stating that many states have failed to uphold their accountability responsibilities since the Every Student Succeeds Act (ESSA) was passed in 2015, resulting in the least advantaged children paying the price. Truitt asserted that the new framework would help Virginia fulfill its responsibilities. • highlighted that the current combined accreditation and accountability system failed to reflect the significant academic achievement changes due to COVID-era learning loss. The new system will separate accountability from accreditation, improving transparency. • praised the framework's easy-to-understand summative measure, which they deemed necessary for clear disclosure of academic performance data, similar to systems in other states like Maryland. • supported the framework's emphasis on achievement over growth, arguing that parents aim for their children to reach proficiency, not just continuous growth. He cited Maryland's accountability system, which weighs mastery and growth almost equally, as an example of a failed approach. 	<p>VDOE thanks the commenter for their support of this action and acknowledges the comment.</p>

	<ul style="list-style-type: none"> • endorsed the inclusion of a middle school accelerated coursework readiness factor, pointing to Florida's successful implementation, where 99% of middle schools offer algebra. He noted that approximately 98% of Virginia middle schools already offer algebra, suggesting that implementation should be straightforward. <p>Truitt concluded by strongly supporting the proposed accountability framework, emphasizing its benefits and improvements for Virginia students, families, and communities.</p>	
<p>Barbara Laws, policy chair for the Virginia Coalition for Fine Arts Education.</p>	<p>Barbara Laws, policy chair for the Virginia Coalition for Fine Arts Education (VCFAE), spoke in support of including a fine arts diploma seal in the Virginia standards of accreditation. Their key points included the following:</p> <ul style="list-style-type: none"> • VCFAE represents a collaborative advocacy group that includes Virginia arts educators, arts education associations, community arts organizations, higher education representatives, and other stakeholders such as the Virginia PTA. Their focus is on promoting high-quality arts programs for all children in the Commonwealth. • the coalition reviewed the 2024 proposed changes to the Virginia standards of accreditation and recommended the inclusion of a fine arts diploma seal. • requested the addition of specific language to section 1, 3, 2, 50 H, stating, "The Virginia Board of Education shall establish criteria for awarding a fine arts diploma seal." They also suggested adding "fine arts" to the list in bullet 7 of the same section, which mentions other seals or awards for exceptional academic, career, and technical achievements. 	<p>VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>

	<ul style="list-style-type: none"> • emphasized that these additions would enable the recognition of advanced fine arts students for exemplary work and potentially motivate more students to pursue higher-level fine arts courses. • highlighted that the fine arts diploma seal would support career and college readiness by providing a way for students to communicate their achievements to postsecondary higher education institutions or employers. <p>Laws concluded by thanking the Board for considering the request and for their support of students engaged in the fine arts.</p>	
<p>Amy Beaumont, Parent</p>	<p>Amy Beaumont, a parent in Arlington County, expressed strong support for the proposed accountability framework for Virginia schools. Beaumont's key points included the following:</p> <ul style="list-style-type: none"> • endorsed the new framework's approach to mastery and growth in school performance measures, highlighting its improvement over the current system. • criticized the current accreditation system for using a combined pass rate that masks weaknesses in assessment scores, failing to reflect learning losses post-COVID. The new framework separates mastery from growth, allowing for clearer differentiation between schools. • supported the higher weighting of mastery over growth in the new framework, which they believe will incentivize schools to close learning gaps. They referenced Massachusetts as a model, which uses a 60% weighting for achievement and 20% for growth. • addressed concerns that emphasizing mastery might jeopardize school accreditation, explaining that the proposed regulation separates performance categories from accreditation status, ensuring that 	<p>VDOE thanks the commenter for their support of this action and acknowledges the comment.</p>

	<p>accountability focuses on student outputs while accreditation focuses on inputs and compliance.</p> <ul style="list-style-type: none"> discussed the framework's adoption of the Every Student Succeeds Act (ESSA) approach, which excludes the scores of recently arrived English learners from accountability calculations for three semesters, compared to Virginia's current exclusion for up to 11 semesters. They acknowledged the challenges in assessing non-English proficient students but emphasized the need for their inclusion in accountability metrics due to their growing share in the student population. encouraged further discussion on the treatment of English learners in accountability metrics. <p>Beaumont concluded by thanking the Board for the progress made with the new accountability framework, asserting that all Virginia students will benefit from these changes.</p>	
<p>J.R. Snow, Executive Director of the Virginia Music Educators Association</p>	<p>J.R. Snow, Executive Director of the Virginia Music Educators Association (VMEA), spoke in favor of adding a fine arts diploma seal to the standards of accreditation. Snow's key points included the following:</p> <ul style="list-style-type: none"> VMEA represents the Virginia Music Educators Association, which provides leadership and professional development to ensure high-quality music education across Virginia. The association has over 2,300 members leading music education in various educational settings statewide. advocated for the inclusion of a fine arts diploma seal to recognize and support the efforts of tens of thousands of Virginia high school students involved in dance, theater, music, and visual arts. emphasized that the fine arts diploma seal would celebrate 	<p>VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>

	<p>students' work, motivate the next generation of artists, and support their transition to postsecondary higher education or employment.</p> <ul style="list-style-type: none"> • highlighted that supporting these artists ensures the continued cultural excellence of the arts in Virginia. <p>Snow expressed gratitude for the opportunity to speak, the consideration of the request, and the ongoing support of the fine arts.</p>	
<p>Christopher Moseley, President of the Virginia Association of Music Education Administrators</p>	<p>Christopher Moseley, President of the Virginia Association of Music Education Administrators (VAMEA), advocated for the inclusion of a fine arts diploma seal in the standards of accreditation. Moseley's key points included the following:</p> <ul style="list-style-type: none"> • emphasized that a fine arts diploma seal would recognize and validate the hard work and commitment of advanced fine arts students who dedicate countless hours to their craft. • highlighted that the prospect of earning a fine arts diploma seal would serve as a powerful motivator for students to pursue higher-level fine arts courses. This would foster a culture of excellence and dedication within schools. • argued that the seal would provide a tangible way for students to communicate their achievements to post-secondary employers and higher education institutions. It would signal qualities such as talent, discipline, creativity, and perseverance, which are highly valued in any field. <p>Moseley concluded that adding a fine arts diploma seal aligns with the mission to provide students with a well-rounded, high-quality education. It celebrates students' achievements, motivates further academic pursuits, and enhances</p>	<p>VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>

