
THE VIRGINIA REGISTER INFORMATION PAGE

THE VIRGINIA REGISTER is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative. **THE VIRGINIA REGISTER** has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in **THE VIRGINIA REGISTER OF REGULATIONS**. In addition, **THE VIRGINIA REGISTER** is a source of other information about state government, including all emergency regulations and executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative committee, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate standing committees and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day

extension period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation; and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

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PUBLICATION SCHEDULE AND DEADLINES

This schedule is available on the *Register's* Internet home page (<http://legis.state.va.us/codecomm/register/regindex.htm>).

June 2000 through March 2001

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
16:19	May 17, 2000	June 5, 2000
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17:6	November 14, 2000 (Tuesday)	December 4, 2000
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Title 4. Conservation and Natural Resources			
4 VAC 20-252-120	Amended	16:14 VA.R. 1860	3/1/00
4 VAC 20-270-40 emer	Amended	16:14 VA.R. 1885	3/1/00-3/30/00
4 VAC 20-270-40	Amended	16:16 VA.R. 2041	3/30/00
4 VAC 20-430-55	Added	16:14 VA.R. 1860	3/1/00
4 VAC 20-430-70	Amended	16:14 VA.R. 1860	3/1/00
4 VAC 20-500-55	Added	16:14 VA.R. 1861	3/1/00
4 VAC 20-561-10 through 4 VAC 20-561-30 emer	Added	16:12 VA.R. 1710	2/2/00-2/22/00
4 VAC 20-620-10 emer	Amended	16:18 VA.R. 2292	4/26/00-5/25/00
4 VAC 20-620-20 emer	Amended	16:18 VA.R. 2292	4/26/00-5/25/00
4 VAC 20-620-30 emer	Amended	16:18 VA.R. 2292	4/26/00-5/25/00
4 VAC 20-620-40 emer	Amended	16:18 VA.R. 2292	4/26/00-5/25/00
4 VAC 20-620-50	Amended	16:14 VA.R. 1861	3/1/00
4 VAC 20-620-50 emer	Amended	16:18 VA.R. 2293	4/26/00-5/25/00
4 VAC 20-620-70	Amended	16:14 VA.R. 1861	3/1/00
4 VAC 20-620-70 emer	Amended	16:18 VA.R. 2294	4/26/00-5/25/00
4 VAC 20-700-20	Amended	16:16 VA.R. 2041	4/1/00
4 VAC 20-720-20	Amended	16:12 VA.R. 1671	2/4/00
4 VAC 20-720-40	Amended	16:12 VA.R. 1671	2/4/00
4 VAC 20-720-50	Amended	16:12 VA.R. 1672	2/4/00
4 VAC 20-720-60	Amended	16:12 VA.R. 1672	2/4/00
4 VAC 20-720-70	Amended	16:12 VA.R. 1673	2/4/00
4 VAC 20-720-80	Amended	16:12 VA.R. 1673	2/4/00
4 VAC 20-890-25	Amended	16:12 VA.R. 1674	2/2/00
4 VAC 20-910-45	Amended	16:14 VA.R. 1862	3/1/00
4 VAC 20-950-45	Amended	16:14 VA.R. 1862	3/1/00
4 VAC 25-130-700.5	Amended	16:15 VA.R. 1956	5/10/00
4 VAC 25-130-795.1	Amended	16:15 VA.R. 1968	5/10/00
4 VAC 25-130-795.6	Amended	16:15 VA.R. 1968	5/10/00
4 VAC 25-130-795.7	Amended	16:15 VA.R. 1968	5/10/00
4 VAC 25-130-795.8	Amended	16:15 VA.R. 1969	5/10/00
4 VAC 25-130-795.9	Amended	16:15 VA.R. 1969	5/10/00
4 VAC 25-130-795.10	Amended	16:15 VA.R. 1969	5/10/00
4 VAC 25-130-795.11	Amended	16:15 VA.R. 1970	5/10/00
4 VAC 25-130-795.12	Amended	16:15 VA.R. 1970	5/10/00
Title 6. Criminal Justice and Corrections			
6 VAC 20-171-420	Erratum	16:14 VA.R. 1911	--
Title 9. Environment			
9 VAC 5-10-20	Amended	16:17 VA.R. 2135	7/1/00
9 VAC 5-20-21	Amended	16:17 VA.R. 2161	7/1/00
9 VAC 5-20-180	Amended	16:17 VA.R. 2142	7/1/00
9 VAC 5-20-202	Amended	16:17 VA.R. 2163	7/1/00
9 VAC 5-40-10	Amended	16:17 VA.R. 2144	7/1/00
9 VAC 5-40-20	Amended	16:17 VA.R. 2145	7/1/00
9 VAC 5-40-30	Amended	16:17 VA.R. 2149	7/1/00

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9 VAC 5-40-40	Amended	16:17 VA.R. 2150	7/1/00
9 VAC 5-40-50	Amended	16:17 VA.R. 2151	7/1/00
9 VAC 5-40-6000 through 9 VAC 5-40-6230	Added	16:17 VA.R. 2164-2178	7/1/00
9 VAC 5-50-10	Amended	16:17 VA.R. 2152	7/1/00
9 VAC 5-50-20	Amended	16:17 VA.R. 2152	7/1/00
9 VAC 5-50-30	Amended	16:17 VA.R. 2155	7/1/00
9 VAC 5-50-40	Amended	16:17 VA.R. 2156	7/1/00
9 VAC 5-50-50	Amended	16:17 VA.R. 2157	7/1/00
9 VAC 5-50-400	Amended	16:14 VA.R. 1863	5/1/00
9 VAC 5-60-10	Amended	16:17 VA.R. 2158	7/1/00
9 VAC 5-60-20	Amended	16:17 VA.R. 2158	7/1/00
9 VAC 5-60-30	Amended	16:17 VA.R. 2159	7/1/00
9 VAC 5-60-60	Amended	16:14 VA.R. 1864	5/1/00
9 VAC 5-60-90	Amended	16:14 VA.R. 1864	5/1/00
9 VAC 5-60-100	Amended	16:14 VA.R. 1864	5/1/00
9 VAC 25-210 (Forms)	Amended	16:12 VA.R. 1711-1714	--
9 VAC 25-220-60	Amended	16:15 VA.R. 1971	5/10/00
9 VAC 25-220-70	Amended	16:15 VA.R. 1971	5/10/00
9 VAC 25-260-350	Amended	16:17 VA.R. 2178	6/7/00
9 VAC 25-260-400	Amended	16:17 VA.R. 2179	6/7/00
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12 VAC 5-80-10	Amended	16:16 VA.R. 2042	7/1/00
12 VAC 5-80-20	Amended	16:16 VA.R. 2043	7/1/00
12 VAC 5-80-30	Amended	16:16 VA.R. 2043	7/1/00
12 VAC 5-80-40	Amended	16:16 VA.R. 2043	7/1/00
12 VAC 5-80-50	Repealed	16:16 VA.R. 2043	7/1/00
12 VAC 5-80-80	Amended	16:16 VA.R. 2043	7/1/00
12 VAC 5-80-90	Amended	16:16 VA.R. 2045	7/1/00
12 VAC 5-80-95	Added	16:16 VA.R. 2045	7/1/00
12 VAC 5-80-100	Repealed	16:16 VA.R. 2046	7/1/00
12 VAC 5-80-110	Repealed	16:16 VA.R. 2046	7/1/00
12 VAC 5-80-120	Repealed	16:16 VA.R. 2046	7/1/00
12 VAC 5-165-10 through 12 VAC 5-165-310	Added	16:16 VA.R. 2048-2051	5/24/00
12 VAC 5-610-10	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-20	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-30	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-40	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-50	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-70	Amended	16:16 VA.R. 2052	7/1/00
12 VAC 5-610-75	Added	16:16 VA.R. 2053	7/1/00
12 VAC 5-610-80	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-90	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-100	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-110	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-120	Amended	16:16 VA.R. 2053	7/1/00
12 VAC 5-610-130	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-140	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-150	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-170	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-180	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-190	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-200	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-230	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-250	Amended	16:16 VA.R. 2055	7/1/00
12 VAC 5-610-255	Added	16:16 VA.R. 2057	7/1/00
12 VAC 5-610-260	Amended	16:16 VA.R. 2051	7/1/00

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12 VAC 5-610-270	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-280	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-290	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-300	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-330	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-340	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-360	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-370	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-380	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-390	Amended	16:16 VA.R. 2058	7/1/00
12 VAC 5-610-420	Amended	16:16 VA.R. 2058	7/1/00
12 VAC 5-610-430	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-440	Amended	16:16 VA.R. 2058	7/1/00
12 VAC 5-610-441 through 12 VAC 5-610-448	Added	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-449	Added	16:16 VA.R. 2058	7/1/00
12 VAC 5-610-449.1	Added	16:16 VA.R. 2060	7/1/00
12 VAC 5-610-450	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-470	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-480	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-490	Amended	16:16 VA.R. 2061	7/1/00
12 VAC 5-610-500	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-510 through 12 VAC 5-610-550	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-560	Amended	16:16 VA.R. 2051	7/1/00
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12 VAC 5-610-580	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-591	Added	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-592	Added	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-593	Added	16:16 VA.R. 2063	7/1/00
12 VAC 5-610-594	Added	16:16 VA.R. 2063	7/1/00
12 VAC 5-610-596	Added	16:16 VA.R. 2063	7/1/00
12 VAC 5-610-597	Added	16:16 VA.R. 2064	7/1/00
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12 VAC 5-610-599	Added	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-599.1 through 12 VAC 5-610-599.3	Added	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-620	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-650	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-670	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-690	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-700	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-740	Amended	16:16 VA.R. 2068	7/1/00
12 VAC 5-610-800	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-810	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-815	Added	16:16 VA.R. 2068	7/1/00
12 VAC 5-610-817	Added	16:16 VA.R. 2069	7/1/00
12 VAC 5-610-820	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-830	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-840	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-880	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-890	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-930	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-940	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-950	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-960	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-965	Added	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-980	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-1080	Amended	16:16 VA.R. 2051	7/1/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-610-1140	Amended	16:16 VA.R. 2051	7/1/00
12 VAC 5-610-1150	Repealed	16:16 VA.R. 2051	7/1/00
12 VAC 30-10-140	Amended	16:18 VA.R. 2239	7/1/00
12 VAC 30-40-345	Added	16:15 VA.R. 1973	5/10/00
12 VAC 30-50-10	Amended	16:18 VA.R. 2240	7/1/00
12 VAC 30-50-100	Amended	16:18 VA.R. 2244	7/1/00
12 VAC 30-50-105	Amended	16:18 VA.R. 2246	7/1/00
12 VAC 30-50-140	Amended	16:18 VA.R. 2247	7/1/00
12 VAC 30-50-220	Amended	16:18 VA.R. 2248	7/1/00
12 VAC 30-50-320	Added	16:18 VA.R. 2240	7/1/00
12 VAC 30-50-560	Amended	16:18 VA.R. 2249	7/1/00
12 VAC 30-50-570	Amended	16:18 VA.R. 2250	7/1/00
12 VAC 30-50-580	Added	16:18 VA.R. 2251	7/1/00
12 VAC 30-70-200	Repealed	16:18 VA.R. 2253	7/1/00
12 VAC 30-70-201	Added	16:18 VA.R. 2261	7/1/00
12 VAC 30-70-210	Repealed	16:18 VA.R. 2253	7/1/00
12 VAC 30-70-211	Added	16:18 VA.R. 2261	7/1/00
12 VAC 30-70-220	Repealed	16:18 VA.R. 2256	7/1/00
12 VAC 30-70-221	Added	16:18 VA.R. 2261	7/1/00
12 VAC 30-70-230	Repealed	16:18 VA.R. 2256	7/1/00
12 VAC 30-70-231	Added	16:18 VA.R. 2263	7/1/00
12 VAC 30-70-240	Repealed	16:18 VA.R. 2257	7/1/00
12 VAC 30-70-241	Added	16:18 VA.R. 2264	7/1/00
12 VAC 30-70-250	Repealed	16:18 VA.R. 2257	7/1/00
12 VAC 30-70-251	Added	16:18 VA.R. 2264	7/1/00
12 VAC 30-70-260	Repealed	16:18 VA.R. 2258	7/1/00
12 VAC 30-70-261	Added	16:18 VA.R. 2264	7/1/00
12 VAC 30-70-270	Repealed	16:18 VA.R. 2258	7/1/00
12 VAC 30-70-271	Added	16:18 VA.R. 2264	7/1/00
12 VAC 30-70-280	Repealed	16:18 VA.R. 2258	7/1/00
12 VAC 30-70-281	Added	16:18 VA.R. 2265	7/1/00
12 VAC 30-70-290	Repealed	16:18 VA.R. 2258	7/1/00
12 VAC 30-70-291	Added	16:18 VA.R. 2265	7/1/00
12 VAC 30-70-300	Repealed	16:18 VA.R. 2258	7/1/00
12 VAC 30-70-301	Added	16:18 VA.R. 2265	7/1/00
12 VAC 30-70-310	Repealed	16:18 VA.R. 2259	7/1/00
12 VAC 30-70-311	Added	16:18 VA.R. 2266	7/1/00
12 VAC 30-70-320	Repealed	16:18 VA.R. 2259	7/1/00
12 VAC 30-70-321	Added	16:18 VA.R. 2266	7/1/00
12 VAC 30-70-330	Repealed	16:18 VA.R. 2260	7/1/00
12 VAC 30-70-331	Added	16:18 VA.R. 2266	7/1/00
12 VAC 30-70-340	Repealed	16:18 VA.R. 2260	7/1/00
12 VAC 30-70-341	Added	16:18 VA.R. 2267	7/1/00
12 VAC 30-70-350	Repealed	16:18 VA.R. 2260	7/1/00
12 VAC 30-70-351	Added	16:18 VA.R. 2267	7/1/00
12 VAC 30-70-360	Repealed	16:18 VA.R. 2260	7/1/00
12 VAC 30-70-361	Added	16:18 VA.R. 2267	7/1/00
12 VAC 30-70-370	Repealed	16:18 VA.R. 2260	7/1/00
12 VAC 30-70-371	Added	16:18 VA.R. 2267	7/1/00
12 VAC 30-70-380	Repealed	16:18 VA.R. 2260	7/1/00
12 VAC 30-70-381	Added	16:18 VA.R. 2268	7/1/00
12 VAC 30-70-390	Repealed	16:18 VA.R. 2261	7/1/00
12 VAC 30-70-391	Added	16:18 VA.R. 2268	7/1/00
12 VAC 30-70-400	Amended	16:18 VA.R. 2269	7/1/00
12 VAC 30-70-410	Amended	16:18 VA.R. 2269	7/1/00
12 VAC 30-70-420	Amended	16:18 VA.R. 2269	7/1/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-70-435	Added	16:18 VA.R. 2269	7/1/00
12 VAC 30-70-450	Amended	16:18 VA.R. 2270	7/1/00
12 VAC 30-70-460	Amended	16:18 VA.R. 2270	7/1/00
12 VAC 30-100-260	Amended	16:18 VA.R. 2252	7/1/00
12 VAC 30-120-61 through 12 VAC 30-120-68	Added	16:18 VA.R. 2240-2243	7/1/00
Title 13. Housing			
13 VAC 5-111-10	Amended	16:17 VA.R. 2189	6/8/00
13 VAC 5-111-100	Amended	16:17 VA.R. 2193	6/8/00
13 VAC 5-111-120	Amended	16:17 VA.R. 2193	6/8/00
13 VAC 5-111-130	Amended	16:17 VA.R. 2194	6/8/00
13 VAC 5-111-160	Amended	16:17 VA.R. 2194	6/8/00
13 VAC 5-111-165	Added	16:17 VA.R. 2194	6/8/00
13 VAC 5-111-170	Amended	16:17 VA.R. 2194	6/8/00
13 VAC 5-111-180	Amended	16:17 VA.R. 2195	6/8/00
13 VAC 5-111-190	Amended	16:17 VA.R. 2195	6/8/00
13 VAC 5-111-240	Amended	16:17 VA.R. 2196	6/8/00
13 VAC 5-111-280	Amended	16:17 VA.R. 2196	6/8/00
13 VAC 5-111-300	Amended	16:17 VA.R. 2196	6/8/00
13 VAC 5-111-310	Amended	16:17 VA.R. 2197	6/8/00
13 VAC 5-111-390	Amended	16:17 VA.R. 2197	6/8/00
Title 14. Insurance			
14 VAC 5-215-20	Erratum	16:14 VA.R. 1912	--
14 VAC 5-215-30	Erratum	16:14 VA.R. 1912	--
Title 15. Judicial			
15 VAC 10-10-10	Amended	16:16 VA.R. 2069	3/24/00
Title 16. Labor and Employment			
16 VAC 15-40-10	Amended	16:18 VA.R. 2272	6/22/00
16 VAC 15-40-50	Amended	16:18 VA.R. 2272	6/22/00
Title 18. Professional and Occupational Licensing			
18 VAC 30-20-10	Amended	16:18 VA.R. 2273	6/21/00
18 VAC 30-20-80	Amended	16:18 VA.R. 2273	6/21/00
18 VAC 30-20-170	Amended	16:18 VA.R. 2273	6/21/00
18 VAC 30-20-180	Amended	16:18 VA.R. 2274	6/21/00
18 VAC 30-20-230	Amended	16:18 VA.R. 2274	6/21/00
18 VAC 47-10-10 through 18 VAC 47-10-90	Added	16:12 VA.R. 1675-1676	3/29/00
18 VAC 47-20-10 through 18 VAC 47-20-240	Added	16:13 VA.R. 1776-1782	4/12/00
18 VAC 60-20-30	Amended	16:18 VA.R. 2278	6/21/00
18 VAC 60-20-110	Amended	16:18 VA.R. 2281	6/21/00
18 VAC 60-20-120	Amended	16:18 VA.R. 2281	6/21/00
18 VAC 76-10-65	Added	16:17 VA.R. 2198	4/19/00
18 VAC 85-20-22	Amended	16:13 VA.R. 1766	4/12/00
18 VAC 85-20-240	Amended	16:13 VA.R. 1767	4/12/00
18 VAC 85-31-10	Amended	16:13 VA.R. 1772	4/13/00
18 VAC 85-31-25	Added	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-40	Amended	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-50	Amended	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-60	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-65	Added	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-80	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-90	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-100	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-120	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-130	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-135	Added	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-140	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-160	Amended	16:13 VA.R. 1768	4/12/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 85-40-80	Amended	16:13 VA.R. 1769	4/12/00
18 VAC 85-50-170	Amended	16:13 VA.R. 1770	4/12/00
18 VAC 85-80-120	Amended	16:13 VA.R. 1770	4/12/00
18 VAC 85-101-160	Amended	16:13 VA.R. 1771	4/12/00
18 VAC 85-110-35	Amended	16:13 VA.R. 1771	4/12/00
18 VAC 90-20-30	Amended	16:13 VA.R. 1782	4/12/00
18 VAC 90-20-190	Amended	16:13 VA.R. 1782	4/12/00
18 VAC 90-20-230	Amended	16:13 VA.R. 1783	4/12/00
18 VAC 90-20-350	Amended	16:13 VA.R. 1783	4/12/00
18 VAC 115-20-10	Amended	16:13 VA.R. 1786	4/12/00
18 VAC 115-20-20	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-30	Repealed	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-35	Added	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-40	Amended	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-40	Erratum	16:16 VA.R. 2081	--
18 VAC 115-20-45	Added	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-49	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-49	Erratum	16:16 VA.R. 2081	--
18 VAC 115-20-50	Amended	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-51	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-52	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-60	Repealed	16:13 VA.R. 1790	4/12/00
18 VAC 115-20-70	Amended	16:13 VA.R. 1790	4/12/00
18 VAC 115-20-80	Repealed	16:13 VA.R. 1791	4/12/00
18 VAC 115-20-100	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-110	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-130	Amended	16:13 VA.R. 1791	4/12/00
18 VAC 115-20-140	Amended	16:13 VA.R. 1792	4/12/00
18 VAC 115-20-150	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-30-30	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-40	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-110	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-120	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-160	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-20	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-35	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-61	Added	16:13 VA.R. 1794	4/12/00
18 VAC 115-50-20	Amended	16:13 VA.R. 1795	4/12/00
18 VAC 115-50-30	Amended	16:13 VA.R. 1795	4/12/00
18 VAC 115-50-40	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-90	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-100	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-130	Added	16:13 VA.R. 1796	4/12/00
18 VAC 120-10-10 through 18 VAC 120-10-90	Repealed	16:14 VA.R. 1867-1868	5/1/00
18 VAC 120-10-170	Amended	16:14 VA.R. 1868	5/1/00
18 VAC 125-20-30	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 125-20-130	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 125-20-170	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 155-20-10 through 18 VAC 155-20-50	Amended	16:14 VA.R. 1869-1871	5/1/00
18 VAC 155-20-60 through 18 VAC 155-20-90	Repealed	16:14 VA.R. 1871-1872	5/1/00
18 VAC 155-20-100 through 18 VAC 155-20-160	Amended	16:14 VA.R. 1872-1874	5/1/00
18 VAC 155-20-170	Repealed	16:14 VA.R. 1874	5/1/00
18 VAC 155-20-175	Added	16:14 VA.R. 1874	5/1/00
18 VAC 155-20-180 through 18 VAC 155-20-230	Amended	16:14 VA.R. 1875-1877	5/1/00
18 VAC 155-20-240 through 18 VAC 155-20-270	Repealed	16:14 VA.R. 1879-1880	5/1/00
18 VAC 155-20-280	Amended	16:14 VA.R. 1880	5/1/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 155-20-290	Repealed	16:14 VA.R. 1880	5/1/00
Title 22. Social Services			
22 VAC 15-30-10	Amended	16:18 VA.R. 2282	6/21/00
22 VAC 40-30-10 et seq.	Repealed	16:18 VA.R. 2284	6/21/00
22 VAC 40-60-10 through 22 VAC 40-60-60	Amended	16:12 VA.R. 1676-1679	7/1/00
22 VAC 40-60-70	Repealed	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-80	Amended	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-90	Amended	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-100	Repealed	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-110 through 22 VAC 40-60-150	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-180	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-190	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-200	Amended	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-210	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-220	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-230	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-235	Added	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-240	Repealed	16:12 VA.R. 1682	7/1/00
22 VAC 40-60-250	Repealed	16:12 VA.R. 1682	7/1/00
22 VAC 40-60-260	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-270	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-280	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-290	Repealed	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-300	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-310	Repealed	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-320	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-330	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-340	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-350	Repealed	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-360	Repealed	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-370 through 22 VAC 40-60-420	Amended	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-425	Added	16:12 VA.R. 1686	7/1/00
22 VAC 40-60-430 through 22 VAC 40-60-470	Amended	16:12 VA.R. 1686-1687	7/1/00
22 VAC 40-60-480	Repealed	16:12 VA.R. 1687	7/1/00
22 VAC 40-60-490	Amended	16:12 VA.R. 1687	7/1/00
22 VAC 40-60-510	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-520	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-530	Repealed	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-540	Repealed	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-550	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-554	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-556	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-560	Amended	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-564	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-570 through 22 VAC 40-60-610	Amended	16:12 VA.R. 1689-1691	7/1/00
22 VAC 40-60-620 through 22 VAC 40-60-650	Repealed	16:12 VA.R. 1691-1692	7/1/00
22 VAC 40-60-670	Repealed	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-680	Amended	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-690	Amended	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-691	Added	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-692	Added	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-694	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-695	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-697	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-698	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-699	Added	16:12 VA.R. 1695	7/1/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-60-700	Amended	16:12 VA.R. 1696	7/1/00
22 VAC 40-60-705	Added	16:12 VA.R. 1696	7/1/00
22 VAC 40-60-710 through 22 VAC 40-60-760	Repealed	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-770	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-780	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-790	Repealed	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-800	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-810 through 22 VAC 40-60-840	Repealed	16:12 VA.R. 1697-1698	7/1/00
22 VAC 40-60-850	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-860	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-870	Repealed	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-880	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-885	Added	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-890 through 22 VAC 40-60-950	Repealed	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-960	Amended	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-970	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-980	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-990	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1000	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1010	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1020	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1030 through 22 VAC 40-60-1060	Repealed	16:12 VA.R. 1701-1702	7/1/00
22 VAC 40-705-10	Amended	16:12 VA.R. 1705	3/29/00
22 VAC 40-705-40	Amended	16:12 VA.R. 1707	3/29/00
Title 24. Transportation and Motor Vehicles			
24 VAC 30-40-30	Amended	16:18 VA.R. 2285	7/1/00
24 VAC 30-40-580	Amended	16:18 VA.R. 2287	7/1/00
24 VAC 30-40-600 through 24 VAC 30-40-640	Amended	16:18 VA.R. 2288-2290	7/1/00

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled: **8 VAC 20-120-10 et seq. Vocational Education Regulations.** The purpose of the proposed action is to delete nonessential regulations, reflect recent changes in state and federal law, and revise sections that exceed applicable state or federal laws. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 22.1-16 and 22.1-227 of the Code of Virginia.

Public comments may be submitted until June 7, 2000.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540 or FAX (804) 225-2524.

VA.R. Doc. No. R00-162; Filed April 19, 2000, 10:54 a.m.

TITLE 9. ENVIRONMENT

VIRGINIA WASTE MANAGEMENT BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Waste Management Board intends to consider amending regulations entitled: **9 VAC 20-120-10 et seq. Regulated Medical Waste Management Regulations.** As a result of a periodic review, the board is considering amendment of the regulation to include, but not be limited to, storage of separately accumulated objects. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-1402 of the Code of Virginia.

Public comments may be submitted until July 7, 2000.

Contact: John E. Ely, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4249 or FAX (804) 698-4327.

VA.R. Doc. No. R00-174; Filed May 3, 2000, 11:56 a.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects intends to consider amending regulations entitled: **18 VAC 10-20-10 et seq. Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations.** The purpose of the proposed action is to make general clarifying changes to the regulation and to permit the use of electronic seals, signatures and dates so that documents may be filed electronically. Other changes which may be necessary, either pursuant to the board's periodic review of its regulation or otherwise, will be considered. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 13.1-549, 13.1-1111, 54.1-404 and 54.1-411 of the Code of Virginia.

Public comments may be submitted until July 7, 2000.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R00-175; Filed May 10, 2000, 11:54 a.m.

TITLE 19. PUBLIC SAFETY

DEPARTMENT OF STATE POLICE

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of State Police intends to consider amending regulations entitled: **19 VAC 30-165-10 et seq. Regulations Relating to Standards and Specifications for Purple Warning Lights Used by**

Notices of Intended Regulatory Action

Vehicles Leading or Escorting Funeral Processions. The purpose of the proposed action is to promulgate regulations as required by § 46.2-1025 of the Code of Virginia, which authorizes flashing purple warning lights on vehicles used to lead or provide escorts for funeral processions. These regulations will replace emergency regulations currently in effect. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 46.2-1005 and 46.2-1025 of the Code of Virginia.

Public comments may be submitted until July 5, 2000.

Contact: Major Jerry S. Conner, Regulatory Coordinator, Department of State Police, 7700 Midlothian Turnpike, Richmond, VA 23225, telephone (804) 674-2060 or FAX (804) 674-2234.

VA.R. Doc. No. R00-176; Filed May 15, 2000, 9:39 a.m.

purpose of the proposed action is to amend the current regulation by (i) substantially adopting the federal vocational rehabilitation regulations; (ii) promulgating regulations in areas that the federal vocational rehabilitation state plan requires options to be chosen which bear directly on customer services, including financial need and order of selection for services; and (iii) deleting unnecessary detail from the body of the regulation, thus making it more easily understood and less burdensome to maintain and update. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-85 of the Code of Virginia.

Public comments may be submitted until July 5, 2000.

Contact: James G. Taylor, Program Director, Vocational Rehabilitation, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3111, FAX (804) 371-3351, toll-free 1-800-622-2155, or (804) 371-3140/TTY ☎

VA.R. Doc. No. R00-179; Filed May 12, 2000, 11:14 a.m.

TITLE 22. SOCIAL SERVICES

DEPARTMENT FOR THE VISUALLY HANDICAPPED

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to consider amending regulations entitled: **22 VAC 45-30-10 et seq. Regulations Governing the Sale and Distribution of Goods and Articles Made by Blind Persons.** The purpose of the proposed action is to rewrite this regulation so that it is clear, easily understood and contains only those elements that are essential for implementing the requirements of § 63.1-167 of the Code of Virginia. The purpose of the regulation is to provide the public with authenticity of goods or articles made by the blind when solicited or purchasing such goods or articles from agencies, firms, associations or corporations. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-167 of the Code of Virginia.

Public comments may be submitted until July 5, 2000.

Contact: Robert C. Berrang, Deputy Commissioner Enterprises, Department for the Visually Handicapped, 1102 Monticello Rd., Charlottesville, VA 22902, telephone (804) 295-6034, FAX (804) 295-5811 or (804) 295-5168/TTY ☎

VA.R. Doc. No. R00-178; Filed May 12, 2000, 11:14 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to consider amending regulations entitled: **22 VAC 45-50-10 et seq. Regulation Governing Provisions of Services in Vocational Rehabilitation.** The

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to consider amending regulations entitled: **22 VAC 45-70-10 et seq. Provision of Services in Rehabilitation Teaching.** The purpose of the proposed action is to make minor content changes to eliminate unnecessary detail and bring it up to date in the areas of visual eligibility and certification of eligibility. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-85 of the Code of Virginia.

Public comments may be submitted until July 5, 2000.

Contact: Jane B. Ward-Solomon, Program Director, Rehabilitative Teaching/Independent Living, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3112, FAX (804) 371-3351, toll-free 1-800-622-2155, or (804) 371-3140/TTY ☎

VA.R. Doc. No. R00-180; Filed May 12, 2000, 11:15 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to consider amending regulations entitled: **22 VAC 45-80-10 et seq. Provision of Independent Living Rehabilitation Services.** The purpose of the proposed action is to (i) amend this regulation by deleting the Part VII of the regulation which is now obsolete, (ii) substantially adopt the federal regulations that govern the operation of the federally funded independent living formula grant program under Title VII, Part B of the Rehabilitation Act of 1973 as amended; (iii) amend sections of the regulation where the state has options of how or where to spend money under the state independent living plan; and (iv) make minor content changes to eliminate unnecessary detail. The agency

Notices of Intended Regulatory Action

does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-85 of the Code of Virginia.

Public comments may be submitted until July 5, 2000.

Contact: Jane B. Ward-Solomon, Program Director, Rehabilitative Teaching/Independent Living, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3112, FAX (804) 371-3351, toll-free 1-800-622-2155, or (804) 371-3140/TTY ☎

VA.R. Doc. No. R00-181; Filed May 12, 2000, 11:15 a.m.

3344, FAX (804) 371-3092, toll-free 1-800-622-2155, or (804) 371-3151/TTY ☎

VA.R. Doc. No. R00-177; Filed May 12, 2000, 11:15 a.m.



† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to consider repealing regulations entitled: **22 VAC 45-90-10 et seq. Supervision of Administrative Regulations Governing Intake and Social Services.** The purpose of the proposed action is to repeal this regulation. With reductions in state funding and personnel the department no longer has welfare services staff to carry out the supervision of local administration or the associated functions. Under this authority the department certifies legal blindness for local social services departments when individuals apply for blindness-related social services or benefits. The department will continue to provide such certification of legal blindness upon request; however, this is a procedural matter only and does not need a regulation. The agency does not intend to hold a public hearing on the proposed repeal of this regulation after publication.

Statutory Authority: § 63.1-85 of the Code of Virginia.

Public comments may be submitted until July 5, 2000.

Contact: Joseph A. Bowman, Deputy Commissioner, Services Delivery, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3144, FAX (804) 371-3157, toll-free 1-800-622-2155, or (804) 371-3140/TTY ☎

VA.R. Doc. No. R00-182; Filed May 12, 2000, 11:15 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to consider amending regulations entitled: **22 VAC 45-110-10 et seq. Regulations Governing Low Vision.** The purpose of the proposed action is to delete the obsolete section that deals with using the department's endowment funds and make language changes to update terminology. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-85 of the Code of Virginia.

Public comments may be submitted until July 5, 2000.

Contact: Marge A. Owens, Human Services Program Coordinator, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-

PUBLIC COMMENT PERIODS - PROPOSED REGULATIONS



PUBLIC COMMENT PERIODS REGARDING STATE AGENCY REGULATIONS

This section gives notice of public comment periods and public hearings to be held on proposed regulations. The notice will be published once at the same time the proposed regulation is published in the Proposed Regulations section of the *Virginia Register*. The notice will continue to be carried in the Calendar of Events section of the *Virginia Register* until the public comment period and public hearing date have passed.

