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HOUSE BILL NO. 1352

Offered January 26, 1998

A *BILL to amend and reenact § 22.1-19 and 22.1-253.13:3 of the Code of Virginia and to amend the Code of Virginia by adding in Title 22.1 a chapter numbered 13.3, consisting of sections numbered 22.1-253.14:1 through 22.1-253.14:31, relating to standards for accrediting public schools in Virginia.*

Patrons—Dillard and Councill; Senator: Woods

Referred to Committee on Education

Whereas, the Constitution of Virginia squarely places the primary responsibility for educational policy and funding on the General Assembly; and

Whereas, in the exercise of its constitutional responsibility, the General Assembly has the authority to revise the Standards of Quality and, in the exercise of this authority, the General Assembly may provide policy for the standards of accreditation for the public schools of Virginia; and

Whereas, it is, thus, constitutionally appropriate that the General Assembly reclaim for itself the authority to control the content and implementation of the Standards of Quality by enacting, through law, the standards of accreditation for the public schools of Virginia; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-19 and 22.1-253.13:3 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 22.1 a chapter numbered 13.3, consisting of sections numbered 22.1-253.14:1 through 22.1-253.14:31, as follows:

§ 22.1-19. Board authority to recommend revisions to the standards for accrediting public schools; nursery schools; child day center regulation.

The Board shall provide for the accreditation of public elementary, middle, and high schools in accordance with standards prescribed by it. The Board may provide for the accreditation of private elementary, middle, and high schools in accordance with standards prescribed by it, taking reasonably into account the special circumstances and factors affecting such private schools. The Board of Education shall prescribe the standards for accrediting public schools as established in Chapter 13.3 (§ 22.1-253.14:1 et seq.) of this title subject to the ultimate authority of the General Assembly. Any such standards shall be implemented as enacted by the General Assembly. The Board in its discretion may recommend provisions for standards for private nursery schools. Any such accreditation standards shall be applied at the request of the private school only.

The Board shall promulgate accreditation regulations that incorporate, but may exceed, the regulations for child day centers promulgated by the Child Day-Care Council, for those child day centers described in subdivision A 7 of § 63.1-196.001.

§ 22.1-253.13:3. Licensure, etc., and evaluation.

A. The General Assembly recognizes the need for the Board of Education to its constitutional duty to strive to improve the quality of public education and its ultimate responsibility for the policies governing and the funding of public education in Virginia. In furtherance of these mandates, the Board of Education shall, in the same manner as provided for in the Standards of Quality, prescribe the standards for accrediting public schools, subject to revision by the General Assembly as set forth in Chapter 13.3 (§ 22.1-253.14:1 et seq.) of this title. The Board shall include, in any proposals for these standards, requirements to ensure that student progress is measured and that school boards and school personnel are accountable.

B. The Board of Education shall promulgate regulations establishing may prescribe and present to the General Assembly revisions of the standards for accreditation pursuant to the Administrative Process Act (§ 9-6.14:1 et seq.) which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs, administrative and instructional staffing levels and positions, pupil personnel services, special education program standards, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia established by Chapter 13.3 of this title. In revising the standards for accreditation, the Board shall seek to set pupil-teacher ratios for educable mentally retarded (EMR) pupils that do not exceed the pupil-teacher ratios for self-contained classes for pupils with specific learning disabilities. The Board shall review annually the accreditation status of all schools in the Commonwealth.

C. The Board shall also establish requirements for certification of teachers, principals, supervisors and other professional staff and determine eligibility for appointment as a local division superintendent.

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60 D. The Superintendent of Public Instruction shall develop and the Board of Education shall approve
61 criteria for determining and recognizing educational performance in the Commonwealth's public school
62 divisions and schools. Such criteria, when approved, shall ~~become an integral part of the accreditation~~
63 ~~process and shall~~ include student outcome measurements. One year following the approval by the Board
64 of such criteria, the Superintendent of Public Instruction shall annually identify to the Board those
65 school divisions and schools that exceed or do not meet the approved criteria. The Superintendent of
66 Public Instruction shall assist local school boards in the implementation of action plans for increasing
67 educational performance in those school divisions and schools that are identified as not meeting the
68 approved criteria. The Superintendent of Public Instruction shall monitor the implementation of and
69 report to the Board of Education on the effectiveness of the corrective actions taken to improve the
70 educational performance in such school divisions and schools.

71 E. In order to assess the educational progress of students, the Board of Education shall also (i)
72 develop appropriate assessments which may include criterion-referenced tests and alternative assessment
73 instruments which may be used by classroom teachers; (ii) prescribe and provide measures, which may
74 include nationally formed tests, to be designated as the Virginia State Assessment Program, which shall
75 be used to identify students who score in the bottom quartile at selected grade levels; and (iii) prescribe
76 and provide literacy tests in reading, writing and mathematics which shall be administered to students in
77 grade six and to students who have not successfully passed them in grades seven and eight *and beyond*.

78 F. Each local school board shall maintain schools which meet the standards of accreditation as
79 ~~prescribed by the Board of Education~~ *set forth in Chapter 13.3 of this title*. The accreditation status of all
80 schools in each local school division shall be reviewed annually in public session. ~~Within the time~~
81 ~~specified by the Board of Education, each~~ *Each* school board shall submit corrective action plans for
82 any schools within its school division that have been designated as not meeting the ~~criteria for~~
83 ~~determining effectiveness as approved by the Board~~ *accreditation standards as set forth in Chapter 13.3*
84 *of this title*.

85 G. Each local school board shall also provide teachers and principals with (i) periodic in-service
86 training in preparing tests and other assessment measures and (ii) methods for assessing the progress of
87 individual students, including Standards of Learning assessment materials or other criterion-referenced
88 tests which match locally developed objectives.

89 H. In order to assess the educational progress of students as individuals and as groups, each local
90 school board shall require the administration of appropriate assessments, which may include
91 criterion-referenced tests, teacher-made tests and alternative assessment instruments and shall include the
92 Virginia State Assessment Program, the Virginia Literacy Testing Program, and the National Assessment
93 of Educational Progress state-by-state assessment. Each school board shall analyze and report annually,
94 in compliance with any criteria which may be established by the Board of Education, the results from
95 the Virginia State Assessment Program and the Virginia State Literacy Testing Program to the public.

