Agency Name: Board of Education

Statutory Authority: 59-5-60, 59-18-110, 59-29-10 et seq., 59-29-200, 59-33-30, 59-53-1810, 20 U.S.C. 1232(g), and 20 U.S.C. 6301 et seq.

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- 01/10/2012 Received by Lt. Gov & Speaker 05/09/2012

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Document No. 4198

**STATE BOARD OF EDUCATION**

CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60 (2004), 59-18-110 (Supp. 2010), 59-29-10 et seq. (2004), 59-29-200 (2004), 59-33-30 (2004), 59-53-1810 (Supp. 2010), 20 U.S.C. 1232(g), and

20 U.S.C. 6301 et seq.

43-300. Accreditation Criteria

**Synopsis:**

Section 59-5-60 of the Code of Laws of South Carolina delineates the general powers of the State Board of Education which includes the ability to promulgate regulations governing the operation of the public school system in the state. The proposed regulation regards 43-300, accreditation criteria. The current accreditation system for public schools is narrowly focused and relies on multiple years of failing to meet the same requirement in order to progress through the stages of accreditation. That system is stricken from the regulation and replaced by a new proposed system. The Department of Education proposes to implement a system that takes into consideration several factors including teacher and administrator certification, measures of student achievement, health and safety, on-going planning for improvement, finance, and relevant state statutes and State Board of Education regulations. A rubric will be used to assign a numerical grade to each district and school to determine the appropriate accreditation classification. The proposed amendment to the regulations will also allow exemptions for districts and schools that are accredited through an approved accrediting entity such as AdvancEd, and for those who meet or exceed the state’s academic standards as determined by the state report card.

A Notice of Drafting was published in the *State Register* on July 22, 2011.

**Instructions:** Replace in its entirety R.43-300, Accreditation Criteria, with the following.

~~Indicates Matter Stricken~~

Indicates New Matter

**Text:**

43-300. Accreditation Criteria.

Each school district shall provide ~~a~~ the defined ~~minimum~~ ~~educational~~ program approved by the State Board of Education that complies with standards prescribed for the boards of trustees; district operations; elementary grades; ~~and~~ middle grades; secondary grades; ~~area vocational~~ career and technology education ~~centers~~; summer school programs; and adult education. If a school district’s defined ~~educational~~ program is evaluated as failing to comply with prescribed standards, it shall be considered as offering a program that is deficient in meeting local educational needs and such failure shall be indicated in the status of the accreditation classification.

State Board of Education Approval Procedures: To be accredited by the State Board of Education, ~~A~~ a school district or school shall obtain approval for ~~it’s~~ the school district’s or school’s defined ~~educational~~ program ~~to be accredited by the Board~~ by one of the following procedures.

1. Meet the ~~criteria~~ standards prescribed by the State Board of Education in the “~~D~~defined ~~Minimum~~ ~~P~~program ~~for South Carolina School Districts.”~~ and as outlined by current statutes and regulations.

2. Submit ~~a~~ an accreditation contract to the State Board of Education for approval of variations from the ~~prescribed~~ defined ~~minimum~~ program. The criteria for approval by contract shall be based on the school district’s commitment to comprehensive, continuous, long‑range planning and effective utilization of resources for planned improvement of identified educational needs. Approval of contract provides for the development and implementation of an action plan to establish performance criteria that include the following:

a. Identification of students’ educational needs by local assessment.

b. Establishment of measurable objectives for improving identified educational needs.

c. Formulation of strategies or activities for achieving specific objectives.

d. Evaluation procedures for determining success in achieving objectives.

Note: ~~Application forms for accreditation by~~ The accreditation contract will be ~~supplied~~ reviewed by the ~~State~~ South Carolina Department of Education and a recommendation will be made to the State Board of Education.

Accreditation Procedures~~:~~ for ~~E~~each school district or school not utilizing a contract for accreditation: ~~shall apply for accreditation to the State Department of Education, on or before October 15, as follows:~~

1. On or before a date set by the South Carolina Department of Education, ~~D~~data~~,~~ and assurances documenting the~~, and annual needs assessment with a written plan for~~ compliance of standards ~~educational improvement~~ for boards of trustees; district operations; elementary grades~~,~~; middle grades;~~, and~~ secondary grades; career and technology education~~,~~; summer school programs; ~~and area vocational centers~~ and adult education will be submitted to the South Carolina Department of Education ~~Chief Supervisor, Accreditation and Educational Improvement Section~~.