Notice is given in compliance with § 9-6.14:7.1 of the Code of Virginia that the following public hearings and public comment periods regarding proposed state agency regulations are set to afford the public an opportunity to express their views.

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

Contact: Charles W. Finley, Assistant Superintendent for Accountability, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 786-0790.



REPROPOSED

July 5, 2000 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to amend regulations entitled: **8 VAC 20-131-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia.** The purpose of this action is to repropose amendments to this regulation and to open an additional 30-day public comment period.

The proposed revisions to this regulation were initially published in the November 22, 1999, edition of the *Virginia Register* (16:5 11/22/99). During the 60-day comment period and in the public hearings, the public and local school officials voiced agreement with the premise that schools and students should be held to rigorous standards; however, most speakers disagreed with the premise of evaluating schools solely on the basis of test scores. In addition, many of the speakers at the hearings raised the question of what the board was going to do to help schools that have difficulty meeting the standards. During the months of January through April 2000, the board continued to receive comments on the proposals.

Based on this extensive comment and discussions with legislators during the General Assembly session, the board, at its February 24, 2000, meeting, decided to revise the earlier version of the proposed revisions and to develop additional proposals for the accrediting standards and to seek additional public comment. The reproposal was approved by the board on April 27, 2000. These additional revisions are in response to the public comment received.

Statutory Authority: §§ 22.1-19 and 22.1-253.13:13 of the Code of Virginia.

PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates proposed new text.
Language which has been stricken indicates proposed text for deletion.

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

REPROPOSED

REGISTRAR'S NOTICE: The Board of Education, at its meeting on April 27, 2000, approved a second draft of proposed revisions to the Regulations Establishing Standards for Accrediting Public Schools in Virginia (also known as the "SOA" and the "accrediting standards") for release for public comment. The first draft was published in 16:5 VA.R. 490-512 November 22, 1999.

The changes to the initial draft are shown in brackets.

Written comments on the new proposed revisions may be submitted until July 5, 2000, to Mr. Kirk T. Schroder, President, Board of Education, or to Charles W. Finley, Assistant Superintendent for Accountability Services, in care of the Department of Education, P.O. Box 2120, Richmond, VA 23218-2120.

Questions or comments may be directed to cfinley@pen.k12.va.us.

Title of Regulation: **8 VAC 20-131-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia (amending 8 VAC 20-131-10 through 8 VAC 20-131-150, 8 VAC 20-131-170, 8 VAC 20-131-180, 8 VAC 20-131-210, 8 VAC 20-131-220, 8 VAC 20-131-240, 8 VAC 20-131-260, 8 VAC 20-131-270, 8 VAC 20-131-280, 8 VAC 20-131-290, 8 VAC 20-131-300, 8 VAC 20-131-310, 8 VAC 20-131-320, and 8 VAC 20-131-340; adding 8 VAC 20-131-325 [and 8 VAC 20-131-335] ; repealing 8 VAC 20-131-250).**

Statutory Authority: §§ 2.1-19 and 22.1-253.13:3 of the Code of Virginia.

Public Hearing Dates: N/A - Public comments may be submitted until July 5, 2000.

(See Calendar of Events section for additional information)

Reason for Reproposal: During the 60-day comment period and in the public hearings, the public and local school officials voiced agreement with the premise that schools and students should be held to rigorous standards; however, most speakers disagreed with the premise of evaluating schools solely on the basis of test scores. In addition, many of the speakers at the hearings raised the question of what the board was going to do to help schools that have difficulty meeting the standards. During the months of January through April 2000, the board continued to receive comments on the proposals.

Based on this extensive comment and discussions with legislators during the General Assembly session, the board, at its February 24, 2000, meeting, decided to revise the earlier version of the proposed revisions and to develop additional proposals for the accrediting standards and to seek additional public comment. The following reproposal was approved by the board on April 27, 2000. These additional revisions are in response to the public comment received.

Basis: Section 22.1-19 of the Code of Virginia requires that the Board of Education "provide for the accreditation of public elementary, middle, and high schools in accordance with standards prescribed by it." Further, the Standards of Quality for Public Schools in Virginia (SOQ), in § 22.1-253.13:3 F of the Code of Virginia, require that local school boards "maintain schools which meet the standards of accreditation prescribed by the Board of Education."

Purpose: The purpose of these regulations is to define the requirements for accrediting public schools in Virginia. In addition, they are necessary for the public's welfare because they further refine the requirements related to accountability at the student level, student recognition, and public school accreditation.

Substance: These regulations form the basis for the day-to-day operation of the educational program in each public school in Virginia. The regulations contain provisions to govern philosophy, goals and objectives; academic achievement; school accountability; building and student safety and instructional support services; school leadership; involving and reporting to parents; and procedures for accreditation. In response to the public comment received during the 60-day comment period, additional revisions have been made to the proposed regulation as follows:

1. Allow students to use alternative measures for earning verified credit in the four core academic areas and in computer science, technology, or other areas as prescribed by the board.
2. Outline the requirements for the Basic Diploma, a new diploma option intended for certain students unlikely to meet the requirements for a Standard Diploma. For a student with a disability, the Individualized Education Program (IEP) team, including the student's parents, and the student will determine participation in the Basic Diploma. If the student does not have an IEP, after the student's completion of the ninth grade year, the decision will be made by the principal, the student, and the student's parents, provided the student meets certain criteria. After a full review of the student's academic record and disclosure of the student's options, parental consent will be required for the student's participation in the Basic Diploma program. Beginning with the ninth grade class of 2000-2001, students pursuing the Basic Diploma will have to pass literacy and numeracy competency assessments. Students will also be required

Proposed Regulations

to meet the requirements for employability as adopted by the local school board. Students in the Basic Diploma program will be required to earn two to six units in career/occupational courses.

3. Add new language that clarifies that requirements for graduation begins with the first time the students enter the ninth grade.

4. Add new language that clarifies that students are not required to retake SOL test(s) unless they are retained in grade and have not previously passed the test(s). Students who participate in remediation recovery programs may retake the test(s) and the retesting school will get credit for those who pass. In no case shall students in grades K-8 be required to attend summer school or weekend remediation classes solely based on failing a SOL test in science or history/social science.

5. Incorporate Standards of Quality language, which requires local school boards to develop and approve requirements for certificates of completion.

6. Clarify that the requirement for four units of science for an Advanced Diploma can now be satisfied by selections from three different disciplines or by completion of the sequence of science courses required for the International Baccalaureate Diploma.

7. Reaffirm the Standards of Quality requirements that students who complete the requirements of their IEP will be awarded a Special Diploma, and students who do not meet the requirements for a diploma, but complete prescribed programs of studies defined by local school boards shall be awarded Certificates of Program Completion.

8. Revise the provisions regarding awards for exemplary student achievement. The current version eliminates most of the seals for student academic achievement proposed in the earlier version. The current version:

- Restores existing language for the Governor's Seal. Students who complete the requirements for an Advanced Studies Diploma with an average grade of "B" or better and successfully complete at least one advanced placement course (AP), or one college level course for credit will receive a Governor's Seal on the diploma.
- Restores existing language for the Board of Education Seal except that students must complete the requirements for a Standard Diploma with an average grade of "A" to receive a Board of Education Seal on the diploma.
- Clarifies that students who complete requirements for the Standard or Advanced Diploma and complete a prescribed sequence of courses in a career and technical education concentration or specialization while maintaining a "B" average in those courses or passing an examination for certification or acquire a professional license may earn the Board of Education's Career and Technical Seal.

- Provides that, as required by the General Assembly, the board will offer a Seal of Advanced Mathematics and Technology to students who meet all of the mathematics requirements of the Advanced Diploma (four credits at Algebra I and higher including two verified units) with an average of "B" or better; and either pass an examination for certification from an industry, or trade or professional organization; acquire a professional license in a career and technical education area from the Commonwealth; or pass an examination approved by the board that confers college level credit.

9. Clarify, through definition, certain terms in sections dealing with transfer and limited English proficiency. The term "beginning" means within the first 20 hours of instruction per course. The term "during" means after the first 20 hours of instruction.

10. Clarify that the board will maintain contact with the Virginia Council for Private Education (VCPE) to review on a periodic basis VCPE's accrediting procedures and policies instead of an annual review.

11. Provide that transfer students cannot be denied a diploma by any local school division that has received approval for additional course credit requirements from the board if these additional requirements would require the student to take a heavier than normal load or require the student to take courses after a time in which he would have otherwise graduated.

12. Provide that each elementary school shall provide students with daily recess during the regular school year as determined appropriate by the school.

13. Restore the provision allowing parents to request that grades their child earns in high school credit-bearing courses taken below the ninth grade level be omitted from the student's transcript. This must be done within the policies adopted by the local school board.

14. Provide that:

- The division superintendent may recommend that a qualified student who has demonstrated mastery of course content and objectives receive a standard unit of credit and be permitted to sit for the relevant SOL test. This would allow the student to earn a verified unit of credit without meeting the 140-clock hour requirement.
- The board may approve multiple criteria, including other assessments, for the purpose of awarding verified credit. Such criteria may include substitute tests. Any substitute test must meet the four criteria outlined in the SOA.
- A local school board is authorized to award to a student a verified unit of credit in a course where the student's performance on a SOL test is inconsistent with other recognized indicators of academic achievement. The local board's decision must be based solely on criteria and guidelines established by the board. The board may revoke the local board's

authority under this provision for cause as determined by the board.

15. Clarify that any school employing a scheduling configuration of less than 140-clock hours per core academic course may retain that scheduling configuration until the end of the 2000-01 school year. If after 2000-01 the school does not comply, the board may take appropriate action, which may include but not be limited to adjustment or loss of the school's accreditation.

16. Delete the proposal that required that secondary teachers receive planning time equal to 12% of the instructional day, and revert back to the secondary teacher's standard load as it was in the 1997 version.

17. Clarify that the school division superintendent must certify to the Department of Education compliance with the SOA that requires distribution of SOL promotion and retention policies no later than the end of the first semester.

18. Provide that school divisions' promotion and retention policies will be reviewed by the Department of Education as part of the pre-accreditation eligibility process.

19. Provide that:

- The percentage of students who pass the literacy and numeracy tests required for the Basic Diploma will figure into the accreditation rating of the school;

- The school's attainment of the provisional accreditation benchmarks and the number of students who initially fail and subsequently pass SOL tests in English and mathematics during any scheduled administration in the next school year will factor into the school's accreditation rating; and

- The awarding of an accreditation rating shall be based on the percentage of students passing SOL tests or approved alternative measures on a trailing three-year average that includes the current year scores and the scores from the two most recent years in each applicable academic area, or the most current year's scores, whichever are higher. This begins immediately instead of 2007-08.

20. Make the following changes in accreditation ratings:

- Changes Provisionally Accredited to Provisionally Accredited/Meets State Standards;

- Changes Accreditation Denied/Improving School Near Accreditation to Accreditation Withheld/Improving School; and

- Deletes the following accreditation ratings:

- (1) Fully Accredited with Honors;

- (2) Fully Accredited with High Honors;

- (3) Accreditation Denied; and

- (4) Accreditation Denied/Failed to Reconstitute.

21. Clarify the accreditation ratings requirements:

- Will count only the English and math pass rates in the accreditation rating in the third grade. Beginning in 2003-04, the pass rate in grade three and grade five English shall be 75%.

- In schools housing both third and fifth grades, will calculate the pass rate in English and math on the combined pass rates in each of those academic areas.

- During the academic years 1999-2000 through 2002-03, will rate a school Provisionally Accredited/Meets State Standards when it has met the provisional accreditation benchmarks, but has not met the requirements for Fully Accredited.

- During the academic years 1999-2000 through 2002-03, will rate a school Provisionally Accredited/Needs Improvement when it fails to meet the benchmarks.

- Changed Accreditation Denied/Improving School Near Accreditation to Accreditation Withheld/Improving School Near Accreditation. To achieve this rating a school must meet the following criteria:

- (1) In the year 2006, at least 70% of its students must have passed the English SOL tests (except third and fifth grade - 75% must pass); and

- (2) In the year 2006, at least 60% of its students must have passed the SOL tests in the other three core areas (except third grade - math only)

22. Remove most recognition and rewards for schools based on accreditation rating.

23. Allow waivers for schools with an 80% or more pass rate on SOL tests or alternative measures.

24. Eliminate these rewards proposed in the earlier proposal:

- Exemplary Instructional Method of High Distinction;

- Exemplary Administrative Method of Distinction;

- Master Principal of Distinction;

- Master Teacher of Distinction; and

- Master Creative Educator.

25. Allow the Board of Education to enact special provisions related to the administration and use of SOL tests when the SOL content is being revised or phased in.

26. Revise APPENDIX I - Provisional Accreditation Benchmarks to:

- Modify benchmarks for third grade math;

- Modify benchmarks for fifth grade math and history/social studies; and

- Modify benchmarks for middle and high school history/social studies.

27. Replace "vocational education" with "career and technical education" throughout the document in an updating of terminology.

Proposed Regulations

Issues: The regulations continue to require that the accreditation status of schools be determined primarily on the basis of student academic performance. Student performance will be measured using the statewide Standards of Learning (SOL) assessment program; however, the revised regulations provide greater flexibility for the Board of Education and local school boards with reference to the awarding of verified credit. The criteria for accreditation have been streamlined and several accreditation ratings deleted. Several of the proposed benchmarks for provisional accreditation have been modified. The advantages to the public in the revision of the standards are that the consequences and rewards to schools are more clearly defined and the standards allow greater discretion on the part of the local school boards. There are no identified disadvantages to the public with these revisions.

Impact: The primary objectives of the Board of Education in revising the standards were to reaffirm the board's commitment to the standards adopted in 1997 and to define a system of consequences and rewards for students, professional personnel, schools, and school divisions. Student achievement on SOL tests will continue to be used as the primary basis of evaluating schools. Funding for the staffing levels is provided through state basic aid to support the requirements of the Standards of Quality.

Summary:

The repropoed regulations (i) refine student-level consequences related to the testing program and the impact of such changes on the school's overall accreditation rating; (ii) refine the new accreditation ratings; and (iii) refine and clarify language inconsistencies in the current regulations.

8 VAC 20-131-10. Purpose.

The foremost purpose of public education in Virginia is to provide children with a quality education [~~to provide giving~~] them [~~with~~] opportunities to meet their fullest potential in life. The standards for the accreditation of public schools in Virginia are designed to ensure that an effective educational program is established and maintained in Virginia's public schools. The mission of the public education system, ~~first and foremost~~, is to educate students in the essential academic knowledge and skills in order that they may be equipped for citizenship, work, and a private life that is informed and free. The accreditation standards are designed to:

1. Provide an essential foundation of educational programs of high quality in all schools for all students.
2. Encourage continuous appraisal and improvement of the school program for the purpose of raising student achievement.
3. Foster public confidence.
4. Assure recognition of Virginia's public schools by other institutions of learning.
5. Establish a means of determining the effectiveness of schools.

Section 22.1-253.13:3 B of the Code of Virginia requires that the *Virginia* Board of Education (*hereinafter "board"*)

promulgate regulations establishing standards for accreditation.

The statutory authority for these regulations is delineated in § 22.1-19 of the Code of Virginia that includes the requirement that the board of Education shall provide for the accreditation of public elementary and secondary schools in accordance with regulations prescribed by it.

8 VAC 20-131-20. Philosophy, goals, and objectives.

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

1. The philosophy, goals, and objectives shall be developed with the advice of professional and lay people who represent the various populations served by the school and in consideration of the needs of the community and shall serve as a basis for the creation and review of the biennial school plan.
2. The school's philosophy, goals and objectives shall be consistent with the Standards of Quality.
3. The goals and objectives shall (i) be written in plain language so as to be understandable to noneducators, including parents; (ii) to the extent possible, be stated in measurable terms; and (iii) consist primarily of measurable objectives to raise student and school achievement in the core academic areas of the Standards of Learning disciplines (SOL), to improve student and staff attendance, to reduce student drop-out rates, and to increase the quality of instruction through professional staff development and licensure.

4. The school staff and community representatives shall review ~~biennially~~ *annually* the extent to which the school has met its prior goals and objectives, analyze the school's student performance data including data by grade level or academic department as necessary, and report these outcomes to the ~~school division superintendent and the community and the division superintendent.~~ A report delivered in writing or given ~~orally~~ *orally* in accordance with local school board policy ~~during a regularly scheduled parent-teacher meeting at the school may be used to satisfy the reporting requirement of this section.~~ This report shall be in addition to the school report card required by 8 VAC 20-131-270 B.

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

8 VAC 20-131-30. Student achievement expectations.

A. Each student should learn the relevant grade level/course subject matter before promotion to the next grade. ~~For grades in which the 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 with disabilities will be guided by provisions of their Individualized Education Plan (IEP) or 504 Plan. Participation of students identified as limited English proficient shall be determined by a committee convened to make such determinations. Limited English~~

~~proficient students may be exempted from the SOL tests for one grade level only in grades 3, 5, and 8. In order to be granted verified credit, all students must meet the clock hour and testing requirements set forth in this chapter. The division superintendent shall certify to the Department of Education that the division's promotion/retention policy does not exclude students from membership in a grade or participation in a course in which SOL tests are to be administered.~~

~~B. Each student at grades 3, 5, and 8 shall take and be expected to achieve a passing score on the SOL tests for the student's respective grade. In kindergarten through eighth grade, where SOL tests are administered, each student shall be expected to [achieve a passing score on these take the] tests. Schools shall use the SOL test results in kindergarten through eighth grade as part of a multiple set of multiple criteria for determining advancing or retaining the promotion or retention of students in grades 3, 5, and 8. 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. [Students shall not be required to retake the SOL tests unless they are retained in grade and have not previously passed, or they participate in a remediation recovery program in English or mathematics or both. In addition, in grades K-8, in no case shall students be required to attend summer school or weekend remediation classes solely based on failing a SOL test in science or history/social science.]~~

~~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 may] be awarded a verified unit of credit in that course in accordance with the provisions of 8 VAC 20-131-110 B. Students may earn verified units of [credits credit] 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. The board may approve other [alternative measures or] means of assessment to verify student achievement in accordance with guidelines adopted for verified units of credit described in 8 VAC 20-131-110 B.~~

~~D. Students with disabilities 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. Participation in SOL testing by students with disabilities will be prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan.~~

~~Beginning with the school year 2000-01, students with disabilities for whom participation in an alternate assessment is prescribed in their IEP [or 504 Plan] shall demonstrate proficiency on that assessment.~~

~~E. Participation in SOL testing by students identified as limited English proficient (LEP) shall be guided by a school-based committee convened to make such determinations. In~~

~~kindergarten through eighth grade, limited English proficient students may be granted a one-time exemption from SOL testing in each of the four core areas.~~

8 VAC 20-131-40. Literacy Passport Test.

~~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 with disabilities who are progressing according to the objectives of their Individualized Education Plan (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:~~

- ~~1. Passing the literacy tests;~~

~~Students who were in the eighth grade or above in the 1998-99 school year shall also be required to pass the Literacy Passport Tests in order to receive a Standard or Advanced Studies Diploma from a Virginia public school.~~

~~In order to receive a graded status, such students must pass the Literacy Passport Tests, except for students with disabilities who progress according to the goals of their Individualized Education Program (IEP) [or 504 Plan] .~~

~~Students who are not eligible for graded status shall be enrolled in appropriate programs leading to passing of the Literacy Passport Tests and one or more of the following:~~

- ~~2- 1. High school graduation diploma;~~
- ~~3- 2. General Educational Development (GED) Certificate;~~
- ~~4- 3. Certificate of Program Completion; and~~
- ~~5- 4. Job entry skills.~~

8 VAC 20-131-50. 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 subsection B or C of this section for grades 9 through 12. [The requirements for a student to earn a diploma from a Virginia high school shall be those in effect when that student enters the ninth grade for the first time. Students may be awarded a diploma or certificate upon graduation from a Virginia high school.~~

~~When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit shall be counted toward meeting the standard units required for graduation provided the courses meet SOL content requirements or are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students must meet the requirements of 8 VAC 20-131-110 B.]~~

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~~These~~ *The following requirements shall be the only requirements for a diploma, except that unless a local school board may prescribe has prescribed additional requirements for a diploma if such requirements which 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 [2000, without those requirements pending] further action by the board. [The requirements for Certificates of Program Completion are developed by local school boards in accordance with the Standards of Quality.]*

B. Requirements for a Standard Diploma.

1. Beginning with the ninth grade class of 1998-99 (~~graduating class of 2001-02~~), students shall earn the standard ~~credits~~ *units of credit* outlined in subdivision 2 of this subsection. Beginning with the ninth grade class of 2000-01 (~~graduating class of 2003-04~~), students shall earn standard units of credit [, *including at least two sequential electives as required by the Standards of Quality,*] described in subdivision 2 of this subsection and, of the ~~standard~~ *total* units of credit earned, students shall earn the following number of verified units of credit (see 8 VAC 20-131-110):

- a. English--two;
- ~~mathematics~~ *b. Math--one;*
- c. Science--one;
- d. History/social science--one; and
- e. One additional verified unit of credit of the student's own choosing.

2. Credits required for graduation *with a Standard Diploma.*

Discipline Area	Units of Credit	No. of Credits Required to be Verified
English	4	2
Mathematics ¹	3	1
Laboratory Science ²	3	1
History and Social Sciences ³	3	1
Health and Physical Education	2	
Fine Arts or Practical Arts	1	
Electives	6	
Student Selected Test [⁴]		1
Total	22	6

¹ Courses completed to satisfy this requirement shall be at or above the level of Algebra and shall include at least two course selections from among: Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra and Geometry. The board of Education may approve additional courses to satisfy this requirement.

² Courses completed to satisfy this requirement shall include course selections from at least two different science disciplines: Earth Sciences, Biology, Chemistry, or Physics. The board of Education may approve additional courses to satisfy this requirement.

³ Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and Virginia Government, and one world history/geography

course. Courses which satisfy the world history/geography course are: (i) World History, (ii) World Geography, (iii) World History and Geography [to 4000 A.D: Part I], (iv) World History and Geography [4000 A.D. to the Present Part II], or (v) a semester course of World History [to 4000 A.D. Part I] and a semester course of World Geography. The board of Education may approve additional courses to satisfy this requirement.

[⁴ A student may utilize alternative measures for earning verified credit in computer science, technology, or other areas as prescribed by the board in 8 VAC 20-131-110 B.]

Students completing the requirements for the Standard Diploma may be eligible to receive a ~~Board of Education seal or other~~ *an honor deemed appropriate by the local school board as described in subsection E F of this section.*

C. Requirements for an Advanced Studies Diploma.

1. Beginning with the ninth grade class of 1998-99 (~~graduating class of 2001-02~~), students shall earn the standard ~~credits~~ *units of credit* outlined in subdivision 2 of this subsection. Beginning with the ninth grade class of 2000-01 (~~graduating class of 2003-04~~), students shall earn the standard ~~credits~~ *units of credit* outlined in subdivision 2 of this subsection and, of the total credits earned, students shall earn the following number of verified units of credits (see 8 VAC 20-131-110):

- a. English--two;
- ~~mathematics~~ *b. Math--two;*
- c. Science--two;
- d. History/social science--two; and
- e. One additional verified unit of credit of the student's own choosing.

2. Credits required for graduation *with an Advanced Studies Diploma.*

Discipline Area	Units of Credit	No. of Credits Required to be Verified
English	4	2
Mathematics ¹	4	2
Laboratory Science ²	4	2
History and Social Sciences ³	4	2
Foreign Language ⁴	3	
Health and Physical Education	2	
Fine Arts or Practical Arts	1	
Electives	2	
Student Selected Test [⁵]		1
Total	24	9

¹ Courses completed to satisfy this requirement shall be at or above the level of Algebra and shall include at least three different course selections from among: Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra II. The board of Education may approve additional courses to satisfy this requirement.

² Courses completed to satisfy this requirement shall include course selections from at least three different science disciplines from among: Earth Sciences, Biology, Chemistry, or Physics [*or completion of the sequence of science courses required for the International Baccalaureate Diploma*]. The board of Education may approve additional courses to satisfy this requirement.

³ Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and Virginia Government, and two world history/geography courses. Acceptable courses to satisfy the world history/geography requirements include: (i) World History and World Geography; (ii) World History and Geography [~~to 4000 A.D. Part I~~], and World History and Geography [~~from 4000 A.D. to the Present Part II~~]; or (iii) a semester course of World Geography, a semester course of World History [~~to 4000 A.D. Part I~~], and a year-long course of World History [~~4000 A.D. to the Present Part II~~]. The board of Education may approve additional courses to satisfy this requirement.

⁴ Three years of one language or two years of two languages.

[⁵ A student may utilize alternative measures for earning verified credit in computer science, technology, or other areas as prescribed by the board in 8 VAC 20-131-110 B.]

Students completing the requirements for the Advanced Studies Diploma may be eligible to receive ~~a Governor's seal or other~~ an honor deemed appropriate by the local school board as described in subsection ~~E~~ F of this section.

D. [Requirements for the Basic Diploma.

1. The Basic Diploma program is intended for certain students at the secondary level who are unlikely to meet the requirements for a Standard Diploma. Eligibility and participation in the Basic Diploma program shall be determined by the following criteria:

a. If the student has a disability and is eligible for special education, the selection of the Basic Diploma may be made by the student's Individual Education Program (IEP) team and the student, where appropriate, after the student's eighth grade year and after the student has participated in the SOL testing program. Students who were exempt from SOL tests by their IEP team prior to the 2000-01 school year may pursue this option provided they meet other eligibility requirements.

b. If the student does not have a disability, the determination shall be made after the ninth grade by the principal or his designee, the student's parents and the student based on criteria indicating that the student has:

- (1) Taken all SOL courses and tests through ninth grade;
- (2) Failed both the eighth grade English and mathematics SOL tests twice or, in the absence of a retake, failed to achieve an acceptable level of performance as determined by the board on the Stanford 9 (or other assessment determined by the board) in English and mathematics. The school shall maintain documentation of efforts to remediate the student's deficiencies between administrations of the tests;
- (3) Secured the informed consent of the parent/guardian to enroll in this diploma option after review of the student's academic history and the full disclosure of the student's options; and
- (4) Met any additional criteria established by the board.

Beginning with the ninth grade class of 2000-2001, students pursuing the Basic Diploma shall pass literacy and numeracy competency assessments prescribed by

the board. In addition, the student shall meet requirements for employability as adopted by the local school board and subject to review by the board and shall earn the units of credit prescribed in subdivision 2 of this subsection.

2. Credits required for graduation with a Basic Diploma.

Discipline Area	Standard Units of Credit
English ¹	3
Mathematics ²	3
Science	1
History and Civics ³	2
Health and Physical Education	2
Computer Technology	1
Career/Occupational ⁴	2-6
Electives	4
Total	18-22

¹ Courses completed to satisfy this requirement shall be approved by the board.

² Courses completed to satisfy this requirement shall be approved by the board and shall be at or above general mathematics, applications of mathematics, or consumer mathematics.

³ Courses completed to satisfy this requirement shall include one unit of credit in U.S. and Virginia History and one unit of credit in U.S. and Virginia Government in courses approved by the board.

⁴ Students pursuing this diploma shall complete a career/occupational program of the student's choosing that meets the employability requirements of subdivision 1 above.

3. Students who opt for the Basic Diploma program after completion of the tenth grade year may substitute academic credit for career/occupational credit provided that they meet the locally-developed employability and other requirements.]

[~~When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit shall be counted toward meeting the standard units required for graduation provided the courses meet SOL content requirements or are equivalent in content and academic rigor as those courses offered at the secondary level~~], or verified units provided students achieve a passing score on end-of-course SOL tests [~~To earn a verified unit of credit for these courses, students must meet the requirements of 8 VAC 20-131-110 B.~~

E. In accordance with the requirements of the Standards of Quality, students with disabilities who complete the requirements of their Individualized Education Program (IEP) shall be awarded Special Diplomas.

F. In accordance with the requirements of the Standards of Quality, students who complete prescribed programs of studies defined by the local school board but do not qualify for diplomas shall be awarded Certificates of Program Completion.]

[~~E. G.~~] At a student's request, the local school board shall communicate or otherwise make known to institutions of higher education, potential employers, or other applicable third parties, in a manner that the local school board deems appropriate, that a student has attained the state's academic

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expectations by earning a Virginia diploma and the value of such a diploma is not affected in any way by the accreditation status of the student's school.

~~E. [F. H.] Awards for exemplary student performance. 4. Students who complete the requirements for a standard diploma with an average grade of "B" or better in the required courses will receive a Board of Education seal on the diploma. Students who demonstrate academic excellence and/or outstanding [achievements achievement] may be eligible for one of the following awards:~~

~~1. [The Governor's Seal of Advanced Academic Excellence will be awarded to students who complete the requirements for an Advanced Studies Diploma and earn a "Pass/Advanced" rating on the SOL tests used for verified units of credit to fulfill the diploma requirement. Students electing to substitute an alternative means of earning verified units of credit as proscribed by 8 VAC 20-131-110 B must meet requirements of guidelines adopted by the board. Students who complete the requirements for an Advanced Studies Diploma with an average grade of "B" or better and successfully complete at least one advanced placement course (AP), international baccalaureate (IB) or one college-level course for credit will receive the Governor's Seal on the diploma.]~~

~~2. Students who complete the requirements for an advanced studies diploma with an average grade of "B" or better and successfully complete at least one advanced placement course (AP) or one college-level course for credit will receive a Governor's seal on the diploma. [The Board of Education's Seal of Academic Excellence will be awarded to students who complete the requirements for an Advanced Studies diploma with an "A" average in the courses required for the diploma and have successfully completed at least one Advanced Placement (AP) course, International Baccalaureate (IB) course, one college-level course, or one alternative means of earning verified units of credit in accordance with the provisions of 8 VAC 20-131-110 B. Students electing to substitute an alternative means to meet this requirement must meet provisions specified in guidelines adopted by the board for earning verified units of credit described in 8 VAC 20-131-110 B to qualify for this honor. Students who complete the requirements for a Standard Diploma with an average grade of "A" will receive a Board of Education Seal on the diploma.]~~

~~[3. The Superintendent's Seal of Academic Achievement will be awarded to students who complete the requirements for an Advanced Studies Diploma with a "B" average in the courses required for the diploma and have completed one college-level course or earned at least one verified unit of credit through an alternative means in accordance with the provisions of 8 VAC 20-131-110 B.~~

~~4. The Commonwealth Seal of Academic Achievement will be awarded to students who complete the requirements for a standard diploma with an "A" average in the courses required for the diploma.]~~

~~[5. 3.] The Board of Education's [Vocational Career and Technical Education] Seal [of Excellence] will be awarded to students who [earn a Standard or Advanced Studies Diploma and] complete a prescribed sequence of courses in a [vocational area of career and technical education] concentration or specialization that they choose and [either: (i) maintain [an "A" a "B" or better] average in those courses; or [(ii) (i)] pass an examination in a [vocational area career and technical education concentration or specialization] that confers [either a certificate certification] from a recognized [industry,] trade or professional association or [(ii)] acquire a professional license in that [vocational area career and technical education field] from the Commonwealth of Virginia.~~

~~[4. The Board of Education's Seal of Advanced Mathematics and Technology will be awarded to students who earn either a Standard or Advanced Studies Diploma and (i) satisfy all of the mathematics requirements for the Advanced Studies Diploma (four units of credit including Algebra II; two verified units of credit) with a "B" average or better; and (ii) either (a) pass an examination in a career and technical education field that confers certification from a recognized industry, or trade or professional association; (b) acquire a professional license in a career and technical education field from the Commonwealth of Virginia; or (c) pass an examination approved by the board that confers college-level credit in a technology or computer science area.]~~

~~3. [6. 5.] Students may receive other seals or awards for exceptional academic, [vocational career and technical] , citizenship, or other exemplary performance in accordance with criteria defined by the local school board.~~

~~F. [G. I.] Students completing graduation requirements in a summer school accredited under this chapter 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.~~

~~G. [H. Students who complete a prescribed course of study as defined by the local school board but who do not qualify for diplomas shall be awarded a Certificate of Program Completion by the local school board.]~~

~~H. [I. J.] Students who complete honors, advanced, advanced placement [, or] college-level [courses ,] or courses required for an International Baccalaureate Diploma [or other alternative means to earn verified units of credit] shall be deemed to have completed the requirements for graduation under these standards provided they have earned the standard units of credit and [passed the] end-of-course [tests required to earn earned] verified credits units of credit in accordance with the requirements of [8 VAC 20-131-50 A and B as required of students earning either a standard or an advanced studies diploma subsections B and C of this section] or, in the case of a completed International Baccalaureate Diploma program, the number of verified credits required for an advanced studies diploma.~~

[~~J. K.~~] *Students considering using an alternative means of earning verified units of credit as allowed by 8 VAC 20-131-110 B shall be counseled annually regarding the opportunities for doing so and the consequences of failing to fulfill the obligations to complete the requirements for verified units of credit.*

8 VAC 20-131-60. Transfer of credits.

A. [*For the purposes of this section the term "beginning" means within the first 20 hours of instruction per course. The term "during" means after the first 20 hours of instruction per course.*]

[~~B.~~] *A secondary school shall accept credits 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 state (VCPE).~~ Credit also shall be accepted for courses satisfactorily completed in accredited colleges and universities when prior written approval of the principal has been granted. The board will [maintain contact with the VCPE to] review [~~on an annual basis the its~~] accrediting procedures [~~of the VCPE and direct any changes and modifications of such procedures in relation to the authority granted under these provisions and policies on a periodic basis as part of its policies under this section~~] .*

Students transferring into a Virginia public school shall be required to meet the requirements prescribed in 8 VAC 20-131-50 to receive a Standard [~~or,~~] Advanced Studies [, or Basic] Diploma except as modified by subsection [~~E F~~] of this section. To receive a Special Diploma or Certificate of Program Completion, a student must meet the requirements prescribed by the Standards of Quality.