96 CHAPTER 13.3.

97 STANDARDS FOR ACCREDITATION OF PUBLIC SCHOOLS.

98 § 22.1-253.14:1. Accreditation required; school philosophy, goals, objectives.

99 A. Consistent with the requirements of §§ 22.1-19 and 22.1-253.13:3, all public schools shall be
100 accredited pursuant to this chapter.

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

103 1. The philosophy, goals, and objectives shall be developed with the advice of professional and lay
104 people who represent the various populations served by the school and in consideration of the needs of
105 the community, and shall serve as a basis for the creation and review of the biennial school plan; and

106 2. The school's philosophy, goals and objectives shall be consistent with the Standards of Quality.

107 C. The goals and objectives shall (i) be written in plain language so as to be understandable to
108 non-educators, including parents; (ii) to the extent possible, be stated in measurable terms; and (iii)
109 consist primarily of measurable objectives to raise student and school achievement in the Standards of
110 Learning disciplines, to improve student and staff attendance, to reduce student drop-out rates, and to
111 increase the quality of instruction through professional staff development and licensure.

112 D. The school staff and community representatives shall review biennially the extent to which the
113 school has met its prior goals and objectives, analyze the school's student performance data including
114 data by grade level or academic department as necessary, and report these outcomes to the school
115 community and the division superintendent. A report delivered in writing or given orally in accordance
116 with local school board policy during a regularly scheduled parent-teacher meeting at the school may
117 be used to satisfy the reporting requirement of this section. This report shall be in addition to the school
118 report card required in this chapter.

119 E. Copies of the school's philosophy, goals and objectives shall be available upon
120 request.

121 § 22.1-253.14:2. Student achievement.

A. Each student should learn the relevant grade level subject matter before promotion to the next grade. For grades in which the Standards of Learning (SOL) tests are given, achievement of a passing score on the SOL tests shall be considered in promotion/retention policies adopted by the local school board. Achievement expectations and participation in SOL testing of students identified as disabled pursuant to Board regulations governing special education programs for students with disabilities in Virginia will be guided by provisions of their Individualized Education Plan (IEP) or 504 Plan. Participation of students for whom English is not the first or native language who have been identified as having limited English proficiency shall be determined by a committee convened to make such determinations. Students for whom English is not the first or native language who have been identified as having limited English proficiency may be exempted from the SOL tests for one grade level only in grades three, five, and eight. In order to be granted verified credit, all students must meet the clock hour and testing requirements set forth in this chapter.

B. Each student at grades three, five, and eight shall take and be expected to achieve a passing score on the SOL tests for the student's respective grade. Schools shall use the SOL test results as part of a multiple set of criteria for determining the advancement or retention of students in grades three, five, and eight. No promotion/retention policy shall be written in a manner as to systematically exclude students from membership in a grade or participation in a course in which SOL tests are to be administered.

C. Each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction. Students who achieve a passing score on an end-of-course SOL test shall be awarded a verified unit of credit in that course. Students may earn verified credits in any courses for which end-of-course SOL tests are available. Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade.

D. Students identified as disabled pursuant to Board regulations governing special education programs for students with disabilities in Virginia and for whom participation in the SOL testing program is deemed inappropriate according to their IEP or 504 Plan and who cannot participate in the SOL tests shall be expected to demonstrate proficiency on an alternative assessment prescribed by the Board in accordance with federal laws and regulations, beginning with school year 2000-2001.

E. The SOL Assessments shall constitute the primary evaluation of student academic achievement for the purpose of this chapter. Students shall also pass the literacy tests prescribed by the Board of Education in reading, writing, and mathematics in order to be promoted to the ninth grade except for students identified as disabled pursuant to Board regulations governing special education programs for students with disabilities in Virginia who are progressing according to the objectives of their IEP or 504 Plan. Students transferring to a Virginia public school prior to the ninth grade shall also be required to pass the literacy tests in order to be promoted to the ninth grade. Students who are not promoted shall be enrolled in alternative programs leading to one or more of the following: (i) passing the literacy tests; (ii) earning a high school diploma; (iii) earning a general educational development (GED) certificate; (iv) earning a certificate of program completion; and (v) learning job-entry skills.

§ 22.1-253.14:3. Requirements for graduation.

A. To receive a high school diploma, a student shall pass all components of the Literacy Passport Test as required by the Standards of Quality and prescribed by the Board of Education and meet the minimum requirements for one of the two diplomas outlined in this section for grades nine through twelve. These shall be the only requirements for a diploma, except that a local school board may prescribe additional requirements for a diploma if such requirements have been approved by the Board of Education. All additional requirements prescribed by local school boards and in effect as of June 30, 1997, are approved to continue through June 30, 1999, without further action by the Board.

B. The requirements for a standard diploma are as follows:

1. Beginning with the ninth-grade class of 1998-99 (graduating class of 2001-02), students shall earn the standard credits outlined in subdivision B 2. Beginning with the ninth-grade class of 2000-01 (graduating class of 2003-04), students shall earn standard units of credit, and of the standard units of credit earned, students shall earn the following number of verified units of credit: English-two; math-one; science-one; history/social science-one; and one additional verified unit of credit of the student's own choosing.

2. The credits required for graduation with a standard diploma shall be: English, four standard units of credit, two verified units of credit; mathematics, three standard units of credit, one verified unit of credit; laboratory science, three standard units of credit, one verified unit of credit; history and social sciences, three standard units of credit, one verified unit of credit; health and physical education, two standard units of credit; fine arts or practical arts, one standard unit of credit; electives, six standard units of credit. Students shall select an additional course in which to obtain a verified unit of credit. A total of twenty-two units of standard credit and six verified units of credit shall be required to obtain a standard diploma.

