Agency Name: Board of Education

Statutory Authority: 59-5-60(1), 59‑18‑110, 59‑18‑710, 59‑18‑1110, 59‑20‑60, 59‑25‑110, and

59‑26‑10 et seq.

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Document No. 5047

**STATE BOARD OF EDUCATION**

CHAPTER 43

Statutory Authority: 1976 Code Sections 59‑5‑60(1), 59‑18‑110, 59‑18‑710, 59‑18‑1110, 59‑20‑60, 59‑25‑110, and 59‑26‑10 et seq.

43‑300. Accreditation Criteria.

**Synopsis:**

 The State Board of Education proposes to amend Regulation 43‑300, Accreditation Criteria, to outline the process by which public school districts and schools are accredited and monitored for compliance. The proposed amendments are to provide a more streamlined approach, while ensuring proper attention is given to both compliance and continuous improvement.

 Notice of Drafting for the proposed amendments to the regulation was published in the *State Register* on May 28, 2021.

Section‑by‑Section Discussion

Introduction Added new introduction.

Section I Deleted former Section I and provided new language for clarification purposes.

Section II Removed Option 1; removed specific names of external accreditation

 entities; added requirement for external accrediting entities to be

 vetted and approved by the South Carolina Department of Education

 (SCDE); added that districts/schools must meet the requirements and

 timelines set forth by external accrediting entity; added that in order

 to issue South Carolina High School diplomas, non‑accredited high

 schools must have a corrective action plan approved by the State

 Board of Education (SBE)

Section III Deleted; removed Option 1 accreditation procedures

Section IV Deleted section due to duplicative language and requirements

Section V Detailed procedures for compliance monitoring by the SCDE and

 steps to correct noncompliance

**Instructions:**

 Print Regulation 43-300 as shown below.

~~Indicates Matter Stricken~~

Indicates New Matter

**Text:**

43‑300. Accreditation ~~Criteria~~ and State Compliance Monitoring.

Accountability is a key element in the success of educational improvement; therefore, for the purpose of continuing to hold South Carolina public school districts and schools accountable to the State, its taxpayers, and parents, all public school districts and schools must comply with the following requirements no later than the start of the 2023‑24 school year.

~~I. Each school district shall provide the defined program approved by the State Board of Education that complies with standards prescribed for the boards of trustees; district operations; elementary grades; middle grades; secondary grades; career and technology education centers; summer school programs; and adult education. If a school district’s defined 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.~~

I. Accreditation

To ensure professional standards are being met and all students are being provided with the opportunity to meet the Profile of the South Carolina Graduate, public school districts and schools in this State shall be accredited through an external accrediting entity approved by the South Carolina Department of Education (SCDE). Accreditation advances and validates quality, ongoing school improvement by supporting public school districts and schools to engage in a rigorous and relevant self‑evaluation and peer review process that focuses on student learning.

 A. A SCDE‑approved external accrediting entity must:

 1. Supplement student testing data with research‑based performance standards to provide a complete measure of performance; and

 2. Engage in an ongoing cycle of self‑reflection, comprehensive analysis, peer review, and school improvement. The accreditation process shall provide guidance to assess teaching and learning, evaluate the quality of programs and activities, and identify strengths and needs.

 B. Accreditation signifies that the public school district and/or school has met professional standards at an acceptable level and is committed to maintaining those standards.

 C. Public school districts and schools must meet the accreditation requirements and timelines set forth by the external accrediting entity.

 D. Public school districts and schools that have been denied accreditation shall not be eligible for funding in the following fiscal year until an acceptable plan of corrective action has been submitted to and approved by the State Board of Education (SBE). If the accreditation of a high school is denied, such school cannot issue South Carolina High School diplomas until a corrective action plan has been submitted to and approved by the SBE.

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

 ~~A. Option 1. Accreditation through the South Carolina Department of Education (SCDE). Meet the standards in the defined program and all current statutes and regulations as prescribed by the State Board of Education and General Assembly determined by the SCDE through the procedures described below. With regard to special schools, the following documents contain the full text of accreditation standards adopted by the State Board of Education. The documents are on file in the Offices of the South Carolina Department of Education and the South Carolina Legislative Council:~~

 ~~Defined Minimum Program for the John de la Howe School~~

 ~~Defined Minimum Program for the South Carolina School for the Deaf and the Blind~~

 ~~Defined Minimum Program for the South Carolina Wil Lou Gray Opportunity School~~

 ~~Defined Minimum Program for the South Carolina Department of Juvenile Justice~~

 ~~B. Option 2. Accreditation through an Accrediting Entity Accepted by Higher Education. Submit documentation to the State Board of Education that the district and schools meet all accreditation standards and are considered fully accredited by an accrediting entity accepted by higher education (i.e., AdvancED/Southern Association of Colleges and Schools (SACS)). Use of an accrediting entity other than AdvancED will require approval by the State Board of Education. All deficiencies identified through desk or on‑site monitoring must be resolved prior to the district or school utilizing Option 2. If district’s or school’s accreditation rating becomes less than fully accredited when utilizing Option 2, the district or school will automatically be reviewed by the South Carolina Department of Education’s Option 1 procedures. A list of schools and/or districts selecting Option 2 for accreditation will be included in the SCDE’s Annual Report of the Accreditation of School Districts in South Carolina to the State Board of Education.~~

II. Compliance Monitoring

To ensure compliance with State laws, regulations, and policies, the SCDE shall monitor each public school district and the schools within its jurisdiction on a schedule developed and publicly posted by the SCDE.