	<p>their readiness for future endeavors.</p>	
<p>Holly Kincaid, past President of the Virginia Art Education Association</p>	<p>Holly Kincaid, past President of the Virginia Art Education Association (VAEA), spoke in favor of introducing a fine arts diploma seal to Virginia's accreditation standards. Kincaid's key points included the following:</p> <ul style="list-style-type: none"> • emphasized that the fine arts diploma seal would honor the dedication and exceptional work of advanced fine arts students, recognizing their achievements and inspiring deeper engagement with the arts. • highlighted that pursuing higher-level fine arts courses helps students develop critical skills such as creativity, critical thinking, and emotional expression, which are invaluable in both personal and professional contexts. • stated that the fine arts diploma seal would serve as a tangible testament to students' hard work and talent, providing a distinct advantage when applying to colleges and seeking employment. It would communicate to postsecondary institutions and employers that these students possess discipline, creativity, and innovative thinking. • argued that the initiative would elevate the status of fine arts education, highlighting its essential role in a well-rounded curriculum. Recognizing and rewarding students' accomplishments in the arts would validate their efforts and underscore the importance of fostering a vibrant and dynamic educational environment. <p>Kincaid concluded by urging support for the fine arts diploma seal, emphasizing its significant benefits for students' futures and the overall educational environment.</p>	<p>VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>
<p>Addie Benko, Executive Director of the</p>	<p>Addie Benko, Executive Director of Virginia Thespians and Blue Ridge CAPPIES, spoke in support of</p>	<p>VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will</p>

<p>Virginia Thespians and Blue Ridge CAPPIES</p>	<p>adding a fine arts diploma seal to the standards of accreditation. Benko’s key points included the following:</p> <ul style="list-style-type: none"> • advocated for the recognition of students who dedicate significant time and effort to fine and performing arts throughout their academic careers, both in and out of the classroom. • emphasized that students who go above and beyond in fine arts deserve the same academic recognition as those in other disciplines. This recognition can increase motivation and enrollment in arts programs, which have been struggling with staffing and the removal of the mandatory fine arts credit in Virginia. • highlighted research indicating that arts education provides valuable transferable skills that benefit all career paths. Increased recognition for fine arts can enhance students’ preparation for college and careers in related fields. • citing research from the Arts Education Data Project, noted that students who take arts classes have nearly 2% less absenteeism than non-arts students, with attendance improving the longer they participate in arts education. <p>Benko concluded that adding a fine arts diploma seal could help address chronic absenteeism, improve career readiness opportunities, create equity in recognizing student academic efforts, and provide numerous other benefits.</p>	<p>be made to the regulation in response to this comment.</p>
<p>Sheila Kelly, Arlington Parents for Education</p>	<p>Sheila Kelly, representing Arlington Parents for Education, shared her support for the Virginia Board of Education’s efforts to create a new accountability system for public schools. Kelly’s key points included the following:</p> <ul style="list-style-type: none"> • emphasized the importance of providing families with a clear and 	<p>VDOE thanks the commenter for their support of this action and acknowledges the comment.</p>

	<p>honest assessment of public school performance. They endorsed the proposal to create a summative measure for school performance to enable meaningful differentiation between schools.</p> <ul style="list-style-type: none"> •highlighted the need to prioritize mastery over growth, especially in light of learning losses from the COVID-19 pandemic. Kelly noted that state math and writing SOL pass rates are still 15% lower than pre-COVID levels and stressed the urgency of closing these gaps. •argued that incentivizing mastery by giving it a higher weighting than growth would encourage schools to develop students to their full potential, similar to practices in Massachusetts. •supported the inclusion of advanced coursework in the middle school readiness component, particularly advocating for algebra in middle school to prepare students for advanced high school courses like calculus. •pointed out that 13% of students in Arlington are chronically absent, leading to significantly lower SOL test scores. Kelly urged for chronic absenteeism to have a meaningful weight in the school performance index and called for schools to re-evaluate academic policies that reduce incentives for regular attendance. <p>Kelly concluded that the proposed accountability framework would enhance efforts to boost achievement for Virginia students and thanked the Board for their work.</p>	
<p>Lauren MacLean, Title III Coordinator for Albemarle County Public Schools</p>	<p>Lauren MacLean, the Title III Coordinator for Albemarle County Public Schools, shared insights about the strengths and challenges of English learners (ELs) as the Virginia Board of Education considers changes to the standards of accreditation. MacLean’s key points included the following:</p>	<p>VDOE acknowledges the comment. The comment regarding the adjustment period for English learners aligns the accountability system with federal requirements and allows schools where English learners are struggling to be identified for support earlier. Therefore, no change will be made to the regulation in response to this comment.</p>

	<ul style="list-style-type: none"> • Stated that Albemarle County, which surrounds Charlottesville, welcomes students from over 100 countries speaking more than 75 languages. The schools actively open their doors to these diverse learners. • highlighted the accomplishments of EL students, noting that many are graduating, some with full scholarships to universities like the University of Virginia. Many also obtain the Seal of Biliteracy, demonstrating proficiency in both English and their native languages. • stated that the success of EL students is attributed to their hard work, the support of their families, and the dedication of their teachers. Despite the challenges, including standardized test scores not always reflecting their growth, students have shown significant progress in language acquisition. • emphasized that achieving academic language proficiency takes years, not just a year and a half or three semesters as currently proposed. MacLean urged the Board to consider this in its policies to provide EL students adequate time to demonstrate their capabilities. • advocated for policies that reflect research on language acquisition, allowing EL students to showcase their linguistic growth without lowering academic standards. <p>MacLean concluded by expressing her gratitude for the opportunity to share her students' learning experiences and hopes that the Commonwealth's policies will continue to recognize the assets of EL students.</p>	
<p>Wendy Little, Parent</p>	<p>Wendy Little, known as "Aaron's Mom" in Virginia, shared her struggles regarding her son's lack of education for two years in the public school system. Little</p>	<p>VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>