183 3. Courses needed to satisfy the requirements for mathematics set out in subdivision B 2 shall
184 include mathematics classes at or above the level of algebra and shall include at least two course
185 selections from among the following: algebra I, geometry, algebra II, or another mathematics course
186 above the level of algebra and geometry. The Board may approve additional courses to satisfy this
187 requirement.

188 4. Courses completed to satisfy the requirement for laboratory science shall include at least two
189 different science disciplines from among the following: earth sciences, biology, chemistry, or physics.
190 The Board may approve additional courses to satisfy this requirement.

191 5. Courses to satisfy the requirements for history and social studies shall include United States and
192 Virginia history, United States and Virginia government, and one world history/geography course.
193 Courses which satisfy the world history/geography course are (i) world history; (ii) world geography;
194 (iii) world history and geography to 1000 AD; (iv) world history and geography from 1000 AD to the
195 present; or (v) a semester course of world history to 1000 AD, and a semester course of world
196 geography. The Board may approve additional courses to satisfy this requirement.

197 6. Students completing the requirements for the standard diploma may be eligible to receive a Board
198 of Education Seal and/or other honor deemed appropriate by the local school board as described in
199 § 22.1-253.14:4.

200 C. The requirements for obtaining an advanced studies diploma shall be:

201 1. Beginning with the ninth-grade class of 1998-99 (graduating class of 2001-02), students shall earn
202 the standard credits outlined in subdivision C 2. Beginning with the ninth-grade class of 2000-01
203 (graduating class of 2003-04), students shall earn the standard credits outlined in subdivision C 2; and
204 of the total credits earned, students shall earn the following number of verified units of credits:
205 English-two; mathematics-two; science-two; history/social science-two; and one additional verified unit
206 of credit of the student's own choosing.

207 2. The credits required for graduation with an advanced studies diploma shall be: English, four
208 standard units of credit, two verified units of credit; mathematics, four standard units of credit, two
209 verified units of credit; laboratory science, four standard units of credit, two verified units of credit;
210 history and social sciences, four standard units of credit, two verified units of credit; foreign language,
211 three standard units of credit; health and physical education, two standard units of credit; fine arts or
212 practical arts, one standard unit of credit; electives, two standard units of credit. Students shall select
213 an additional course in which to obtain a verified unit of credit. A total of twenty-four units of standard
214 credit and nine verified units of credit shall be required to obtain an advanced studies diploma.

215 3. Courses needed to satisfy the requirements for mathematics set out in subdivision C 2 shall
216 include mathematics classes at or above the level of algebra and shall include at least three course
217 selections from among the following: algebra I, geometry, algebra II, or another mathematics course
218 above the level of algebra and geometry. The Board may approve additional courses to satisfy this
219 requirement.

220 4. Courses needed to satisfy the requirements for laboratory science shall include at least three
221 different science disciplines from among the following: earth sciences, biology, chemistry, or physics.
222 The Board may approve additional courses to satisfy this requirement.

223 5. Courses needed to satisfy the requirement for history and social studies shall include United
224 States and Virginia history, United States and Virginia government, and two world history/geography
225 courses. Acceptable courses to satisfy the world history/geography requirements include (i) world history
226 and world geography, (ii) world history and geography to 1000 AD, and world history and geography
227 from 1000 AD to the present; or (iii) a semester course of world geography, a semester course of world
228 history to 1000 AD, and a year-long course of world history from 1000 AD to the present. The Board
229 may approve additional courses to satisfy this requirement.

230 5. Courses to satisfy the requirements for foreign languages shall include three years of one
231 language or two years each of two languages.

232 D. Students completing the requirements for the advanced studies diploma may be eligible to receive
233 a Governor's Seal or other honor deemed appropriate by the local school board.

234 E. When students below the ninth grade successfully complete courses offered for credit in grades
235 nine through twelve, credit shall be counted toward meeting the standard units required for graduation,
236 if the courses meet the Standards of Learning requirements or are equivalent in content and academic
237 rigor to those courses offered at the secondary level, or if the students achieve a passing score on the
238 relevant end-of-course Standards of Learning test to obtain a verified unit of credit.

239 § 22.1-253.14:4. Awards for exemplary performance.

240 The following recognition of exemplary performance shall be attached to diplomas:

241 1. A Board of Education Seal to students who complete the requirements for a standard diploma with
242 an average grade of B or above in the required courses;

243 2. A Governor's Seal to students who complete the requirements for an advanced studies diploma
244 with an average grade of B or better and successfully complete at least one advanced placement course

or one college-level course for credit;

3. Any other seal or award for exceptional academic, vocational, citizenship, or other exemplary performance in accordance with criteria established by the local school board.

§ 22.1-253.14:5. Summer school attendance; certificates of completion; other courses of study; transfer credits.

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

B. Any student completing a prescribed course of study as defined by the local school board who does not qualify for a diploma shall be awarded a certificate of program completion by the school board.

C. Any student completing an honors course, an advanced course, an advanced placement course, a college-level course, or those courses required for an International Baccalaureate Diploma shall be deemed to have completed the requirements for graduation required by these standards if such students have passed the end-of-course tests to earn verified units of credit as required of students earning either a standard or an advanced studies diploma, or, in the case of a complete International Baccalaureate Diploma Program, the number of verified units of credit required for an advanced studies diploma.

D. A secondary school shall accept credits which have been received from other accredited secondary schools, including summer schools, special sessions, schools accredited through the Virginia Council for Private Education, and educational programs operated by the Commonwealth. Credit also shall be accepted for courses satisfactorily completed in accredited colleges and universities when prior written approval of the principal has been granted.

E. Records of transfer students shall be sent directly to the school receiving the student upon request of the receiving school in accordance with the Board of Education's regulations on management of student scholastic records.

F. The transcript of a student who graduates or transfers from a Virginia secondary school shall show the minimum units of standard or verified credits earned and required for graduation with a standard or advanced studies diploma.