[~~B. C.~~] *Standard or verified units of credit earned by a student in a Virginia public school shall be transferable without limitation regardless of the accreditation status of the Virginia public school in which the credits were earned.*

~~B. [~~C. D.~~]~~ *Records of transferred students shall be sent directly to the school receiving the student upon request of the receiving school in accordance with the provisions of the 8 VAC 20-150-10 et seq., Management of the Student's Scholastic Records in Virginia.*

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

[~~D. E.~~] *Students transferring into a Virginia school division shall be required to earn a minimum of 22 standard credits (6 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 provided 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 not giving credit for health and physical education shall not be required to repeat these 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 it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student's previous school to award the diploma. If this arrangement cannot be made, a waiver of the verified credit requirements may be available to the student. The Department of Education may grant such waivers upon request by the local school board. The academic record of a student transferring into Virginia public schools from other than a Virginia public school, shall be evaluated to determine the number of standard units of credit that have been earned, including credit from schools outside the United States, and the number of verified units of credit needed to graduate in accordance with subsection [~~E F~~] of this section. Virginia public schools shall accept standard and verified units of credit from other Virginia public schools and state-operated programs. [Standard units of] credit also shall be accepted for courses satisfactorily completed in accredited colleges and universities when prior written approval of the principal has been granted or the student has been given credit by the previous school attended.~~

Students transferring above the tenth grade from schools or other education programs that do not require or give credit for health and physical education shall not be required to take these courses to meet graduation requirements.

[~~E. F.~~] *Students [~~transferring into~~ entering] a Virginia public [high] school [~~from other than a Virginia public school for the first time~~] after the tenth grade shall be encouraged to earn as many credits as possible toward [the] graduation [~~that are requirements~~] prescribed in 8 VAC 20-131-50. However, no [~~transfer~~ such] student shall earn fewer than the following number of verified units nor shall such students be required to take SOL tests [or other alternative measures defined in 8 VAC 20-131-110 B] for verified units of credit in courses previously completed at another school or program of study unless necessary to meet the requirements listed in subdivisions 1 and 2 of this subsection:*

1. *For a Standard Diploma:*

a. *Students [~~transferring in at~~ entering a Virginia high school for the first time during] the ninth grade or at the beginning of the tenth grade shall earn credit as prescribed in 8 VAC 20-131-50;*

b. *Students [~~transferring in~~ entering a Virginia high school for the first time] during the tenth grade or at the beginning of the eleventh grade shall earn a minimum of four verified units of credit: one each in English, mathematics, history, and science; and*

c. *Students [~~transferring in~~ entering a Virginia high school for the first time] during the eleventh grade or at the beginning of the twelfth grade shall earn a minimum of two verified units of credit: one in English and one of the student's choosing.*

2. *For an Advanced Studies Diploma:*

a. *Students [~~transferring in at~~ entering a Virginia high school for the first time during] the ninth grade or at the beginning of the tenth grade shall earn credit as prescribed in 8 VAC 20-131-50;*

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b. Students [~~transferring in~~ entering a Virginia high school for the first time] during the tenth grade or at the beginning of the eleventh grade shall earn a minimum of six verified units of credit: two in English and one each in mathematics, history, and science and one of the student's choosing; and

c. Students [~~transferring in~~ entering a Virginia high school for the first time] during the eleventh grade or at the beginning of the twelfth grade shall earn a minimum of four verified units of credit: one in English and three of the student's choosing.

[~~F. G.~~] Students [~~transferring into~~ entering] a Virginia [~~secondary high~~] school [for the first time] after the first semester of their eleventh grade year must meet the requirements of subdivision [F] 1 c or [F] 2 c of this [~~subsection~~ section]. Students transferring after 20 instructional hours per course of their senior or twelfth grade year shall be given every opportunity to earn a Standard [~~or,~~] Advanced Studies [, or Basic] Diploma. If it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student's previous school to award the diploma. If these arrangements cannot be made, a waiver of the verified unit of credit requirements may be available to the student. The Department of Education may grant such waivers upon request by the local school board in accordance with guidelines prescribed by the board.

[H. Any local school division receiving approval to increase its course credit requirements for a diploma may not deny either the Standard, Advanced Studies, or Basic Diploma to any transfer student who has otherwise met the requirements contained in these standards if the transfer student can only meet the division's additional requirements by taking a heavier than normal course load in any semester, by taking summer school, or by taking courses after the time when he otherwise would have graduated.]

[~~G. I.~~] The transcript of a student who graduates or transfers from a Virginia secondary school shall conform to the requirements of 8 VAC 20-160-10 et seq., Regulations Governing Secondary School Transcripts.

[J.] The accreditation status of a high school shall not be included on the student transcript provided to colleges, universities, or employers. The board expressly states that any student who has met the graduation requirements established in 8 VAC 20-131-50 and has received a Virginia diploma holds a diploma that should be recognized as equal to any other Virginia diploma, regardless of the accreditation status of the student's high school. It is the express policy of the board that no student shall be affected by the accreditation status of the student's school. The board shall take appropriate action, from time to time, to ensure that no student is affected by the accreditation status of the student's school.

8 VAC 20-131-70. Program of instruction and 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 adopted by the board of Education [~~in June 1995~~] and shall continually assess the progress of each student in relation to the objectives.

B. Instruction shall be designed to accommodate all students, including those with disabilities, those identified as gifted/talented and those who have limited English proficiency. Each school shall provide students identified as gifted/*talented* with instructional programs taught by teachers with special training or experience in working with gifted/*talented* students. Students with disabilities shall have the opportunity to receive a full continuum of education services, in accordance with 8 VAC 20-180-10 et seq., Regulations Governing Special Education Programs for Children with Disabilities in Virginia, ~~the "Special Education Program Standards,"~~ and other pertinent federal and state regulations.

8 VAC 20-131-80. Instructional program in elementary schools.

A. Each elementary school shall provide each student a program of instruction which corresponds to the Standards of Learning for English, mathematics, science, and history/social science. In addition, each school shall provide instruction in art, music, and physical education and health [*and shall provide students with a daily recess during the regular school year as determined appropriate by the school*].

B. In grades K through 3, reading, writing, spelling, and mathematics shall be the ~~core~~ focus of the instructional program. Schools shall maintain, in a manner prescribed by the board, an early skills and knowledge achievement record in reading and math for each student in grades K through 3 to monitor student progress and to promote successful achievement ~~in~~ on the third grade SOL tests. This record shall be included with the student's records if the student transfers to a new school.

C. To provide students with sufficient opportunity to learn, a minimum of 75% of the annual instructional time of 990 hours shall be given to instruction in the disciplines of English, mathematics, science, and history/social science. Students who are not successfully progressing in early reading proficiency or who are unable to read the materials necessary for instruction with comprehension shall receive additional instructional time in reading.

8 VAC 20-131-90. Instructional program in middle schools.

A. Each middle level school shall provide each student a program of instruction which corresponds to the Standards of Learning for English, mathematics, science, and history/social science. In addition, each school shall provide instruction in art, music, foreign language, physical education and health, and career and [~~vocational~~ technical] exploration.

B. The middle school shall provide a minimum of eight offerings courses to students in eighth grade: ~~four required courses~~ (English, mathematics, science, and history/social science) ~~and shall be required~~. Four elective courses ~~shall be available~~: level one ~~in~~ of a foreign language, one in health and physical education, one in fine arts, and one in career and [~~vocational technical~~] exploration).

C. Level one of a foreign language shall be available to all eighth grade students. ~~In~~ [For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course *in accordance with policies adopted by the local school board*. Notice of this provision must be provided to parents with a deadline and format for making such a request.] Nothing in this chapter shall be construed to prevent a middle school from offering any ~~appropriate other credit-bearing course~~ courses for graduation.

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

8 VAC 20-131-100. Instructional program in secondary schools.

A. Each secondary school shall provide each student a program of instruction in the academic areas of English, mathematics, science, and history/social science that enables each student to meet the graduation requirements described in 8 VAC 20-131-50 and shall offer opportunities for students to pursue a program of studies in ~~several academic academics, fine arts, and~~ [~~vocational career and technical~~] areas including:

1. [~~Vocational Career and technical~~] education choices that prepare the student as a [~~vocational career and technical education~~] program completer in one of three or more occupational areas and that prepare the student for technical or preprofessional postsecondary programs;
2. Course work and experiences that prepare the student for college-level studies including access to at least two advanced placement courses or two college-level courses for credit; ~~and~~
3. Preparation for ~~scholastic aptitude~~ college admissions tests; ~~and~~
4. Opportunities to study and explore the fine arts.

B. Minimum course offerings for each secondary school, ~~grades 9 through 12,~~ shall provide ~~that opportunities for~~ students ~~can~~ to meet the graduation requirements stated in ~~this chapter~~ 8 VAC 20-131-50 and must include:

Academic Subjects	23
English	(4)
Mathematics	(4)
Science (Laboratory)	(4)
History and Social Sciences	(4)

Foreign Language	(3)	
Electives	(4)	
[Vocational Career and Technical] Education		11
Fine Arts		2
Health and Physical Education		2
Total Units		38

C. Classroom driver education may count for 36 class periods of health education. Students shall not be removed from classes other than health and physical education for the in-car phase of driver education.

8 VAC 20-131-110. Standard and verified units of credit.

A. The standard unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction ~~and successful completion of the requirements of the course~~. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 140 hours of instruction provided. If a school division elects to award credit [in a noncore academic course] on a basis other than the standard unit of credit *defined in this subsection*, the ~~locality~~ local school division shall develop a written policy approved by the superintendent and school board which ensures:

1. That the content of the course for which credit is awarded is comparable to 140 clock hours of instruction; and
2. That upon 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, *successful completion of the requirements of the course*, and the achievement by the student of a passing score on the end-of-course ~~Standards of Learning SOL~~ test for that course or *alternative [~~test~~ measures] as described in this subsection*.

[*Upon the recommendation of the division superintendent and demonstration of mastery of course content and objectives, qualified students may receive a standard unit of credit and be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement.*]

[~~In addition to the SOL tests,~~] *The board may approve [~~alternative~~ multiple criteria including other assessments or measures for the purpose of awarding verified credit. Such criteria may include substitute] tests for which the student may earn a verified unit of credit. [~~An alternative~~ Any substitute] test must, at a minimum, meet the following criteria:*

1. *The test must be standardized and graded independently of the school or school division in which the test is given;*
2. *The test must be [~~criterion-referenced~~ and] knowledge-based;*
3. *The test must be administered on a multistate or international basis; and*

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4. [*To be counted in a specific academic area,] the test must be given in a course that incorporates the SOL.*

The board will set the [~~passing~~] score that must be achieved to earn a verified unit of credit on the [~~alternative substitute~~] test.

[A local school board is authorized to award to a student a verified unit of credit in a course where such student's performance on a SOL test is inconsistent with other recognized indicators of academic achievement. A local school board's decision in such matters shall be solely based on criteria and guidelines established by the board, and the board may revoke a local school board's authority under this provision for cause as determined by the board.]

C. A school employing a scheduling configuration of less than 140 clock hours per [*core academic*] course [~~in the 1996-97 school year~~] may retain that scheduling configuration [~~provided such school is rated Fully Accredited with High Honors, Fully Accredited with Honors, or~~] " [~~Fully Accredited.~~] " [~~Schools rated~~] " [~~Accredited with Warning~~] " [~~(in specific area) may be required to address their scheduling configuration in their~~] *corrective action [School Improvement Plan required by 8 VAC 20-131-310]* D [~~through the end of the 2000-01 school year unless a waiver is granted by the board under the provisions of 8 VAC 20-131-325 B or 8 VAC 20-131-330. If the school does not comply following the end of the 2000-01 school year, the board may take appropriate action which may include, but not be limited to, adjustment or loss of school's accreditation.~~]

8 VAC 20-131-120. Summer school.

A. ~~The courses offered and the quality of instruction in the summer school program shall be equal in quality to the program comparable to that offered during the regular school term. At the middle and secondary school levels, credit for courses taken for credit toward graduation other than a repeat course shall be awarded in accordance with the requirements of 8 VAC 20-131-110. Students must also meet the requirements for SOL testing if appropriate.~~

B. ~~At the middle and secondary school levels, credit for repeated work~~ *repeat courses* ordinarily will be granted on the same basis as that for new ~~work~~ *courses*; however, with prior approval of the principal, ~~certain~~ *students* may be allowed to enroll in ~~two~~ *repeat subjects* courses to be completed in not less than ~~75~~ *70* clock hours of instruction per unit of credit. *Students must also meet the requirements for SOL testing if appropriate.*

C. *Summer school instruction at any level, which is provided as part of a state-funded remedial program, shall be designed to improve specific identified student deficiencies. Such programs shall be conducted in accordance with regulations adopted by the board.*

8 VAC 20-131-130. Elective courses.

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

8 VAC 20-131-140. College preparation programs and opportunities for postsecondary credit.

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.

Beginning in the middle school years, students shall be counseled [~~as to~~ *on*] opportunities for beginning 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 (*dual enrollment*), under the following conditions:

1. ~~Prior~~ *Written approval of the high school principal for the cross-registration prior to participation in dual enrollment* must be obtained;
2. The college must accept the student for admission to the course or courses; and
3. The course or courses must be given by the college for degree credits (~~hence~~, no remedial courses will be accepted).

Schools that comply with this standard shall not be penalized in receiving state appropriations.

8 VAC 20-131-150. Standard school year and school day.

A. The standard school year shall be 180 days. The standard school day for students in grades 1 through 12 shall average at least 5-1/2 hours, excluding ~~intermissions~~ *breaks* 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 1 through 12 and 540 hours for kindergarten. Such alternative plans must be approved by the local school board and by the board of ~~Education~~ *Education* under guidelines established by the board of ~~Education~~ *Education*. No alternative plan which reduces the instructional time in the core academics shall be approved.

B. All students in grades 1 through 12 shall maintain a full day schedule of classes (5-1/2 hours), unless a waiver is granted ~~by the local superintendent of schools. Conditions of such waivers shall be in accordance with policies~~ defined by the local school board.

8 VAC 20-131-170. Family Life Education.

Each school may implement the Standards of Learning for the Family Life Education program promulgated by the board of ~~Education~~ *Education* or a Family Life Education program consistent with the guidelines developed by the board of ~~Education~~ *Education*, which shall have the goals of reducing the incidence of pregnancy and sexually-transmitted diseases and substance abuse among teenagers.

8 VAC 20-131-180. Off-site instruction.

A. Homebound instruction shall be made available to students who are confined [*at home or in a health care facility*] for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinical psychologist. For students eligible for special education or related services, the Individualized Education Program 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 certified teacher, a person eligible to hold a Virginia certificate, or other appropriately licensed professional employed by the local school board, *and meets the requirements of 8 VAC 20-131-110.*

B. Students may enroll in and receive a standard or verified unit of credit for supervised correspondence courses ~~in subjects 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 when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, approved by the local school ~~authorities board~~. Verified *units of credit* may be earned when the student has passed the SOL test associated with the correspondence course completed. *The local school board shall develop policies governing this method of instruction in accordance with the provisions of 8 VAC 20-131-110 and the administration of required SOL tests prescribed by 8 VAC 20-131-30.*

C. *Schools are encouraged to pursue alternative means to deliver instruction to accommodate student needs through emerging technologies and other similar means. Credit may be awarded for successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia teaching license and approved by local school board. Verified units of credit may be earned when the student has successfully completed the requirements and passed the SOL test associated with the course. The local school board shall develop policies governing this method of delivery of instruction that shall include the provisions of 8 VAC 20-131-110 and the administration of required SOL tests prescribed by 8 VAC 20-131-30.*

8 VAC 20-131-210. Role of the principal.

A. ~~The principal shall be responsible for~~ *is recognized as the instructional leadership and effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources. As part of this responsibility, the principal shall ensure the development and implementation of the biennial school plan approved by the superintendent. leader of the school and is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources. As a matter of policy, the board, through these standards, recognizes the critically important role of principals to the success of public schools and the*

students who attend those schools and recommends that local school boards provide principals with the maximum authority available under law in all matters affecting the school including, but not limited to, instruction and personnel, in a manner that allows the principal to be held accountable in a fair and consistent manner for matters under his direct control.

B. Instructional leadership. The principal, responsible for ensuring students are provided an opportunity to learn, shall:

1. Protect the academic instructional time from unnecessary interruptions and disruptions and enable the professional teaching staff to spend the maximum time possible in the teaching/learning process by keeping to a minimum clerical responsibility and the time students are out of class;

2. Ensure that the school division's student code of conduct is enforced and ~~that the school environment is safe and secure~~ *seek to maintain a safe and secure school environment;*

3. Analyze the school's test ~~and subject~~ scores annually by grade and by discipline to:

a. Direct and require appropriate ~~remediation/intervention~~ *prevention, intervention, and/or remediation* to those students performing below grade level or not passing the SOL tests;

b. Involve the staff of the school in identifying the types of staff development needed to improve student achievement and ensure that the staff participate in those activities; and

c. Analyze classroom practices and methods for improvement of instruction;

4. Ensure that students' records are maintained and that criteria used in making placement and promotion decisions, as well as any instructional interventions used to improve the student's performance, are included in the record;

5. Monitor and evaluate the quality of instruction ~~and, provide for in-service training, professional assistance and staff development,~~ *provide support that is designed to improve instruction, and seek to ensure the successful attainment of the knowledge and skills required for students by the SOL tests; and*

6. Maintain records of students who drop out of school, including their reasons for dropping out and actions taken to prevent students from dropping out.

C. School management leadership. The principal, responsible for effective school management, shall:

1. Work with staff to create an atmosphere of mutual respect and courtesy and to facilitate constructive communication by establishing and maintaining a current handbook of personnel policies and procedures;

2. Work with the community to involve parents and citizens in the educational program and facilitate communication with parents by maintaining and

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disseminating a current student handbook of policies and procedures that includes the school division's standards of student conduct and procedures for enforcement, along with other matters of interest to parents and students;

3. Maintain a current record of licensure, endorsement, and in-service training completed by staff; and

4. Maintain records of receipts and disbursements of all funds handled. These records shall be audited annually by a professional accountant approved by the local school board.

8 VAC 20-131-220. Role of professional teaching staff.

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

1. Serve as ~~leadership models of role models~~ for effective oral and written communication with special attention to the correct use of language and spelling;

2. Strive to strengthen the basic skills of students in all subjects;

3. Establish teaching objectives to achieve the following:

- a. Identify what students are expected to learn; and
- b. Inform students of the achievement expected and keep them engaged in learning tasks;

4. Provide for individual differences of students through the use of differentiated instruction, varied materials, and activities suitable to their interests and abilities; and

5. Assess the progress of students and report promptly and constructively to them and their parents.

8 VAC 20-131-240. Administrative and support staff; staffing requirements.

A. Each school shall have the ~~required staff as specified in the Standards of Quality with proper licenses and endorsements. The following shall be the minimum administrative and support staffing according to type of school and student enrollment including:~~

1. Position: principal; elementary: one half-time to 299, one full-time at 300; middle: one full-time; secondary: one full-time.

2. Position: assistant principal; elementary: one half-time at 600, one full-time at 900; middle: one full-time each 600; secondary: one full-time each 600.

3. Position: librarian; elementary: part-time to 299, one full-time at 300; middle: one half-time to 299, one full-time at 300, two full-time at 1,000; secondary: one half-time to 299, one full-time at 300, two full-time at 1,000.

4. Position: guidance counselors or reading specialists; elementary: one hour per day per 100, one full-time at

500, one hour per day additional time per 100 or major fraction.

5. Position: guidance counselor; middle: one period per 80, one full-time at 400, one additional period per 80 or major fraction; secondary: one period per 70, one full-time at 350, one additional period per 70 or major fraction.

6. Position: clerical; elementary: part-time to 299, one full-time at 300; middle: one full-time and one additional full-time for each 600 beyond 200 and one full-time for the library at 750; secondary: one full-time and one additional full-time for each 600 beyond 200 and one full-time for the library at 750.

~~B. A combined school, such as K through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school. This requirement shall apply to all staff, except the guidance staff, and shall be based on the school's total enrollment. The guidance staff requirement shall be based on the enrollment at the various school organization levels as defined in this chapter.~~

~~C. B.~~ The principal of each middle and secondary school shall be employed on a 12-month basis.

~~D. C.~~ Each secondary school with 350 or more students and each middle school with 400 or more students shall employ at least one member of the guidance staff for 11 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 specified in 8 VAC 20-131-50 is being followed. In addition, the counseling program shall provide for a minimum of 60% of the time of each member of the guidance staff devoted to such counseling of students.

~~E. D.~~ Middle school teachers in schools with a seven-period day may teach 150 student periods per day or 30 class periods per week, provided all teachers with more than 25 class periods per week have one period per day unencumbered of ~~all~~ any teaching or supervisory duties.

~~F. [E.~~ The secondary classroom teacher's standard load shall be no more than 25 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 30 class periods per week. Teachers who teach very small classes may teach 30 class periods per week, provided the teaching load does not exceed 75 student periods per day. If a classroom teacher teaches 30 class periods per week with more than 75 student periods per day, an appropriate contractual arrangement and compensation shall be provided.]

~~[E. Full-time secondary classroom teachers shall be provided planning time unencumbered by supervisory or teaching duties equal to a minimum of 12% of an instructional day. An appropriate contractual agreement and compensation shall be provided for a full-time classroom teacher whose planning time does not meet the 12% minimum.]~~

~~G.~~ 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.

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

~~I. The number of students~~ H. Staff-student ratios in special and [~~vocational career and technical~~] education classrooms shall comply with regulations of the board of Education.

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

8 VAC 20-131-250. Alternative staffing plan. (Repealed.)

~~At the discretion of local school authorities, an alternative staffing plan may be developed which ensures that the services set forth in this chapter are met. Any alternative staffing plan shall be submitted to the Department of Education for approval. An alternative staffing plan that reduces the number of staff positions will not be acceptable.~~

8 VAC 20-131-260. School facilities and safety.

A. Each school shall be maintained in a manner ensuring compliance with the Virginia Uniform Statewide Building Code (13 VAC 5-61-10 et seq.) and regulations of the board of Education pertaining to 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 technology~~, fine arts, and [~~vocational career and technical~~] 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 Code (13 VAC 5-61-10 et seq.); 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. *Additionally, at least one simulated lock-down and crisis emergency evacuation activity should be conducted early in the school year.*

C. Each school shall have contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first aid. In addition, the school administration shall ensure that the school has:

1. Written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening behavior. The plan shall be outlined in the student handbook and discussed with staff and students during the first week of each school year;
2. Space for the proper care of students who become ill; and
3. A written procedure, in accordance with guidelines established by the local school board, for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity.

8 VAC 20-131-270. School and community communications.

A. Each school shall promote communication and foster mutual understanding with parents and the community. Each school shall:

1. Involve parents, citizens, community agencies and representatives from business and industry in developing, disseminating and explaining the biennial school plan; on advisory committees; in curriculum studies; and in evaluating the educational program.
2. Provide annually *to the parents and the community* [*a the*] School Performance Report Card [*;*] in a manner prescribed by the board and ~~beginning with data from the 1997-98 school year, to the parents of children attending the school and to the community that includes, but is not. The information contained therein will be for the most recent three-year period. Such information shall include but not be limited to:~~
 - ~~a. Schoolwide test scores on the SOL tests, statewide averages and division averages for the most recent three-year period for which such data are available, students with disabilities and limited English proficient students' participation in those tests, the performance of children with disabilities on the SOL tests or alternate assessments as appropriate, the percentage of students with disabilities and the percentage of limited English proficient students exempted from SOL testing, and the percentage of the school population eligible to participate in the SOL testing program;~~
 - ~~b. Attendance rates for students for the most recent three-year period for which such data are available;~~
 - ~~c. Incidents of physical violence and weapon possession occurring at the school reported by the school division to the Department of Education under § 22.1-280.1 of the Code of Virginia for the most recent three-year period for which such data are available;~~
 - a. SOL test scores [and scores on the literacy and numeracy tests required for the Basic Diploma] for the school, school division, and state.*

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b. Percentage of students tested, as well as the percentage of students not tested, to include a breakout of students with disabilities and limited English proficient students.

c. Percentage of students who are otherwise eligible but do not take the SOL tests due to enrollment in an alternative, or any other program not leading to a Standard, Advanced Studies, [Basic] or [~~IB~~ International Baccalaureate] Diploma.

d. Performance of students with disabilities [~~and~~ students with] limited English [~~proficient~~ students proficiency] on SOL tests and alternate assessments as appropriate.

e. The accreditation rating awarded to the school.

f. Attendance rates for students.

g. Information related to school safety to include, but not limited to, incidents of physical violence (including fighting and other serious offenses), possession of firearms, and possession of other weapons.

h. Information related to qualifications and experience of the teaching staff including the percentage of the school's teachers endorsed in the area of their primary teaching assignment.

~~e.~~ i. In addition, secondary schools' School Performance Report Cards shall include the following:

~~(1) The number and percentage of students taking advanced placement courses and the number and percentage of those earning a score of 3 or better on the advanced placement test;~~

~~(2) The number and percentage of students taking college-level courses and the percentage of those students passing at least one such course;~~

~~(3) The number of standard, advanced studies, special and International Baccalaureate diplomas, as well as the number and percentage of students awarded certificates of program completion and GED certificates for the most recent three-year period for which such data are available; and~~

~~(4) Dropout rates for the current and previous three years.~~

~~e.~~ The accreditation rating awarded to the school for the current and previous three years.

(1) Advanced Placement (AP) information to include percentage of students who take AP courses and percentage who take AP tests;

(2) International Baccalaureate (IB) information to include percentage of students who are enrolled in IB programs and percentage of students who receive IB Diplomas;

(3) College-level course information to include percentage of students who take college-level courses;

(4) Percentage of (i) diplomas, (ii) certificates awarded to the senior class including GED certificates, and (iii) students who do not graduate;

(5) Percentage of students in alternative programs that do not lead to a Standard [~~or~~,] Advanced Studies [, or Basic] Diploma;

(6) Percentage of students in academic year Governor's Schools; and

(7) Percentage of drop-outs.

3. Cooperate with business and industry in formulating [~~vocational career and technical~~] educational programs and conduct joint enterprises involving personnel, facilities, training programs, and other resources.

4. Encourage and support the establishment *and/or continuation* of a parent-teacher association or other organization and work cooperatively with it.

B. At the beginning of each school year, schools shall provide to its students' parents or guardians:

1. The ~~academic learning~~ objectives developed in accordance with the provisions of 8 VAC 20-131-70 to be achieved at their child's grade level or, in high school, a copy of the syllabus for each of their child's courses, and a copy of the school division promotion, retention, and remediation policies;

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

3. An annual notice to students of all grade levels of all requirements for Standard and Advanced Studies Diplomas, *and the board's policies on promotion and retention as outlined in 8 VAC 20-131-30.*

[*No later than the end of the first semester of each school year, the division superintendent shall certify to the department compliance with this subsection.*]

8 VAC 20-131-280. Expectations for school accountability.

A. Schools will be accredited annually based on compliance with pre-accreditation eligibility requirements and achievement of the school accountability requirements of 8 VAC 20-131-300 D.

B. These standards apply to schools for all grade levels, K through 12, as listed below:

1. Schools with grades K through 5 shall be classified as elementary schools;

2. Schools with grades 6 through 8 shall be classified as middle schools;

3. Schools with grades 9 through 12 shall be classified as secondary schools.

4. Schools with grade configurations other than these shall be classified in accordance with policies and practices of the Department of Education.

A. C. Each school shall be accredited based, primarily, on achievement of the criteria established in 8 VAC 20-131-30 as specified below:

1. All students enrolled in a grade or course in which a SOL test is administered shall take each applicable SOL test unless exempted from participating in all or part of the testing program by one of the following:

- a. IEP or 504 Plan;
- b. LEP committee; [or]
- c. Use of alternate means for verified units of credit as outlined in 8 VAC 20-131-110 B [-, or]
- [d. In accordance with 8 VAC 20-131-30 B.]

2. [~~Evaluating~~ In a manner prescribed by the board, the evaluation of] the performance of schools shall take into consideration:

a. The percentage of eligible students who achieve a passing score on the prescribed SOL tests or other assessments used for verified units of credit as outlined in 8 VAC 20-131-110 B;

[b. The percentage of students who pass the literacy and numeracy tests required for the Basic Diploma;]

[~~b. c.~~] The percentage of those students with disabilities whose IEPs or 504 Plans specify their participation in alternate assessment who attain a proficient level score (beginning with the 2000-01 school year); and

[~~c. d.~~] The school's [~~annual improvement attainment of the provisional accreditation benchmarks~~] as described in 8 VAC 20-131-300 D.

[e. The number of students who initially fail and subsequently pass SOL tests in English (reading, literature, and research) and/or mathematics during any scheduled administration by the end of the next school year.

3. The awarding of an accreditation rating shall be based on the percentage of students passing SOL tests or approved alternative measures described in 8 VAC 20-131-110 B on a trailing three-year average that includes the current year scores and the scores from the two most recent years in each applicable academic area, or the most current year's scores, whichever is higher.]

[~~3. 4.~~] Eligible students shall be defined as the total number of students enrolled in the school at a grade or course for which [~~an a~~] SOL test is required unless excluded under subsection E of this section and those students with disabilities who participate in the alternate assessment program.

1. ~~Elementary~~ [4. 5.] 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 SOL tests [or other alternative measures approved by the board] in the four core academic areas ~~for their respective grades administered in the school.~~

~~2. Middle schools shall be evaluated by achievement of eligible students on the SOL tests in the four core 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 SOL tests taken.~~

~~4. Schools with grade configurations other than those identified in 8 VAC 20-131-290 E for elementary, middle, or secondary schools shall be evaluated by student achievement on state SOL tests for the grades identified above that are housed in the school.~~

[~~5. 6.~~] Schools with grade configurations that do not house a grade or offer courses for which SOL tests [or other alternative measures approved by the board] are administered will be paired with another school in the division housing one or more of the grades in which SOL tests are administered. The pairing of such schools will be made upon the ~~advice or~~ recommendation of the local superintendent. The schools should have a "feeder" relationship and the grades should be contiguous.

~~6. For purposes of accreditation, eligible students shall be the total number of students enrolled in the school at the grade level of the SOL tests except for those students whose IEP or 504 Plan or LEP committee excludes them from participating in the testing program.~~

B. D. Special purpose schools such as regional ~~or stand-alone~~, special education, alternative, or [~~vocational career and technical~~] schools that serve as the student's school of principal enrollment shall be evaluated on standards appropriate to the ~~school's program~~ programs offered in the school and approved by the board of Education prior to August 1 of the school year for which approval is requested. Every school that awards a diploma shall meet the requirements for secondary schools and for graduation as defined in Parts III (8 VAC 20-131-30 et seq.) and IV (8 VAC 20-131-70 et seq.) of this chapter. Any student graduating from a special purpose school with a Standard [~~or,~~] Advanced Studies [, or Basic] Diploma must meet the requirements prescribed in 8 VAC 20-131-50.