2. ~~Data and assurances for adult education will be submitted to the Office of Adult Education.~~ The South Carolina Department of Education ~~Basic Educational Data System computer~~ will ~~scan~~ process the accreditation data and ~~print~~ use a rubric to determine the preliminary accreditation classification for the following educational units ~~a listing of deficiencies classified into seven main areas~~: (1) Boards of Trustees, (2) District Operations, (3) Elementary Grades, ~~and~~ (4) Middle Grades, (~~4~~ 5) Secondary Grades, (~~5~~ 6) Summer School Programs, ~~(6~~ 7) ~~Area Vocational~~ Career and Technology Education ~~Centers~~, and (~~7~~ 8) Adult Education. The ~~computer~~ listings of deficiencies will be reviewed by ~~State~~ South Carolina Department of Education staff and ~~printouts~~ results of the preliminary analysis indicating existing deficiencies will be ~~returned~~ provided to school districts and schools for verification. The preliminary analysis data ~~will~~ shall be incorporated into a rubric and shall result in ~~list~~ one of the following accreditation preliminary classifications:

~~All Clear~~ Accredited with Commendations indicates that a school district or school is in compliance with ~~meets~~ the standards prescribed by the State Board of Education for a defined ~~minimum~~ program, is in compliance with the standards as defined by current statutes and regulations, and has achieved the maximum rating as reflected on the accreditation rubric.

Accredited indicates that although a school district or school is not in compliance with all the standards prescribed by the State Board of Education for a defined program and/or is not in compliance with all the standards as outlined by current statutes and regulations as reflected on the accreditation rubric, the deficiencies are limited and may be easily corrected.

~~Advised~~ Accredited with Provisions indicates that a school district or school is not in compliance with ~~meeting~~ all of the ~~prescribed~~ standards prescribed by the State Board of Education for a defined program or is not in compliance with all of the standards as outlined by current statutes and regulations as reflected on the accreditation rubric, but the deficiencies may be ~~easily~~ corrected and/or substantial progress ~~has been~~ can be made in removing existing deficiencies.

~~Warned~~ Accredited with Warning indicates that a school district~~’s~~ or school is not in compliance with all of the standards prescribed by the State Board of Education for a defined ~~educational~~ program ~~is failing to meet one or more of the accreditation standards~~ or is not in compliance with all of the standards as outlined by current statutes and regulations as reflected on the accreditation rubric. School ~~D~~districts and schools that have an Accredited with Warning ~~Warned~~ accreditation classification are required to make substantial progress toward removal of deficiencies before submitting accreditation data the subsequent school year ~~or the district’s accreditation will be placed on Probation~~. ~~In the case of serious deficiencies, districts with Warned classifications that fail to make substantial progress toward removal of the deficiencies may be dropped by action of the State Board of Education.~~ A school district or school that has received an accreditation classification of Accredited with Warning shall be required within two months of notification to complete a written plan that outlines how the school district or school shall address the deficiencies, to submit the plan to the South Carolina Department of Education, and to implement the plan.

If a school district or school has received an Accredited with Warning accreditation classification for three consecutive years (regardless whether the deficiency is the same each year or not), the school district’s or school’s accreditation classification shall be changed to Accreditation Delayed.

Accreditation Delayed ~~Probation~~ indicates that ~~serious deficiencies exist~~ a school district or school is not in compliance with all of the standards prescribed by the State Board of Education for a defined program or is not in compliance with all of the standards as outlined by current statutes and regulations as reflected on the accreditation rubric and the school district or school ~~will~~ may have ~~lose~~ its accreditation denied by the State Board of Education. ~~unless satisfactory progress is made toward the removal of the deficiencies before the next school year.~~ A school district or school that has received an accreditation classification of Accreditation Delayed shall be required to appear before the State Board of Education to present the reasons for the deficiencies and what actions that school or district intends to implement to resolve the deficiencies. At the end of this appearance, the State Board of Education will determine the school district’s or school’s accreditation classification.

Accreditation Denied ~~Dropped~~ indicates that the State Board of Education has determined that the school district’s or school’s ~~for a~~ defined ~~minimum educational~~ program has experienced serious problems in meeting prescribed standards for a defined ~~minimum educational~~ program ~~for one or more school years~~, or that the program is deficient in meeting accreditation standards to such an extent that it does not merit accreditation.