	<p>highlighted the following key points:</p> <ul style="list-style-type: none"> • emphasized the tragedy of her son being without education for two years and called for intervention by the Virginia Department of Education (VDOE). • stated that despite undergoing breast cancer surgery, they attended a legislative education session to advocate for special education reform. Her efforts contributed to the passing of HB 1089 and SB 220, which support special education students. • Activism included gaining the attention of state officials, leading to significant legislative changes. They expressed pride in her contributions to these reforms. • stressed the importance of accountability in special education. They reported 12 violations by her son's school district and criticized the lack of consequences or support resulting from these violations. <p>Little called for greater enforcement of laws, rules, and regulations to protect special education students and ensure they receive the necessary support and resources.</p>	
<p>Holly Bess Kincaid, Past President of the Virginia Art Education Association (VAEA)</p>	<p>As an art educator, Kincaid highlights the importance of arts education and advocates for introducing a Fine Arts diploma seal in Virginia. This seal would recognize advanced Fine Arts students, inspire deeper engagement with the arts, and communicate valuable skills to colleges and employers. They emphasize the role of arts education in fostering creativity, critical thinking, and emotional expression, and calls for this recognition to elevate the status of Fine Arts within the curriculum.</p>	<p>VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>
<p>Anonymous (226047)</p>	<p>This commenter is critical of adding more state testing, citing the significant pressure students</p>	<p>VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. The regulation does not</p>

	<p>already face from SOL testing. They suggest asking students about their experiences and feelings regarding SOLs instead of increasing testing. The commenter advocates for a focus on teaching practical life skills and mental health, rather than pushing college as the sole path to success.</p>	<p>require a performance-based assessment as a measure of the school performance and support framework but allows the Board to include additional measures. Therefore, no change will be made to the regulation in response to this comment.</p>
<p>Kristi Chamberlain, M.A. CCC-SLP</p>	<p>Chamberlain, a Speech Language Pathologist, opposes the proposed testing for 5th and 8th graders. They argue that standardized tests primarily measure test-taking skills rather than actual knowledge and detract from valuable learning time. They urge for less testing and more learning in schools.</p>	<p>VDOE acknowledges the comment. The comments received fall outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>
<p>Matthew Chamberlain</p>	<p>They urge a NO vote on the proposed "Performance Task" testing for 5th and 8th graders, arguing that standardized testing is not an effective measure of learning. They emphasize the need to focus on growth assessment and addressing chronic absenteeism instead of adding more tests.</p>	<p>VDOE acknowledges the comment. The majority of this comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>
<p>Nicole Teichman</p>	<p>Teichman opposes the new performance task tests for 5th and 8th graders, suggesting an equal weighting of Mastery (SOL scores) and Growth (improvement from Spring to Spring) and minimal chronic absenteeism requirements. They raise concerns about the time, resources, and money required for additional testing.</p>	<p>VDOE acknowledges the comment. The majority of this comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>
<p>Anonymous (226053)</p>	<p>This commenter opposes the proposed new performance labels and additional tasks for 5th and 8th grades. They find the system overly complicated and difficult for parents to understand. The commenter suggests focusing on improving instruction and retaining teachers rather than adding burdensome tasks and assessments.</p>	<p>VDOE acknowledges the comment. The comments received fall outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.</p>
<p>Lisa Hill</p>	<p>Hill asks for reconsideration of the proposed SOA amendments, arguing that the new plan is not more transparent. They prefer maintaining two accountability</p>	<p>VDOE acknowledges the comment and thanks the commenter. The majority of comments are supportive of this regulatory action and this regulatory action will support feedback received from stakeholders to streamline the system of support. Currently,</p>

	systems over switching to the proposed single system.	school may be identified for support through either the state or federal system. If they are identified under the state system, no additional funds or resources are provided. This regulatory action will create one system of support that is based on federal requirements and therefore provide federal resources. Additionally, the process for which a school is identified will not be under one system, so schools will not receive conflicting information from systems.
Lauren Thorne	Thorne criticizes the additional testing for 5th and 8th graders, stating it seems outdated and harmful. They mention existing tests like iReady and argues that implementing new tests without proper parental information is irresponsible. They call for a longer period for parents to understand the changes.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Eileen Chollet	Chollet advocates for increasing instructional hours from 990 to at least 1,080 and ensuring school divisions meet both the 180-day and 1,080-hour standards for accreditation. They argue that the current standard shortchanges students and places Virginia in the bottom 10 states for instructional time.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Bethany Heim	Heim calls for more instructional hours and smaller class sizes to address learning loss and improve the quality of public education. They highlight the academic advantages of private schools over public schools.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Erin D	Erin D supports increasing instructional hours to 1,080 to address learning loss, particularly in the post-COVID environment. They emphasize the need for adequate instructional time to ensure students receive a quality education.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Anonymous (226086)	This commenter argues for raising instructional hours to at least 1,080, stating that the current 990-hour standard is insufficient and places Virginia in the bottom 10 states. They highlight the discrepancy in standards between public and private schools.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.