G. Students transferring into a Virginia school division shall be required to earn a minimum of twenty-two standard credits, six of which must be verified credits, for graduation. Each student's prior record shall be evaluated to determine the number of credits previously earned and the number of additional credits required for graduation. Specified courses normally taken at lower grade levels shall not be required if the student has completed the courses required at those grade levels by the school division or state from which the student transferred. Students transferring from states which do not give credit for health and physical education shall not be required to repeat such courses. Students transferring after the beginning of their senior or twelfth grade year shall be given every opportunity to earn a standard or advanced studies diploma. If earning a diploma is not possible for the student because the student cannot meet the requirements established in this chapter, arrangements shall be made for the student's previous school to award the diploma whenever possible. If no arrangement can be made with the student's previous school, a waiver of the verified credit requirements may be requested. The Department of Education may grant such waivers upon request of the local school board and consideration of the circumstances.

§ 22.1-253.14:6. Instructional programs generally; learning objectives.

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

B. Instruction shall be designed to accommodate all students, including those students identified as disabled pursuant to Board regulations governing special education programs for students with disabilities in Virginia, those students identified as gifted and talented, and those students for whom English is not the first or native language who have been identified as having limited English proficiency.

C. Each school shall provide students identified as gifted with instructional programs taught by teachers with special training or experience in working with gifted students. Students who are identified as disabled pursuant to Board regulations governing special education programs for students with disabilities in Virginia shall have the opportunity to receive a full continuum of education services, in accordance with Board regulations relating to special education programs and standards and federal law, particularly, the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.) and its

306 implementing regulations.

307 § 22.1-253.14:7. Elementary school instructional programs.

308 A. Each elementary school shall provide each student a program of instruction which corresponds to
309 the Standards of Learning for English, mathematics, science, and history/social science. In addition,
310 each school shall provide instruction in art, music, and physical education and health.

311 B. In grades kindergarten through third grade, reading, writing, spelling, and mathematics shall be
312 the core of the program. Schools shall maintain, in a manner prescribed by the Board, an early skills
313 and knowledge achievement record in reading and math for each student in grades kindergarten through
314 third grade to monitor student progress and to promote successful achievement in the third grade
315 Standards of Learning tests. This record shall be included with the student's records if the student
316 transfers to a new school.

317 C. To provide students with sufficient opportunity to learn, a minimum of seventy-five percent of the
318 annual instructional time of 990 hours shall be dedicated to instruction in English, mathematics,
319 science, and history/social science. Students who are not successfully progressing in early reading
320 proficiency and those students who are unable to read with comprehension the materials necessary for
321 instruction shall receive additional instructional time in reading.

322 § 22.1-253.14:8. Middle school instructional programs.

323 A. Each middle school shall provide each student a program of instruction which corresponds to the
324 Standards of Learning for English, mathematics, science, and history/social science. In addition, each
325 school shall provide instruction in art, music, foreign languages, physical education and health, and
326 career and vocational exploration.

327 B. Each middle school shall provide a minimum of eight offerings to students in eighth grade: four
328 required courses, i.e., English, mathematics, science, and history/social science, and four elective
329 courses, i.e., one foreign language, one health and physical education, one fine arts, and one career and
330 vocational exploration.

331 C. Level one of a foreign language shall be available to all eighth grade students. In any high
332 school credit-bearing course taken in middle school, parents may request that grades be omitted from
333 the student's transcript and that the student not earn high school credit for the course. Notice of this
334 provision must be provided to parents with a deadline and format for making such a request. This
335 chapter shall not be construed to prevent a middle school from offering any appropriate credit-bearing
336 course for graduation.

337 D. To provide students a sufficient opportunity to learn, each student shall be provided 140 clock
338 hours per year of instruction in each of the four academic disciplines of English, mathematics, science,
339 and history/social science. Sixth-grade students may receive an alternative schedule of instruction if
340 each student receives at least 560 total clock hours of instruction in these four academic disciplines.

341 § 22.1-253.14:9. Secondary school instructional programs.

342 A. Each secondary school shall provide each student a program of instruction in the academic areas
343 of English, mathematics, science, and history/social science that enables each student to meet the
344 graduation requirements required by this chapter. Each secondary school shall offer opportunities for
345 students to pursue a program of studies in several academic and vocational areas, including, but not
346 limited to, (i) vocational education choices that prepare the student to be a vocational program
347 completer in one of three or more occupational areas and that prepare the student for technical or
348 preprofessional post-secondary programs; (ii) course work and experiences that prepare the student for
349 college-level studies, including access to at least two advanced placement courses or two college-level
350 courses for credit; and (iii) preparation for the Scholastic Aptitude Test.

351 B. Minimum course offerings for each secondary school, grades nine through twelve, shall ensure
352 that students can meet the graduation requirements set forth in this chapter, including, but not limited
353 to: (i) twenty-three units in academic subjects: four English courses; four mathematics courses; four
354 laboratory science courses; four history and social sciences courses; three foreign language courses;
355 two fine arts courses; and two health and physical education courses and (ii) fifteen units in other
356 subjects: four electives; eleven vocational education courses; for a total of thirty-eight units.

357 C. Classroom driver education may count for thirty-six class periods of health education. Students
358 shall not be removed from classes other than health and physical education for the in-car phase of
359 driver education.

360 § 22.1-253.14:10. Standard and verified units of credit.

361 A. The standard unit of credit for graduation shall be based on a minimum of 140 clock hours of
362 instruction. When credit is awarded in less than whole units, the increment awarded shall be no greater
363 than the fractional part of the 140 hours of instruction provided. If a school division elects to award
364 credit in an academic course on a basis other than the standard unit of credit, the locality shall develop
365 a written policy approved by the superintendent and school board which ensures that (i) the content of
366 the course for which credit is awarded is comparable to 140 clock hours of instruction and, (ii) upon
367 completion, the student will have met the aims and objectives of the course.

B. A verified unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction and the achievement by the student of a passing score on the end-of-course Standards of Learning test for the relevant course.

C. A school with a scheduling configuration of less than 140 clock hours per course in the 1996-1997 school year may retain that scheduling configuration if such school is rated "fully accredited." Schools rated "accredited with warning" may be required to revise their scheduling configuration pursuant to the corrective action plan required hereunder.