C. ~~Evaluating the performance of schools shall take into consideration the percentage of eligible students who achieve a passing score on the prescribed SOL tests or, for those students with disabilities who cannot participate in the SOL tests, a proficient level score on an alternative assessment prescribed by the board (beginning with school year 2000-2001) and the school's annual improvement during the implementation years toward the established standard school expectations at the various levels as described in 8 VAC 20-131-300 D. Schools with large numbers of transient students or non-English-speaking immigrant students 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.~~

E. When calculating the passing rates on SOL tests for the purpose of school accountability, the following tolerances for limited English proficient (LEP) and transfer students will apply:

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1. LEP students shall have a one time exemption in each of the four core areas for SOL tests designed to assess SOL content in grades K through 8.

2. LEP students shall not be exempted from participating in the SOL end-of-course testing.

3. The scores of LEP students enrolled in Virginia public schools fewer than 11 semesters shall be removed from the calculation used for the purposes of school accreditation required by 8 VAC 20-131-280 C and 8 VAC 20-131-300 D. Completion of a semester shall be based on school membership days. Membership days are defined as the days the student is officially enrolled in a Virginia public school, regardless of days absent or present. For a semester to count as a completed semester, a student must have been in membership for a majority of the membership days of the semester. Semesters need not be consecutive.

4. In accordance with the provisions of 8 VAC 20-131-30, all students who transfer into Virginia public schools are expected to take and pass all applicable SOL tests unless they have been exempted as defined in subdivision C 1 of this section.

5. All students who transfer within a school division shall have their scores counted in the calculation of the school's accountability (accreditation) rating. Students who transfer into a Virginia school from another Virginia school division, another state, or another country, in grades K through 8 shall be expected to take all applicable SOL tests [or other alternative measures approved by the board]. However, if the transfer takes place after the 20th instructional day following the opening of school, the scores on these tests will not be used in calculating school accountability (accreditation) ratings.

6. Students who transfer into a Virginia middle or high school from another state or country and enroll in a course for which there is an end-of-course SOL test shall be expected to take the test [or other alternative measures approved by the board] for that course. However, if the transfer takes place after 20 instructional hours per course have elapsed following the opening of school or beginning of the semester if applicable, the scores on those tests will not be used in calculating school accountability (accreditation) ratings in the year the transfer occurs.

~~D. F.~~ As a prerequisite to the awarding of an accreditation rating as defined in 8 VAC 20-131-300, each new or existing school shall document, in a manner prescribed by the board, ~~its~~ the following: (i) [the division's promotion/retention policies developed in accordance with the requirements of 8 VAC 20-131-30, (ii)] compliance with the requirements to offer courses that will allow students to complete the graduation requirements in 8 VAC 20-131-50, [~~(iii)~~ (iii)] the ability to offer the instructional program prescribed in 8 VAC 20-131-70 through 8 VAC 20-131-100, [~~(iv)~~ (iv)] the leadership and staffing requirements of 8 VAC 20-131-210 through 8 VAC 20-131-240, and [~~(v)~~ (v)] the facilities and safety provisions of 8 VAC 20-131-260.

8 VAC 20-131-290. Procedures for certifying accreditation eligibility.

A. Schools will be ~~initially~~ accredited under these standards annually based on compliance with the pre-accreditation criteria described in 8 VAC 20-131-280 ~~D. F.~~

B. To be eligible for accreditation, the principal of each school and the division superintendent shall certify to the Department of Education:

1. The extent to which each school meets standards reported as met in the previous year described in 8 VAC 20-131-280 ~~D and shall submit information on F.~~

2. That the SOL have been fully incorporated into the school division's curriculum in all accreditation-eligible schools and the SOL material is being taught to all students eligible to take the SOL tests. This shall be verified in writing to the board no later than July 1 of every year, by each local school division superintendent.

3. Actions taken to correct any ~~warnings or advisements~~ noncompliance issues cited in the previous year.

The principal of each school and the division superintendent shall submit, ~~as required,~~ pre-accreditation eligibility reports in a manner prescribed by the board, ~~through the division superintendent,~~ and to the Department of Education. Failure to submit the reports on time will constitute grounds for denying accreditation to the school.

C. In keeping with provisions of the Standards of Quality, and in conjunction with the six-year plan of the 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 *biennial* plan. ~~Except for the biennial school plan, written divisionwide plans available in and applicable to each school may be used to satisfy all other written plans required in these standards. Schools may use other plans to satisfy the requirement for the biennial plan with prior written approval from the Department of Education.~~

D. With the approval of the local school board, local schools seeking to implement experimental or innovative programs, or both, that are not consistent with accreditation standards or other regulations promulgated by the board shall submit a waiver request, on forms provided, to the board of ~~Education~~ for evaluation and approval prior to implementation. The request must include the following:

1. Purpose and objectives of the experimental/innovative programs,;
2. Description and duration of the programs,;
3. Anticipated outcomes, ~~outline, length,~~;
4. Number of students affected, ~~and,~~
5. Evaluation procedures; and
6. Mechanisms for measuring goals, objectives, and student academic achievement.

Except as specified below, 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 in 8 VAC 20-131-30, 8 VAC 20-131-50, 8 VAC 20-131-70, and 8 VAC 20-131-280 through 8 VAC 20-131-340 shall not be granted, and no waiver may be approved for a program which would violate the provisions of the Standards of Quality.

~~E. These standards apply to schools for all grade levels, K through 12, as listed below:~~

- ~~1. Schools with grades K through 5 shall be classified as elementary schools;~~
- ~~2. Schools with grades 6 through 8 shall be classified as middle schools;~~
- ~~3. Schools with grades 9 through 12 shall be classified as secondary schools.~~

8 VAC 20-131-300. Application of the standards.

A. Existing Schools which ~~that~~ meet the pre-accreditation requirements prescribed in 8 VAC 20-131-280 ~~may~~ *F* shall be assigned one of the following ratings as described in this section: ~~fully accredited, provisionally accredited, accredited with warning, or accreditation denied.~~

1. *Earned During Academic Years Ending in 2000 through 2003:*

a. *Fully Accredited*

- ~~[(1) Fully Accredited with Honors~~
- ~~(2) Fully Accredited with High Honors]~~

b. *Provisionally Accredited [/Meets State Standards]*

c. *Provisionally Accredited/Needs Improvement*

d. *Accredited with Warning in (specified academic area or areas)*

e. *Conditionally Accredited*

2. *Earned During Academic Years Ending in 2004 and 2005:*

a. *Fully Accredited*

- ~~[(1) Fully Accredited with Honors~~
- ~~(2) Fully Accredited with High Honors]~~

b. *Accredited with Warning in (specified academic area or areas)*

c. *Conditionally Accredited*

3. *Earned During Academic Years Ending in 2006 and Beyond*

a. *Fully Accredited*

- ~~[(1) Fully Accredited with Honors~~
- ~~(2) Fully Accredited with High Honors]~~

b. *Accredited with Warning in (specified academic area or areas)*

c. *Accreditation Denied*

~~[(4) d.] Accreditation [Denied Withheld] /Improving School Near Accreditation (not to be used after academic year ending in 2009)~~

~~[(2) Accreditation Denied/Reconstituted School (not to be used after academic year ending in 2009)~~

~~(3) Accreditation Denied/Failed to Reconstitute (not to be used after academic year ending in 2009)]~~

~~B. New schools will be awarded the status of conditionally accredited pending an evaluation of the school's achievement performance and when pre-accreditation requirements prescribed in 8 VAC 20-131-280 D have been met.~~

~~C. B. Compliance with the student academic achievement expectations shall be documented to the board directly through the reporting of the results of student performance on SOL tests and other alternative means of assessing student academic achievement as outlined in 8 VAC 20-131-110 B. Compliance with other standards provisions of these regulations will be documented in accordance with procedures prescribed by the board.~~

~~D. C. Accreditation ratings defined.~~

1. Fully accredited. A school will be rated Fully Accredited when the prescribed levels of eligible student performance identified below on SOL tests are met and the school meets pre-accreditation requirements prescribed in 8 VAC 20-131-280 D. For the purposes of school accreditation: its eligible students meet the pass rate of 70% in each of the four core academic areas except in the third [grade and fifth grades] where [, effective with academic year 2003-2004 and beyond,] the pass [rate in science and history is 50%. rates shall be 75% in English. The scores of the third grade science and history/social science SOL tests shall not be used in the calculation of a school's accreditation rating. In schools housing both third and fifth grades, the pass rate in English and mathematics at the third and fifth grades shall be calculated based on the combined pass rates in each of those academic areas.]

a. ~~At third grade, the percentage of students passing shall be as follows: 70% for English/reading, 70% for mathematics, 50% for science, and 50% for history.~~

b. ~~At the fifth and eighth grades, the percentage of students passing shall be 70% in each of the four core disciplines.~~

c. ~~At the secondary school level, the percentage of students passing shall be 70% in each of the four core disciplines.~~

2. ~~Provisionally accredited. A school will 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 SOL tests. The provisionally accredited rating will cease to exist at the end of the 2002-2003 school year.~~

Proposed Regulations

All schools will be rated as provisionally accredited on July 1, 1998.

~~3. Accredited with warning. A school will be accredited with warning when the requirements for the fully accredited rating are not met and, in school years prior to 2003-04, the school fails to meet the requirements for the provisionally accredited rating.~~

~~a. Schools that are accredited with warning shall develop a corrective action plan as described in 8 VAC 20-131-310 designed to improve student achievement on the SOL tests for the grade levels identified in 8 VAC 20-131-280 over two years.~~

~~b. No school may be accredited with warning for more than three consecutive years.~~

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

~~[2. A school will be rated Fully Accredited with Honors when the pass rate reaches or exceeds 80% in each of the four core academic areas.~~

~~3. A school will be rated Fully Accredited with High Honors when the pass rate reaches or exceeds 90% in each of the four core academic areas.~~

~~4. 2.] Provisionally Accredited [/Meets State Standards]. [During the academic years 1999-2000 through 2002-2003,] a school will be rated Provisionally Accredited [/Meets State Standards] when it has met [annual improvement provisional accreditation] benchmarks [as defined in accordance with 8 VAC 20-131-320] but has not met the requirement to be rated Fully Accredited [during the academic years 1999-2000 through 2002-03] .~~

~~[5. 3.] Provisionally Accredited/Needs Improvement. [During the academic years 1999-2000 through 2002-2003,] a school will be rated Provisionally Accredited/Needs Improvement when it fails to meet [improvement provisional accreditation] benchmarks as defined in 8 VAC 20-131-320 [of these regulations,] in one or more academic area(s) [during the academic years 1999-2000 through 2002-03] .~~

~~[6. 4.] Accredited with Warning (in specific academic area or areas).~~

~~a. [During academic years ending in 2000-2003,] based on a school's academic performance as set forth herein [during academic years ending in 2000-03], a school will be Accredited with Warning (in specific academic area or areas) if its pass-rate performance on SOL tests is 20 or more percentage points below any of [annual improvement the provisional accreditation] benchmarks set forth in the appendix to these standards.~~

~~b. Based on a school's academic performance during academic years ending in 2004 and 2005, a school will be Accredited with Warning in (specific academic area or areas) if it does not meet the pass-rate requirements to be Fully Accredited.~~

~~c. Based on a school's academic performance during academic years ending in 2006 and beyond, a school will be Accredited with Warning in (specific academic area or areas) if it has achieved Fully Accredited status but has failed to meet the requirements to maintain that status in any one year. Following 2006, a school may remain in the Accredited with Warning status for no more than three consecutive years.~~

~~[7. 5.] Accreditation Denied. Based on a school's academic performance as set forth herein during academic years ending in 2006 and beyond, a school shall be rated Accreditation Denied if it fails to meet the requirements to be rated Fully Accredited, except for schools rated Accredited with Warning as set forth in subdivision 4 c of this subsection.~~

~~[8. 6.] Accreditation [Denied Withheld] /Improving School Near Accreditation. A school that has never met the requirements to be rated Fully Accredited by end of the academic year ending in 2006 may apply to the board for this accreditation designation. To be eligible, the school must meet the following criteria:~~

~~a. [By the year ending in 2006,] at least 70% of its students must have passed the applicable English SOL tests [in the year ending in 2006, except at third and fifth grade where the requirement is 75%.]~~

~~b. [At least By the year ending in 2006, an average of] 60% of its students must have passed the SOL tests in the other three core academic areas [in the year ending in 2006, except at the third grade where this requirement applies to mathematics only.]~~

~~c. In each academic area in which the pass rate is below 70%, the school's pass rate must have increased by at least 25 percentage points as compared to the pass rates on tests taken during the academic year ending in 1999. [At the third grade, the requirement applies to mathematics only.]~~

~~To retain this rating, a school must continue to show annual improvement in each academic area in which the pass rate is below 70%. This rating will cease to exist after the academic year ending in 2009.~~

~~[9. Accreditation Denied/Reconstituted School. A school that has failed to meet the requirements to be rated Fully Accredited or Accredited with Warning after the academic year ending in 2006 may apply to the board for the designation of Accreditation Denied/Reconstituted School. The board may grant this designation to the applicant school if the school effectively completes a reconstitution in accordance with the criteria set forth in subdivision D-9 of this section. This designation will cease to exist after the academic year ending in 2009.~~

~~10. Accreditation Denied/Failed to Reconstitute. Following the academic year ending in 2006, a school~~

~~that has failed to meet the requirements to be rated Fully Accredited or Accredited with Warning and which has not been approved by the board for either of the ratings in subdivision 6 or 7 of this subsection shall be rated Accreditation Denied/Failed to Reconstitute. This designation will cease to exist after the academic year ending in 2009.]~~

[44. 7.] Conditionally Accredited. New schools that are comprised of students from one or more existing schools in the division will be awarded this status [for one year] pending an evaluation of the school's eligible students' performance on SOL tests [or other alternative measures described in 8 VAC 20-131-110 B] to be rated Fully Accredited [for a period not to exceed two years].

[In the second year, if the school does not meet the requirements to be rated Fully Accredited or higher, it will retain its Conditionally Accredited status for another year. School improvement targets shall be set in accordance with 8 VAC 20-131-320 for ratings in subsequent years.]

D. Action requirements for ratings.

1. Effective with the end of the academic year 1999-2000, the board will establish year-by-year pass-rate benchmarks that must be met in each academic area for a school to achieve a rating of Provisionally Accredited [/Meets State Standards]. The benchmarks shall be based on test results [, combining pass rates] on all tests administered in [a the] school [within each academic area] .

2. Schools that fail to meet the [provisional accreditation] benchmarks [defined in accordance with 8 VAC 20-131-320] to be rated Provisionally Accredited [/Meets State Standards] shall be rated either Provisionally Accredited/Needs Improvement or, in the case of schools that fall 20 percentage points or more below one or more benchmarks, Accredited with Warning in (Academic Area).

3. The [provisional accreditation] benchmarks shall be incorporated into these regulations as an appendix to these standards.

4. With such funds as are appropriated by the General Assembly, the Department of Education shall develop a school academic review process and monitoring plan designed to assist schools rated as Accredited with Warning. All procedures and operations for the academic review process shall be approved and adopted by the board.

5. Any school that is rated Accredited with Warning in English or mathematics is expected to adopt an instructional method that has a proven track record of success at raising student achievement in those areas as appropriate.

6. The superintendent and principal shall certify in writing to the board that such a method has been adopted and implemented.

7. The board shall publish a list of recommended instructional methods.

8. Adoption of instructional methods referenced in subdivisions 5 and 7 of this subsection shall be funded by eligible local, state and federal funds.

[9. A school that seeks the reconstituted status shall be reconstituted under the supervision of an improvement audit team in consultation with the division superintendent. The reconstitution shall include:

a. A request to the board from the local school board seeking a rating of Accreditation Denied/Reconstituted School for any school in the division shall include an agreement to conduct significant review and needs assessment of the school by an Improvement Audit Team (hereinafter "Team"). All procedures and operations for the improvement audit teams shall be approved and adopted by the board. The review and needs assessment shall include, but not be limited to:

(1) Evaluation of the performance of all personnel in the school and the central office, the school's operating procedures and the school board's policies;

(2) The level of parent participation in the school program; and

(3) Certification as to whether the school adopted an instructional method with a proven track record as expected by subdivision 5 of this subsection.

b. An evaluation of school operations including:

(1) An evaluation of the principal for retention, transfer or dismissal by the Team with the appropriate action taken by the local school division based on the Team's recommendations;

(2) An evaluation of the teaching staff for retention, transfer or dismissal, with appropriate action taken by the local school division based on the recommendation of the Team. The principal (either retained or newly hired) shall take part in the evaluation of the teaching staff as an equal partner with the Team; and

(3) As a part of the evaluation of the school and its staff, the following factors shall be considered:

(a) The level of improvement on the SOL tests demonstrated by the school in each academic areas since 1998;

(b) The performance of the school's students on the two most recent Stanford Achievement Test Series, 9th Edition (or then equivalent) nationally-normed test used in the Virginia State Assessment Program; and

(c) The level of cooperation with the Team demonstrated by the school when the school was rated Accredited with Warning, including whether the school implemented the instructional models recommended for schools which fell more than 20 percentage points below the benchmarks in English or mathematics.

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~~(d) Meaningful input of teachers of the school in the development of the reports submitted to the board and the school's reconstitution plan; and~~

~~(e) Input of parents concerning the reconstitution process and goals.~~

~~The board may approve as an acceptable reconstitution alternative remedial actions that have been effectively implemented by the school or local school board that the board believes represent fundamental changes in the operations of the school that are designed to achieve the rating of "Fully Accredited."~~

~~Schools that receive this status shall annually report their progress toward meeting the requirements to be rated Fully Accredited to the Governor, the chairmen of the House and Senate Education, Senate Finance, and House Appropriations committees of the General Assembly, and the board.]~~

~~[40. 9.] In any school division in which one-third or more of the schools have been rated Accreditation Denied, the superintendent shall be evaluated by the local school board with a copy of such evaluation submitted to the board no later than [July December] 1 of each year in which such condition exists.~~

8 VAC 20-131-310. Improvement planning for schools that are accredited with warning.

A. Schools that are rated Accredited with Warning must undertake improvement planning targeted to increasing student achievement as measured by the SOL tests immediately upon receipt of the results of an academic review conducted in accordance with policies and operations adopted by the board. The plan shall be developed collaboratively by the principal and teaching staff of the school. Parents shall be included in the planning process. The plan should be completed by the end of the first semester and, to the extent possible, implemented in the second semester.

B. A corrective action plan must be developed upon receipt of notification of the awarding of this rating. The plan must be signed by the principal and the local 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 made available to the public. During the implementation years from 1998-2002, 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 to meet the student achievement standard to be fully accredited as outlined in 8 VAC 20-131-300 D 1. If a school continues to be accredited with warning during the 2001-02 school year, the school shall submit by October 1, 2002, an improvement plan to the Board of Education with the components outlined in 8 VAC 20-131-310 D in a manner prescribed by the Board of Education. The plan shall be implemented not later than the beginning of the 2003-04 school year.

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

~~15 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 from among the top 10% of schools in each category on the state SOL tests. Each member of the committee shall serve for no more than two years. Terms of service shall be designed to provide continuity to the group as a whole.~~

~~B. A three-year School Improvement Plan must be developed and implemented, based on the results of an academic review of each school that is rated Accredited with Warning upon receipt of notification of the awarding of this rating and receipt of the results of the academic review.~~

~~1. The plan shall be developed with the assistance of parents and teachers and made available to the public.~~

~~2. The plan must include the components outlined in subsection D of this section.~~

~~3. The improvement plan must be approved by the division superintendent and the local school board and be designed to assist the school in meeting the student achievement standard to be Fully Accredited as outlined in 8 VAC 20-131-300.~~

~~D. C. The plan shall address the [annual improvement provisional accreditation] benchmarks set in accordance with the provisions of 8 VAC 20-131-320. In addition, the improvement plan shall include each of the following:~~

~~1. How the school will meet the [school improvement provisional accreditation] benchmarks for each of the years covered by the plan,~~

~~2. Specific measures for achieving and documenting student academic improvement,~~

~~3. Amount of time in the school day devoted to instruction in the core academic areas,~~

~~4. Instructional practices designed to remediate currently failing students who have not been successful on SOL tests,~~

~~5. Intervention strategies designed to prevent future students from experiencing similar failure further declines in student performance,~~

~~6. Staff development required, assistance needed, and~~

~~7. Strategies to involve and assist parents in raising their child's academic performance,~~

~~8. Flexibility or waivers to state or local regulations necessary to meet the objectives of the plan., and~~

~~9. A description of the manner in which local, state and federal funds are used to support the implementation of the components of this plan.~~

~~As part of its approval of the corrective action school improvement 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 a waiver is available.~~

~~E. D. Schools in this rating rated Accredited with Warning shall document to assure their community that appropriate and effective instructional intervention or remediation, or both, and additional instructional time is being provided for those students:~~

- ~~(i) 1. Not achieving a passing score of proficient on the SOL tests,~~
- ~~or (ii) 2. Not passing the Literacy Passport Tests., or~~
- ~~3. Students identified as at-risk.~~

~~E. The school improvement plan and related annual reports submitted to the board shall provide documentation of the continuous efforts of the school to achieve the requirements to become rated Fully Accredited and be sealed by clerk of board. The board shall adopt and approve all policies and formats for the submission of annual reports under this section. The reports shall be due no later than October 1 of the school year.~~

8 VAC 20-131-320. School improvement levels.

The board of Education will set the minimum acceptable [level levels] of annual school improvement required for a school ~~accredited with warning beginning at the end of the 1999-2000 academic year to achieve the rating of Provisionally Accredited [/Meets State Standards]~~. These improvement levels are outlined in the appendix to these standards. The benchmarks are based on test results [, combining pass rates on for] all tests [within each academic area administered in the school] . In no event shall a school be awarded the status of fully accredited if the minimum student pass rate established by the board is not met.

8 VAC 20-131-325. Recognitions and rewards for school accountability performance.

~~A. Schools [rated as Fully Accredited with High Honors, Fully Accredited with Honors, Fully Accredited, or Provisionally Accredited shall may] be recognized by the board in accordance with procedures it shall establish. Such recognition may include:~~

- 1. Public announcements recognizing individual schools;
- 2. Tangible rewards;
- 3. Waivers of certain board regulations;
- 4. Exemptions from certain reporting requirements; [or]
- ~~[5. Recognition as a Superior School of Merit; or~~
- ~~6. 5.] Other commendations deemed appropriate to recognize high achievement.~~

In addition to board recognition, local school boards shall adopt policies to recognize individual schools through public announcements, media releases, participation in community activities for input purposes when setting policy relating to schools and budget development, as well as other appropriate recognition.

~~[B. Schools and school divisions may be eligible to receive recognition as follows:~~

~~1. Superior School of Merit. The designation of Superior School of Merit is the highest recognition and honor that a school can receive in Virginia. To be recognized as a Superior School of Merit, a school must make application to and be approved by the board in accordance with the policies and guidelines established by the board. A school may qualify for this recognition by: (i) achieving the accreditation status of Accredited with High Honors, Accredited with Honors, or Fully Accredited and (ii) by providing assistance to schools rated as Provisionally Accredited, Provisionally Accredited/Needs Improvement or Accredited with Warning. The board shall formally award and recognize all Superior Schools of Merit on an annual basis.~~

~~2. Superior School Division of Merit. The designation of Superior School Division of Merit is the highest recognition and honor that a local school division can receive in Virginia. To be recognized as a Superior School Division of Merit a school division must make application to and be approved by the board in accordance with the policies and guidelines established by the board. To be recognized as a Superior School Division of Merit, a school division must have at least:~~

- ~~a. 50% of its schools recognized as Superior Schools of Merit; or~~
- ~~b. 25% of its schools recognized as Superior Schools of Merit and central office staff provides technical assistance to a school or schools outside the division that are rated as Provisionally Accredited, Provisionally Accredited/Needs Improvement, or Accredited with Warning in accordance with policies and guidelines adopted by the board.~~

~~The board shall formally award and recognize all Superior School Divisions of Merit on an annual basis.]~~

~~[C. B.] A school that [achieves a rating of Fully Accredited with Honors or Fully Accredited with High Honors, maintains a passing rate on SOL tests or other alternative measures approved by the board of 80% or above] may, upon application to the Department of Education, receive a waiver from the following regulations and reporting requirements for a period of up to three years [or as long as the schools maintain a passing rate on SOL tests of 70% or above] :~~

- 8 VAC 20-131-80. Instructional Programs in Elementary Schools
- 8 VAC 20-131-90. Instructional Programs in Middle Schools
- 8 VAC 20-131-100. Instructional Programs in Secondary Schools
- 8 VAC 20-131-110. Standard and Verified Units of Credit (Clock Hour Requirement Only)
- 8 VAC 20-131-120. Summer School
- 8 VAC 20-131-130. Elective Credit
- 8 VAC 20-131-140. College Preparatory Programs and Opportunities for Postsecondary Credit

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8 VAC 20-131-150. Standard School Year and School Day

8 VAC 20-131-190. Library Media, Materials and Equipment

8 VAC 20-131-200. Extracurricular and Other School Activities

8 VAC 20-131-210. Role of the Principal

8 VAC 20-131-220. Role of Professional Staff

8 VAC 20-131-230. Role of Support Staff

8 VAC 20-131-240. Administrative and Support Staff Required

8 VAC 20-131-250. Alternative Staffing Plan

[~~D.~~ C. Schools may be eligible to receive the] Governor's Award for Outstanding Improvement. This award will be given to schools in each classification defined in 8 VAC 20-131-280 B rated below Fully Accredited that exceed the improvement levels defined in 8 VAC 20-131-320 by 10 percentage points or more in one year. In addition, any school that raises its rating from Accredited with Warning to Fully Accredited in one year will receive this award when it was 10 percentage points or more below the performance level to be rated Fully Accredited.

[~~E.~~ Exemplary instructional method of high distinction.

~~1. The designation of Exemplary Instructional Method of High Distinction is the an honor awarded by the board to recognize instructional methods that have been highly successful in improving student achievement. To be recognized as an Exemplary Instructional Method of High Distinction, an applicant must make application to and be approved by the board in accordance with the policies and guidelines established by the board. An instructional method that has not been commercially developed may qualify for this recognition by having a demonstrated and documented proven track record of success in improving the academic achievement of pupils in:~~

- ~~a. At least 11 public schools in one school division; or,~~
- ~~b. Seven school divisions that have used the same method.~~

~~2. This award shall be awarded annually by the board.~~

~~F.~~ Exemplary Administrative Method of Distinction.

~~1. The designation of Exemplary Administrative Method of High Distinction is an honor awarded by the board to recognize administrative methods that have improved school operations that resulted in improvement student achievement. To be recognized as a Exemplary Administrative Method of High Distinction, an applicant must make application to and be approved by the board in accordance with the policies and guidelines established by the board. An administrative method that has not been commercially developed may qualify for this recognition by having a demonstrated and documented successful, proven, track record of success in improving the academic achievement of pupils in:~~

- ~~a. At least 11 public schools in one school division; or,~~
- ~~b. Seven school divisions that have used the same method.~~

~~2. This distinction will be awarded annually by the board.~~

~~G.~~ Master Principal of Distinction.

~~1. The designation of Master Principal of Distinction is an honor awarded by the board to outstanding principals in Virginia public schools. To be recognized as a Master Principal of Distinction, application must be made to, and be approved by, the board in accordance with policies and guidelines established by the board. The application must show, at a minimum, that the principal has mentored at least two other principals.~~

~~2. This distinction will be awarded on an annual basis.~~

~~H.~~ Master Teacher of Distinction.

~~1. The designation of Master Teacher of Distinction is an honor awarded by the board to outstanding teachers in a Virginia public school. To be recognized as a Master Teacher of Distinction, application must be made to, and be approved by, the board in accordance with the policies and guidelines established by the board. The application must show, at a minimum, that the teacher has mentored at least two other teachers.~~

~~2. This distinction will be awarded on an annual basis.~~

~~I.~~ Master Creative Educator.

~~1. The designation of Master Creative Educator is an honor awarded by the board to recognize the use of creativity in Virginia public schools. To be recognized as a Master Creative Educator, application must be made to, and be approved by, the board in accordance with the policies and guidelines established by the board. The application must show, at a minimum, that the educator has demonstrated creativity in the education environment.~~

~~2. This distinction will be awarded on an annual basis.~~

8 VAC 20-131-335. Special provisions.

The board may enact special provisions related to the administration and use of any SOL test or tests in a content area as applied to this chapter for any period during which the SOL content in that area is being revised and phased in.]

8 VAC 20-131-340. Effective dates [; sanctions] .

A. With the exception of certain provisions identified in this section, this chapter is effective October 29, 1997.

B. A. The units of credit requirements for graduation described in 8 VAC 20-131-50 are effective with the ninth grade class of 1998-99 for the graduating class of 2002. Only standard units of credit will be available until the implementation of the requirement of verified units of credit. Students entering the ninth grade prior to the 1998-99 school year shall meet the requirements of standards adopted by the board that became effective in October 1992.

~~C. B.~~ The requirement for verified units of credit based on student performance on the SOL tests related to courses will become effective for graduation with the ninth grade class of 2000-01 for the graduating class of 2004.

~~D.~~ Each school that does not meet the requirements to be rated fully accredited will be rated as provisionally accredited during the implementation period of 1998-1999 through 2002-2003 provided there is annual improvement in the percentage of the school's eligible students who earn a passing score on each of the SOL tests and the school continues to meet the pre-accreditation requirements of 8 VAC 20-131-280. ~~D.~~ If there is no improvement or there is a decline in the SOL test result percentages over the previous year, the school will be rated accredited with warning. Schools that meet the requirements to be rated fully accredited will be upgraded to that rating. *C. Beginning with the 2000-01 school year, schools rated Accredited with Warning must undergo an academic review in accordance with guidelines adopted by the board and prepare a school improvement plan as required by 8 VAC 20-131-310.*

~~E. D.~~ Beginning with the 2003-2004 accrediting cycle, each school will be expected to meet the level of performance established for a Fully Accredited rating in accordance with the provisions of 8 VAC 20-131-300. Schools not meeting this requirement will be rated Accredited with Warning.

~~E. [Beginning with the accreditation ratings earned during the 2007-08 school year, the awarding of an accreditation rating shall be based on the percentage of students passing SOL tests on a trailing three-year average of passing percentages in each of the four core academic areas, or the most current year's scores, whichever is higher. Any school in violation of this chapter shall be subject to appropriate action by the board including, but not limited to, the adjustment or loss of a school's accreditation.]~~

2001-02	66%	[65% 65]	66%	[60% 50%]
2002-03	70%	70%	70%	[70% 55%]

Middle (includes any tests given in middle school grades)

1999-00	60%	55%	60%	[45% 40%]
2000-01	63%	60%	63%	[50% 45%]
2001-02	66%	65%	66%	[60% 50%]
2002-03	70%	70%	70%	[70% 55%]

High School

1999-00	60%	55%	55%	[45% 40%]
2000-01	63%	60%	60%	[55% 45%]
2001-02	66%	65%	65%	[65% 50%]
2002-03	70%	70%	70%	[70% 55%]

* Schools that do not meet the benchmarks (but are within 19 percentage points in each academic area) will be rated "Provisionally Accredited/Needs Improvement"

** Schools that are 20 or more percentage points below the benchmarks in any academic area will be rated "Accredited with Warning in (academic area)"

[Note: The Provisionally Accredited ratings will cease to exist after school year 2002-2003. Prior to school year 2003-2004, schools must achieve pass rates of 70% in all applicable core academic areas to be rated Fully Accredited. Beginning in school year 2003-2004, schools must achieve pass rates of 75% in English in third and fifth grades and 70% in the other applicable core academic areas to be Fully Accredited.]

VA.R. Doc. No. R99-240; Filed May 12, 2000, 3:55 p.m.

APPENDIX I

[Improvement] Chart for Provisional Accreditation [Benchmarks] Through 2003

Each School Must Meet [the] Following [Annual] Pass-Rate Benchmarks in Tests Given in the Academic Years Indicated to Earn Provisional Accreditation [/Meets State Standards] :

	English	Math	Science	History/Soc. Studies
<i>Grade 3</i>				
1999-00	60%	[60% 55%]	[50%]	50%
2000-01	63%	[63% 60%]	[50%]	50%
2001-02	66%	[66% 65%]	[50%]	50%
2002-03	70%	70%	[50%]	50%
<i>Grade 5 (includes tests given in Grade 4)</i>				
1999-00	60%	[50% 55%]	60%	[45% 40%]
2000-01	63%	[55% 60%]	63%	[50% 45%]

TITLE 15. JUDICIAL

VIRGINIA STATE BAR

REGISTRAR'S NOTICE: The Virginia State Bar is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency which by the Constitution is expressly granted any of the powers of a court of record.