Charlotte A	Charlotte A urges an increase in instructional hours to 1,080 and better pay for teachers to ensure students receive the education they deserve. They point out that the current 990-hour standard shortchanges students.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Myron Goodman	Goodman emphasizes the need to increase instructional hours to keep public schools relevant and competitive with other states and private schools. They highlight the importance of providing adequate instructional time for students.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Amy Gwinn	Gwinn calls for more instructional hours to match the standards of private schools and ensure public students receive a quality education. They criticize the current 990-hour standard and urges the state to enforce higher accreditation standards.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Brian Nussbaum	Nussbaum critiques the focus on 'advanced coursework' for middle school, arguing that it confuses acceleration with readiness and lacks clear definitions and resources. They raise concerns about the proposal's implementation and its impact on staffing and course expectations.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. The regulation does not require advanced middle school coursework as a measure of the school performance and support framework but allows the Board to include additional measures. Therefore, no change will be made to the regulation in response to this comment.
Anonymous (226572)	This commenter questions the definition of readiness for high school based on middle school course completion and the feasibility of hiring high school-licensed teachers across multiple content areas. They suggest reconsidering the readiness indicator.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Anonymous (226573)	The commenter opposes adding a citizenship test, arguing it overlaps with existing assessments and could obscure other performance indicators. They raise concerns about the additional burden on students and the potential for masking educational outcomes.	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. The regulation does not require a citizenship test as a measure of the school performance and support framework but allows the Board to include additional measures. Therefore, no change will be made to the regulation in response to this comment.
Anonymous (226575)	This commenter expresses confusion and concern about the mastery index calculation, questioning how giving credit for failing tests and extra credit for advanced scores creates	VDOE acknowledges the comment and thanks the commenter. Other states use a mastery index and have found that the measure is closely correlated with a pass rate or proficient rate. The mastery index creates an incentive for schools to particularly focus

	transparency. They advocate for a simpler, more transparent pass rate system.	on moving students from “Below Basic” to “Basic” or “Proficient”, while a simple pass rate incentivizes schools to focus most on kids very close to the “Proficient” cut score.
Stacie Gordon, Virginia Manufacturers Association	Gordon supports aligning K-12 education with workforce needs through industry-recognized credentials and career pathways starting in 7th grade. They emphasize the importance of creating a reliable talent pipeline for manufacturing and increasing public transparency on educational and career options.	VDOE thanks the commenter for their support of this action and acknowledges the comment.
Anonymous (226810)	This commenter supports revisions to the Standards of Accreditation for transparency and accountability. They emphasize the importance of mastery over growth, addressing chronic absenteeism, and incentivizing advanced coursework, particularly in math, to challenge students	VDOE thanks the commenter for their support of this action and acknowledges the comment.
Alison Babb	Babb supports the revised Standards of Accreditation for accurate tracking of school performance. They emphasize mastery over growth, the importance of addressing chronic absenteeism, and the inclusion of advanced coursework for middle school students.	VDOE thanks the commenter for their support of this action and acknowledges the comment.
John Campbell, Virginia Department of Aviation	Campbell highlights the importance of mastering critical subjects to prepare students for aviation careers. They emphasize the need to combat chronic absenteeism and the critical role of English proficiency in the aviation industry.	VDOE thanks the commenter for their support of this action and acknowledges the comment.
Valerie Coley / Divine Covering Ministry	Coley advocates for addressing chronic absenteeism by holding parents accountable, especially those receiving TANF or SNAP benefits. They suggest implementing a system to reduce absenteeism through parental participation.	VDOE acknowledges the comment and thanks the commenter. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.
Anonymous (226822)	This commenter calls for increasing instructional hours to at least 1,080 to ensure adequate learning time and improve Virginia’s educational ranking. The commenter criticizes the current 990-hour standard and	VDOE acknowledges the comment. This comment falls outside the scope of this regulatory action. Therefore, no change will be made to the regulation in response to this comment.

	emphasizes the need for more classroom time for students.	
Fairfax County Public Schools, Office of Government Relations	FCPS urges the Board to consider the unique needs of students with disabilities and multilingual learners in the revised accreditation standards. They advocate for an equal Mastery index weighting system and appropriate norming of growth targets for these students.	VDOE acknowledges the comment and thanks the commenter. The mastery index creates an incentive for schools to particularly focus on moving students from “Below Basic” to “Basic” or “Proficient”, while a simple pass rate incentivizes schools to focus most on kids very close to the “Proficient” cut score. The regulations add a standalone indicator that measures growth of ELs toward English language proficiency, recognizing the unique importance of ensuring these students are gaining proficiency in the English language. The old accreditation system did not include that measure as a standalone factor (it was combined with proficiency and growth in reading).
Anonymous (226829)	Advocates for policies that support Virginia leading in academic achievement, including increased school days, a focus on mastery, and transparent performance measures. They emphasize the need for consistent policies to achieve these goals.	VDOE acknowledges the comment and thanks the commenter.
Todd Truitt	Truitt strongly supports the proposed Accountability Framework, emphasizing the importance of mastery over growth and advanced coursework readiness. They highlight the benefits of Algebra readiness in 8th grade for future academic and career success.	VDOE thanks the commenter for their support of this action and acknowledges the comment.
Citizen	Calls for responsible taxpayer spending, less professional development burnout for teachers, consistent parental involvement, and higher standards across schools. The commenter emphasizes the importance of supporting teachers and adhering to school policies.	VDOE acknowledges the comment and thanks the commenter.
Abigail Schmidt	Schmidt supports the new School Performance and Support Framework for its transparency, emphasis on mastery, addressing chronic absenteeism, and accountability for English Learners. They highlight the need for timely support for recently arrived ELs.	VDOE thanks the commenter for their support of this action and acknowledges the comment.
Nicholas Munyan-	Munyan-Penney supports including English Learner outcomes in school ratings after 3	VDOE thanks the commenter for their support of this action and acknowledges the comment.

Penney, EdTrust	semesters to improve accountability and support for ELs. They emphasize the importance of accurately identifying and supporting schools with high numbers of ELs.	
Amy Beaumont	Beaumont strongly supports the new Framework for its transparency, emphasis on mastery, chronic absenteeism, and accountability for English Learners. They highlight the need for accurate performance measures to address learning loss and improve student outcomes.	VDOE thanks the commenter for their support of this action and acknowledges the comment.
Arlington Public Schools	Arlington Public Schools supports separating accountability from accreditation but raises concerns about the heavy weighting of mastery over growth and the timeline for English Learners. They advocate for a balanced approach that considers the unique needs of ELs.	VDOE acknowledges the comment and thanks the commenter. The comment regarding the adjustment period for ELs aligns the accountability system with federal requirements and allows schools where English learners are struggling to be identified for support earlier. Additionally, many commentors have supported the weighting of mastery over growth, especially given the recent decline in proficiency following the COVID pandemic. Therefore, no change will be made to the regulation in response to this comment.
Virginia PTA	Virginia PTA supports an accountability system aligned with federal standards, transparent performance measures, and parental opt-out rights. They oppose high-stakes testing for 5th and 8th grades and suggest using existing SOL tests to evaluate mastery and growth.	VDOE acknowledges the comment and thanks the commenter. The regulation does not require a performance-based assessment as a measure of the school performance and support framework but allows the Board to include additional measures.