If the accreditation of a high school is ~~dropped~~ denied, the State Board may determine that the school cannot issue State high school diplomas subsequent to the school year in which the accreditation is ~~dropped~~ denied. ~~Schools which have been classified as Dropped by the defined minimum program accreditation procedures shall not be eligible for funding in the following fiscal year until an acceptable plan to eliminate the deficiencies is submitted and approved by the State Board of Education.~~

3. Each school district and school ~~is~~ are required to reply to the preliminary accreditation classification ~~analysis~~ in writing, no later than ~~February 15,~~ a date set by the South Carolina Department of Education, ~~indicating plans to effect the~~ to provide written documentation to remove~~al of~~ deficiencies prior to the ~~SCDE~~ South Carolina Department of Education assigning an accreditation classification.

~~Accreditation classification for schools that operate quarter or semester programs will be determined by the school’s ability to correct deficiencies during each instructional period.~~

~~The district’s accreditation classification and numerical designation for each school year will be determined by its ability to meet standards prescribed for (1) Boards of Trustees, (2) District Operations, (3) Elementary and Middle Grades, (4) Secondary Grades, (5) Summer School Programs, (6) Area Vocational Centers, and (7) Adult Education. The district’s accreditation classification will be the total of the numerical designations of all schools and areas divided by the number of schools and areas in the district. The district’s accreditation classification will be indicated by the following numerical designation:~~

~~All Clear~~ ~~4.00~~

~~Advised~~ ~~3.00‑3.99~~

~~Warned~~ ~~2.00‑2.99~~

~~Probation~~ ~~1.00‑1.99~~

~~Dropped~~ ~~0.00‑0.99~~

4. A copy of the final accreditation classification report will be ~~mailed~~ provided to ~~county and~~ district superintendents, school principals, directors of ~~area vocational~~ career and technology education, directors of adult education, and members of the boards of trustees.

Additional Requirements ~~for Vocational Education~~:

In addition to the policies of the State Board of Education, programs under the jurisdiction of other state accrediting, certifying, or licensing boards shall meet requirements established by these boards.

On-Site Verification Visits by Accreditation Team

In addition to annual recommendation of a school district’s or school’s accreditation classification, the South Carolina Department of Education’s accreditation team will facilitate and conduct on-site verification visits within thirty days to school districts and schools as directed by the State Board of Education or the State Superintendent of Education. The accreditation team can be directed to conduct a verification visit due to such factors as concerns or complaints expressed by citizens or district staff to the State Board of Education or to the State Superintendent, concerns regarding a school district’s or school’s accreditation classification, or concerns regarding student performance. The accreditation team will report results of the verification visit to the State Board of Education.

Transition Period for New Accreditation System

Implementation of the revised accreditation system will begin with the 2012–13 school year, which will be considered a transition period for school districts and schools. Results of the revised accreditation system will not negatively impact a school district or school for the 2012–13 school year, as the current accreditation system will remain in effect. Results of the current and the revised accreditation system will be communicated to the State Board of Education, school district, and school. The accreditation classification for the revised accreditation system will be provided as information. Consequences imposed as a result of the revised accreditation system will begin with the 2013–14 school year.

Accreditation of Charter Schools

The South Carolina Public Charter School District Board of Trustees or the local school board of trustees, whichever applicable, is the sponsor of charter schools. This sponsorship includes the board granting approval for the charter school’s establishment through its approval of the charter school’s application. In that each charter school has its own unique charter, a charter school will be considered accredited for a one-year period upon the South Carolina Department of Education’s receipt of written confirmation from the sponsoring school district that the charter school is meeting the requirements of its charter.

Accreditation Exemptions

School districts and schools that meet AdvancEd’s/Southern Association of Colleges and Schools’ (SACS) or other state-approved accrediting organizations’ accreditation standards and are accredited by such organizations will be exempt from the state accreditation process. Accrediting organizations must be approved by the Director, Office of Federal and State Accountability.

School districts and schools that meet or exceed the state’s academic achievement standards as evidenced by the state report card (both absolute and growth rating) will be exempt from the accreditation process.

**Fiscal Impact Statement:**

No additional state funding is requested. The Department of Education estimates that no additional costs will be incurred by the state and its political subdivisions in complying with the proposed revisions to Regulation 43-300.

**Statement of Rationale:**

The changes herein related to the updating of the accreditation regulation focus on eliminating a system that has come to have little meaning. A new method for accrediting districts and schools has been proposed that uses multiple measures and covers a broader range of indicators. It also provides for alternative means of gaining accreditation status. In several instances, language is clarified to more closely reflect the nature and purpose of the regulation.