Title of Regulation: 15 VAC 5-80-10 et seq. **Regulations under the Virginia Consumer Real Estate Settlement Protection Act.**

Statutory Authority: § 6.1-2.25 of the Code of Virginia.

Summary:

The proposed regulations are promulgated by the Virginia State Bar pursuant to the Consumer Real Estate Settlement Protection Act (CRESPA), which governs lawyers, title agents, title companies, real estate brokers and financial institutions in their capacity as real estate settlement agents. The regulations require settlement

Proposed Regulations

agents to register with the Virginia State Bar and pay a fee. They also require periodic reregistration and create a duty to inform the Virginia State Bar of changes in registration data. The registration may be suspended or revoked for failure to comply with CRESPA or the regulations. The regulations establish additional requirements for attorney settlement agents and provide for a penalty of up to \$5,000 for violations by attorney settlement agents.

Agency Contact: Copies of the regulation may be obtained from the Virginia State Bar website at www.vsb.org, or from Mary Yancey Spencer, Deputy Executive Director, Virginia State Bar, 707 E. Main Street, Suite 1500, Richmond, VA 23219-2800, telephone (804) 775-0575.

CHAPTER 80. REGULATIONS UNDER THE VIRGINIA CONSUMER REAL ESTATE SETTLEMENT PROTECTION ACT.

15 VAC 5-80-10. Authority; applicability; scope.

These regulations are issued by the Virginia State Bar pursuant to and under the authority of the Virginia Consumer Real Estate Settlement Protection Act (§ 6.1-2.19 et seq. of the Code of Virginia) as enacted by the 1997 session of the General Assembly of Virginia. The Act does not apply to licensed attorneys who provide escrow, closing or settlement services solely for public bodies as defined in § 11-37 of the Code of Virginia; thus, such attorneys are exempt from the registration, certification and separate fiduciary trust account requirements set forth in these regulations.

CRESPA, and therefore these regulations, applies to transactions involving the purchase of or lending on the security of real estate located in Virginia containing not more than four residential units. In addition, a lay settlement agent may provide escrow, settlement and closing services for transactions involving any real property located in Virginia, provided the agent is registered under and in compliance with CRESPA. See the Real Estate Settlement Agent Registration Act (§ 6.1-2.30 et seq. of the Code of Virginia). Lawyer settlement agents are not required to register under CRESPA unless the transaction involves the purchase of or lending on the security of real estate located in Virginia containing not more than four residential dwelling units.

15 VAC 5-80-20. Definitions.

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise.

“Attorney” means a person licensed as an attorney under Chapter 39 (§ 54.1-3900 et seq.) of Title 54.1 of the Code of Virginia and who is an active member of the Virginia State Bar in good standing under the Rules of the Virginia Supreme Court.

“Bar” means the Virginia State Bar.

“Board” means the Virginia Real Estate Board.

“CRESPA” means the Virginia Consumer Real Estate Settlement Protection Act (§ 6.1-2.19 et seq. of the Code of

Virginia). Unless otherwise defined herein, all terms in these regulations shall have the meanings set forth in CRESPA.

“Disciplinary board” means the Virginia State Bar Disciplinary Board.

“Financial institution” has the meaning set forth in § 6.1-2.1 of the Code of Virginia.

“First dollar coverage” means an insurance policy which obligates the company issuing the policy to pay covered claims in their entirety, up to the policy limits, regardless of the presence of a deductible amount to which the company may be entitled as a reimbursement from the insured.

“SCC” means the Virginia State Corporation Commission.

“These regulations” means 15 VAC 5-80-10 et seq., Regulations under the Virginia Consumer Real Estate Settlement Protection Act.

15 VAC 5-80-30. Registration; reregistration; required fee.

Every licensed attorney, title insurance company, title insurance agent or real estate broker, as well as every financial institution authorized to do business in Virginia under any of the provisions of Title 6.1 of the Code of Virginia, or under federal law, and every subsidiary or affiliate of any such financial institution, now providing or offering, or intending to provide or offer, escrow, closing or settlement services as a settlement agent with respect to real estate transactions in Virginia shall register with the Bar on or before September 29, 1997, using the registration form available from the Bar for that purpose. Settlement agents beginning to provide or offer such services after July 1, 1997, shall register with the Bar prior to doing so. The registration requirement in this paragraph shall not apply to attorney settlement agents unless they provide or offer to provide escrow, settlement and closing services for real estate subject to CRESPA, i.e., real estate containing not more than four residential dwelling units. Thus, for example, attorneys who handle only commercial real estate transactions are not subject to these regulations.

Every settlement agent shall thereafter reregister after notice on a schedule established by the Bar, providing updated registration information. Every settlement agent shall have a continuing duty to advise the Bar of any change in name, address or other pertinent registration data that occurs between registrations.

The fee for each registration and reregistration shall be \$35 for an individual settlement agent and \$100 for a settlement agent which is a corporation or other legal entity authorized to register in that capacity. The Bar reserves the right to adjust the fee as necessary within the statutory limit of \$100. The prescribed fee shall accompany each registration or reregistration in the form of a check made payable to the Treasurer of Virginia.

Registration is subject to revocation or suspension if the Bar or other appropriate licensing authority finds the settlement agent out of compliance with CRESPA or regulations issued thereunder.

15 VAC 5-80-40. Unauthorized practice of law guidelines; investigation of complaints.

The Bar will issue guidelines under CRESPA and in consultation with the SCC and the board to assist settlement agents in avoiding and preventing the unauthorized practice of law in connection with the furnishing of escrow, closing or settlement services. In conformity with CRESPA, the rules of the Virginia Supreme Court and the Bar's UPL opinions, these guidelines will delineate activities which can and cannot be carried out by registered nonattorney settlement agents in conducting settlements. The guidelines will be revised from time to time as necessary.

A copy of the guidelines will be provided by the Bar to each registered settlement agent at the time of initial registration and at each reregistration. The guidelines will also be published by the Bar in the Virginia Lawyer Register and furnished to the SCC, the board, and all other state and federal agencies that regulate financial institutions, as well as to members of the general public upon request. The guidelines may be photocopied as necessary.

The Bar will continue to receive and investigate unauthorized practice of law complaints in the real estate settlement area, as well as in other fields, under its unauthorized practice of law rules and procedures.

If the Bar receives complaints against nonattorney settlement agents that do not allege the unauthorized practice of law, it will refer the complaints to the appropriate licensing authority that has jurisdiction over the subject of the complaint. If the complaint involves noncompliance with 15 VAC 5-80-30, the Bar will conduct an informal investigation. If the Bar believes a violation has occurred, it will notify the settlement agent in writing. If the apparent violation is not rectified within 30 days, the Bar will refer the matter to the appropriate licensing authority for further enforcement action.

15 VAC 5-80-50. Attorney settlement agent compliance.

A. Attorney settlement agent certification. Each attorney settlement agent shall, at the time of initial registration and each subsequent reregistration, certify on the form available from the Bar for that purpose, that the attorney settlement agent has in full force and effect the following insurance and bond coverages, and that such coverages will be maintained in full force and effect throughout the time the attorney settlement agent acts, offers or intends to act in that capacity:

1. A lawyer's professional liability insurance policy issued by a company authorized to write such insurance in Virginia providing first dollar coverage and limits of at least \$250,000 per claim covering the licensed attorney acting, offering or intending to act as a settlement agent. The policy may also cover other attorneys practicing in the same firm or legal entity.
2. A blanket fidelity bond or employee dishonesty insurance policy issued by a company authorized to write such bonds or insurance in Virginia providing limits of at least \$100,000 covering all other employees of the attorney settlement agent or the legal entity in which the attorney settlement agent practices.

3. A surety bond issued by a company authorized to write such bonds in Virginia, on a form approved by the Virginia State Bar, providing limits of at least \$100,000 covering the licensed attorney acting, offering or intending to act as a settlement agent. A copy of the approved bond form is available from the Bar. The bond may also cover other attorney settlement agents practicing in the same firm or legal entity. The original surety bond must be attached to the attorney settlement agent's certification form and furnished to the Bar; a surety bond on which a law firm is named as principal may be furnished by the firm or any one attorney settlement agent in the firm, with other such attorney settlement agents in the same firm attaching a copy to their forms.

The Bar reserves the right to require other evidence of the above insurance and bond coverages beyond the attorney's certification and surety bond, at its discretion.

An attorney settlement agent who has no employees other than the attorney settlement agent or other licensed owner(s), partner(s), shareholder(s), or member(s) of the legal entity in which the attorney settlement agent practices may apply to the Bar for a waiver of the coverage required in subdivision A 2 of this section, using the waiver request form available from the Bar. Such waiver requests will be acted on by the Executive Committee of the Bar, whose decision shall constitute final action by the agency.

B. Separate fiduciary trust account. Each attorney settlement agent shall maintain one or more separate and distinct fiduciary trust account(s) used only for the purpose of handling funds received in connection with escrow, closing or settlement services. Funds received in connection with real estate transactions not covered by CRESPA may also be deposited in and disbursed from such account(s). All funds received by an attorney settlement agent in connection with escrow, closing or settlement services shall be deposited in and disbursed from the separate fiduciary account(s) in conformity with both the Bar's disciplinary rules and CRESPA. These separate fiduciary trust accounts shall be maintained in the same manner and subject to the same rules as those promulgated by the Bar for other lawyer trust accounts, as well as in conformity with CRESPA. One separate fiduciary trust account may be maintained and used by all attorney settlement agents practicing in the same firm or legal entity.

C. Settlement statements. All settlement statements for escrow, closing and settlement services governed by CRESPA and these regulations shall be in writing and identify, by name and business address, the settlement agent.

D. Complaints against attorney settlement agents. The Bar shall receive complaints and investigate alleged violations of CRESPA or these regulations by attorney settlement agents.

If, after investigation, the Bar has reasonable cause to believe that one or more violations have occurred, the following procedures shall apply:

1. The attorney settlement agent shall be notified in writing of the violation(s).

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2. *The attorney settlement agent shall have 30 days from the date of such notification to rectify the violation(s) and/or to request a hearing.*

3. *If any violation is not rectified within 30 days and/or the Bar believes the violation presents or presented a risk to consumers protected under CRESPA, the Bar may request a hearing and issue an order requiring the attorney settlement agent to appear at the hearing.*

4. *The hearing shall be held before the Bar's disciplinary board within 60 days of the request by the attorney settlement agent or issuance of the Bar's order to appear.*

5. *If, after the hearing, the attorney settlement agent is found to have violated CRESPA or these regulations, the attorney settlement agent may be subject to the following penalties, at the disciplinary board's discretion:*

- a. A penalty not exceeding \$5,000 for each violation;*
- b. Revocation or suspension of the attorney settlement agent's registration; and*
- c. Any other sanction available to the disciplinary board in attorney disciplinary proceedings under the rules of the Virginia Supreme Court, including, but not limited to, revocation or suspension of the attorney settlement agent's license to practice law.*

<p>NOTICE: The forms used in administering 15 VAC 5-80-10 et seq., Regulations under the Virginia Consumer Real Estate Settlement Protection Act, are listed below and are published following the listing.</p>
--

FORMS

Settlement Agent Official Registration Form for a Corporation or Other Legal Entity (eff. 4/97).

Settlement Agent Official Registration Form for an Individual Attorney, Broker or Title Agent (eff. 1/98).

Settlement Agent Official Re-Registration Form for an Individual Attorney, Broker or Title Agent (eff. 2/98).

Virginia Attorney Real Estate Settlement Agent Financial Responsibility Certification (eff. 2/98).

Bond for Attorney Settlement Agents (eff. 5/97).

Settlement Agent Official Renewal Form for Corporation or Other Entity.

SETTLEMENT AGENT OFFICIAL REGISTRATION FORM
FOR A CORPORATION OR OTHER LEGAL ENTITY



VIRGINIA STATE BAR

REGISTRATION FEE - \$100.00

Please make check payable to the "Treasurer of Virginia."

Choose the capacity in which you are providing real estate settlement services:	<input type="checkbox"/> Licensed Title Insurance Company	<input type="checkbox"/> Licensed Title Insurance Agent (Corporation or other legal entity only)	<input type="checkbox"/> Financial Institution (or affiliate or subsidiary thereof)
Applicable Virginia or Federal Licensing/Regulatory Authority _____			
License or other Identification Number _____			

Full Name of Corporation or other Legal Entity: _____

Name of Officer or Manager of Legal Entity: _____

Business Address: (Required) _____
(Street Address)

(City, State, and Nine-digit zip code)

Telephone Number: (_____) _____ Facsimile Number: (_____) _____

Date on which entity was licensed or otherwise authorized to do business in Virginia: ____/____/____

Is the entity's license or authorization to do business in Virginia in good standing? yes _____ no _____

Taxpayer ID Number (optional): _____

I certify that the information provided above is true and accurate, that I will keep the Bar advised of any changes in the information provided, and that I understand completion of this official registration form may not complete the legal entity's public protection requirements as a settlement agent under the Virginia Consumer Real Estate Settlement Protection Act and regulations under the act which may be issued by its licensing or regulatory authority.

Typed Name of Corporation or other Legal Entity

Typed Name of Officer or Manager

Signature of Officer or Manager

THE INFORMATION SOUGHT IS FOR THE PURPOSE OF MAINTAINING ACCURATE VSB RECORDS NEEDED TO CARRY OUT THE DUTIES SPECIFIED IN TITLE 6.1, CHAPTER 1.3, CODE OF VIRGINIA. THE INFORMATION PROVIDED WILL BE AVAILABLE FOR INSPECTION BY THE PUBLIC UNDER THE FREEDOM OF INFORMATION ACT.

Please complete and return with your registration fee to: Virginia State Bar, Eighth & Main Building, Suite 1500, 707 East Main Street, Richmond, VA 23219-2803.

Questions: Please telephone the Virginia State Bar Membership Department at (804) 775-0530.

4/21/97

Proposed Regulations

SETTLEMENT AGENT OFFICIAL REGISTRATION FORM
FOR AN INDIVIDUAL ATTORNEY, BROKER or TITLE AGENT

VIRGINIA STATE BAR



REGISTRATION FEE - \$35.00

Please make check payable to the "Treasurer of Virginia."

Choose the capacity in which you are providing real estate settlement services:	<input type="checkbox"/> Licensed Attorney (Individual Only)	<input type="checkbox"/> Licensed Real Estate Broker (Individual Only)	<input type="checkbox"/> Licensed Title Insurance Agent (Individual only)
Applicable Virginia Licensing/Regulatory Authority _____			
Bar Identification or License Number _____			

Full Name: Mr. Miss Mrs. Ms. _____
LAST NAME FIRST NAME MIDDLE NAME

(1) Business Address: (Required) _____
(Firm Name)

(Street Address)

(City, State, and Nine-digit zip code)

Telephone Number: (_____) _____ Facsimile Number: (_____) _____

(2) Residence Address: (Optional) _____
(Street Address)

(City, State, and Nine-digit zip code)

Telephone Number: (_____) _____

Please indicate address preference for mailing purposes:

(1) Business _____ or (2) Residence _____

Date on which you were licensed in Virginia: ____/____/____

Is your license in Virginia in good standing? yes _____ no _____

SSN (optional): _____ - _____ - _____ Date of Birth: ____/____/____

I certify that the information provided above is true and accurate, that I will keep the Bar advised of any changes in the information provided, and that I understand completion of this official registration form does not complete my public protection requirements as a settlement agent under the Virginia Consumer Real Estate Settlement Protection Act and regulations under the act which may be issued by my licensing or regulatory authority.

Signature: _____

THE INFORMATION SOUGHT IS FOR THE PURPOSE OF MAINTAINING ACCURATE VSB RECORDS NEEDED TO CARRY OUT THE DUTIES SPECIFIED IN TITLE 6.1, CHAPTER 1.3, CODE OF VIRGINIA. THE INFORMATION PROVIDED WILL BE AVAILABLE FOR INSPECTION BY THE PUBLIC UNDER THE FREEDOM OF INFORMATION ACT.

Please complete and return with your registration fee to: Virginia State Bar, Eighth & Main Building, Suite 1500, 707 East Main Street, Richmond, VA 23219-2803.

Questions: Please telephone the Virginia State Bar Membership Department at (804) 775-0530.

1/14/98

DUE BY	VIRGINIA STATE BAR	Questions: (804)775-0530
SETTLEMENT AGENT OFFICIAL RE-REGISTRATION FORM FOR AN INDIVIDUAL ATTORNEY, BROKER or TITLE AGENT		

The following information is on record:

CRESPA ID#:
Present Status:

Bond Issuer:
Bond Number:
License Date:
Tax ID# (optional):
SSN (optional):

Virginia License is in good standing

Please print necessary changes here:

Name: _____
Address: _____

City, State: _____
Zip+4: _____
Phone:() _____
Fax:() _____

Additionally, update my VSB membership record to reflect these changes.

Status: _____
Bond Issuer: _____
Bond Number: _____
License Date: _____
Tax ID# (optional): _____
SSN (optional): _____

Virginia License is in good standing _____

I no longer handle real estate closings and will not be re-registering under CRESPA.

I certify that the information provided above is true and accurate and I will keep the Bar advised of any changes in the information provided. I understand completion of this official renewal form **does not** complete my public protection requirements as a settlement agent under the Virginia Consumer Real Estate Settlement Protection Act and regulations under the act which may be issued by my licensing or regulatory authority.

Signature: _____ Date: _____

THE INFORMATION SOUGHT IS FOR THE PURPOSE OF MAINTAINING ACCURATE VSB RECORDS NEEDED TO CARRY OUT THE DUTIES SPECIFIED IN TITLE 6.1, CHAPTER 1.3, CODE OF VIRGINIA. THE INFORMATION PROVIDED WILL BE AVAILABLE FOR INSPECTION BY THE PUBLIC UNDER THE FREEDOM OF INFORMATION ACT.

Please review the above information and make necessary changes in the right column. **Sign and date your renewal form and, if you are an attorney, sign and date the financial responsibility certification on the back of this form.** Return with payment to the Virginia State Bar, Eighth & Main Building, 707 East Main Street, Suite 1500, Richmond, VA 23219-2803.

\$35.00 RENEWAL FEE

Please make check payable to the "Treasurer of Virginia."

2/23/98

VIRGINIA STATE BAR

Virginia Attorney Real Estate Settlement Agent
Financial Responsibility Certification



As required by the provisions of the Virginia Consumer Real Estate Settlement Protection Act (Title 6.1, Chapter 1.3, Code of Virginia) and the Virginia State Bar's Regulations issued thereunder, I hereby certify that I have in full force and effect all of the following insurance and bond coverages, as well as a separate fiduciary trust account, in conjunction with my registration as a real estate settlement agent:

1. A lawyers' professional liability insurance policy issued by a company authorized to write such insurance in Virginia providing first dollar coverage and limits of at least \$250,000 per claim covering me in my capacity as a settlement agent.
 2. A surety bond issued by a company authorized to write such bonds in Virginia, on a form approved by the Virginia State Bar, providing limits of at least \$100,000 covering me in my capacity as a settlement agent. The original surety bond is attached as required by the Bar's Regulations or has previously been furnished to the bar at the time of my initial registration. (If a law firm is named as principal in the bond, a copy may be attached, provided the original is furnished to the Bar by the firm or another registered settlement agent in the same firm.)
 3. A separate and distinct fiduciary trust account used solely for the purpose of handling funds received in connection with real estate escrow, closing and settlement services provided by me and any other registered settlement agents practicing in my firm or other legal entity. (If such account is newly established, bar members are reminded of the need to provide enrollment information for the interest on Lawyers Trust Account program to the Legal Services Corporation of Virginia, unless they chose to opt out of that program.)
- 4a. A blanket fidelity bond or employee dishonesty insurance policy issued by a company authorized to write such bonds or insurance in Virginia providing limits of at least \$100,000 covering all other employees of mine or the legal entity in which I practice.
- OR*
- 4b. I am hereby requesting or have previously been granted an exemption from this requirement, because I have no employees other than myself or other licensed owner(s), partner(s), shareholder(s), or member(s) of the legal entity in which I practice.

I further certify that all such coverages and such separate fiduciary trust account will be maintained in full force and effect throughout the time I act, offer or intend to act as a real estate settlement agent. I understand that these requirements are subject to further verification by the Bar at its discretion, and I agree to provide satisfactory evidence of such coverages and such separate fiduciary trust account upon request.

Typed or Printed Name of Settlement Agent

Date

Signature

Bar Identification Number

2/23/98

IN WITNESS WHEREOF, the said Principal has hereunto set his hand and seal and the said Surety has caused these presents to be signed by its duly authorized officer or Attorney-in-Fact and its corporate seal affixed on the day and year first written above.

Bond No. _____

BOND FOR ATTORNEY SETTLEMENT AGENTS
Principal as Law Firm

(SEAL) (PRINCIPAL)

(PURSUANT TO SECTION 6.1-2.21 OF THE CODE OF VIRGINIA)

By: _____

KNOW ALL MEN BY THESE PRESENTS, That _____ of _____

as Principal, and _____ of _____ a corporation organized and existing under the laws of the State of _____ and authorized to do business in the Commonwealth of Virginia, as Surety, are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, as Obligee, or to any aggrieved person who may be injured by attorneys of the Principal as hereinafter provided in the penal sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for the payment of which, well and truly to be made, we and each of us, bind ourselves, our heirs, successors, and assigns, jointly and severally, firmly by these presents.

(SEAL) (SURETY)

By: _____

SIGNED, SEALED AND DATED this _____ day of _____, 19____.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, certain attorneys of the Principal are required to register with the Virginia State Bar as settlement agents pursuant to Chapter 1.3 of Title 6.1 of the Code of Virginia and are thereby required to maintain a surety bond.

NOW THEREFORE, the condition of this obligation is such that if such attorneys of the Principal shall be registered with the Virginia State Bar to act as settlement agents and if such attorneys of the Principal shall act in such capacity in full compliance with the provisions of the laws of the Commonwealth of Virginia and rules, regulations, and orders prescribed by the Virginia State Bar pertaining to Settlement Agents, then this obligation shall be null and void; otherwise to remain in full force and effect;

CONDITIONED FURTHER, that the Commonwealth of Virginia may maintain an action against this bond for its use and benefit or for the use and benefit of any aggrieved person, or any aggrieved person may maintain an action in its own name against this bond to recover damages as a result of such attorneys of the Principal breaching any of the above-mentioned laws, regulations, or orders; provided, however, that regardless of the number of years this bond remains in effect in no event shall the aggregate liability of the Surety to all claimants for all claims under this bond exceed the penal sum of this bond.

The Surety may be released from liability for future breaches of the condition of this bond upon giving (60) days written notice to the Principal and the Virginia State Bar, Commonwealth of Virginia, of its desire to be released.

5/29/97

Proposed Regulations

DUE BY	VIRGINIA STATE BAR SETTLEMENT AGENT OFFICIAL RENEWAL FORM FOR CORPORATION OR OTHER ENTITY	Questions: (804)775-0530
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The following information is on record:

<p>CRESPA ID#: Present Status:</p> <p>License or ID#: License Date: Tax ID# (optional):</p> <p>Virginia license is in good standing</p>

Please make necessary changes here:

<p>Corporate Name: Officer Name: Address:</p> <p>City, State: Zip+4: Phone:() Fax:()</p> <p><input type="checkbox"/> We will no longer handle real estate closings.</p> <p>Status: _____ License or ID#: _____ License Date: _____ Tax ID# (optional): _____</p> <p>Virginia license is in good standing _____</p>
--

I certify that the information provided above is true and accurate and I will keep the Bar advised of any changes in the information provided. I understand completion of this official renewal form **does not** complete my public protection requirements as a settlement agent under the **Virginia Consumer Real Estate Settlement Protection Act** and regulations under the act which may be issued by my licensing or regulatory authority.

Signature: _____ Date: _____

THE INFORMATION SOUGHT IS FOR THE PURPOSE OF MAINTAINING ACCURATE VSB RECORDS NEEDED TO CARRY OUT THE DUTIES SPECIFIED IN TITLE 6.1, CHAPTER 1.3, CODE OF VIRGINIA. THE INFORMATION PROVIDED WILL BE AVAILABLE FOR INSPECTION BY THE PUBLIC UNDER THE FREEDOM OF INFORMATION ACT.

Please review the above information and make necessary changes in the right column. Sign and date your renewal form. **List any changes of members handling real estate closings on the back of this form.** Return with payment to the Virginia State Bar, Eighth & Main Building, 707 East Main Street, Suite 1500, Richmond, VA 23219-2803.

\$100.00 RENEWAL FEE
Please make check payable to the "Treasurer of Virginia."

FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a change from the proposed text of the regulation.

TITLE 4. CONSERVATION AND RECREATION

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulations filed by the Marine Resources Commission are exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 F of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: 4 VAC 20-310-10 et seq. **Pertaining to the Relaying of Shellfish (amending 4 VAC 20-310-30, 4 VAC 20-310-40, and 4 VAC 20-310-50; adding 4 VAC 20-310-35).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: May 15, 2000.

Summary:

The amendments establish procedures for the handling of shellfish raised by aquaculture methods in condemned waters for noncommercial purposes.

Agency Contact: Copies of the regulation may be obtained from K.V. Leonard, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2120.

4 VAC 20-310-30. *On-bottom* container construction.

A. *On-bottom* container size shall not exceed four feet by four feet by one foot.

B. *On-bottom* containers shall not be solid walled, but shall be constructed of a mesh material of sufficient size not to restrict water flow.

1. Mesh size shall not be less than one inch measured diagonally across the longest axis of square, rectangular, or diamond shaped mesh nor less than one inch diameter for circular mesh.

2. Construction material shall be nontoxic and not retard shellfish pumping rates.

3. *On-bottom* containers shall be frequently cleaned and maintained in such a manner that fouling does not accumulate to the degree that water flow through the *on-bottom* container is impeded or fill line markers are obscured.

C. *On-bottom* container height (excluding any legs or skids) shall be no greater than 12 inches. The *on-bottom* container shall be marked permanently on the inside surface supporting the shellfish at the six inch level (measured from the bottom) around the entire circumference of the cage in such manner as to be clearly visible.

D. Each container, as described in subsection A of this section, shall be fitted with skids or legs to hold the *on-bottom* container ~~off-bottom~~ *off the bottom* and constructed in a manner that will not restrict water flow under the container.

1. Skids shall be no smaller than four inches by four inches; legs shall be no shorter than four inches.

2. Skids or legs may be larger to ~~assure~~ *ensure* that the container does not rest ~~on-bottom~~ *on the bottom*, but cannot be so large as to place the container at a depth that could constitute a hazard to navigation.

E. Access to each container shall be designed so that it can be secured with a standard Marine Resources Commission seal ~~and~~ so that the container cannot be opened without breaking the seal.

4 VAC 20-310-35. *Floating container construction.*

A. *Floating container size shall not exceed two feet by eight feet by one foot.*

B. *Floating containers shall not be solid walled, but shall be constructed of a mesh material of sufficient size not to restrict water flow.*

1. *Mesh size shall not be less than one inch measured diagonally across the longest axis of square, rectangular, or diamond shaped mesh nor less than one inch diameter for circular width.*

2. *Construction shall be nontoxic and not retard shellfish pumping rates.*

3. *Floating containers shall be frequently cleaned and maintained in such a manner that fouling does not accumulate to the degree that water flow through the container is impeded.*

C. *Each floating container shall be attached in such a way as to not restrict water flow.*

D. *For commercial purposes, each floating container shall be designed so that it can be secured with a standard Marine Resources Commission seal tag and that the container cannot be opened without breaking the seal or seals.*

4 VAC 20-310-40. *Loading and deployment.*

A. Areas where ~~containers~~ *any container* is to be relayed *for commercial purposes* shall be clearly marked and easily identified as required in § 28.2-818 of the Code of Virginia.

B. Landing of polluted shellfish, loading of vehicles and containers, and container deployment and harvest shall be conducted under Marine Resources Commission supervision. Scheduling of loading and unloading of vehicles and containers shall be determined by Marine Patrol area supervisors.

C. Containers shall be deployed *and spaced* in such a manner and spacing so that different lots are separated and easily identified.

1. Spacing between adjacent groups of containers shall be a minimum of 25 feet.
2. Individual containers shall be no closer than six feet ~~to~~ from any other container within the group.

D. The maximum height of shellfish loaded into any one container shall not exceed six inches, measured from the bottom of the container, ~~excluding skids or logs.~~

E. Each container deployed shall be sealed with a Marine Resources Commission standard seal and the seal number recorded. Shellfish harvested from polluted waters for containerized relaying shall be under Marine Resources Commission seal before sunset. Marine Patrol officers are the only persons authorized to seal vehicles and containers and break the seals on vehicles and containers used in the transporting and relaying of shellfish from polluted areas.

4 VAC 20-310-50. Harvest.

A. Commercial harvest to be sold for public consumption.

~~All containers~~ 1. Any relay container shall remain in the relaying area for a minimum of 15 days in water temperatures above 50°F and in salinities sufficient to assure effective cleansing through active pumping. ~~In the event~~ If a relay area is closed due to a pollution event during the relay process, the 15-day relay period shall ~~start over when the area is reopened~~ coincide with the reopening of the area.

~~B.~~ 2. Requests to harvest specific containers shall be made ~~in the same manner as on bottom relaying with the inclusion on the request form of the Marine Resources Commission seal numbers to be released for harvest to the Marine Patrol Officer, specifying which sealed containers have been released for harvest by the Virginia Department of Health.~~

~~C.~~ 3. No shellfish shall be reharvested until a Permit to Remove Shellfish is received from the Virginia Department of Health. ~~Upon reharvesting,~~ The seal on each container shall not be broken by anyone except a ~~Marine Resources Commission~~ Marine Patrol Officer.

~~D.~~ 4. After the seal is broken, the reharvested shellfish shall be moved into the certified shellstock storage facility (if provided) for washing, grading, bagging, tagging, and storage prior to shipment. Shellfish packed on boats, monitors or barges shall be immediately transferred to a certified shellstock storage facility or an enclosed vehicle for shipment to market or other certified dealers. No shellfish shall be washed, graded, bagged, or stored onshore or on a dock unless protected facilities are provided and approved by the Virginia Department of Health.

B. Noncommercial, private use.

1. Noncommercial relaying activity will be permitted from June 1 through September 30. All containers shall remain in the clean relay area for a minimum of 15

consecutive days. In the event the clean relay area is closed due to a pollution event during the relay process, the 15-day relay period shall start over when the area is reopened. For private noncommercial purposes, the container should be marked with a yellow flag for the entire relay period.

2. Requests should be made to the local Marine Patrol office to obtain a noncommercial relay permit (MRC 59) by the relayer. The Marine Patrol Officer will then approve the clean relay site. The Conservation and Replenishment Department at the VMRC main office shall be contacted to obtain the report forms that must be completed to receive a permit to remove the shellfish. These reports, completed and signed, shall be returned in a timely manner to the Conservation and Replenishment Department to avoid delay in receiving a Virginia Department of Health permit for removing the shellfish.

3. No shellfish shall be harvested until a permit to remove the shellfish is received from the Virginia Department of Health. After the 15-day relay period and receipt of the permit by the relayer, the yellow flag may be removed and the shellfish harvested.

VA.R. Doc. No. R00-183; Filed May 5, 2000, 1:05 p.m.

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Title of Regulation: 12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services (amending 12 VAC 30-50-180).

Statutory Authority: § 32.1-325 of the Code of Virginia.

Effective Date: July 5, 2000.

Summary:

These regulations establish educational and licensing criteria for staff of community services boards when the staff renders services to Medicaid recipients and seeks reimbursement from Medicaid. The provider qualifications ensure that the mental health therapy services rendered to recipients are provided by appropriately qualified and supervised medical professionals. Community mental health clinics that employ unqualified therapists will continue to be reimbursed for 24 months following enactment. After 24 months have expired, the clinics will not be reimbursed for services provided by unqualified therapists.

Summary of Public Comment and Agency Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the Office of the Registrar of Regulations.

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Agency Contact: Copies of the regulation may be obtained from Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

Title of Regulation: **12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rates; Other Types of Care (repealing 12 VAC 30-80-160).**

Statutory Authority: § 32.1-325 of the Code of Virginia.

Effective Date: July 5, 2000.

Summary:

This regulatory action repeals the fee schedule for certain obstetric and pediatric procedures from the State Plan. This action will not affect covered service frequency, the amount of money reimbursed for these procedures, or who is covered by the services.