§ 22.1-253.14:11. Summer school.

A. The summer school program shall be equal in quality to the program offered during the regular school terms.

B. Credit for repeated work ordinarily will be granted on the same basis as that for new work. With prior approval of the principal, certain students may be allowed to enroll in two repeat subjects to be completed in not less than seventy-five clock hours of instruction per credit.

C. Summer school instruction which is provided as part of a remedial program shall be designed to improve specific identified school deficiencies.

§ 22.1-253.14:12. Elective courses.

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

§ 22.1-253.14:13. College preparation programs; opportunities for postsecondary credit.

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

B. Beginning in the middle-school years, students shall be counseled as to opportunities for initiating postsecondary education prior to high school graduation. Students taking advantage of such opportunities shall not be denied participation in school activities for which they are otherwise eligible. Wherever possible, students shall be encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit, under the following conditions: (i) prior written approval of the high school principal for the cross-registration must be obtained; (ii) the college will accept the student for admission to the course; and (iii) the courses must be given by the college for degree credits, with no remedial courses accepted.

C. Students who are cross-registered shall be counted in average daily membership of the secondary school in which they are enrolled and schools implementing this provision shall not be penalized in receiving appropriations.

§ 22.1-253.14:14. Standard school year and school day.

A. The standard school year shall be 180 days. The standard school day for students in grades one through twelve shall average at least five and one-half hours, excluding intermissions for meals, and a minimum of three hours for kindergarten. School divisions may develop alternative schedules for meeting these requirements as long as a minimum of 990 hours of instructional time is provided for grades one through twelve and 540 hours for kindergarten. Such alternative plans must be approved by the local school board and by the Board of Education, pursuant to guidelines established by the Board. No alternative plan which reduces the institutional time in the academic courses matching the Standards of Learning shall be approved.

B. All students in grades one through twelve shall maintain a full-day schedule of classes, i.e., five and one-half hours per day, unless a waiver is granted by the local superintendent of schools. Conditions for such waivers shall be defined by the local school board.

§ 22.1-253.14:15. Additional reading instruction.

Each school shall ensure that students who are unable to read with comprehension are given the materials necessary for instruction and receive additional instruction in reading, which may be delivered in summer school.

§ 22.1-253.14:16. Off-site instruction.

A. Homebound instruction shall be made available to students who are confined for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinic psychologist. For students eligible for special education and related services, the individualized education program (IEP) or 504 Plan committee must revise the IEP, as appropriate. Credit for the work shall be awarded when it is done under the supervision of a licensed teacher, a person eligible to hold a Virginia license, or other appropriately licensed professional who may be employed by the local school board.

B. Students may enroll in and receive a standard or verified unit of credit for supervised correspondence courses in subjects which were not available to them through the school's schedule with prior approval of the principal. Credit shall be awarded for the successful completion of such courses

429 *when the course is equivalent to that offered in the regular school program and the work is done under*
430 *the supervision of a licensed teacher, or a person eligible to hold a Virginia license with prior approval*
431 *of the division superintendent.*

432 *§ 22.1-253.14:17. Library media, materials; equipment.*

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

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

440 *§ 22.1-253.14:18. Extracurricular and other school activities.*

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

446 *B. Competitive sports of a varsity nature, with scheduled league games, shall be prohibited as part*
447 *of the elementary school program.*

448 *§ 22.1-253.14:19. Role of the principal.*

449 *A. The principal shall be responsible for instructional leadership and effective school management*
450 *that promotes positive student achievement, a safe and secure environment in which to teach and learn,*
451 *and efficient use of resources. As part of this responsibility, the principal shall ensure the development*
452 *and implementation of the biennial school plan, approved by the superintendent.*

453 *B. The principal shall be responsible for ensuring students are provided an opportunity to learn and*
454 *shall: (i) protect the academic instructional time from unnecessary interruptions and disruptions and*
455 *enable the professional teaching staff to spend the maximum time possible in the teaching and learning*
456 *process by keeping to a minimum clerical responsibilities and the time students are out of class; (ii)*
457 *ensure that the school division's student code of conduct is enforced and that the school environment is*
458 *safe and secure; (iii) analyze the school's test and subtest scores annually by grade and by discipline to*
459 *direct and require appropriate remediation and intervention to those students performing below grade*
460 *level or not passing the Standards of Learning tests; (iv) involve the staff of the school in identifying the*
461 *types of staff development needed to improve student achievement and ensure that the staff participate in*
462 *those activities; (v) analyze classroom practices and methods for improvement of instruction; (vi) ensure*
463 *that each student's record is maintained and that criteria used in making placement and promotion*
464 *decisions, as well as any instructional interventions used to improve the student's performance, are*
465 *included in the records; (vii) monitor and evaluate the quality of instruction, provide for inservice*
466 *training, professional assistance, and support designed to improve instruction, and ensure successful*
467 *attainment of the knowledge and skills required of students by the Standards of Learning; and (viii)*
468 *maintain records of students who drop out of school, including their reasons for dropping out and*
469 *actions taken to prevent students from dropping out.*

470 *C. The principal shall be responsible for effective school management and shall (i) work with staff to*
471 *create an atmosphere of mutual respect and courtesy and to facilitate constructive communication by*
472 *establishing and maintaining a current handbook of personnel policies and procedures; (ii) work with*
473 *the community to involve parents and citizens in the educational program and facilitate communication*
474 *with parents by maintaining and disseminating a current student handbook of policies and procedures*
475 *that includes the school division's standards of student conduct and procedures for enforcement, along*
476 *with other matters of interest to parents and students; (iii) maintain a current record of licensure,*
477 *endorsement, and inservice training completed by staff; and (iv) maintain records of receipts and*
478 *disbursements of all funds handled. These records shall be audited annually by a professional*
479 *accountant approved by the local school board.*

480 *§ 22.1-253.14:20. Role of professional teaching staff.*

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

485 *B. The staff shall (i) serve as leadership models of effective oral and written communication with*
486 *special attention to the correct use of language and spelling; (ii) strive to strengthen the basic skills of*
487 *students in all subjects; (iii) establish teaching objectives to identify what students are expected to learn*
488 *and inform students of the achievement expected and keep them engaged in learning tasks; (iv) provide*
489 *for individual differences of students through the use of differentiated instruction, varied materials, and*
490 *activities suitable to their interests and abilities; and (v) assess the progress of students and report*

promptly and constructively to them and their parents.