 A. Each public school district and school shall comply with State laws, regulations, and policies, including, but not limited to, the qualifications, duties, and workloads of administrative and professional personnel, the defined program for each grade span, the Uniform Grading Policy, and the requirements for earning a South Carolina High School Diploma.

 B. If the SCDE finds noncompliance in a public school district or school, the SCDE must notify the district or school in writing of the noncompliance and the district must submit a corrective action plan to the SCDE within 30 days of receipt of the notification. In defining the steps that the district or school must take to correct the noncompliance and to document such correction, the SCDE may consider a variety of factors and may determine the specific nature of the required corrective action. Noncompliance must be corrected as soon as possible, but in no case more than one year from identification (the date on which the SCDE provided written notification to the district or school of the noncompliance).

 C. In order to demonstrate that previously identified noncompliance has been corrected, the public school district or school must:

 1. Account for all instances of noncompliance;

 2. Identify where noncompliance occurred and the root cause(s) of the noncompliance;

 3. If needed, change policies, procedures, and/or practices that contributed to or resulted in noncompliance; and

 4. Correctly implement the specific regulatory or statutory requirement(s). This must be based on the SCDE’s review of updated data, such as data from subsequent onsite monitoring or data collected through a state data system.

 D. If a public school district or school does not correct identified noncompliance in a timely manner (within one year from identification), the SCDE may take action, including imposing initial or additional special requirements or specific conditions, seeking remedies, or pursuing legal action, as appropriate. Continued lack of compliance may also negatively impact the district’s annual SCDE risk rating, as required by 2 CFR Part 200.331.

~~III. Option 1 accreditation procedures for each school district or school not submitting documentation of Option 2 accreditation:~~

 ~~A. On or before October 15, data assurances documenting the compliance of standards for boards of trustees; district operations; elementary grades; middle grades; secondary grades; career and technology education; summer school programs; and adult education will be submitted to the South Carolina Department of Education.~~

 ~~B. The South Carolina Department of Education will process the accreditation data and identify existing deficiencies for the following educational units: (1) Boards of Trustees, (2) District Operations, (3) Elementary Grades, (4) Middle Grades, (5) Secondary Grades, (6) Summer School Programs, (7) Career and Technology Education, and (8) Adult Education. Accreditation data will also be collected annually through desk and on‑site monitoring of selected schools and districts. The listings of deficiencies will be reviewed by South Carolina Department of Education staff and results of the preliminary analysis indicating existing deficiencies will be provided to districts and schools for verification.~~

 ~~C. The preliminary analysis data shall result in the SCDE assigning one of the following accreditation preliminary classifications no later than February 1:~~

 ~~Accredited/All Clear indicates that a district or school is in compliance with the standards for a defined program and with all current statutes and regulations as prescribed by the State Board of Education and General Assembly.~~

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

 ~~Accredited/Warned indicates that a district or school is not in compliance with the standards for a defined program and with all current statutes and regulations as prescribed by the State Board of Education and General Assembly for a second year. Districts that have a 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.~~

 ~~Accredited/Probation indicates that a district or school is not in compliance with the standards for a defined program and with all current statutes and regulations as prescribed by the State Board of Education and General Assembly for a third year. Serious deficiencies exist and the district, school, or program will lose its accreditation unless satisfactory progress is made toward the removal of the deficiencies before the next school year.~~

 ~~Accreditation Denied indicates that the district or school is not in compliance with the standards for a defined program and with all current statutes and regulations as prescribed by the State Board of Education and General Assembly for a fourth year and does not merit accreditation. If the accreditation of a high school is denied, that school cannot issue State high school diplomas subsequent to the school year in which the accreditation is denied. Schools which have been classified as Accreditation Denied by the defined 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.~~

 ~~D. Each district and school is required to reply to the preliminary accreditation classification in writing to the South Carolina Department of Education, no later than February 22 and to provide written documentation to request removal of deficiencies prior to the South Carolina Department of Education assigning a final accreditation classification.~~

 ~~E. A copy of the final accreditation classification report for all Option 1 schools and districts will be provided to district superintendents, school principals, directors of career and technology education, directors of adult education, and members of the boards of trustees. The State Board of Education will receive the accreditation classification of all districts and schools utilizing Option 1 in the SCDE’s Annual Report of the Accreditation of School Districts in South Carolina.~~

~~IV. Additional Requirement for Career and Technical 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.~~

~~V. On‑Site Verification Visits by State Accountability Team~~

 ~~In addition to annual recommendation of a district’s or school’s accreditation classification, the SCDE’s state accountability team will conduct desk audits and on‑site verification visits on all districts and schools following a five‑year cycle and yearly on those which have an accreditation status of accredited/ warned, accredited/probation, or those districts and schools whose previous visit violations are still unresolved for the current year. The state accountability team will facilitate and conduct on‑site verification visits within thirty days to districts and schools as directed by the State Board of Education or the State Superintendent of Education. The results of the verification visit will be reported to the State Board of Education.~~

**Fiscal Impact Statement:**

 No additional funding is requested. The South Carolina Department of Education (SCDE) 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:**

 Regulation 43‑300 outlines the process by which public school districts and schools are accredited and monitored for compliance. The proposed amendments are to provide a more streamlined approach, while ensuring proper attention is given to both compliance and continuous improvement.