Detail of Changes Made Since the Previous Stage

List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. 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. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. * Put an asterisk next to any substantive changes.

Current chapter-section number	New chapter-section number, if applicable	New requirement from previous stage	Updated new requirement since previous stage	Change, intent, rationale, and likely impact of updated requirements
None	None	None	None	None

Detail of All Changes Proposed in this Regulatory Action

List all changes proposed in this action and the rationale for the changes. 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. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. * Put an asterisk next to any substantive changes.

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of updated requirements
131-5	132-10	This section includes the defined terms used in this chapter.	<p>Regulatory citations were updated to reflect the new chapter numbering. No impacts are expected because of these changes.</p> <p>The limited definition of “Accreditation” has been expanded to include “public schools’ compliance with the accountability system, based on student outcome and growth measures, the philosophy, goals, and objectives of public education in Virginia, and standards for student achievement, instructional programs, school and instructional leadership, and school facilities and safety, school and community communications” in accordance with this chapter. This edit was made to clearly delineate the accreditation system from the accountability system, ensuring the accreditation system is based on the components outlined in the SOA. No substantive impacts are expected because of this change.</p> <p>A definition for “Accountability” was added to mean the system within the accreditation process used by the Virginia Department of Education to differentiate the performance of public schools and identify schools for improvement, based on student achievement, growth, and other school quality indicators in accordance with this chapter. This definition provide clarification for terms used within the regulation and will allow the Board to control the meaning of the term. Defining this term is important as it is</p>

			<p>used more than once in the regulatory chapter. This edit was made to clearly delineate the accreditation system from the accountability system, describing an accountability system that is focused on outcomes. No substantive impacts are expected because of this change.</p> <p>The limited definitional scope of the term “growth” or “student growth” has been expanded to include “the knowledge and skills required by the summative Standards of Learning tests.” Since the last revision of the regulations, the Virginia Growth Assessment has been introduced. This edit clarifies that student growth for purposes of accountability is based on summative results for year- over-year growth. No substantive impacts are expected because of this change.</p> <p>Technical edits were made to introduce the term “high school” which is used throughout the regulations and aligns to federal terms and definitions. Edits were made throughout to use the defined term “high school” rather than “secondary school” given the introduction of the new definition.</p> <p>The term “reporting group” was updated from meaning a “subgroup” of students, to meaning a “group” of students. The descriptor of “such as” for common characteristics was updated to “including.” No substantive impacts are expected because of this change.</p> <p>The term “school” was updated because there is no longer a preaccreditation process. No substantive impacts are expected because of this change.</p> <p>The meaning of “Standards of Learning tests” or “SOL tests” was updated to include the “statewide, summative” assessments approved by the board for use in the Virginia Assessment Program that measure “mastery” of knowledge and skills required by the Standards of Learning,</p>
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			<p>rather than the measure of “attainment” of knowledge and skills.</p> <p>Since the last revision of the regulations, the Virginia Growth Assessment has been introduced as a statewide assessment. This edit clarifies that the SOL tests are the summative assessments, differentiating it from the Virginia Growth Assessments. No substantive impacts are expected because of this change.</p>
131-10	132-20	<p>This section provides an overview of the purpose of the school accreditation regulations.</p>	<p>The Standards of Accreditation was previously described as providing the foundation for the provision of a high-quality public education within a system of accountability and continuous improvement. The description of the Standards of Accreditation has been updated as providing the foundation for the provisions of a high quality public education, including a system of accountability and continuous improvement. This edit clarifies the accreditation system’s broader purpose under § 22.1-253.13:3 of the Code of Virginia, distinct from the purposes of an accountability system. This edit, therefore, creates an accountability system that can be used in the accreditation system to meet statutory requirements. No impacts are expected because of this change.</p> <p>Section 22.1-253.13:3 A of the Code of Virginia requires the Board to promulgate regulations establishing standards for accreditation which shall include “student outcomes and growth measures.” The current text only identifies “student outcome measures.” No impacts are expected because of this change.</p> <p>Updates were made to the regulatory citations to reflect the new chapter numbering. No impacts are expected because of these changes.</p>
131-20	132-30	<p>This section provides an overview of the philosophy, goals, and objectives of the school accreditation regulations.</p>	<p>Reference to “the school quality profile required by 8VAC20-131-270 A” has been updated to reflect the current “school performance report card required by 8VAC20-132-250 A.” No</p>

			impacts are expected because of this change.
131-30	132-40	This section provides an overview of the student achievement expectations included within the school accreditation regulations.	Updates were made to the regulatory citations to reflect the new chapter numbering. Technical edits were made to use the defined term “secondary school” rather than “high school.” No substantive changes have been made within this section. No impacts are expected because of these changes.
131-50	132-50	This section provides specific details concerning the requirements for graduation (effective for students entering ninth grade prior to the 2018-2019 school year).	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-51	132-51	This section provides specific details concerning the requirements for graduation (effective with the students who enter the ninth grade in the 2018-2019 school year)	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-60	132-60	This section provides specific details concerning the requirements regarding transfer students.	Updates were made to the regulatory citations to reflect the new chapter numbering. Technical edits were made to use the defined term “secondary school” rather than “high school.” No substantive changes have been made within this section. No impacts are expected because of these changes.
131-70	132-70	This section provides the specific program of instruction and learning objectives, as required by the Standards of Quality.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-80	132-80	This section provides the specific instructional program requirements for students in elementary schools.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-90	132-90	This section provides the specific instructional program requirements for students in middle schools.	Updates were made to the regulatory citations to reflect the new chapter numbering. Technical edits were made to use the defined term “secondary school” rather than “high school.” No substantive changes have been made within this section. No impacts are expected because of these changes.
131-100	132-100	This section provides the specific instructional program requirements for students in secondary schools.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section.