§ 22.1-253.14:21. Administrative; support staff; certain employment periods; teaching loads.

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

B. Each school shall have the required staff with proper licenses and endorsements.

C. The principal of each middle and secondary school shall be employed on a twelve-month basis. Each secondary school with at least 350 students and each middle school with at least 400 students shall employ at least one member of the guidance staff for eleven months. Guidance counseling shall be provided for students to ensure that a program of studies contributing to the student's academic achievement and meeting the graduation requirements required in this chapter is being followed by the student. In addition, the counseling program shall provide for a minimum of sixty percent of the time of each member of the guidance staff to be devoted to such counseling of students.

D. Middle school teachers in schools with a seven-period day may teach 150 student periods per day or thirty class periods per week; however, all teachers with more than twenty class periods per week shall have one period per day which is unencumbered of all teaching and supervisory duties.

E. The secondary classroom teacher's standard load shall be no more than twenty-five class periods per week. One class period each day, unencumbered by supervisory or teaching duties, shall be provided for every full-time classroom teacher for instructional planning. Teachers of block programs, with no more than 120 student periods per day, may teach thirty class periods per week. Teachers who teach very small classes may teach thirty class periods per week; however, the teaching load shall not exceed seventy-five student periods per day. If a classroom teacher teaches thirty class periods per week with more than seventy-five student periods per day, or in block programs 120 student periods per day, an appropriate contractual arrangement and compensation shall be provided.

F. Middle or secondary school teachers shall teach no more than 750 student periods per week; however, physical education and music teachers may teach 1,000 student periods per week.

G. Each school shall report the extent to which an unencumbered lunch is provided for all classroom teachers.

H. The number of students in special and vocational education classrooms shall comply with regulations of the Board of Education.

I. Pupil personnel services, including visiting teachers and school social workers, school psychologists, and guidance counselors, shall be available as necessary to promote academic achievement.

§ 22.1-253.14:22. Alternative staffing plans.

At the discretion of the division superintendent, an alternative staffing plan may be developed which ensures that the services set forth in these standards and the Standards of Quality are met. Any alternative staffing plan shall be submitted to the Department for approval. An alternative staffing plan that reduces the number of staff positions, as set forth in the Standards of Quality, shall not be acceptable.

§ 22.1-253.14:23. School facilities and safety.

A. Each school shall be maintained in a manner ensuring compliance with the Uniform Statewide Building Code and regulations of the Board of Education pertaining to school facilities. In addition, the school administration shall:

1. Maintain a physical plant that is accessible, barrier-free, safe, and clean;
2. Provide for the proper outdoor display of flags of the United States and of the Commonwealth of Virginia;

3. Provide suitable space for classrooms, administrative staff, pupil personnel services, library and media services, and for the needs and safety of physical education; and

4. Provide adequate, safe, and properly-equipped laboratories to meet the needs of instruction in the sciences, computer, fine arts, and vocational programs.

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

1. Equip all exit doors with panic hardware as required by the Uniform Statewide Building Codes; and

2. Conduct fire drills at least once a week during the first month of school and at least once each month for the remainder of the school term. Evacuation routes for students shall be posted in each room.

C. Each school shall have contingency plans for emergencies that includes staff certified in Cardiopulmonary Resuscitation, the Heimlich maneuver, and emergency first aid. In addition, the school administration shall ensure that the school has:

552 1. Written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening
553 behavior. The plan shall be outlined in the student handbook and discussed with staff and students
554 during the first week of each school year;

555 2. Space for the proper care of students who become ill; and

556 3. A written procedure, in accordance with guidelines established by the local school board, for
557 responding to violent, disruptive, or illegal activities by students on school property or during
558 school-sponsored activities.

559 § 22.1-253.14:24. School and community communications.

560 A. Each school shall promote communication and foster mutual understanding with parents and the
561 community. Each school shall involve parents, citizens, community agencies, and representatives from
562 business and industry:

563 1. In developing, disseminating, and explaining the biennial school plan;

564 2. On advisory committees;

565 3. In curriculum studies; and

566 4. In evaluating the educational program.

567 B. Each school shall annually provide a School Performance Report Card, in a manner prescribed
568 by the Board of Education, and beginning with data from the 1997-1998 school year, to the parents of
569 children attending the school and to the community that includes, but is not limited to:

570 1. School-wide test scores on the Standards of Learning tests, as well as statewide averages and
571 division averages for the most recent three-year period for which such data are available;

572 2. The participation in these tests of students who are identified as disabled pursuant to Board
573 regulations governing special education programs for students with disabilities in Virginia and students
574 for whom English is not the first or native language who have been identified as having limited English
575 proficiency;

576 3. The performance of students who are identified as disabled pursuant to Board regulations
577 governing special education programs for students with disabilities in Virginia on the Standards of
578 Learning tests or alternate assessments, as appropriate;

579 4. The percentage of students who are identified as disabled pursuant to Board regulations
580 governing special education programs for students with disabilities in Virginia and the percentage of
581 students for whom English is not the first or native language who have been identified as having limited
582 English proficiency who have been exempted from the Standards of Learning testing program;

583 5. The percentage of the school population eligible to participate in the Standards of Learning
584 testing program;

585 6. Attendance rates for students for the most recent three-year period for which such data are
586 available;

587 7. Incidents of physical violence and weapon possession occurring at the school reported by the
588 school division to the Department of Education under § 22.1-280.1 for the most recent three-year period
589 for which such data are available;

590 8. The accreditation rating awarded to the school for the current and previous three years; and

591 9. Each secondary school shall also include: (i) the number and percentage of students taking
592 Advanced Placement courses and the number and percentage of those earning a score of three or better
593 on the Advanced Placement Tests, as well as the number and percentage of students taking college-level
594 courses and the number and percentage of those students passing at least one such course; (ii) the
595 number of standard, advanced studies, special, and International Baccalaureate diplomas awarded and
596 the number and percentage of students awarded certificates of program completion and general
597 educational development certificates, for the most recent three-year period for which such data are
598 available; and (iii) drop-out rates for the current and previous three years.

