



Virginia Department of Planning and Budget **Economic Impact Analysis**

8 VAC 20-131 Regulations Establishing Standards for Accrediting Public Schools in Virginia

Department of Education

Town Hall Action/Stage: 5572 / 9028

September 25, 2020

Summary of the Proposed Amendments to Regulation

In order to comport with Chapters 55 and 580 of the 2020 Acts of Assembly, the Board of Education (Board) proposes two additional options in order to satisfy a requirement for the Standard and Advanced Studies Diplomas. Additionally, in order to comport with Chapter 874 of the 2020 Acts of Assembly, the Board proposes to allow a student who is pursuing an advanced diploma, and whose individualized education program (IEP) specifies a credit accommodation for world language, to substitute two standard units of credit in computer science for two standard units of credit in a world language.

Background

According to the requirements under the current regulation to earn a Standard Diploma or an Advanced Studies Diploma, the student must either (i) complete an Advanced Placement (AP), honors, or International Baccalaureate course, or (ii) earn a career and technical education credential approved by the board.¹ Pursuant to Chapters 55 and 580, the Board proposes to add (a) completion of a dual enrollment course,² or (b) a high-quality work-based learning experience as defined by Board guidance on work-based learning, as two additional options to satisfy this requirement. According to the Department of Education, the Board guidance would be in a guidance document.³

¹ When a career and technical education credential in a particular subject area is not readily available or appropriate or does not adequately measure student competency, the student shall receive satisfactory competency-based instruction in the subject area to satisfy the diploma requirements.

² Dual enrollment is defined as when students “take college courses simultaneously for high school graduation and college degree credit.” See <https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section140/>

³ Guidance documents can be found here: <https://townhall.virginia.gov/L/GDocs.cfm>

Pursuant to Chapter 874, the Board proposes to allow a student who is pursuing an advanced diploma, and whose IEP specifies a credit accommodation for world language, to substitute two standard units of credit in computer science for two standard units of credit in a world language. For any student who elects to substitute credit in computer science for credit in world language, his or her school counselor would need to provide notice to the student and parent or guardian of possible impacts related to college entrance requirements.

Estimated Benefits and Costs

As mandated by Chapters 55 and 580, providing additional options to meet a graduation requirement could be beneficial for students who would prefer to avail themselves of these options rather than the existing options. Dual enrollment is when students take a college course simultaneously for high school graduation and college degree credit. Dual enrollment courses could reasonably be considered equivalent to AP courses. Whether the high-quality work-based learning experience could be considered equivalent to a career and technical education credential would depend on how the Board defines high-quality work-based learning experience. The proposed two additional options to satisfy a graduation requirement do not appear to substantially affect costs.

As mandated by Chapter 874, the proposal to allow a student who is pursuing an advanced diploma, and whose IEP specifies a credit accommodation for world language to substitute two standard units of credit in computer science for two standard units of credit in a world language, would be beneficial for students with a disability that affects learning foreign languages. This proposed amendment does not appear to produce a substantial cost.

Businesses and Other Entities Affected

The proposed amendments affect the students and staff at high schools in all 132 local school divisions in the Commonwealth. No school divisions appear to be disproportionately affected. The proposal to add completion of a dual enrollment course as an option to satisfy a graduation requirement may increase the number of students who take dual enrollment courses. This would affect the colleges that are involved in dual enrollment courses with high schools.⁴

⁴ Per the State Council of Higher Education in Virginia's Virginia Public Higher Education Policy on the Offering of "Dual Enrollment" Courses in Public School Districts by Four-year and Two-year Institutions of Higher Education and in consonance with § 22.1-253.13:1 in the Code of Virginia, community colleges are considered the default providers of dual enrollment in Virginia public school districts. However, public four-year institution can offer dual

The proposal to add completion of a high-quality work-based learning experience as an option to satisfy a graduation requirement may increase the number of students who seek employment. Thus, some employers such as businesses, nonprofit organizations, etc. may also be affected.

Small Businesses⁵ Affected:

The proposed amendments do not appear to adversely affect small businesses.

Localities⁶ Affected⁷

The proposed amendments affect all Virginia localities in that all localities have students and staff associated with public high schools. No localities appear to be disproportionately affected. The proposed amendments do not appear to substantively affect costs for local governments.

Projected Impact on Employment

The proposal to add completion of a high-quality work-based learning experience as an option to satisfy a graduation requirement may increase the number of students who seek employment. Consequently, more high school students may become employed.

Effects on the Use and Value of Private Property

Since the proposal to add completion of a high-quality work-based learning experience as an option to satisfy a graduation requirement may increase the number of students who seek employment, some businesses may find it easier to fill open positions, or at a lower cost. Thus, the proposal may result in a moderate increase in net value for some businesses. The proposed amendments would not likely substantively affect real estate development costs.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities

enrollment courses when the educational opportunity is not otherwise available through the local community college, if there is high demand for a type of course, or if there is a specialized need.

⁵ Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

⁶ “Locality” can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.

⁷ § 2.2-4007.04 defines “particularly affected” as bearing disproportionate material impact.

and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(D): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.