Summary of Public Comment and Agency Response: No public comment was received by the promulgating agency.

Agency Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

12 VAC 30-80-160. Fees for pediatric and obstetric CPT procedures. (Repealed.)

PEDIATRIC SERVICES

(fee changes are subject to new federal Conversion Factors and Relative Value Units as shown in VR 460-03-4.1924)

CPT-4 Code	Description	Payment
	1. Evaluation and Management Services—Physician services performed in a physician's office or in an outpatient facility	
	NEW PATIENT	
99201	Problem focused history, examination, and straightforward medical decision making	\$23.58
99202	Expanded problem focused history, examination, and straightforward medical decision making	30.66
99203	Detailed history, examination and medical decision making of moderate complexity	38.50
99204	Comprehensive history, examination, and medical decision making of moderate complexity	55.82
99205	Comprehensive history, examination, and medical decision making of high complexity	64.22
	ESTABLISHED PATIENT	
99211	Minimal presenting problems	\$10.31

12 VAC 30-50-180. Clinic services.

A. Reimbursement for induced abortions is provided in only those cases in which there would be a substantial endangerment of health or life to the mother if the fetus were carried to term.

B. Clinic services means preventive, diagnostic, therapeutic, rehabilitative, or palliative items or services that:

1. Are provided to outpatients;
2. Are provided by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients; and
3. Except in the case of nurse-midwife services, as specified in 42 CFR 440.165, are furnished by or under the direction of a physician or dentist.

C. *Reimbursement to community mental health clinics for medical psychotherapy services is provided only when performed by a qualified therapist. Community mental health clinics which have a valid Medicaid provider agreement [upon the effective date of these regulations on July 5, 2000,] and which do not employ qualified therapists shall continue to be eligible for Medicaid reimbursement for medical psychotherapy services [for] no later than [24 months from the effective date of these regulations July 5, 2002]. No payment shall be made after that date unless rendered by a therapist meeting these qualifications. For purposes of this section, a qualified therapist is:*

1. A licensed physician who has completed three years of post-graduate residency training in psychiatry;
2. An individual licensed by one of the boards administered by the Department of Health Professions to provide medical psychotherapy services including: licensed clinical psychologists, licensed clinical social workers, licensed professional counselors, or clinical nurse specialists-psychiatric; or
3. An individual who holds a master's or doctorate degree, who has completed all coursework necessary for licensure by [one of] the appropriate [board boards as specified in subdivision 2 of this subsection], and who has applied for a license but has not yet received such license, and who is currently supervised in furtherance of the application for such license, in accordance with requirements or regulations promulgated by DMAS, by one of the licensed practitioners listed in subdivisions 1 and 2 of this subsection.

VA.R. Doc. No. R99-52; Filed May 16, 2000, 3:07 p.m.

99212	Problem focused history, or examination, and straightforward medical decision making	19.19	99432	Normal newborn care in other than hospital or birthing room setting, including physical examination of baby and conference(s) with parent(s)	46.18
99213	Expanded problem focused history or examination, and medical decision making of low complexity	26.87	99433	Subsequent hospital care, for the evaluation and management of a normal newborn, per day	29.36
99214	Detailed history, or examination, and medical decision making of moderate complexity	37.53	99440	Newborn resuscitation; care of the high risk newborn at delivery, including, for example, inhalation therapy, aspiration, administration of medication for initial stabilization	122.88
99215	Comprehensive history, or examination and medical decision making of high complexity	52.44			
	2- Emergency Department Services—for emergency care			3- Immunization Injections*	(no change)
	NEW OR ESTABLISHED PATIENT		90700	Immunization, active; diphtheria, tetanus toxoids, and acellular pertussis vaccine (DTaP)	\$ drug cost
99281	Problem focused history, examination, and straightforward medical decision making	\$23.20	90701	Immunization, active; diphtheria and tetanus toxoids and pertussis vaccine (DTP)	\$ drug cost
99282	Expanded problem focused history, examination, and medical decision making of low complexity	39.51	90702	Diphtheria and tetanus toxoids (DT)	\$ drug cost
99283	Expanded problem focused history, examination, and medical decision making of low to moderate complexity	48.41	90703	Tetanus toxoid	\$ drug cost
			90704	Mumps virus vaccine, live	\$ drug cost

			90705	Measles virus vaccine, live, attenuated	\$ drug cost

			90706	Rubella virus vaccine, live	\$ drug cost

99284	Detailed history, examination, and medical decision making of moderate complexity	61.60	90707	Measles, mumps, and rubella virus vaccine, live	\$ drug cost

99285	Comprehensive history, comprehensive examination, and medical decision making of high complexity	91.10	90708	Measles and rubella virus vaccine, live	\$ drug cost
99295	Initial NICU care, per day, for the evaluation and management of a critically ill neonate or infant	587.00	90709	Rubella and mumps virus vaccine, live	\$ drug cost
99296	Subsequent NICU care, per day, for the evaluation and management of a critically ill and unstable neonate or infant	285.25	90710	Measles, mumps, rubella, and varicella vaccine	\$ drug cost
99297	Subsequent NICU care, per day, for the evaluation and management of a critically ill and stable neonate or infant	143.28	90711	Diphtheria, tetanus, and pertussis (DTP) and injectable poliomyelitis vaccine	\$ drug cost
99431	History and examination of the normal newborn infant, initiation of diagnostic and treatment programs and preparation of hospital records	72.45	90712	Poliovirus vaccine, live, oral (any type(s))	\$ drug cost
			90713	Poliomyelitis vaccine	\$ drug cost
			90720	Diphtheria, tetanus, and pertussis (DTP) and Hemophilus influenza B (HIB) vaccine	\$ drug cost
			90731	Hepatitis B vaccine	\$ drug cost
			90737	Hemophilus influenza B	\$ drug cost

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(Note: Appropriate office visit may be billed in addition to the above immunization injections. Payment for immunizations shall not exceed the Medicaid fee on file for the drug at time of service.

Upon implementation of the Vaccines for Children Program, reimbursement for vaccines will change to an administration fee for each vaccine administered. Providers will be supplied with vaccines free of charge.

1. Maternity Care and Delivery

INCISION

59000	Amniocentesis, any method	\$105.48
59012	Cordocentesis (intrauterine), any method	139.68
59015	Chorionic villus sampling, any method	112.08
59020	Fetal oxytocin stress test	63.92
59025	Fetal nonstress test	46.44
59030	Fetal scalp blood sampling;	83.31
59050	Initiation and/or supervision of internal fetal monitoring during labor by consultant	52.57
59100	Hysterotomy, abdominal (eg, for hidatidiform mole, abortion)	325.02

** Vaccine supplied under contract with manufacturer.

*** Medical justification will be required to demonstrate that use of a single antigen vaccine is medically appropriate.

EXCISION

59120	Surgical treatment of ectopic pregnancy, tubal or ovarian, requiring salpingectomy and/or oophorectomy, abdominal or vaginal approach	\$835.30
59124	Surgical treatment of ectopic pregnancy; tubal or ovarian, without salpingectomy and/or oophorectomy	361.10
59130	Abdominal pregnancy	511.21
59135	Interstitial, uterine pregnancy requiring total hysterectomy	982.93
59136	Interstitial, uterine pregnancy with partial resection of uterus	903.39
59140	Cervical, with evacuation	372.88
59150	Laparoscopic treatment of ectopic pregnancy; without salpingectomy and/or oophorectomy	677.31
59154	Laparoscopic treatment of ectopic pregnancy; with salpin- gectomy and/or oophorectomy	738.17
59160	Curettage, postpartum (separate procedure)	333.55
59200	Insertion of cervical dilator (eg, laminaria, prostaglandin	61.54

REPAIR

59300	Episiotomy or vaginal repair, by other than attending physician	\$203.07
59320	Cerclage of cervix, during pregnancy; vaginal	258.57
59325	Cerclage of cervix, during pregnancy, abdominal	425.41

4. Preventive Medicine

NEW PATIENT

99381	Initial evaluation and management of a healthy individual requiring a comprehensive history, a comprehensive examination, the identification of risk factors, and the ordering of appropriate laboratory/diagnostic procedures; infant (age under 1 year)	\$47.31
99382	Early childhood (age 1 through 4 years)	53.43
99383	Late childhood (age 5 through 11 years)	53.43
99384	Adolescent (age 12 through 17 years)	54.22

ESTABLISHED PATIENT

99391	Periodic evaluation and management of a healthy individual requiring a comprehensive history, a comprehensive examination, the identification of risk factors, and the ordering of appropriate laboratory/diagnostic procedures; infant (age under 1 year)	43.95
99392	Early childhood (age 1 through 4 years)	47.98
99393	Late childhood (age 5 through 11 years)	47.98
99394	Adolescent (age 12 through 17 years)	48.10

OBSTETRICAL SERVICES

CPT-4 Code

Description

Payment

DELIVERY, ANTEPARTUM AND POSTPARTUM CARE

59400	Total obstetrical care (all-inclusive, "global" care) includes antepartum care, vaginal delivery (with or without episiotomy, and/or forceps or breech delivery) and postpartum care	\$1,210.30	76810	Complete (complete fetal and maternal evaluation), multiple gestation, after the first trimester	185.98
59409	Vaginal delivery only (with or without episiotomy and/or forceps)	811.57	76815	Limited gestational age, heart beat, placental location, fetal position, or emergency in the delivery room)	62.18
59410	Vaginal delivery only (with or without episiotomy, forceps or breech delivery) including in hospital postpartum care (separate procedure)	858.24	76816	Follow up or repeat	48.25
59412	External cephalic version, with or without tocolysis	200.16	76818	Fetal biophysical profile	75.64
59414	Delivery of placenta	193.52	76825	Echocardiography, fetal, real time with image documentation (2D) with or without M-mode recording	90.85
59425	Antepartum care only; 4-6 visits	164.54	76826	Follow up or repeat study	50.81
59426	7 or more visits	335.09	76827	Doppler echocardiography, fetal, cardiovascular system, pulsed wave and/or continuous wave with special display; complete	66.36
59430	Postpartum care only (separate procedure)	49.58	76828	Follow up or repeat study	37.32

VA.R. Doc. No. R98-319; Filed May 10, 2000, 2:46 p.m.

CAESAREAN SECTION

59510	Routine obstetric care including antepartum care, caesarean delivery, and postpartum care	\$1,423.30
59514	Caesarean delivery only	1,032.90
59515	Caesarean delivery only including postpartum care	1,079.40
59525	Subtotal or total hysterectomy after caesarean delivery	392.92

ABORTION

59812	Treatment of spontaneous abortion, any trimester, completed surgically	394.46
59820	Treatment of missed abortion, completed surgically; first trimester	380.47
59821	Treatment of missed abortion, completed surgically; second trimester	452.38
59830	Treatment of septic abortion, completed surgically	267.26

2- Diagnostic Ultrasound

PELVIS

74710	Pelvimetry, with or without placental localization	42.51
74775	Perineogram (eg, vaginogram, for sex determination or extent of anomalies)	42.17
76805	Echography, pregnant uterus, B-scan and/or real time with image documentation; complete (complete fetal and maternal evaluation)	93.22



TITLE 13. HOUSING

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

REGISTRAR'S NOTICE: The Virginia Housing Development Authority is exempt from the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia) pursuant to § 9-6.14:4.1 A 4; however, under the provisions of § 9-6.14:22, it is required to publish all proposed and final regulations.

Title of Regulation: 13 VAC 10-40-10 et seq. Rules and Regulations for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income (amending 13 VAC 10-40-20, 13 VAC 10-40-120, 13 VAC 10-40-160, 13 VAC 10-40-170 and 13 VAC 10-40-230).

Statutory Authority: § 36-55.30:3 of the Code of Virginia.

Effective Date: May 17, 2000.

Summary:

The amendments (i) conform the description of the agreements to be entered into between the authority and its originating agents and servicing agents to reflect current practice; (ii) delete the requirement that the discount point be paid by the seller; (iii) delete the requirement that the commitment package contain all of the closing documents; and (iv) provide that loans may be purchased subject to the condition that the applicable governmental mortgage insurance or guarantee be obtained.

In addition, the amendments will make the following changes relative to the flexible alternative program: (i) require that units located in PUDs be FNMA- or FHLMC-

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approved or satisfy such requirements for approval; (ii) increase the maximum loan-to-value ratio to 100% and provide that the authority may disburse additional amounts to finance closing costs and fees and rehabilitation and improvement costs as permitted by the authority's Act; (iii) clarify the credit scores to be considered for purposes of meeting the requirements of the regulations; (iv) provide that the authority may require the more strict of the two current sets of credit history criteria if the loan-to-value exceeds 97%; and (v) delete the requirement for homeownership education when the loan-to-value ratio exceeds 95% if the applicant's credit score exceeds 700. The amendments also provide that the authority may accept an approval from an automated underwriting system in lieu of the standard flexible alternative underwriting requirements set forth in the regulations.

Agency Contact: Comments or questions concerning this regulation may be addressed to J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 S. Belvidere Street, Richmond, VA 23220, telephone (804) 343-5540, FAX (804) 783-6701 or e-mail judson.mckellar@vhda.com.

13 VAC 10-40-20. Origination and servicing of mortgage loans.

A. The origination of mortgage loans and the processing of applications for the making or financing thereof in accordance herewith shall, except as noted in subsection G of this section, be performed through commercial banks, savings and loan associations, private mortgage bankers, redevelopment and housing authorities, and agencies of local government approved as originating agents ("originating agents") of the authority. The servicing of mortgage loans shall, except as noted in subsection H of this section, be performed through commercial banks, savings and loan associations and private mortgage bankers approved as servicing agents ("servicing agents") of the authority.

To be initially approved as an originating agent or as a servicing agent, the applicant must meet the following qualifications:

1. Be authorized to do business in the Commonwealth of Virginia;
2. Have a net worth equal to or in excess of \$250,000 or such other amount as the executive director shall from time to time deem appropriate, except that this qualification requirement shall not apply to redevelopment and housing authorities and agencies of local government;
3. Have a staff with demonstrated ability and experience in mortgage loan origination and processing (in the case of an originating agent applicant) or servicing (in the case of a servicing agent applicant); and
4. Such other qualifications as the executive director shall deem to be related to the performance of its duties and responsibilities.

Each originating agent approved by the authority shall enter into an originating agreement ("originating agreement"), with

the authority containing such terms and conditions as the executive director shall require with respect to the origination and processing of mortgage loans hereunder. Each servicing agent approved by the authority shall enter into a servicing agreement with the authority containing such terms and conditions as the executive director shall require with respect to the servicing of mortgage loans.

An applicant may be approved as both an originating agent and a servicing agent ("originating and servicing agent"). Each originating and servicing agent shall enter into *both* an originating [~~agreement~~] and a servicing agreement (~~"originating and servicing agreement"~~) with the authority ~~containing such terms and conditions as the executive director shall require with respect to the originating and servicing of mortgage loans hereunder.~~

For the purposes of this chapter, the term "originating agent" shall hereinafter be deemed to include the term "originating and servicing agent," unless otherwise noted or the context indicates otherwise. ~~Similarly, the term "originating agreement" shall hereinafter be deemed to include the term "originating and servicing agreement," unless otherwise noted or the context indicates otherwise.~~ The term "servicing agent" shall continue to mean an agent authorized only to service mortgage loans. ~~The term "servicing agreement" shall continue to mean only the agreement between the authority and a servicing agent.~~

Originating agents and servicing agents shall maintain adequate books and records with respect to mortgage loans which they originate and process or service, as applicable, shall permit the authority to examine such books and records, and shall submit to the authority such reports (including annual financial statements) and information as the authority may require. The fees payable to the originating agents and servicing agents for originating and processing or for servicing mortgage loans hereunder shall be established from time to time by the executive director and shall be set forth in the originating agreements and servicing agreements applicable to such originating agents and servicing agents.

B. The executive director shall allocate funds for the making or financing of mortgage loans hereunder in such manner, to such persons and entities, in such amounts, for such period, and subject to such terms and conditions as he shall deem appropriate to best accomplish the purposes and goals of the authority. Without limiting the foregoing, the executive director may allocate funds (i) to mortgage loan applicants on a first-come, first-serve or other basis, (ii) to originating agents and state and local government agencies and instrumentalities for the origination of mortgage loans to qualified applicants and/or (iii) to builders for the permanent financing of residences constructed or rehabilitated or to be constructed or rehabilitated by them and to be sold to qualified applicants. In determining how to so allocate the funds, the executive director may consider such factors as he deems relevant, including any of the following:

1. The need for the expeditious commitment and disbursement of such funds for mortgage loans;

2. The need and demand for the financing of mortgage loans with such funds in the various geographical areas of the Commonwealth;
3. The cost and difficulty of administration of the allocation of funds;
4. The capability, history and experience of any originating agents, state and local governmental agencies and instrumentalities, builders, or other persons and entities (other than mortgage loan applicants) who are to receive an allocation; and
5. Housing conditions in the Commonwealth.

In the event that the executive director shall determine to make allocations of funds to builders as described above, the following requirements must be satisfied by each such builder:

1. The builder must have a valid contractor's license in the Commonwealth;
2. The builder must have at least three years' experience of a scope and nature similar to the proposed construction or rehabilitation; and
3. The builder must submit to the authority plans and specifications for the proposed construction or rehabilitation which are acceptable to the authority.

The executive director may from time to time take such action as he may deem necessary or proper in order to solicit applications for allocation of funds hereunder. Such actions may include advertising in newspapers and other media, mailing of information to prospective applicants and other members of the public, and any other methods of public announcement which the executive director may select as appropriate under the circumstances. The executive director may impose requirements, limitations and conditions with respect to the submission of applications as he shall consider necessary or appropriate. The executive director may cause market studies and other research and analyses to be performed in order to determine the manner and conditions under which funds of the authority are to be allocated and such other matters as he shall deem appropriate relating thereto. The authority may also consider and approve applications for allocations of funds submitted from time to time to the authority without any solicitation therefor on the part of the authority.

C. This chapter constitutes a portion of the originating guide of the authority. The processing guide and all exhibits and other documents referenced herein are not included in, and shall not be deemed to be a part of this chapter. The executive director is authorized to prepare and from time to time revise a processing guide and a servicing guide which shall set forth the accounting and other procedures to be followed by all originating agents and servicing agents responsible for the origination, closing and servicing of mortgage loans under the applicable originating agreements and servicing agreements. Copies of the processing guide and the servicing guide shall be available upon request. The executive director shall be responsible for the implementation and interpretation of the provisions of the originating guide (including the processing guide) and the servicing guide.

D. The authority may from time to time (i) make mortgage loans directly to mortgagors with the assistance and services of its originating agents and (ii) agree to purchase individual mortgage loans from its originating agents or servicing agents upon the consummation of the closing thereof. The review and processing of applications for such mortgage loans, the issuance of mortgage loan commitments therefor, the closing and servicing (and, if applicable, the purchase) of such mortgage loans, and the terms and conditions relating to such mortgage loans shall be governed by and shall comply with the provisions of the applicable originating agreement or servicing agreement, the originating guide, the servicing guide, the Act and this chapter.

If the applicant and the application for a mortgage loan meet the requirements of the Act and this chapter, the executive director may issue on behalf of the authority a mortgage loan commitment to the applicant for the financing of the single family dwelling unit, subject to the approval of ratification thereof by the board. Such mortgage loan commitment shall be issued only upon the determination of the authority that such a mortgage loan is not otherwise available from private lenders upon reasonably equivalent terms and conditions, and such determination shall be set forth in the mortgage loan commitment. The original principal amount and term of such mortgage loan, the amortization period, the terms and conditions relating to the prepayment thereof, and such other terms, conditions and requirements as the executive director deems necessary or appropriate shall be set forth or incorporated in the mortgage loan commitment issued on behalf of the authority with respect to such mortgage loan.

E. The authority may purchase from time to time existing mortgage loans with funds held or received in connection with bonds issued by the authority prior to January 1, 1981, or with other funds legally available therefor. With respect to any such purchase, the executive director may request and solicit bids or proposals from the authority's originating agents and servicing agents for the sale and purchase of such mortgage loans, in such manner, within such time period and subject to such terms and conditions as he shall deem appropriate under the circumstances. The sales prices of the single family housing units financed by such mortgage loans, the gross family incomes of the mortgagors thereof, and the original principal amounts of such mortgage loans shall not exceed such limits as the executive director shall establish, subject to approval or ratification by resolution of the board. The executive director may take such action as he deems necessary or appropriate to solicit offers to sell mortgage loans, including mailing of the request to originating agents and servicing agents, advertising in newspapers or other publications and any other method of public announcement which he may select as appropriate under the circumstances. After review and evaluation by the executive director of the bids or proposals, he shall select those bids or proposals that offer the highest yield to the authority on the mortgage loans (subject to any limitations imposed by law on the authority) and that best conform to the terms and conditions established by him with respect to the bids or proposals. Upon selection of such bids or proposals, the executive director shall issue commitments to the selected originating agents and servicing agents to purchase the mortgage loans, subject to such terms

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and conditions as he shall deem necessary or appropriate and subject to the approval or ratification by the board. Upon satisfaction of the terms of the commitments, the executive director shall execute such agreements and documents and take such other action as may be necessary or appropriate in order to consummate the purchase and sale of the mortgage loans. The mortgage loans so purchased shall be serviced in accordance with the applicable originating agreement or servicing agreement and the servicing guide. Such mortgage loans and the purchase thereof shall in all respects comply with the Act and the authority's rules and regulations.

F. The executive director may, in his discretion, delegate to one or more originating agents all or some of the responsibility for underwriting, issuing commitments for mortgage loans and disbursing the proceeds hereof without prior review and approval by the authority. The issuance of such commitments shall be subject to ratification thereof by the board of the authority. The executive director may delegate to one or more servicing agents all or some of the responsibility for underwriting and issuing commitments for the assumption of existing authority mortgage loans without prior review and approval by the authority. If the executive director determines to make any such delegation, he shall establish criteria under which originating agents may qualify for such delegation. If such delegation has been made, the originating agents shall submit all required documentation to the authority at such time as the authority may require. If the executive director determines that a mortgage loan does not comply with any requirement under the originating guide, the applicable originating agreement, the Act or this chapter for which the originating agent was delegated responsibility, he may require the originating agents to purchase such mortgage loan, subject to such terms and conditions as he may prescribe.

G. The authority may utilize financial institutions, mortgage brokers and other private firms and individuals and governmental entities ("field originators") approved by the authority for the purpose of receiving applications for mortgage loans. To be approved as a field originator, the applicant must meet the following qualifications:

1. Be authorized to do business in the Commonwealth of Virginia;
2. Have made any necessary filings or registrations and have received any and all necessary approvals or licenses in order to receive applications for mortgage loans in the Commonwealth of Virginia;
3. Have the demonstrated ability and experience in the receipt and processing of mortgage loan applications; and
4. Have such other qualifications as the executive director shall deem to be related to the performance of its duties and responsibilities.

Each field originator approved by the authority shall enter into such agreement as the executive director shall require with respect to the receipt of applications for mortgage loans. Field originators shall perform such of the duties and responsibilities of originating agents under this chapter as the authority may require in such agreement.

Field originators shall maintain adequate books and records with respect to mortgage loans for which they accept applications, shall permit the authority to examine such books and records, and shall submit to the authority such reports and information as the authority may require. The fees to the field originators for accepting applications shall be payable in such amount and at such time as the executive director shall determine.

In the case of mortgage loans for which applications are received by field originators, the authority may process and originate the mortgage loans; accordingly, unless otherwise expressly provided, the provisions of this chapter requiring the performance of any action by originating agents shall not be applicable to the origination and processing by the authority of such mortgage loans, and any or all of such actions may be performed by the authority on its own behalf.

H. The authority may service mortgage loans for which the applications were received by field originators or any mortgage loan which, in the determination of the authority, originating agents and servicing agents will not service on terms and conditions acceptable to the authority or for which the originating agent or servicing agent has agreed to terminate the servicing thereof.

13 VAC 10-40-120. Mortgage insurance requirements.

Unless the loan is an FHA, VA or Rural Development loan, the borrower is required to purchase at time of loan closing full private mortgage insurance (25% to 100% coverage, as the authority shall determine) on each loan the amount of which exceeds 80% of the lesser of sales price or appraised value of the property to be financed. Such insurance shall be issued by a company acceptable to the authority. The originating agent is required to escrow for annual payment of mortgage insurance, unless an alternative payment plan is approved by the authority. If the authority requires FHA, VA or Rural Development insurance or guarantee, the loan will either, at the election of the authority, (a) be closed in the authority's name in accordance with the procedures and requirements herein or (b) be closed in the originating agent's name and purchased by the authority once the FHA Certificate of Insurance, VA Guaranty or Rural Development Guarantee has been obtained *or subject to the condition that such FHA Certificate of Insurance, VA Guaranty or Rural Development Guarantee be obtained*. In the event that the authority purchases an FHA, VA or Rural Development loan, the originating agent must enter into a purchase and sale agreement on such form as shall be provided by the authority. For assumptions of conventional loans (i.e., loans other than FHA, VA or Rural Development loans), full private mortgage insurance as described above is required unless waived by the authority.

13 VAC 10-40-160. Reservations/fees.

A. The authority currently reserves funds for each mortgage loan on a first come, first serve basis. Reservations are made by specific originating agents or field originators with respect to specific applicants and properties. No substitutions are permitted. Similarly, locked-in interest rates are also nontransferable. Funds will not be reserved longer than 60 days unless the originating agent requests and receives an

additional one-time extension prior to the 60-day deadline. Locked-in interest rates on all loans, including those on which there may be a VA Guaranty, cannot be reduced under any circumstances.

B. An applicant, including an applicant for a loan to be guaranteed by VA, may request a second reservation if the first has expired or has been cancelled. If the second reservation is made within 12 months of the date of the original reservation, the interest rate will be the greater of (i) the locked-in rate or (ii) the current rate offered by the authority at the time of the second reservation.

C. The originating agent or field originator shall collect a nonrefundable reservation fee in such amount and according to such procedures as the authority may require from time to time. Under no circumstances is this fee refundable. A second reservation fee must be collected for a second reservation. No substitutions of applicants or properties are permitted.

D. The following other fees shall be collected.

1. In connection with the origination and closing of the loan, the originating agent shall collect at closing or, at the authority's option, simultaneously with the acceptance of the authority's commitment, an amount equal to 1.0% of the loan amount (please note that for FHA loans the loan amount for the purpose of this computation is the base loan amount only); provided, however, that the executive director may require the payment of an additional fee not in excess of 1.0% of the loan amount in the case of a step loan (i.e., a loan on which the initial interest rate is to be increased to a new interest rate after a fixed period of time). If the loan does not close, then the origination fee shall be waived.

2. The originating agent shall collect ~~from the seller~~ at the time of closing an amount equal to 1.0% of the loan amount.

13 VAC 10-40-170. Commitment (Exhibit J).

A. Upon approval of the applicant, the authority will send a mortgage loan commitment to the borrower in care of the originating agent. ~~Also enclosed in the commitment package will be other documents necessary for closing.~~ The originating agent shall ask the borrower to indicate his acceptance of the mortgage loan commitment by signing and returning it to the originating agent within 15 days after the date of the commitment or prior to settlement, whichever occurs first.

A commitment must be issued in writing by an authorized officer of the authority and signed by the applicant before a loan may be closed. The term of a commitment may be extended in certain cases upon written request by the applicant and approved by the authority. If an additional commitment is issued to an applicant, the interest rate may be higher than the rate offered in the original commitment. Such new rate and the availability of funds therefor shall in all cases be determined by the authority in its discretion.

B. If the application fails to meet any of the standards, criteria and requirements herein, a loan rejection letter will be issued by the authority (see Exhibit L). In order to have the application reconsidered, the applicant must resubmit the

application within 30 days after loan rejection. If the application is so resubmitted, the credit documentation cannot be more than 90 days old and the appraisal not more than six months old.

13 VAC 10-40-230. Flexible alternative mortgage loan programs.

A. The executive director may establish flexible alternative mortgage loan programs. 13 VAC 10-40-10 through 13 VAC 10-40-220 shall apply to such flexible alternative mortgage loan programs, with the following modifications:

1. The following requirements shall not apply: (i) the new mortgage requirement; (ii) the requirements as to the use of the property in a trade or business; (iii) the requirements as to acquisition cost and sales price of the property to be financed; (iv) the requirement that the applicant shall not have had a present ownership interest in his principal residence within the preceding three years; (v) the net worth requirement; (vi) the requirements for the payment by the seller of an amount equal to 1.0% of the loan in 13 VAC 10-40-160 D 2; and (vii) the lot size restriction in 13 VAC 10-40-50 C 3.

2. The gross income of the applicant or applicants shall not exceed 120% of the applicable median family income without regard to household size.

3. A nonpermanent resident alien who signs the note as a coborrower with either a U.S. citizen or a permanent resident alien shall be an eligible borrower under 13 VAC 10-40-30 C, provided that such nonpermanent resident alien meets all other eligibility criteria set forth in this chapter as modified by this section.

4. At the time of closing, the applicant must occupy or intend to occupy within 60 days (90 days in the case of new construction) the property to be financed as his principal residence.

5. The property to be financed must be one of the following types: (i) a single family residence (attached or detached); (ii) a unit in a condominium or PUD which is approved for financing by FNMA or FHLMC or satisfies the requirements for such financing, except that the executive director may waive any of such requirements if he determines that any additional risk as a result of such waiver is adequately compensated or otherwise covered by the terms of the mortgage loan or the financial strength or credit of the applicant; or (iii) a doublewide manufactured home permanently affixed to the land.

6. The land, residence and all other improvements on the property to be financed must be expected to be used by the borrower primarily for residential purposes.

7. Personal property which is related to the use and occupancy of the property as the principal residence of the borrower and is customarily transferred with single family residences may be included in the real estate contract, transferred with the residence and financed by the loan; however, the value of such personal property shall not be considered in the appraised value.

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8. The principal amount of the mortgage loan shall not exceed the limits established by FNMA or FHLMC for single family residences;

9. Loan proceeds may be used to refinance the applicant's existing mortgage loan or loans on the property only if (i) the applicant receives no proceeds of the authority's loan; (ii) such loan proceeds are not used to refinance any authority mortgage loan or to refinance any bridge loan which refinanced any authority mortgage loan; and (iii) the existing mortgage loan was closed more than one year prior to submission of the application for the authority mortgage loan, and no advances on such existing mortgage loan have been made within the 12 months preceding the submission of such application. Clause (iii) shall not apply to existing mortgage loans which financed the applicant's acquisition of the property if the authority loan will not exceed the lesser of the sales price for such acquisition or the current appraised value;

10. Mortgage insurance shall not be required, except that in the case of manufactured homes mortgage insurance shall be required in accordance with this chapter;

11. The maximum combined loan-to-value ratio (including any other loans, such as existing mortgage loans to be subordinated to the authority loan, to be secured by the property at the time of closing) shall be ~~97%~~ 100%. *The executive director may approve the disbursement of additional amounts to finance closing costs and fees and costs of rehabilitation and improvements to be completed subsequent to the closing.*

12. The applicant or applicants must have a history of receiving stable income from employment or other sources with a reasonable expectation that the income will continue in the foreseeable future; typically, verification of two years' stable income will be required; and education or training in a field related to the employment of the applicant or applicants may be considered to meet no more than one year of this requirement;

13. The applicant must establish a credit history satisfactory to the authority and, in particular, must satisfy the following: (i) no bankruptcy or foreclosure within the preceding three years; no housing payment past due for 30 days in the preceding 24 months; no more than one payment past due for 30 days or more on any other debt or obligation within the preceding 12 months; no outstanding collection, judgment or 30-day past due account; and a minimum credit score of 620 if the loan-to-value ratio is 95% or less or 660 if the loan-to-value ratio exceeds 95% (*credit scores as referenced in these regulations shall be determined by obtaining credit scores for each applicant from a minimum of three repositories and using the middle score in the case of a single applicant and the lowest middle score in the case of multiple applicants*); or (ii) no previous bankruptcy or foreclosure; no outstanding collection or judgment or more than one 30-day past due account within the past 12 months; no previous housing payment past due for 30 days; minimum of three sources of credit with satisfactory payment histories at least two

years old; no more than nine accounts currently open; and no more than three new accounts opened in the past 12 months (in establishing guidelines to implement the flexible alternative mortgage loan programs, the authority may refer to the credit requirements in clause (i) of this subdivision as the "alternative" credit requirements and the requirements in clause (ii) of this subdivision as the "standard" credit requirements);

If the executive director determines it is necessary to protect the financial integrity of the flexible alternative program, the executive director may require that applicants for loans having loan-to-value ratios in excess of 97% meet the alternative credit requirements in clause (i) of subdivision 13.