			No impacts are expected because of these changes.
131-110	132-110	This section provides the criteria to be used when calculating the standards and verified units of credit.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-120	132-120	This section provides specific criteria to be used when offering courses and instruction through summer school.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-130	132-130	This section details how elective courses shall be developed and approved by the division superintendent and local school board.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-140	132-140	This section provides specific guidance when and how school shall provide college and career readiness; career exposure, exploration, and planning; and opportunities for postsecondary credit.	Updates were made to the regulatory citations to reflect the new chapter numbering. Technical edits were made to use the defined term "secondary school" rather than "high school." No substantive changes have been made within this section. No impacts are expected because of these changes.
131-150	132-150	This section details how the standard school year and school day shall be calculated.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-170	132-160	This section details the permissive standards of learning concerning family life education.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-180	132-170	This section details when and how credit for work shall be awarded for off-site instruction.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-190	132-180	This section details how each school shall maintain library media, materials, and equipment.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-200	132-190	This section details how extracurricular and other school activities; recess shall be under	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes

		the direct supervision of the staff, organization and how it shall be approved the be school board.	have been made within this section. No impacts are expected because of these changes.
131-210	132-200	This section details how the principal is the recognized instructional leader and manager of the school and the role of the principal within the school.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-220	132-210	This section details how the professional teaching staff shall be responsible for providing instruction the role of professional teaching staff within the school.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-230	132-220	This section details the role of support staff and how the support staff shall work with the principal and professional teaching staff to promote student achievement and successful attainment of the school's goals.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-240	132-230	This section provides details concerning the administrative and support staff; and the staffing requirements, staff- student ratios, and the teacher's standard load.	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-260	132-240	School facilities and safety	Updates were made to the regulatory citations to reflect the new chapter numbering. No substantive changes have been made within this section. No impacts are expected because of these changes.
131-270	132-250	This section provides detailed requirements concerning the school and community communications.	<p>In this chapter, the term "School Quality Profile" was updated to "school performance report card" to be consistent with the language of the Elementary and Secondary Education Act (P.L. 89-10, as amended)."</p> <p>Technical edits were made to use the defined term "secondary school" rather than "high school."</p> <p>Specific indicators found within the "school performance report card" shall now also include: "School performance, disaggregated by student reporting groups, on each school quality indicator described in 8VAC20-132-270 B, the school's overall performance category described in 8VAC20-132-270 E, and</p>

			<p>whether the school is identified for improvement under 8VAC20-132-280.” These edits align the state regulations to the federal requirements for state reporting under the Elementary and Secondary Education Act (P.L. 89-10, as amended). No impacts are expected because of these changes.</p>
131-370	132-260	<p>This section details the current expectations for school accountability and accreditation. This section will be updated to specifically include the expectations for school accountability.</p>	<p>This section has separated school accountability from accreditation within the regulatory text as a means of determining the quality and effectiveness of schools for the purposes of all prior requirements and the added purpose of “informing the accreditation of schools by the board based on the conditions specified within this chapter.”</p> <p>Technical edits were made to use the defined term “secondary school” rather than “high school.”</p> <p>Rather than reference some “components of the” accountability system, the accountability system will now “be used to publish the annual school performance report card, as referenced in 8VAC20-132-250 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” and “identify schools, based on student outcome and growth measures, to develop effective multiyear school support plans to improve performance on school quality indicators, which shall be taken into consideration in accrediting schools alongside compliance with the remaining standards of accreditation.”</p> <p>The prior version of this section included “the state accreditation provisions for schools and school divisions as presented in this part.” This version of this section now includes fulfilling “the state accountability provisions for schools and divisions as presented in this part and the federal accountability provisions required under the</p>

			<p>Elementary and Secondary Education Act (P.L. 89- 10, as amended) and the Individuals with Disabilities Education Act (20 USC § 1400 et seq.).” The accountability system no longer includes the requirement to include “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” or that “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 8VAC20-131-280.”</p> <p>Subsection A details the system of school accountability by providing a means of determining the quality and effectiveness of schools for the purpose of:</p> <ul style="list-style-type: none"> • Building on strengths in schools and addressing specific areas needing improvements; • Driving continuous improvement in school achievement for all schools; • Identifying areas for technical assistance and the use of school improvement resources; • Providing a comprehensive picture of school quality information to the public; and • Informing the accreditation of schools by the Board based on the conditions specified in 8VAC20-132-300. <p>Subsection B details the accountability system, which presents expectations and standards for schools and school divisions. These changes shall be used to publish the annual school performance report card, as referenced in 8VAC20- 132-250, which provides information to parents, citizens, the community, businesses and other agencies, and the general public about school characteristics and</p>
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			<p>about a comprehensive range of school indicators. These changes will also fulfill the state accountability provisions for schools and divisions as presented in this part and the federal accountability provisions required under the Elementary and Secondary Education Act (P.L. 89-10, as amended) and the Individuals with Disabilities Education Act (20 USC § 1400 et seq.). Additionally, these changes will identify schools, based on student outcome and growth measures, that require multiyear school support plans to improve performance on school quality indicators, which shall be taken into consideration in accrediting schools consistent with 8VAC20-132-300 alongside compliance with the standards for student achievement, instructional programs, school and instructional leadership, school facilities and safety, and school and community communications in this chapter.</p> <p>These changes align the accountability system with the Elementary and Secondary Education Act (P.L. 89-10, as amended) and the Individuals with Disabilities Education Act (20 USC § 1400 et seq.)</p> <p>No negative impacts are expected because of these changes.</p>
131-380	132-270	This section details the requirements concerning the measurement of school quality for accreditation.	The section has separated school accountability from accreditation with the regulatory text as a means of clearly stating the “requirements for indicator selection.” Prior reference to “academic performance” was clarified through the use of “student academic outcomes, such as academic achievement and success beyond high school” and by clarifying the use of indicators “so that the indicator is measured consistently and comparably statewide.” This section also revised the use of “measures” to use “the indicator” meaningfully differentiates among schools based on progress of all students and student reporting groups. The indicator will not be used