599 C. Each school shall cooperate with business and industry in formulating vocational educational
600 programs and conduct joint enterprises involving personnel, facilities, training programs, and other
601 resources.

602 D. Each school shall encourage and support the establishment of a parent-teacher association or
603 other organization and work cooperatively with such association or organization.

604 E. Each school shall, at the beginning of each school year, provide to the student's parents or
605 guardian or other person having control or charge of the student:

606 1. The academic objectives to be achieved at the child's grade level, or, in high school, a copy of the
607 syllabus for each of the child's courses;

608 2. A copy of the Standards of Learning applicable to the child's grade or course requirements and
609 the approximate date and potential impact of the child's next Standards of Learning test; and

610 3. Annual notice to students at all grade levels of all requirements for standard and advanced studies
611 diplomas.

612 § 22.1-253.14:25. School accreditation.

613 A. Each school shall be accredited based, primarily, on achievement of the criteria established in

this chapter under the following conditions:

1. Elementary schools shall be evaluated by the percentage of the school's eligible students in grades three and five who achieve a passing score on the Standards of Learning tests in the four academic areas for their respective grades.

2. Middle schools shall be evaluated by achievement of eligible students on the Standards of Learning tests in the four academic areas for eighth grade and end-of-course tests where applicable.

3. Secondary schools shall be evaluated by student achievement on the end-of-course Standards of Learning tests taken.

4. Schools with grade configurations other than those identified in this chapter for elementary, middle, or secondary schools shall be evaluated by student achievement on Standards of Learning tests for the grades housed in the school as specified for such grades in subdivisions A 1 through A 3.

5. Schools with grade configurations that do not house a grade or courses for which Standards of Learning tests are administered shall be paired with another school in the school division housing one or more of the grades in which Standards of Learning tests are administered, with the pairing of the schools made upon the recommendation of the local superintendent based on the schools having a feeder relationship and contiguous grades.

6. For purposes of accreditation, eligible students shall be the total number of students enrolled in the school at the grade level of the Standards of Learning tests, except for those students who have been identified as disabled pursuant to Board of Education regulations governing special education programs for students with disabilities in Virginia and whose individualized education program (IEP) or 504 Plan or IEP committee excludes such students from the requirement to participate in the testing.

B. Special purpose schools, such as regional or stand-alone special education, alternative, or vocational schools that serve as the student's school of principal enrollment shall be evaluated on standards appropriate to the school's program and approved by the Board of Education. Every school that awards a diploma shall meet the requirements for secondary schools and for graduation as defined in this chapter.

C. Evaluations of school performance shall consider (i) the percentage of eligible students who achieve a passing score on the relevant Standards of Learning tests; (ii) beginning with the school year 2000-2001, for those students who have been identified as disabled pursuant to Board regulations governing special education programs for students with disabilities in Virginia and whose individualized education program (IEP) or 504 Plan or IEP committee excludes such students from the requirement to participate in the Standards of Learning testing, the percentage who achieve a proficient level score on an alternative assessment prescribed by the Board; and (iii) the school's annual improvement during the implementation years toward the established standard school expectations at the various levels. Schools with large numbers of transient students or students for whom English is not the first or native language who have been identified as having limited English proficiency may receive additional accommodations according to tolerances established by the Board of Education. Such schools shall be evaluated according to the individual school accreditation plan approved by the Board.

D. As a prerequisite to the awarding of an accreditation rating, each new or existing school shall document, in a manner prescribed by the Board, its compliance with the requirements of this chapter and the Standards of Quality (i) to offer courses that will allow students to complete the graduation requirements, (ii) to offer the required instructional program, (iii) to meet the leadership and staffing requirements, and (iv) to provide the facilities and meet the safety provisions.

§ 22.1-253.14:26. Certification of accreditation eligibility.

A. Schools shall be initially accredited annually based on compliance with the pre-accreditation criteria.

B. To be eligible for accreditation, the principal and superintendent shall certify to the Department of Education the extent to which each school meets standards reported as met in the previous year. The principal of each school shall submit, as required, pre-accreditation eligibility reports in a manner prescribed by the Board, through the division superintendent, to the Department of Education. Failure to submit the reports on time will constitute grounds for denying accreditation to the school.

C. In compliance with the Standards of Quality, and in conjunction with the six-year plan of the school division, each school shall prepare and implement a biennial school plan which shall be available to students, parents, staff and the public. Each biennial school plan shall be evaluated as part of the development of the next plan. Except for the biennial school plan, written division-wide plans available in and applicable to each school may be used to satisfy all other written plans required in this chapter.

D. With the approval of the local school board, schools seeking to implement experimental or innovative programs that are not consistent with accreditation standards or other regulations promulgated by the Board of Education shall submit a waiver request to the Board for evaluation and approval prior to implementation. The request shall include the purpose and objectives of the

experimental or innovative programs, description and duration of the program, anticipated outcomes, outline, length, number of students affected, and evaluation procedures and mechanisms for measuring goals, objectives, and student academic achievement. Except as specified herein, the Board may grant, for a period up to five years, a waiver of any regulations promulgated by the Board that are not mandated by state law or federal law or designed to promote health or safety. The Board may grant all or a portion of the request. Waivers of requirements relating to student achievement, requirements for graduation, the program of instruction and learning objectives, and school accreditation based on student achievement shall not be granted; and no waiver may be approved for a program which, as proposed, would violate the provisions of the Standards of Quality.

E. These Standards apply to schools for all grade levels, kindergarten through grade twelve, as follows:

1. Schools with grades kindergarten through grade five shall be classified as elementary schools;

2. Schools with grades six through eight shall be classified as middle schools;

3. Schools with grades nine through twelve shall be classified as secondary schools.

§ 22.1-253.14:27. Application of the Standards.

