



COMMONWEALTH of VIRGINIA
Department of Education

May 10, 2013

TO: Division Superintendents

FROM: Patricia I. Wright, Superintendent of Public Instruction

SUBJECT: Transmittal of “Statement of Administrative Impact and Projected Costs of Implementation” for the Promulgation of Amendments to the Proposed *Regulations Establishing Standards for Accrediting Public Schools in Virginia*

As part of its responsibility for promulgating new regulations or revisions to existing regulations, pursuant to § [22.1-17](#) of the *Code of Virginia*, the Board of Education is required to develop a statement of the administrative impact and projected cost to school divisions related to implementing and complying with such regulations. In addition, the Board and the Department of Education are required to send a copy of the statement to each division superintendent.

The Board is in the process of revising the [Regulations Establishing Standards for Accrediting Public Schools in Virginia](#), (SOA) [8VAC20-131-5 et seq.](#) The SOA is designed to ensure that an effective educational program is established and maintained in Virginia's public schools.

The 2012 General Assembly passed, and the Governor signed into law, [HB 1061](#) and [SB 489](#), which amended § [22.1-253.13:4](#) of the *Code of Virginia* to strengthen postsecondary education and workplace readiness opportunities for all students, and to consolidate the Board approved diplomas. Further, the legislation required the Board to promulgate emergency regulations to effect these changes. The purpose of this regulatory proposal is to revise the SOA regulation to comport with the requirements of these bills. The proposed emergency regulation was approved by the Board on June 28, 2012, and is scheduled to become effective June 5, 2013, for school year 2013-2014.

As proposed, the following changes will be made to the SOA so that it will comport with [HB 1061](#) and [SB 489](#):

- The proposed regulation will require that, beginning with first time ninth graders in the 2013-2014 school year, students must earn a career and technical education credential approved by the Board in order to graduate with a Standard Diploma. This credential may include, but not be limited to, the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment.
- The regulation will fold the Modified Standard Diploma into the Standard Diploma, and establish a requirement for guidelines for credit accommodations for students with disabilities. (See Superintendent's Memo #105-13; *Standard Diploma Credit Accommodations for Students with Disabilities*; issued April 19, 2013, at http://www.doe.virginia.gov/administrators/superintendents_memos/2013/105-13.shtml.)
- The Standard Technical Diploma and the Advanced Technical Diploma currently included in the SOA have not yet been implemented and will be eliminated by this revised regulation.

- Moreover, the regulation will require students pursuing a Standard or Advanced Studies Diploma to successfully complete one virtual course which may be a noncredit-bearing course.

When the Board promulgates the permanent regulation, it will have the opportunity to conduct a comprehensive review of the complete regulation. A Notice of Intended Regulatory Action (NOIRA) to promulgate the permanent replacement regulation was filed at the same time as the emergency regulation. A public comment period will open on May 6, 2013, and remain open through June 5, 2013, when the emergency regulation becomes effective. The proposed regulation can be found at the following Web site:

<http://townhall.virginia.gov/L/ViewXML.cfm?textid=6549>.

Administrative Impact and Projected Costs of Implementation

It is anticipated that there will be little or no administrative costs related to consolidation of the diplomas. However, to the extent that school divisions must provide additional services to meet the other new requirements, there could be a local fiscal impact. Because any impact will depend on the current services offered in each division, the Department is not able to determine any fiscal impact at this time.

Please contact the Office of Policy at (804) 225-2092 or by e-mail at Policy@doe.virginia.gov if you have any questions.

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