			<p>to “unfairly impact one type or group of schools or students.”</p> <p>Technical edits were made to use the defined term “secondary school” rather than “high school.”</p> <p>For clarity, rather than reference “specific indicators” the new section specifically uses the term “school quality indicators” to speak to “accountability” rather than “accreditation.” The prior version of this chapter used ambiguous and sometimes conflicting terms regarding “academic achievement.” In the new section it is now clear which School Quality Indicators will be used to measure performance for all schools (e.g., academic achievement), elementary and middle schools only (e.g., growth), and high schools only (e.g., graduation rates). “Readiness for all students” now have clear measures by defining chronic absenteeism, and the extent to which a school’s “students demonstrate preparedness for postsecondary experiences” and “the progress of EL students toward achieving proficiency in English.” Clear enumerated standards are stated for schools to use when “calculating the academic achievement and student growth indicators” for EL and transfer students, aligned with the requirements of the Elementary and Secondary Education Act (P.L. 89-10, as amended).</p> <p>Subsection A clarifies the criteria for selecting indicators for school accountability. This subsection will ensure indicators reflect academic outcomes and are standardized, reliable, and valid. These changes should make the regulations more focused and consistent in the measurement of school performance.</p> <p>Subsection B updates were made to the specific quality indicators for accountability. This subsection emphasizes the academic achievement, growth, graduation rates, and readiness requirements. These</p>
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			<p>changes should broaden the evaluation of school performance, highlighting areas that may need improvement.</p> <p>Subsection C adjusted the requirements for EL and transfer student performance calculations, aligning to federal requirements. This section will allow for a more fair assessment to be made of the schools who accommodate these students. These changes should allow for a more accurate reflection of school performance, while also considering student mobility and language proficiency.</p> <p>In subsection D, the use of “School Performance Calculation and Weighting” has been included to describe how the school quality indicators are weighted to determine an overall performance category for elementary and middle schools and for high schools. Rather than using “benchmarks” in the prior chapter section, this new method for weighting of indicators for annual meaningful differentiation is consistent with the requirements of the Elementary and Secondary Education Act (P.L. 89- 10, as amended). Subsection D introduces new performance calculations and weighting for school differences. This subsection creates a comprehensive evaluation system. These changes should allow for a more balanced assessment of schools based on varied performance metrics that affect annual differentiation.</p> <p>Subsection E will establish annual performance categories for public reporting. This subsection should enhance transparency and clarity in school performance reporting. These changes should allow for better public understanding of school performance, separate from accreditation status.</p> <p>Subsection F will lower the performance categories if a school is identified as needing targeted support. This subsection should address</p>
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			<p>underperformance in specific student groups. These changes should increase the focus on improving outcomes for identified student groups.</p> <p>Subsection G will maintain the Board’s ability to modify assessment and quality indicators. This subsection will maintain flexibility in school quality measurements. These changes should allow for responsive adjustments to assessment and accountability systems.</p> <p>Subsection H will allow for the continued pairing of schools for quality differentiation in non-tested grades. This subsection will ensure a more fair assessment across all school configurations. These changes should result in a more consistent and equitable evaluation of schools, including those without specific grade-level tests. These changes are necessitated by Federal regulations and will bring the regulatory requirements in line with the Federal requirements. Elementary and Secondary Education Act (P.L. 89-10, as amended).</p> <p>No substantive impacts are expected because of these changes.</p>
131-400	132-280	<p>This section currently provides detailed requirements concerning the application of the school quality indicator performance levels to actions. This section will be updated to provide specific requirements concerning the identification of schools for improvement and required actions.</p>	<p>In this section, schools will be categorized into three support levels based on the school quality indicators and weights detailed in 8VAC20-132-270, aligned with the Elementary and Secondary Education Act. Starting in the 2025-26 school year and identified triennially thereafter, schools scoring in at least the lowest 5% statewide or with graduation rates below 67% will receive comprehensive support. Targeted support schools will be identified annually starting I the 2025-2026 school year from among those schools not identified for comprehensive support.</p> <p>Schools will be identified for targeted support if any group of students in the school, on its own, is performing at the level of schools in the lowest 5% receiving comprehensive support. If</p>

			<p>schools continue to need targeted support after three years (i.e., the 2028- 29 school year), such schools will receive additional targeted support; these designations will also be reviewed triennially. Schools and divisions must develop and implement multi-year support plans for schools receiving comprehensive, targeted, or additional targeted support, including needs assessments, resource identification, and evidence-based strategies, with either the division's or the Department's oversight. Plans are revised based on progress and compliance, with the potential for increased Department intervention if necessary. The board will periodically review the identification criteria for these support categories.</p> <p>Subsection A provides new criteria for school identification for support. The new criteria are focused on the specific performance metrics to categorize schools for targeted assistance. This subsection should streamline the identification and support process, eliminating two systems of support. These changes should allow schools to receive more tailored support based on clear performance criteria, potentially improving educational outcomes.</p> <p>Subsection B describes the process for divisions and schools in developing and implementing school support through a formalized plan and by requiring multi- year plans to be based on comprehensive needs assessments.</p> <p>This subsection should ensure that support plans include evidence-based interventions and are strategic and focused on long-term improvement. The changes align to federal requirement and should encourage all schools to engage in more thorough planning and assessment, leading to more effective and sustainable improvement efforts.</p>
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131-410	132-290	<p>This section provides detailed information how and when a school is eligible for certain recognitions and rewards and division accountability</p>	<p>In this section no substantial changes were made. The new requirements maintain the existing framework for recognizing schools and division that exceed or improve upon established quality indicators and implement innovative practices. This section provides for the continuation of this recognition program as it aims to consistently incentivize and acknowledge high performance and innovation in education. The recognition program will continue to encourage schools and divisions to strive for excellence and innovation, with potential benefits including public acknowledgement, tangible rewards, and regulatory waivers.</p> <p>No substantive changes have been made within this section. No impacts are expected because of these changes.</p>
131-390	132-300	<p>This section provides detailed information concerning accreditation</p>	<p>Unlike 131-390, the new requirements in 132-300 emphasize a holistic and continuous improvement approach to school accreditation, integrating student outcomes and growth measures with traditional compliance checks that better reflect the full scope of requirements articulated in the SOA. Schools must annually document compliance across several areas, focusing on instructional programs, safety, community communication, and implementation of comprehensive division and school plans. A school may be “fully accredited,” “conditionally accredited,” or have “accreditation denied.” There is now a more detailed process to ensure schools receiving comprehensive support are making sufficient progress on student outcome and growth measures to be “Fully Accredited.” The changes aim to</p>