14. Homeownership education approved by the authority shall be required for any borrower who is a first time homeowner if the loan-to-value ratio exceeds 95%; *This requirement shall be waived if the applicant has a credit score of 700 or greater.*

15. Seller contributions for closing costs and other amounts payable by the borrower in connection with the purchase or financing of the property shall not exceed 4.0% of the contract price;

16. Sources of funds for the down payment and closing costs payable by the borrower shall be limited to the borrower's funds, gifts or unsecured loans from relatives, grants from employers or nonprofit entities not involved in the transfer or financing of the property, and unsecured loans on terms acceptable to the authority (payments on any unsecured loans permitted under this subdivision 16 shall be included in the calculation of the debt/income ratios described below), and documentation of such sources of funds shall be in form and substance acceptable to the authority;

17. The maximum debt ratios shall be 35% and 43% in lieu of the ratios of 32% and 40%, respectively, set forth in 13 VAC 10-40-130 B 4;

18. Cash reserves at least equal to two months' loan payments must be held by the applicant if the loan-to-value ratio exceeds 95%; cash reserves at least equal to one month's loan payment must be held by the applicant if the loan-to-value ratio is greater than 90% and is less than or equal to 95%; and no cash reserves shall be required if the loan-to-value ratio is 90% or less;

19. The payment of points (a point being equal to 1.0% of the loan amount) in addition to the origination fee shall be charged as follows: if the loan-to-value ratio is 90% or less, one-half of one point shall be charged; if the loan-to-value ratio is greater than 90% and is less than or equal to 95%, one point shall be charged; and if the loan-to-value ratio exceeds 95%, one and one-half point shall be charged.

In addition to the above, a reduction of one-half of one point will be made to applicants meeting the credit requirements in clause 13 (i) above with a credit score of 700 or greater; ~~and.~~

20. The interest rate which would otherwise be applicable to the loan shall be reduced by .25% if the loan-to-value ratio is 80% or less.

~~B-~~ 21. The documents relating to requirements of the federal tax code governing tax-exempt bonds shall not be required.

~~C-~~ 22. For assumptions of loans, the above requirements for occupancy of the property as the borrower's principal residence, the above income limit, and the underwriting criteria in the regulations as modified by this section must be satisfied.

~~D-~~ 23. The authority may require that any or all loans financed under such alternative mortgage programs be serviced by the authority.

24. The authority may accept an approval of an automated underwriting system in lieu of satisfaction of the foregoing requirements for the flexible alternative program if the executive director determines that such delegated underwriting system is designed so as to adequately protect the financial integrity of the flexible alternative program.

Except as modified hereby, all of the requirements, terms and conditions set forth in 13 VAC 10-40-10 through 13 VAC 10-10-40-220 shall apply to the flexible alternative mortgage loan programs.

VA.R. Doc. No. R00-161; Filed May 17, 2000, 12:01 p.m.



GOVERNOR

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Title of Regulation: Regulations for the Control and
Abatement of Air Pollution (Rev. K97).
9 VAC 5-60-10 et seq. Hazardous Air Pollutant Sources.
9 VAC 5-80-10 et seq. Permits for Stationary Sources.

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor

Date: April 19, 2000

VA.R. Doc. No. R98-44; Filed May 12, 2000, 11:13 a.m.



GENERAL NOTICES/ERRATA

STATE AIR POLLUTION CONTROL BOARD

Notice of Periodic Review -- Exclusionary General Permit for Federal Operating Permit Program (9 VAC 5-500)

The Department of Environmental Quality, on behalf of the State Air Pollution Control Board, will review the Exclusionary General Permit for Federal Operating Permit Program, 9 VAC 5-500-10 et seq. The purpose of the review is to determine whether the regulation should be terminated, amended, or retained in its current form. The review will be guided by the principles listed in Executive Order 25 (98).

The regulation establishes procedures for facility owners to obtain authority to operate under a general permit in order to avoid the necessity of obtaining a permit required under Title V of the federal Clean Air Act.

The department and the board are seeking comment regarding whether the regulation meets the established goals and whether the regulation is written clearly and easily understandable by affected persons.

The goals of the regulation are to protect public health and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth and to minimize the regulatory burden of the federal operating permit program on smaller facilities.

Comments may be submitted until June 26, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, telephone (804) 698-4419 or FAX (804) 698-4510.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Maggodee Creek and Lower Portion of Blackwater River

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for fecal coliform bacteria on two stream segments in the Lower Blackwater River watershed. The impaired segments are Maggodee Creek and the lower portion of the Blackwater River, both of which are located in Franklin County. These two segments are identified in Virginia's 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria.

Section 303(d) of the federal Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's § 303(d) TMDL Priority List and Report.

The first public meeting on the development of fecal coliform bacteria TMDL's for these two segments will be held on Thursday, June 22, 2000, at 7 p.m. in the Town Council

Chambers; Allen O. Woody, Jr. Municipal Building; 345 Donald Avenue in Rocky Mount.

The public comment period will end on June 30, 2000. A fact sheet on the development of TMDL's for fecal coliform bacteria is available upon request. Questions or information requests should be addressed to Clint Boschen. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Clint Boschen, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, Virginia, 24019, telephone (540) 562-6724, FAX (540) 562-6729, or e-mail cjboschen@deq.state.va.us.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Public Notice of Change in Nursing Home Rate Methodology and Rates Effective July 1, 2000 (In Conformance to 42 CFR Part 447)

Comments may be directed to the department through June 21, 2000, by close of business.

Most of the following changes to the Medicaid nursing home payment system are prompted by provisions of the Appropriations Act of the 2000 Session of the General Assembly. This act is awaiting final action by the Governor and, therefore, these changes are subject to final enactment of that act.

Change in Rate Methodology

1. Change in Direct Care Rates

Effective July 1, 2000, three changes will be made to the methodology used to set direct care rates.

1.1 The direct care ceiling will be set at 112% of the peer group median of 1998 direct care cost per day. This amount will be adjusted for inflation to the appropriate provider fiscal year.

1.2 The provider specific direct cost per day amounts used in the rate calculation will be equal to the provider's total direct costs divided by the provider's actual days in the year, without application of an occupancy requirement.

1.3 Both the ceiling and the facility specific cost per day, as calculated in 1.1 and 1.2 above will be increased further by a per diem amount designed to increase aggregate statewide payments for direct care costs by \$21.7 million plus \$1.4 million. The \$21.7 million amount was first budgeted in SFY2000, and will be increased for inflation to SFY2001.

1.4 The efficiency incentive that has been paid to facilities with cost per day lower than their peer group ceiling will be eliminated.

General Notices/Errata

2. Change in Indirect Care Rates

2.1 The indirect care ceiling will be set at 106.9% of the peer group median of 1998 indirect care cost per day. This amount will be adjusted for inflation to the appropriate provider fiscal year.

2.2 The occupancy requirement applied to indirect care costs will be 90%, rather than 95% for most facilities and 85% for facilities with 30 beds or fewer.

2.3 Indirect peer grouping by bed size will be changed, and the method used to adjust rates for bed size will also be changed. There will continue to be a Northern Virginia and a "rest of state" peer group for indirect ceilings. However, the methodology will no longer divide each of these two geographic peer groups into four groupings by bed size. Instead, the Northern Virginia peer group will not be divided into sub-groupings by bed size, but will simply have one ceiling for all facilities in that geographic area, regardless of bed size. The "rest of state" peer group will be divided into two groupings according to bed size. Facilities in the "rest of state" area with less than 61 beds will be a peer group, and those in the "rest of state" area with over 60 beds will be another peer group. Each of these peer groups will have its own ceiling based on the 1998 median cost per day of facilities in the peer group. This approach replaces one in which each geographic peer group ceiling was adjusted by an estimated amount per day based on four bed size ranges.

3. Change in Capital Rates

3.1 The occupancy requirement applied to capital costs will be 90%, rather than 95%.

3.2 There will no longer be recapture of depreciation cost payments upon sale of nursing facilities.

3.3 Facilities that are sold after June 30, 2000, and new facilities and new beds for which a Certificate of Public Need (COPN) application was submitted after June 30, 2000, will be subject to a new capital reimbursement methodology. Existing facilities will become fully subject to this methodology on July 1, 2010. The new methodology will be a Fair Rental Value (FRV) methodology. The capital per diem under the FRV methodology will be equal to the FRV rental rate times the facility value as determined under the FRV methodology, divided by the greater of actual days or 90% occupancy days. Property tax will be paid prospectively, separately from the FRV methodology, and will be based on the most recent available facility specific data from a settled cost report.

Justification for Change in Rate Methodology

1. Justification of Change in Direct Care Rates

1.1 Direct care ceilings have not been rebased (recalculated using a new base year) since 1991. Actual direct care costs have increased more rapidly than the inflation measures used to adjust the ceilings each year. Therefore Item 319 #26c, X.1. of the 2000/2002 appropriation act directed that the direct care ceilings be

recalculated and that they be set at 112% of the median of direct cost per day.

1.2 In the past, if a provider's occupancy percentage was below 95%, the per diem rate was calculated as if the provider had 95% occupancy. This resulted in the rate being lower than the providers actual cost divided by actual days. Item 319 #26c, X.1. of the 2000/2002 appropriation act directed that effective July 1, 2000, no occupancy requirement be applied in the calculation of direct care payment. The ceiling is still applicable to determination of direct care payment.

1.3 Chapter 935, the appropriation act, 1999 General Assembly Session, appropriated \$21.7 million for an increase in Medicaid rates to fund increased expenditure for Certified Nurse Aides (CNAs). While there is evidence that providers increased expenditures for CNAs by this amount in SFY2000, the cost report data that will be used to calculate the new ceilings for SFY2001 are from an earlier period and do not include these costs. Therefore the new ceilings, set at 112% of the median of cost in the new base year, need to be adjusted further if they are to include this amount appropriated by the 1999 appropriation act and expended by providers. This is the reason a per diem designed to expend a statewide amount of \$21.7 million (plus one year's inflation) will be added to the calculated ceiling.

1.4 The Joint Legislative Audit and Review Commission (JLARC) determined in a study conducted in SFY1999 and 2000, that the application of intensity adjustment in direct care reimbursement was reducing aggregate direct care payments by approximately \$1.4 million. Item 319 #26c, X.1. of the 2000/2002 appropriation act directed that this amount be restored in rates. Therefore rates for SFY2001 will be increased by a per diem amount calculated to expend \$1.4 million statewide.

1.5 Item 319 #26c, X.1. of the 2000/2002 appropriation act directed that the efficiency incentive for direct care be eliminated.

2. Justification of Change in Indirect Care Rates

2.1 Like direct care ceilings, indirect care ceilings have not been set from a new base year since 1991. Therefore it was determined that indirect payments should be recalculated at the same time as direct care payments. No additional funding was made available for indirect payments (except related to the change in the occupancy requirement), so the indirect ceiling will be set at a level that will result in the same statewide expenditure as would the previous ceiling, assuming a change in the occupancy requirement to 90%.

2.2 Because occupancy statewide appears to have declined, Item 319 #26c, X.1. of the 2000/2002 appropriation act directed that the occupancy requirement used to calculate indirect care rates be changed to 90%.

2.3 Indirect peer groups were changed for two reasons. A desire to simplify the rate methodology led to a reduction in the number of size categories from four to

two. Secondly, when the more recent cost data were reviewed, it was determined that bed size did not appear to be a significant factor affecting indirect cost in the Northern Virginia peer group. Therefore, that peer group will not be divided by bed size.

3. Justification of Change in Capital Rates

3.1 As with indirect costs, Item 319 #26c, X.1. of the 2000/2002 appropriation act directed that the occupancy requirement used to determine the capital rate be reduced because of an apparent downward trend in actual occupancy in the state.

3.2 HB 2004 of the 1999 Session of the General Assembly provided that effective July 1, 2000, there will no longer be a recapture of depreciation expense payments by the Medicaid program upon sale of nursing facilities. Therefore this provision is being eliminated.

3.3 Given that recapture of depreciation is being eliminated, it is necessary to revise other features of the capital reimbursement methodology. Recapture of previously paid deprecation from an owner who sells a facility is designed to offset the increased payments to the new owner that result from recognition of the sale. With recapture eliminated it is necessary to implement a methodology for sold facilities that will not increase reimbursement solely as a result of the sale. In addition, there is an interest on the part of the state and providers to implement a prospective methodology for capital costs.

3.4 The methodology that is described is one that has been developed as a result of a series of discussions between the state and providers. Because the change from one methodology to another can have serious financial consequences, existing facilities will not be paid under this methodology at the present time. It will be applied only to new facilities and facilities that are sold after June 30, 2000.

Proposed Rates

These published rates represent the agency's best estimate based on rates in effect for providers' fiscal years ending in 1998, inflated to the providers' fiscal years ending in 2001, and adjusted for increased funds appropriated by the appropriation acts of 1999 and 2000. Interim rates will be established for each nursing facility effective July 1, 2000, and final rates will be established based on the final settlement of providers' cost reports with fiscal years ending through June 30, 2000. Once final rates have been determined they will be published pursuant to federal law.

FACILITY NAME	Period To	JULY 1, 2000 INTERIM PROSPECTIVE RATE
ACCOMACK COUNTY NURSING HOME	02/28/1998	\$82.60
ANNABURG MANOR	09/30/1998	\$119.89
ARCADIA NURSING CENTER	12/31/1998	\$76.92
ASBURY CTR AT BIRDMONT	03/31/1998	\$84.82

ASHLAND CC	12/31/1998	\$85.73
AUGUSTA NURSING & REHAB CENTER	12/31/1998	\$108.56
AUTUMN CARE MADISON	09/30/1998	\$105.04
AUTUMN CARE OF GREAT BRIDGE	09/30/1998	\$80.78
AUTUMN CARE OF NORFOLK	09/30/1998	\$94.51
AUTUMN CARE SUFFOLK	09/30/1998	\$78.52
AUTUMN CARE/PORTSMOUTH	09/30/1998	\$85.29
AUTUMN OF ALTAVISTA	09/30/1998	\$96.06
AVANTE AT HARRISONBURG	05/31/1998	\$84.92
AVANTE AT LYNCHBURG	05/31/1998	\$85.56
AVANTE AT ROANOKE	05/31/1998	\$81.01
AVANTE AT WAYNESBORO	05/31/1998	\$83.33
AVIS B. ADAMS	12/31/1998	\$87.90
BATTLEFIELD PARK CONV CTR	12/31/1998	\$92.36
BAYSIDE CC-POQUOSON	12/31/1998	\$94.78
BEDFORD COUNTY HOSPITAL	09/30/97	\$96.77
BEDFORD COUNTY N.H.	06/30/1998	\$87.50
BELVOIR WOODS HC CTR	12/31/1998	\$92.00
BERRY HILL NURSING HOME	06/30/1998	\$75.19
BETH SHOLOM - EASTERN VA	06/30/1998	\$94.99
BETH SHOLOM HOME - CENTRAL	09/30/1998	\$111.45
BETHANY HEALTHPLEX	12/31/1998	\$98.42
BEVERLY MANOR	12/31/1998	\$93.65
BIRMINGHAM GREEN	06/30/1998	\$132.53
BLUE RIDGE HIGHLANDS NS HM	12/31/1998	\$80.03
BLUE RIDGE NURSING CTR./STUART	12/31/1998	\$80.23
BLUE RIDGE REHAB CENTER	12/31/1998	\$89.62
BON SECOURS-MARYVIEW H.C.C.	08/31/97	\$98.42
BRANDON OAKS	12/31/1998	\$87.26
BRENT-LOX HALL	12/31/1998	\$91.24
BRIAN CENTER - LAWRENCEVILLE	03/31/1998	\$89.78
BRIAN CENTER FINCASTLE	03/31/1998	\$94.34
BRIAN CENTER NURS CR ALLEGHANY	03/31/1998	\$99.61
BRIAN CENTER-GEORGE B. KEGLEY	03/31/1998	\$105.43
BRIAN CTR H&R WEBER CITY	03/31/1998	\$91.53
BRIDGEWATER HOME	09/30/1998	\$91.90
BRISTOL HEALTH CARE	12/31/1998	\$97.06
BRISTOL NH	09/30/1998	\$68.25
BRITTHAVEN OF KEYSVILLE	09/30/1998	\$90.25

General Notices/Errata

BROOKE NURSING CENTER	08/31/1998	\$83.79
BURRELL NURSING CENTER	09/30/1998	\$99.12
CAMERON GLEN CARE CTR	12/31/1998	\$130.59
CARRIAGE HILL NURSING HOME	12/31/1998	\$107.50
CARTER HALL NURSING HOME	12/31/1998	\$96.34
CEDAR LAWN CONVAL HOME	07/31/1998	\$68.30
CEDARS (THE) NH	12/31/1998	\$98.11
CHIPPENHAM MANOR	03/31/1998	\$100.70
CLINCH VALLEY MED. CENTER	11/30/97	\$145.99
COLISEUM PARK NURSING HOME	12/31/1998	\$86.02
COLONIAL HEIGHTS CC	12/31/1998	\$85.59
COLONNADES HEALTH CENTER "THE"	12/31/1998	\$83.69
COMMONWEALTH CARE CTR	12/31/1998	\$128.34
COMMUNITY MEMORIAL HEALTH CTR.	06/30/1998	\$91.92
CULPEPER BAPTIST RETIREMENT	12/31/1998	\$122.23
CULPEPER HEALTH CARE CENTER	12/31/1998	\$91.93
DANVILLE REGIONAL MEDICAL CTR	12/31/97	\$105.45
DUFFIELD NURSING HOME	12/31/1998	\$80.39
EDGEMONT CENTER, INC.	09/30/1998	\$90.74
ELDERCARE OF FARMVILLE	12/31/1998	\$71.92
ELDERCARE OF HILLSVILLE	12/31/1998	\$96.85
ELDERCARE/FRANKLIN	12/31/1998	\$82.64
ELIZABETH ADAM CRUMP MANOR	12/31/1998	\$100.62
EVERGREENE NURSING CARE CENTER	05/31/1998	\$102.63
FAIRFAX NH	12/31/1998	\$121.28
FRANCIS MARION MANOR	09/30/97	\$84.23
FREDERICKSBURG NURSING HOME	12/31/1998	\$98.59
FRIENDSHIP MANOR	06/30/1998	\$84.78
GILES MEMORIAL HOSPITAL	09/30/97	\$115.93
GOODWIN HOUSE	09/30/1998	\$110.20
GOODWIN HOUSE WEST	09/30/1998	\$114.23
GRACE LODGE	12/31/1998	\$68.87
GREENSVILLE MEMORIAL	08/31/97	\$102.40
HALIFAX-SO BOSTON COM HOSP	08/31/97	\$101.46
HEALTH C/BRANDERMILL WOODS	06/30/1998	\$111.95
HEALTH RESOURCES OF NORFOLK	12/31/1998	\$97.85

HERITAGE HALL LEESBURG	12/31/1998	\$108.70
HERITAGE HALL VIRGINIA BEACH	12/31/1998	\$101.22
HERITAGE HALL/AMELIA	12/31/1998	\$89.04
HERITAGE HALL/BIG STONE GAP	12/31/1998	\$79.28
HERITAGE HALL/BLACKSBURG	12/31/1998	\$82.33
HERITAGE HALL/BLACKSTONE	12/31/1998	\$80.50
HERITAGE HALL/BROOKNEAL	12/31/1998	\$95.16
HERITAGE HALL/CHARL'VILLE	12/31/1998	\$96.55
HERITAGE HALL/CLINTWOOD	12/31/1998	\$75.78
HERITAGE HALL/DILLWYN	12/31/1998	\$90.00
HERITAGE HALL/FRONT ROYAL	12/31/1998	\$108.13
HERITAGE HALL/GRUNDY	12/31/1998	\$90.71
HERITAGE HALL/KING GEORGE	12/31/1998	\$92.92
HERITAGE HALL/LAUREL MEADOWS	12/31/1998	\$94.52
HERITAGE HALL/LEXINGTON	12/31/1998	\$94.63
HERITAGE HALL/NASSAWADOX	12/31/1998	\$83.88
HERITAGE HALL/TAZEWELL	12/31/1998	\$80.02
HERITAGE HALL/WISE	12/31/1998	\$81.24
HIGHLAND MANOR NH	12/31/1998	\$90.80
HILLCREST MANOR NURSING HOME	12/31/1998	\$87.13
HOMWOOD RETIREMENT CENTER	12/31/1998	\$92.39
HOPEWELL CC	12/31/1998	\$85.50
ILIFF NURSING AND REHAB CENTER	12/31/1998	\$132.21
INTEGRATED HEALTH SERV OF NV	12/31/1998	\$122.45
JAMES POINTE CARE CENTER	04/30/1998	\$82.55
JAMES RIVER CONVALESCENT CTR	12/31/1998	\$82.83
JEFFERSON PARK CENTER	09/30/1998	\$92.14
JOHN RANDOLPH NH	12/31/97	\$114.03
KINGS GRANT RETIREMENT COMM	12/31/1998	\$115.48
LAFAYETTE VILLA HTH CARE	12/31/1998	\$86.96
LAKE TAYLOR	06/30/1998	\$98.88
LANCASHIRE NURSING HOME	12/31/1998	\$86.54
LEEWOOD NH	02/28/1998	\$112.72
LIBBIE CONVALESCENT CENTER	12/31/1998	\$107.52
LIBERTY HOUSE/CLIFTON FORGE	12/31/1998	\$83.88

General Notices/Errata

LIBERTY HOUSE/ROSE HILL	12/31/1998	\$99.84	MFA - PARHAM HCC AND REHAB	12/31/1998	\$95.11
LIFE CARE CTR/NEW MARKET	12/31/1998	\$85.39	MFA - PINEY FOREST H.C.C.	12/31/1998	\$84.91
LITTLE SISTERS OF THE POOR	12/31/1998	\$111.32	MFA - PULASKI HEALTH CARE	12/31/1998	\$90.74
LOUDOUN LONG TERM CARE	06/30/1998	\$123.01	MFA - RALEIGH COURT HC CTR	12/31/1998	\$97.31
LUCY CORR NURSING HOME	06/30/1998	\$98.78	MFA - REGENCY HEALTH CARE CTR	12/31/1998	\$100.16
LYNN SHORES MANOR	12/31/1998	\$91.60	MFA - RIVERSIDE HEALTH CARE	12/31/1998	\$81.94
MANNING CONVALESCENT	03/31/1998	\$82.05	MFA - STANLEYTOWN HEALTH CARE	12/31/1998	\$93.08
MANOR CARE IMPERIAL	05/31/1998	\$100.84	MFA - VIRGINIA BEACH HC&REHAB	12/31/1998	\$97.44
MANOR CARE/ARLINGTON	05/31/1998	\$120.46	MFA - WARSAW HEALTH CARE	12/31/1998	\$84.57
MANOR CARE/FAIR OAKS	05/31/1998	\$107.15	MFA - WAVERLY HEALTH CARE CTR	12/31/1998	\$98.22
MANOR CARE-STRATFORD HALL	05/31/1998	\$95.77	MFA-BERKSHIRE	12/31/1998	\$86.82
MAPLE GROVE HEALTH CARE CENTER	12/31/1998	\$94.08	MFA-BURKE HEALTH CARE CENTER	12/31/1998	\$126.79
MARIAN MANOR, INC.	10/08/1998	\$106.11	MFA-HANOVER HEALTH CARE CTR.	12/31/1998	\$104.37
MARTINSVILLE CONV	12/31/1998	\$83.93	MIZPAH NURSING HOME	03/31/1998	\$95.54
MARY WASHINGTON HEALTH CR CTR.	12/31/1998	\$91.45	MOUNT VERNON NURSING CENTER	12/31/1998	\$103.76
MEADOWBROOK NURSING FACILITY	02/15/1998	\$83.85	MOUNTAIN VIEW NH	12/31/1998	\$92.37
MEADOWS NURSING CENTER (THE)	12/31/1998	\$103.54	NEWPORT NEWS BAPT RETIREM'T	12/31/1998	\$96.40
MEDICAL CARE CENTER/LYNCHBURG	12/31/1998	\$89.54	NORTHAMPTON CONV. CTR	12/31/1998	\$90.79
MFA - APPOMATTOX HEALTH CARE C	12/31/1998	\$95.19	NORTHAMPTON-ACCOMACK	12/31/97	\$130.66
MFA - BAYSIDE HEALTH CARE CTR	12/31/1998	\$99.68	OAK HILL NURSING HOME	09/30/1998	\$93.22
MFA - BEAUFONT HEALTH CARE CTR	12/31/1998	\$103.83	OAK LEA NH	03/31/1998	\$86.72
MFA - BOWLING GREEN HC	12/31/1998	\$94.82	OAK MEADOW NURSING CENTER	12/31/1998	\$123.06
MFA - CAMELOT HALL/SALEM	12/31/1998	\$83.74	OAK SPRINGS OF WARRENTON	12/31/1998	\$101.82
MFA - CAMELOT HALL-LYNCHBURG	12/31/1998	\$86.37	OAKWOOD NURSING & REHAB CENTER	12/31/1998	\$116.24
MFA - CAMELOT HEALTH AND REHAB	12/31/1998	\$90.93	ORANGE CO NH	06/30/1998	\$89.86
MFA - CHERRYDALE HEALTH CARE	12/31/1998	\$119.29	OUR LADY OF HOPE	06/30/1998	\$103.78
MFA - CHESAPEAKE H.C.C.	12/31/1998	\$83.62	OUR LADY OF PEACE, INC.	06/30/1998	\$103.64
MFA - COURTLAND HCC	12/31/1998	\$84.16	OUR LADY OF THE VALLEY INC	06/30/1998	\$94.77
MFA - FRANKLIN HC CTR	12/31/1998	\$98.40	PHEASANT RIDGE NH	12/31/1998	\$117.85
MFA - GRETNAL HEALTH CARE CTR.	12/31/1998	\$87.52	POTOMAC CENTER	09/30/1998	\$119.68
MFA - HENRICO HEALTH CARE	12/31/1998	\$100.74	R J REYNOLDS	09/30/97	\$111.81
MFA - LOUISA HEALTH CARE	12/31/1998	\$93.07	RADFORD COMMUNITY HOSP.	09/30/97	\$132.67
MFA - LOVINGSTON HEALTH CARE	12/31/1998	\$93.41	RICHFIELD NC	09/30/1998	\$85.36
MFA - NORFOLK HC CTR	12/31/1998	\$88.27	RICHMOND NH	06/30/1998	\$99.21
			RIDGECREST MANOR NH	12/31/1998	\$91.54
			RIVERSIDE CC - MATHEWS	12/31/1998	\$95.57
			RIVERSIDE CC - SALUDA	12/31/1998	\$85.00

General Notices/Errata

RIVERSIDE CC/SMITHFIELD	12/31/1998	\$78.34
RIVERSIDE CONV. CTR./HAMPTON	12/31/1998	\$89.14
RIVERSIDE CONV. CTR/WEST POINT	12/31/1998	\$94.75
RIVERSIDE REGIONAL CC	12/31/1998	\$89.45
RIVERSIDE- TAPPAHANNOCK HOS	12/31/97	\$130.29
RIVERVIEW NURSING HOME	07/31/1998	\$85.97
ROMAN EAGLE NURSING HOME	12/31/1998	\$84.73
SENTARA - PORTSMOUTH	04/30/1998	\$94.15
SENTARA NURSING CENTER VAB	04/30/1998	\$100.74
SENTARA NURSING CENTER/CHESA	04/30/1998	\$89.86
SENTARA NURSING CENTER/HAMPTON	04/30/1998	\$107.16
SENTARA-HAMPTON GENERAL	04/30/1998	\$140.35
SENTARA-NORFOLK	04/30/1998	\$93.65
SHAWNEE SPRINGS HEALTH & REHAB	12/31/1998	\$89.98
SHENANDOAH COUNTY MEM	09/30/97	\$104.81
SHENANDOAH MANOR OF CF	12/31/1998	\$86.88
SHENANDOAH NURSING HOME	10/31/1998	\$100.37
SHENANDOAH VALLEY HC	12/31/1998	\$86.01
SHENANDOAH VALLEY WEST.-CANT.	12/31/1998	\$101.28
SHORE LIFECARE INC	12/31/1998	\$80.68
SKYLINE MANOR NH	05/31/1998	\$93.94
SKYLINE TERRACE	06/30/1998	\$82.94
SLEEPY HOLLOW MANOR NH	12/31/1998	\$116.89
SMYTH COUNTY	09/30/97	\$128.47
SNYDER NURSING HOME	08/31/1998	\$83.57
SOUTHAMPTON MEMORIAL	12/31/97	\$95.47
SOUTHSIDE REGIONAL	12/31/97	\$112.38
ST FRANCIS NURSING CENTER	12/31/97	\$102.53
ST MARY'S (NORTON)	09/30/97	\$97.39
STONEWALL JACKSON	12/31/97	\$100.76
SUNNYSIDE PRES. HOME	12/31/1998	\$92.50
TAPPAHANNOCK MANOR	12/31/1998	\$95.84
THE BRIARWOOD, INC.	05/31/1998	\$79.64
THE CARRINGTON	12/31/1998	\$85.43
THE DISTRICT HOME	12/31/1998	\$89.02
THE JEFFERSON	12/31/1998	\$116.87
THE SPRINGS NURSING CENTER	12/31/1998	\$99.67
THE VILLAGE NURSING CENTER	12/31/1998	\$99.42
TWIN OAKS CON HOME	12/31/1998	\$89.54

UNIVERSITY PARK	02/28/1998	\$101.48
VA VETERANS CARE CENTER	12/31/1998	\$85.96
VALLEY HEALTH CARE	12/31/1998	\$77.81
VENCOR-BAY POINTE VA BEACH	12/31/1998	\$91.56
VENCOR-HARBOUR POINTE NORFOLK	12/31/1998	\$91.67
VENCOR-MONTVUE NURSING HOME	12/31/1998	\$88.50
VENCOR-NANSEMOND POINTE	12/31/1998	\$89.55
VENCOR-RIVER POINTE (HOLMES)	12/31/1998	\$92.76
VIRGINIA BAPTIST	12/31/97	\$101.82
VIRGINIA HOME	09/30/1998	\$105.41
WALNUT HILL CC	12/31/1998	\$85.42
WALTER REED CONVALESCENT CTR	12/31/1998	\$83.73
WARREN MEMORIAL	12/31/97	\$128.60
WARRENTON OVERLOOK HLTH&REHAB	09/30/1998	\$119.72
WESTMINSTER AT LAKE RIDGE	12/31/1998	\$119.50
WESTMINSTER CANT/LYNCH	09/30/1998	\$87.96
WESTMINSTER CANT/RAPP	03/31/1998	\$102.22
WESTMINSTER CANT/RICH	09/30/1998	\$100.76
WESTMINSTER CANT/VA B	09/30/1998	\$90.53
WESTPORT CONVALESCENT CENTER	12/31/1998	\$93.33
WESTWOOD CENTER	12/31/1998	\$102.95
WHEATLAND HLS RETIREM'T CTR	12/31/1998	\$82.26
WILLIAMSBG HLT CARE&REHAB CTR	09/30/1998	\$93.93
WILLOW CREEK HEALTHCARE CENTER	12/31/1998	\$105.61
WINDEMERE AT VIRGINIA BEACH	12/31/1998	\$93.41
WOODBINE NURSING AND CONV. CTR	12/31/1998	\$127.58
WOODBIDGE NURSING CENTER	12/31/1998	\$122.11
WOODMONT NURSING HOME	09/30/1998	\$116.98
WOODVIEW NURSING HOME	08/31/1998	\$84.39
WYTHE COUNTY COMMUNITY	09/30/97	\$125.69
YORK CONVALESCENT CENTER	12/31/1998	\$87.48

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

Commonwealth of Virginia (1999) Policies & Procedures for the Implementation of Part C of the Individuals with Disabilities Education Act (IDEA)

Public comment will be accepted in writing beginning June 19, 2000, through August 19, 2000, on revisions to the Commonwealth of Virginia (1999) Policies & Procedures for the Implementation of Part C of the Individuals with Disabilities Education Act (IDEA). The revisions are necessary to bring the Virginia policies and procedures into compliance with federal regulations 34 CFR Part 303 for Part C of IDEA, Early Intervention for Infants and Toddlers with Disabilities.