A. Schools already existing on July 1, 1999, which meet pre-accreditation requirements set forth in this chapter, may be assigned one of the following ratings: fully accredited, provisionally accredited, accredited with warning, or accreditation denied.

B. New schools shall be awarded the status of conditionally accredited pending an evaluation of the school's achievement performance and when pre-accreditation requirements have been met.

C. Compliance with the student academic achievement expectations shall be documented to the Board directly. Compliance with other standards shall be documented in accordance with procedures prescribed by the Board.

D. Accreditation ratings shall be as follows:

1. A school shall be fully accredited when the prescribed levels of eligible student performance have been met and the school meets the pre-accreditation requirements. For purposes of school accreditation, at third grade, the percentage of students passing the Standards of Learning tests shall be: seventy percent for English/reading; seventy percent for mathematics; fifty percent for science; and fifty percent for history. At the fifth and eighth grades, the percentage of students passing the Standards of Learning tests shall be seventy percent in each of the four academic disciplines for which the tests are prescribed. At the secondary school level, the percentage of students passing shall be seventy percent in each of the four academic disciplines for which the tests are prescribed.

2. A school shall be provisionally accredited during the period of implementation of these accrediting procedures when the student achievement requirements for full accreditation are not met, and yet there is annual improvement in the percentage of the school's eligible students who earn a passing score on the Standards of Learning tests. The provisionally accredited rating will cease to exist at the end of the 2002-2003 school year. All schools shall be provisionally accredited on July 1, 1999.

3. A school shall be accredited with warning when the requirements for the fully accredited rating are not met and, in school years prior to 2003-2004, the school fails to meet the requirements for the provisionally accredited rating. Schools accredited with warning shall develop a corrective action plan designed to improve student achievement on the Standards of Learning tests for the relevant grade levels over two years. No school may be accredited with warning for more than three consecutive years.

4. A school shall be denied accreditation when the requirements for the rating of fully accredited are not met and when, after three consecutive years of being rated accredited with warning and despite corrective action, the school has failed to meet the specified achievement level.

§ 22.1-253.14:28. Improvement plan.

A. Schools that are accredited with warning shall undertake improvement planning targeted to increasing student achievement as measured by the Standards of Learning tests.

B. A corrective action plan shall be developed by each school accredited with warning upon receipt of notification of the awarding of this rating. The plan shall be signed by the principal and the division superintendent and approved by the local school board and submitted to the Board of Education for approval. The plan shall be developed with the assistance of parents and teachers and shall be made available to the public. During the implementation years from 1999 to 2002, a school that is accredited with warning shall develop and implement an improvement plan approved by the local school board and designed to assist the school in meeting the student achievement standards needed to be fully accredited. If a school continues to be accredited with warning during the 2001-2002 school year, the school shall submit, by October 1, 2002, an improvement plan to the Board of Education, with the components required in this chapter and in a manner prescribed by the Board. The plan shall be implemented by July 1, 2003.

C. The Board of Education shall establish a Peer Educator Advisory Group to provide technical assistance in evaluating corrective action plans. The Advisory Group shall consist of fifteen educators with five representatives each from urban, suburban, and rural schools. Representatives shall be

academic classroom teachers and principals from elementary, middle, and secondary schools and shall be selected in each category from among the top ten percent of schools on the Standards of Learning tests. Each member of the Advisory Group shall serve for two years. Terms of service shall be designed to provide continuity to the Advisory Group as a whole.

D. The plan shall include specific measures for achieving and documenting student academic improvement, amount of time in the school day devoted to instruction in the academic areas for which there are relevant Standards of Learning tests, instructional practices designed to remediate currently failing students, intervention strategies designed to prevent future students from experiencing similar failure, staff development required, assistance needed, and flexibility or waivers of state or local regulations necessary to meet the objectives of the plan. As part of its approval of the corrective action plan, the Board of Education may grant a local school board a waiver from the requirements of any regulations promulgated by the Board when such waiver is available as provided in this chapter.

E. Schools accredited with warning shall document to their community that appropriate and effective instructional intervention and remediation and additional instruction time is being provided for the students who are not achieving a score of proficient on the Standards of Learning test or not passing the Literacy Passport Tests.

§ 22.1-253.14:29. School improvement.

The Board of Education shall establish the minimum acceptable level of annual school improvement required for a school accredited with warning. In no event shall a school be awarded the status of fully accredited if the minimum student pass rate established herein is not met.

§ 22.1-253.14:30. Waivers.

Waivers of requirements of this chapter may be granted by the Board based on submission of a request from the division superintendent and chairman of the local school board. The request shall include documentation of the need for the waiver. In no event will waivers be granted to the requirements for student achievement.

§ 22.1-253.14:31. Dates requirements enforced.

A. The units of credit requirements for graduation shall be effective with the ninth-grade class of 1998-1999, i.e., for the graduating class of 2002. Only standard units of credit shall be available until the implementation of the requirement for verified units of credit. Students entering the ninth grade prior to the implementation date of this chapter shall meet the requirements of standards previously adopted by the Board of Education in 1992 regulations.

B. The requirement for verified units of credit based on student performance on the Standards of Learning tests related to courses shall become effective for graduation with the ninth-grade class of 2000-2001, i.e., for the graduating class of 2004.

C. Each school that does not meet the requirements to be rated fully accredited shall be rated as provisionally accredited during the implementation period of 1998-1999 through 2002-2003 if there is annual improvement in the percentage of the school's eligible students who earn a passing score on each of the Standards of Learning tests and if the school continues to meet the pre-accreditation requirements. If there is no improvement or there is a decline in the Standards of Learning test pass-rate percentages over the previous year, the school shall be rated accredited with warning. Schools that meet the requirements to be rated fully accredited shall be upgraded to that rating.

D. Beginning with the 2003-2004 accrediting cycle, each school shall be expected to meet the level of performance established for a fully accredited rating in accordance with this chapter. Schools that do not meet this requirement shall be rated accredited with warning.