			<p>encourage continuous improvement and ensure schools are meeting statutory and regulatory operating requirements. Thus, accreditation fully reflects compliance and educational outcomes stated in the SOA. Schools identified for comprehensive support must demonstrate improvement and adherence to a corrective action plan, providing pathways for improvement and recognizing progress as well as acknowledging when schools are not meeting standards for student outcomes and growth. All schools will need to submit evidence of compliance with the SOA policies.</p> <p>Technical edits were made to use the defined term “secondary school” rather than “high school.”</p> <p>Subsection A introduces a comprehensive accreditation process based on accountability, student outcomes, and growth measures, including detailed compliance standards. This subsection should ensure schools meet holistic educational operational standards and improve student outcomes through the creation of documentation based on each component of accreditation. These changes are likely to ensure operational compliance while focusing on continuous improvements in comprehensive schools.</p> <p>Subsection B details annual reporting requirements, emphasizing evidence-based documentation of compliance and performance. This subsection standardizes and streamlines reporting, ensuring schools meet education standards. These changes will require schools to regularly demonstrate adherence to defined standards, impacting ongoing operations and planning.</p> <p>Subsection C establishes the new accreditation designations based on evidence submission and performance criteria. This subsection will provide clear, outcome-based accreditation statuses that reflect school</p>
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			<p>performance accurately. These changes will likely lead to a new layer of focus on operational compliance while influencing improvement strategies for comprehensive schools.</p> <p>Subsection D maintains that schools violating standards may have their accreditation withheld, emphasizing compliance. This subsection should allow for the enforcement and adherence to the educational standards and further ensure quality. These changes will continue to ensure schools are complying with regulations to remain fully accredited.</p> <p>Subsection E upholds the withholding of accreditation for test security violations and maintaining strict security standards. This subsection deters testing irregularities and maintains the integrity of the assessment process. These changes should further encourage schools to adhere to test security protocols by also impacting their accreditation status.</p> <p>Subsection F modifies the triennial review cycle for accreditation, introducing conditions for schools under comprehensive support. This subsection ensures ongoing evaluation and support for schools needing improvement. These changes focus on sustained improvement and compliance, affecting schools' strategic approaches to accreditation.</p> <p>Subsection G requires division-level reviews for divisions with many underperforming schools, ensuring broader accountability and support. This subsection is used to identify and address systemic issues affecting school performance. These changes may lead to significant changes in divisional strategies and resource allocation, while also providing divisions with clear entry and exit criteria for entering into memorandum of understanding.</p>
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131-420	132-310	<p>This section provides detailed information concerning waivers and alternative accreditation plans for schools.</p>	<p>The new requirements maintain the board's authority to grant waivers for up to five years for non-mandatory state or federal regulations, except in specified areas. The scope of non-waivable regulations has been updated with new code references. Waiver requests must still include a justification, and the process for granting waivers for specific graduation requirements is now limited to board initiative or local school board requests, emphasizing a case-by-case approach. Provisions for students with disabilities regarding graduation requirements remain unchanged. The</p>

			<p>criteria for innovative or experimental program waivers remain consistent, requiring detailed plans for approval. The changes streamline the waiver process, updating references to align with current regulations and clarify the conditions under which graduation requirement waivers can be granted. This reflects a focused approach to accommodate specific needs while maintaining educational standards.</p> <p>Subsection A remains largely unchanged from 8VAC20-131-430. It continues to allow waivers for certain education requirements with specific exclusions. This subsection maintains the flexibility while ensuring core educational and safety standards are met. Schools can still seek exemptions from certain rules, potentially fostering innovative educational approaches while adhering to essential standards.</p> <p>Subsection B retains the process for requesting waivers, including conditions under which graduation requirement waivers can be granted. This subsection will allow for exceptions in special circumstances, thereby ensuring fairness and responsiveness to individual cases. By enabling schools to adapt to unique situations, school will be able to provide relief while maintaining overall education integrity.</p> <p>Subsection C remains unchanged in allowing waivers for experimental or innovative programs, and the requirement for providing detailed proposals. This subsection is included to encourage innovative educational.</p>
131-430	132-320	This section provides the updated effective dates for these regulatory requirements.	<p>The effective dates in subsections A, B, and C, mirror the requirements in 8VAC20-131-430 A, B, and C, respectively.</p> <p>Subsection A, without any substantial changes, includes the graduation requirements for different cohorts. This subsection maintains consistency in graduation requirements while updating regulatory references. Continuity in expectations is</p>

			<p>maintained for students' graduation requirements across different entry years.</p> <p>Subsection B, similar to section A, includes the locally awarded verified credit requirements are maintained with updated regulatory reference. This subsection ensures clarity and continuity in the policy for locally awarded verified credits. This further provides stable criteria for awarding verified credits to students, facilitating ongoing local assessment practices.</p> <p>Subsection C, describing the academic and career planning requirements, remain consistent with updated section references. This subsection continues the emphasis on the importance of academic and career planning in educational pathways, and the sustained focus on preparing students for postsecondary success through planned academic and career pathways.</p> <p>Subsection D describes the implementation date for the remainder of the chapter as it is updated to the 2025- 2026 academic year. This subsection provides a timeline for the full implementation of the updated regulatory framework. This subsection further extends the timeline for schools to comply with the new requirements, offering all school more preparation time.</p> <p>Unless otherwise specified, subsection D makes the remainder of the new chapter effective with the 2025-2026 academic year. This will allow for updated, consistent, educational standards and planning.</p>
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