For a copy of the Commonwealth of Virginia Policies & Procedures for the Implementation of Part C of IDEA, additional information, and to submit public comment contact Beth A. Skufca, Part C Administrative Consultant, DMHMRSAS, Early Intervention Office, 9th Floor, P.O. Box 1797, Richmond VA 23218-1797, telephone (804) 786-5817, FAX (804) 371-7959, E-mail: bskufca@dmhmrsas.state.va.us.

STATE WATER CONTROL BOARD

Proposed Amended Consent Decree District of Columbia Lorton Correctional Complex Sewage Treatment Plant

The State Water Control Board proposes to execute an amended Consent Decree to be entered by the Circuit Court of Fairfax County with the District of Columbia (District) regarding the Lorton Correctional Complex sewage treatment plant (Lorton STP) and sewerage collection system located in Fairfax County, Virginia.

The Lorton STP is subject to VPDES Permit No. VA0030163. The amended Consent Decree provides, among other things, that the district maintain a full-time staff of operators at the Lorton STP, secure the services of a consultant engineering firm to oversee operations at the Lorton STP and ensure compliance, and install a high level alarm in part of the STP's collection system. The decree also provides the Lorton STP with interim effluent limits for phosphorus. The decree does not settle the Commonwealth's claim for civil penalties. The district has agreed that the decree be entered by the court.

Pursuant to 9 VAC 25-31-910, on behalf of the board, the Department of Environmental Quality's Northern Virginia Regional Office will receive comments relating to the decree through July 5, 2000. Please address comments to Elizabeth Anne Crosier, Northern Virginia Regional Office, Department of Environmental Quality, 13901 Crown Court, Woodbridge, Virginia 22193. Please write or visit the Woodbridge address,

or call (703) 583-3886 in order to obtain or examine a copy of the consent decree.

Proposed Consent Special Order -- Augusta County

The State Water Control Board proposes to enter into a Consent Special Order with Augusta County to resolve violations of the State Water Control Law and regulations at the Mill Place Commerce Park site previously known as the Augusta Industrial and Technology Center site in Augusta County. The facility discharges to an unnamed tributary to Middle River, Shenandoah River subbasin, and Potomac River basin.

In December 1998, August 1999, and September 1999, DEQ staff conducted inspections of the construction site. DEQ found that the county failed to comply with the permit's requirements to ensure that appropriate erosion and sedimentation (E&S) controls were in place prior to clearing and grading and failed to ensure that appropriate E&S controls were installed and maintained in good working order to minimize impacts to state waters.

The proposed Consent Special Order settles the outstanding Notice of Violation. The Order also assesses a civil charge for the violations.

The board will receive written comments relating to the proposed Consent Special Order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, Virginia 22801, and should refer to the Consent Special Order.

The proposed Order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia 22801. A copy of the Order may be obtained in person or by mail from this office.

Proposed Consent Special Order -- Flying J, Inc.

The State Water Control Board proposes to enter into a Consent Special Order with Flying J, Inc. to resolve violations of the State Water Control Law and regulations at the Flying J, Inc.'s sewage treatment plant in Frederick County. The facility discharges treated wastewater to Duncan Run, in the Shenandoah River subbasin, Potomac River basin.

DEQ has conducted inspections at facility that showed that Duncan Run appeared to be impacted by Flying J's discharge in violation of the board's Water Quality Standard regulations. The facility has also exceeded the effluent limitations for TKN. In addition, Flying J conducted unauthorized construction within Duncan Run and failed to submit a Joint Permit Application to the Virginia Marine Resources Commission for work performed in Duncan Run.

The Order also assesses a civil charge for the violations. The proposed Consent Special Order settles the outstanding Notices of Violation and incorporates a schedule of compliance to upgrade the facility to meet final effluent limitations and to address impacts due to the unpermitted instream construction.

General Notices/Errata

The board will receive written comments relating to the proposed Consent Special Order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, Virginia 22801, and should refer to the Consent Special Order.

The proposed Order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia 22801. A copy of the Order may be obtained in person or by mail from this office.

Proposed Consent Special Orders -- A. R. Gurganus, Pelican Properties II, L.L.C.

The State Water Control Board proposes to take enforcement actions against the facilities listed above.

The proposed enforcement action against A. R. Gurganus, located in Capron, Southampton County, Virginia, is a consent special order that will require the payment of a \$1,400 civil charge. The proposed order requires the owner to close out a manure lagoon at a former hog farm.

The proposed enforcement action against Pelican Properties II, L.L.C. is a consent special order in regard to the Deep Creek Mobile Home Park, located at 3741 S. Military Highway in Chesapeake, Virginia. The proposed order will require the payment of a \$5,000 civil charge. \$3,750 of the civil charge will be offset upon completion of a supplemental environmental project.

The Department of Environmental Quality will receive written comments relating to the board's proposed consent special orders from June 5, 2000, through July 5, 2000. Comments should be addressed to David S. Gussman, Department of Environmental Quality - Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462 and should refer to one of the orders specified above. The proposed orders may be examined at the above address and copies of the orders may be obtained in person or by mail.

Proposed Consent Special Order -- Shore Landvest, Inc.

The State Water Control Board proposes to take an enforcement action against Shore Landvest, Inc.

The proposed enforcement action against Shore Landvest Inc., is in regard to the Best Western Sunset Beach Inn, located at 32246 Lankford Highway in Northampton County, Virginia. The proposed action is a consent special order that will require the payment of a civil charge and the performance of a supplemental environmental project.

The Department of Environmental Quality will receive written comments relating to the board's proposed consent special order from June 5, 2000 through July 5, 2000. Comments should be addressed to David S. Gussman, Department of Environmental Quality - Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462 and should refer to the order specified above. The proposed

order may be examined at the above address and copies of the order may be obtained in person or by mail.

Proposed Consent Special Order -- Sean Stanley d/b/a Lakewood Trailer Park

The State Water Control Board proposes to issue a consent special order to Sean Stanley, d/b/a Lakewood Trailer Park, to resolve certain alleged violations of environmental laws and regulations occurring at the Lakewood Trailer Park in Halifax County, Virginia. The proposed order transfers the requirements in the November 25, 1997, order issued to the previous owner, Mr. John W. Scott, to the new owner, Mr. Sean Stanley.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive for 30 days from the date of publication of this notice written comments relating to the proposed consent special order. Comments should be addressed to Vernon Williams, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060-6295. A copy of the Order may be obtained in person or by mail from the above office.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

Forms for Filing Material for Publication in *The Virginia Register of Regulations*

All agencies are required to use the appropriate forms when furnishing material for publication in *The Virginia Register of Regulations*. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

Internet: Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page:
<http://legis.state.va.us/codecomm/register/regindex.htm>

FORMS:

NOTICE of INTENDED REGULATORY ACTION - RR01
NOTICE of COMMENT PERIOD - RR02
PROPOSED (Transmittal Sheet) - RR03
FINAL (Transmittal Sheet) - RR04
EMERGENCY (Transmittal Sheet) - RR05
NOTICE of MEETING - RR06
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS
- RR08

ERRATA

STATE AIR POLLUTION CONTROL BOARD

Title of Regulation: Regulations for the Control and Abatement of Air Pollution (Rev. S97).

9 VAC 5-20-10 et seq. General Provisions.

9 VAC 5-40-10 et seq. Existing Stationary Sources.

Publication: 16:17 VA.R. 2160-2178 May 8, 2000.

Correction to Final Regulation:

Page 2175, 2nd column, 9 VAC 5-40-6180 L 3, line 2,
after "completed under" insert "subsection C of"

STATE BOARD OF HEALTH

Title of Regulation: 12 VAC 5-165-10 et seq. Regulations for the Repacking of Crab Meat.



Publication: 16:16 VA.R. 2048-2051 April 24, 2000.

Correction to Final Regulation:

Page 2050, 12 VAC 5-165-100, subdivision A 2 a, change
">100.000/g" to ">100,000/g"


CALENDAR OF EVENTS

Symbol Key

-  Location accessible to persons with disabilities
 Teletype (TTY)/Voice Designation

NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation.


For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY , or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

EXECUTIVE

Room 809, Richmond, VA 23219, telephone (804) 786-3936, FAX (804) 371-7788.


Consumer Affairs Advisory Committee

† **June 16, 2000 - 9:30 a.m.** -- Open Meeting
Washington Building, 1100 Bank Street, Second Floor Board Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Consumer Affairs Advisory Committee communicates the views and interests of Virginians on issues related to the Department of Agriculture and Consumer Services' consumer education and fraud prevention programs and their availability to citizens. Members will review the events planned in support of the consumer education plan, with special emphasis on planning for State Fair 2000. Development of the meeting schedule for 2000-2001 will also be on the agenda. The committee will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Evelyn A. Jez, Administrative Staff Specialist, Office of Consumer Affairs, Department of Agriculture and Consumer Services, 1100 Bank Street, Suite 1101, Richmond, VA 23219, telephone (804) 786-1308, FAX (804) 786-5112, toll-free (800) 552-9963, (800) 828-1120/TTY 


Virginia Marine Products Board

June 14, 2000 - 6 p.m. -- Open Meeting
Chesapeake Bay Prime Rib and Seafood Company, 4329 George Washington Memorial Highway, Gloucester, Virginia. 

A meeting to receive reports from the Executive Director on finance, marketing, past and future program planning, publicity, public relations and old and new business. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia Aquaculture Advisory Board

June 9, 2000 - 9 a.m. -- Open Meeting
Virginia Institute of Marine Science, Eastern Shore Lab, Conference Room (new building), Atlantic Avenue, Wachapreague, Virginia. 

The board will meet in its regular session to discuss issues related to Virginia aquaculture. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: T. Robins Buck, Secretary, Virginia Aquaculture Board, 1100 Bank Street, Room 211, Richmond, VA 23219, telephone (804) 371-6094, FAX (804) 371-2945.

Virginia Charity Food Assistance Advisory Board

June 8, 2000 - 10:30 a.m. -- Open Meeting
Washington Building, 1100 Bank Street, Second Floor Board Room, Richmond, Virginia. 

A routine meeting to discuss issues related to food insecurity. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Steven W. Thomas at least five days before the meeting date so that suitable arrangements can be made.


Contact: Steven W. Thomas, Executive Director, Virginia Charity Food Assistance Advisory Board, 1100 Bank Street,

Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Shirley Estes, Executive Director, Virginia Marine Products Board, 554 Denbigh Boulevard, Suite B, Newport News, VA 23608, telephone (757) 874-3474, FAX (757) 886-0671.

Virginia Small Grains Board

July 27, 2000 - 8 a.m. -- Open Meeting

Richmond Airport Hilton, 5501 Eubank Road, Sandston, Virginia 

The board will review FY 1999-2000 project reports and will receive 2000-2001 project proposals. Minutes from the last board meeting and a current financial statement will be heard and approved. Additionally, action will be taken on any other new business that comes before the group. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Philip T. Hickman, Program Director, Virginia Small Grains Board, 1100 Bank Street, Room 1005, Richmond, VA 23219, telephone (804) 371-6157, FAX (804) 371-7786.

STATE AIR POLLUTION CONTROL BOARD

June 14, 2000 - 9 a.m. -- Public Hearing

Main Street Centre, 600 East Main Street, Lower Level Conference Room, Richmond, Virginia.

July 7, 2000 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **9 VAC 5-60-10 et seq. Hazardous Air Pollutant Sources**, and **9 VAC 5-80-10 et seq. Permits for Stationary Sources**. The regulation amendments concern provisions covering federal operating permits and can be summarized as falling primarily into seven categories. The proposed amendments (i) remove deficiencies that prevent full federal approval for Virginia's Title V program; (ii) support commitments made in a letter of February 27, 1997, from the DEQ director to EPA's Region III administrator amending previous program submittals; (iii) incorporate guidance from EPA's White Papers of July 1995 and March 1996; (iv) clarify applicable state requirements; (v) bring the acid rain program into conformity with federal regulations; (vi) incorporate provisions relating to the new federal Compliance Assurance Monitoring (CAM) rule; and (vii)

incorporate provisions relating to § 112(j) of the federal Clean Air Act.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal, an analysis conducted by the department (including a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches) and any other supporting documents may be examined by the public at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia, and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Abingdon Regional Office
Department of Environmental Quality
355 Deadmore Street
Abingdon, Virginia
Ph: (540) 676-4800

Roanoke Regional Office
Department of Environmental Quality
3019 Peters Creek Road, Suite D
Roanoke, Virginia
Ph: (540) 562-6700

Lynchburg Satellite Office
Department of Environmental Quality
7705 Timberlake Road
Lynchburg, Virginia
Ph: (804) 582-5120

Harrisonburg Regional Office
Department of Environmental Quality
116 North Main Street
Bridgewater, Virginia 22812
Ph: (540) 828-2595

Fredericksburg Satellite Office
Department of Environmental Quality
806 Westwood Office Park
Fredericksburg, Virginia
Ph: (540) 899-4600

Woodbridge Regional Office
Department of Environmental Quality
1549 Old Bridge Road, Suite 108
Woodbridge, Virginia
Ph: (703) 490-8922

Piedmont Regional Office
Department of Environmental Quality

Calendar of Events

4949-A Cox Road
Glen Allen, Virginia
Ph: (804) 527-5020

Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., July 7, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Kathleen Sands, Ph.D., Policy Analyst, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES

State Executive Council

June 28, 2000 - 9 a.m. -- Open Meeting
Department of Social Services, 730 East Broad Street, Richmond, Virginia.

A monthly meeting to discuss interagency programmatic and fiscal policies, oversee the administration of funds appropriated under the Act, and advise the Governor.

Contact: Alan G. Saunders, Director, Office of Comprehensive Services, Department of Social Services, Wythe Building, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, e-mail ags992@central.dss.state.va.us.

VIRGINIA AVIATION BOARD

† **June 13, 2000 - 10:30 a.m.** -- Open Meeting
Lonesome Pine Airport, 6225 Airport Road, Wise, Virginia.

A workshop for the board. No formal actions will be taken. Individuals with disabilities should contact Tony Williams at least 10 days prior to the meeting if assistance is needed.

Contact: Tony Williams, Department of Aviation, 5702 Gulfstream Road, Richmond International Airport, VA 23250-2422, telephone (804) 236-3626 or (804) 236-3624/TTY ☎

† **June 14, 2000 - 9 a.m.** -- Open Meeting
Hilton Richmond Airport, 5501 Eubank Road, Sandston, Virginia.

A regular bimonthly meeting of the board. Applications for state funding will be presented to the board and other matters of the Virginia aviation community will be

discussed. Individuals with disabilities should contact Tony Williams at least 10 days prior to the meeting if assistance is needed.

Contact: Tony Williams, Department of Aviation, 5702 Gulfstream Road, Richmond International Airport, VA 23250-2422, telephone (804) 236-3626 or (804) 236-3624/TTY ☎

BOARD FOR BARBERS

June 19, 2000 - 9 a.m. -- CANCELED

Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases, has been canceled.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail barbers@dpor.state.va.us.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

† **June 19, 2000 - 10 a.m.** -- Open Meeting
Williamsburg Municipal Building, Lafayette Street, Conference Room 3A, Williamsburg, Virginia.☎ (Interpreter for the deaf provided upon request)

A meeting to conduct general business, including a review of local Chesapeake Bay Preservation Area programs. Public comment will be taken in the meeting. A tentative agenda is available from the Chesapeake Bay Local Assistance Department.

Contact: Carolyn J. Elliott, Executive Secretary Senior, Chesapeake Bay Local Assistance Department, 101 N. 14th Street, 17th Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (800) 243-7229/TTY ☎, e-mail celliott@cblad.state.va.us.

COMPENSATION BOARD


† **June 27, 2000 - 11 a.m.** -- Open Meeting
Compensation Board, Ninth Street Office Building, 202 North 9th Street, 10th Floor, Richmond, Virginia.☎ (Interpreter for the deaf provided upon request)

A monthly board meeting.

Contact: Cindy P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cwaddell@scb.state.va.us.

DEPARTMENT OF CONSERVATION AND RECREATION


Virginia Agricultural BMP Implementation Advisory Committee

July 6, 2000 - 9:30 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)


A quarterly meeting. Request for interpreter for the deaf should be filed with the department two weeks prior to the meeting.

Contact: Dana R. Bayless, Agricultural Incentives Program Manager, Department of Conservation and Recreation, 203 Governor Street, Richmond, VA 23219, telephone (804) 371-7330, e-mail drbayless@dcr.state.va.us.


BOARD FOR CONTRACTORS

June 7, 2000 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regularly scheduled meeting of the board to address policy and procedural issues, review and render case decisions on matured complaints against licensees, and discuss other matters which may require board action. The meeting is open to the public, however, a portion of the board's business may be discussed in a closed meeting. The department fully complies with the Americans with Disabilities Act. Persons desiring to participate in the meeting and who require special accommodations or interpreter services should contact Kelley L. Hellams.


Contact: Mrs. Kelley L. Hellams, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230-4917, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.state.va.us.

BOARD OF CORRECTIONS

† June 13, 2000 - 10 a.m. -- Open Meeting
Board of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting of the Liaison Committee to discuss criminal justice matters which may be presented to the full board.

Contact: Janice Dow, Agency Regulatory Coordinator, Board of Corrections, 6900 Atmore Drive, Richmond, VA 23225, telephone (804) 674-3119, FAX (804) 674-3509, e-mail dowjt@vadoc.state.va.us.

† June 13, 2000 - 1 p.m. -- Open Meeting
Board of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Correctional Services Committee to discuss correctional services matters for possible presentation to the full board.


Contact: Janice T. Dow, Agency Regulatory Coordinator, Board of Corrections, 6900 Atmore Drive, Richmond, VA 23225, telephone (804) 674-3119, FAX (804) 674-3509, e-mail dowjt@vadoc.state.va.us.

† June 14, 2000 - 10 a.m. -- Open Meeting
Sussex I State Prison, 24414 Musselwhite Drive, Waverly, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to discuss matters that may be presented to the full board. Public comment will be received.

Contact: Janice T. Dow, Agency Regulatory Coordinator, Board of Corrections, 6900 Atmore Drive, Richmond, VA 23225, telephone (804) 674-3119, FAX (804) 674-3509, e-mail dowjt@vadoc.state.va.us.

BOARD FOR COSMETOLOGY

June 19, 2000 - 9 a.m. -- CANCELED
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases, has been canceled.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail cosmo@dpor.state.va.us.

BOARD OF DENTISTRY

June 13, 2000 - 1:30 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. 

An informal conference committee will convene to hear possible violations of the regulations governing the practice of dentistry. No public comment will be heard.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail mmiller@dhp.state.va.us.

Calendar of Events

BOARD OF EDUCATION

† **June 22, 2000 - 9 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A business meeting. Persons requesting services of an interpreter for the deaf should do so in advance.

Contact: Dr. Margaret N. Roberts, Office of Policy, Board of Education, P.O. Box 2120, 101 N. 14th Street, 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

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† **July 5, 2000** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to amend regulations entitled: **8 VAC 20-131-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia.** The purpose of this action is to repropose amendments to this regulation and to open an additional 30-day public comment period.

The proposed revisions to this regulation were initially published in the November 22, 1999, edition of the Virginia Register (16:5 11/22/99). During the 60-day comment period and in the public hearings, the public and local school officials voiced agreement with the premise that schools and students should be held to rigorous standards; however, most speakers disagreed with the premise of evaluating schools solely on the basis of test scores. In addition, many of the speakers at the hearings raised the question of what the board was going to do to help schools that have difficulty meeting the standards. During the months of January through April 2000, the board continued to receive comments on the proposals.

Based on this extensive comment and discussions with legislators during the General Assembly session, the board, at its February 24, 2000, meeting, decided to revise the earlier version of the proposed revisions and to develop additional proposals for the accrediting standards and to seek additional public comment. The reproposal was approved by the board on April 27, 2000. These additional revisions are in response to the public comment received.

Statutory Authority: §§ 22.1-19 and 22.1-253.13:13 of the Code of Virginia.

Contact: Charles W. Finley, Assistant Superintendent for Accountability, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 786-0790.

LOCAL EMERGENCY PLANNING COMMITTEE - ALEXANDRIA

June 7, 2000 - 4 p.m. -- Open Meeting
Lee Center Training Academy, 1108 Jefferson Street, Alexandria, Virginia. (Interpreter for the deaf provided upon request)

A meeting with committee members and facility emergency coordinators to conduct business in accordance with SARA Title III, Emergency Planning and Community Right-To-Know Act of 1986.

Contact: Charles McRorie, Coordinator, Local Emergency Planning Committee, P.O. Box 178, Alexandria, VA 22313, telephone (703) 838-3825 or (703) 838-5056/TTY

LOCAL EMERGENCY PLANNING COMMITTEE - PRINCE WILLIAM COUNTY, MANASSAS CITY AND MANASSAS PARK

† **June 19, 2000 - 1:30 p.m.** -- Open Meeting
1 County Complex Court, Occoquan Conference Room, Prince William, Virginia.

A multi-jurisdictional meeting to discuss issues related to hazardous substances in the jurisdictions and to discuss SARA Title III provisions and responsibilities for hazardous material emergency response planning.

Contact: John E. Medici, Hazardous Materials Officer, 9250 Lee Avenue, Manassas, VA 20110, telephone (703) 792-7405 or FAX (703) 792-6492.

LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER

June 7, 2000 - 3 p.m. -- Open Meeting
Shawnee Fire Department, 2333 Roosevelt Boulevard, Winchester, Virginia.

A regular quarterly business meeting.

Contact: L. A. Miller, Fire and Rescue Chief, Winchester Fire and Rescue Department, 126 N. Cameron Street, Winchester, VA 22601, telephone (540) 662-2298 or (540) 662-4131/TTY

DEPARTMENT OF ENVIRONMENTAL QUALITY

† **June 22, 2000 - 7 p.m.** -- Open Meeting
Allen O. Woody, Jr. Municipal Building, Town Council Chambers, 345 Donald Avenue, Rocky Mount, Virginia.

The first public meeting to receive comments on the development of fecal coliform bacteria TMDLs for Maggoodee Creek and the lower portion of the Blackwater River located in Franklin County.

Contact: Clint Boschen, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019,

telephone (540) 562-6724, FAX (540) 562-6729, (804) 698-4021/TTY ☎, e-mail cjboschen@deq.state.va.us.

† **June 29, 2000 - 9 a.m.** -- Public Hearing
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

A public hearing to receive testimony on a proposed Commonwealth of Virginia § 111(d) Plan. The proposed plan is intended to control emissions of nonmethane organic compounds (NMOC) to the atmosphere from municipal solid waste landfills.

Contact: Karen G. Sabasteanski, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, e-mail kgsabastea@deq.state.va.us.

Ground Water Protection Steering Committee

† **July 18, 2000 - 9 a.m.** -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

A regular meeting of the committee. Meeting minutes and agenda are available from Mary Ann Massie.

Contact: Mary Ann Massie, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4042, FAX (804) 698-4032, (804) 698-4021/TTY ☎, e-mail mamassie@deq.state.va.us.

Technical Advisory Committee

June 6, 2000 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Training Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss possible amendments to the Regulations for the Development of Solid Waste Management Plans (9 VAC 20-130-10 et seq.).

Contact: Robert G. Wickline, Waste Operations Division, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4213, toll-free 1-800-592-5482 or (804) 698-4021/TTY ☎

Water Resources Committee

June 5, 2000 - 2 p.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

A meeting of the Water Resources Committee which assists the department in meeting its mandates under the State Water Control Law, the federal Clean Water Act, and applicable state and federal regulations by reviewing and commenting on issues which could be incorporated into staff guidance documents or operating procedures.

Contact: Alan E. Pollock, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone

(804) 698-4002, FAX (804) 698-4319, e-mail aepollock@deq.state.va.us.

VIRGINIA FIRE SERVICES BOARD

† **June 15, 2000 - 8:30 a.m.** -- Open Meeting
Hampton Inn Conference Center, 1204 Berryville Avenue, Winchester, Virginia. ♿ (Interpreter for the deaf provided upon request)

Meetings of the following committees:

Fire Education and Training - 8:30 a.m.
Administration and Policy - Open meeting and public hearing on future legislative issues - 10 a.m.
Fire Prevention and Control - 1 p.m.
Finance - 4 p.m.

Contact: Troy H. Lapetina, Executive Director, Virginia Fire Services Board, James Monroe Bldg., 101 N. 14th Street, 18th Floor, Richmond, Virginia 23219, telephone (804) 371-0220, FAX (804) 371-0217.

† **June 16, 2000 - 9 a.m.** -- Open Meeting
Hampton Inn Conference Center, 1204 Berryville Avenue, Winchester, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Troy H. Lapetina, Executive Director, Virginia Fire Services Board, James Monroe Bldg., 101 N. 14th Street, 18th Floor, Richmond, Virginia 23219, telephone (804) 371-0220, FAX (804) 371-0217.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

June 21, 2000 - 2 p.m. -- Public Hearing
Richmond Marriott, 500 East Broad Street, Richmond, Virginia. ♿

The board will conduct a public hearing on legislative proposals to be adopted at the meeting on May 30, 2000. To receive a copy of the legislative proposals, contact the board after June 1.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail etisdale@dhp.state.va.us.

BOARD OF GAME AND INLAND FISHERIES

† **July 20, 2000 - 9 a.m.** -- Open Meeting
Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The board will meet and intends to adopt webless migratory game bird and September Canada goose seasons and bag limits based on frameworks provided by

Calendar of Events


the U.S. Fish and Wildlife Service. The board will solicit comments from the public during the public hearing portion of the meeting, at which time any interested citizen present shall be heard.

The board may also discuss general and administrative issues. The board may elect to hold a dinner Wednesday evening, July 19, at a location and time to be determined; and it may hold a closed session before the public session begins on July 20.


Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4000 W. Broad Street, Richmond, VA 23230, telephone (804) 367-1000 or FAX (804) 367-0488.

DEPARTMENT OF HEALTH PROFESSIONS


June 9, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


The committee will meet with its contractor and representatives to review reports, policies, and procedures for the Health Practitioner's Intervention Program. The committee will meet in open session for general discussion of the program. The committee may meet in executive session to consider specific requests from applicants or participants in the program.

Contact: John W. Hasty, Director, Health Practitioner's Intervention Program, Department of Health Professions, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9424, FAX (804) 662-9114 or (804) 662-7197/TTY 

HISTORIC RESOURCES BOARD AND STATE REVIEW BOARD

June 14, 2000 - 10 a.m. -- Open Meeting
Appomattox Regional Governor's School, 512 West Washington Street, Petersburg, Virginia. 

A quarterly meeting to consider completed and proposed reports for the National Register of Historic Places and the Virginia Landmarks Register, easements and highway markers.

Contact: Marc C. Wagner, National Register Manager, Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221, telephone (804) 367-2323 ext. 115, FAX (804) 367-2391 or (804) 367-2386/TTY 


HOPEWELL INDUSTRIAL SAFETY COUNCIL

June 6, 2000 - 9 a.m. -- Open Meeting

July 11, 2000 - 9 a.m. -- Open Meeting

August 1, 2000 - 9 a.m. -- Open Meeting

September 5, 2000 - 9 a.m. -- Open Meeting

Hopewell Community Center, 100 West City Point Road, Hopewell, Virginia.  (Interpreter for the deaf provided upon request)

Local Emergency Preparedness Committee meeting as required by SARA Title III.


Contact: Robert Brown, Emergency Services Coordinator, 300 N. Main Street, Hopewell, VA 23860, telephone (804) 541-2298.

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† June 20, 2000 - 11 a.m. -- Open Meeting


Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the Board of Commissioners to (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the authority's operations for the prior month; and (iv) consider such other matters and take such other actions as they may deem appropriate. Various committees of the board may also meet before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, VA 23060, telephone (804) 343-5540, FAX (804) 783-6701, toll-free (800) 968-7837, (804) 783-6705/TTY 

STATEWIDE INDEPENDENT LIVING COUNCIL

† July 12, 2000 - 1 p.m. -- Open Meeting


Department for the Visually Handicapped, 395 Azalea Avenue, Resource and Information Library, Richmond, Virginia  (Interpreter for the deaf provided upon request)

A regular quarterly meeting to discuss progress and assess the impact of the State Plan for Independent Living.

Contact: Jim Rothrock, Statewide Independent Living Council, 1802 Marroit Rd., Richmond, VA 23229, telephone (804) 673-0119, FAX (804) 282-7118.

VIRGINIA INTERAGENCY COORDINATING COUNCIL

June 14, 2000 - 9:30 a.m. -- Open Meeting

Henrico Area Community Services Board, 10299 Woodman Road, Building B, Conference Room C, Glen Allen, Virginia.  (Interpreter for the deaf provided upon request)


The council meets quarterly to advise and assist the Virginia Department of Mental Health, Mental Retardation

and Substance Abuse Services as lead agency for Part C (of IDEA), early intervention for infants and toddlers with disabilities and their families. Discussion will focus on issues related to Virginia's implementation of the Part C program.


Contact: LaKeishia L. White, Part C Office Services Specialist, Department of Mental Health, Mental Retardation and Substance Abuse Services, Early Intervention, 9th Floor, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3710 or FAX (804) 371-7959.

DEPARTMENT OF LABOR AND INDUSTRY


Virginia Apprenticeship Council

June 15, 2000 - 10 a.m. -- Open Meeting
University of Virginia, Emmet Street, Newcomb Hall, South Meeting Room, 3rd Floor, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A regular quarterly meeting.

Contact: Beverley Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th Street, Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY , e-mail bgd@doli.state.va.us.


STATE LIBRARY BOARD

† June 19, 2000 - 8:15 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


The board will meet to discuss matters pertaining to The Library of Virginia and The Library Board. Committees of the board will meet as follows:

- Public Library Development Committee (Orientation Room) - 8:15 a.m.
- Publications and Educational Services Committee (Conference Room B) - 8:15 a.m.
- Records Management Committee (Conference Room C) - 8:15 a.m.
- Archival and Information Services Committee (Orientation Room) - 9:30
- Collection Management Services Committee (Conference Room B) - 9:30
- Legislative and Finance Committee (Conference Room C) - 9:30


The full board will meet at 10:30 a.m. in the Board Meeting Room on Floor 2M. If necessary, meetings can be scheduled over lunch for the Executive Committee and the Nominating Committee.

Contact: Jean H. Taylor, Executive Secretary Senior, State Library Board, The Library of Virginia, Richmond, VA 23219, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY , e-mail jtaylor@lva.lib.va.us.


State Networking and Users Advisory Board

† June 7, 2000 - 10 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Lobby, Conference Room A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The board will meet to discuss matters pertaining to the State Networking Users Advisory Board, The Library of Virginia, Virginia libraries and networking issues.


Contact: Jean H. Taylor, Executive Secretary Senior, State Library Board, The Library of Virginia, Richmond, VA 23219, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY , e-mail jtaylor@lva.lib.va.us.

LONGWOOD COLLEGE

† June 15, 2000 - 1 p.m. -- Open Meeting
Berry Hill Plantation, South Boston, Virginia.  (Interpreter for the deaf provided upon request)


A meeting of the Executive Committee to conduct routine business.

Contact: Jeanne S. Hayden, Administrative Staff Assistant, Longwood College, 201 High Street, Farmville, VA 23909, telephone (804) 395-2004, FAX (804) 395-2821, e-mail jhayden@longwood.lwc.edu.

† June 15, 2000 - 6 p.m. -- Open Meeting
Berry Hill Plantation, South Boston, Virginia.  (Interpreter for the deaf provided upon request)

A dinner meeting of the Board of Visitors with a presentation on adult education.


Contact: Jeanne S. Hayden, Administrative Staff Assistant, Longwood College, 201 High Street, Farmville, VA 23909, telephone (804) 395-2004, FAX (804) 395-2821, e-mail jhayden@longwood.lwc.edu.

† June 16, 2000 - 8 a.m. -- Open Meeting
Berry Hill Plantation, South Boston, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Board of Visitors to conduct routine business.

Contact: Jeanne S. Hayden, Administrative Staff Assistant, Longwood College, 201 High Street, Farmville, VA 23909, telephone (804) 395-2004, FAX (804) 395-2821, e-mail jhayden@longwood.lwc.edu.

MARINE RESOURCES COMMISSION

June 27, 2000 - 9:30 a.m. -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, Room 403, Newport News, Virginia.  (Interpreter for the deaf provided upon request)

The commission will hear and decide the following marine environmental matters beginning at 9:30 a.m.: permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of

Calendar of Events

local wetland board decisions; and policy and regulatory issues. The commission will hear and decide the following fishery management items beginning at approximately noon: regulatory proposals, fishery management plans, fishery conservation issues, licensing, and shellfish leasing. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing.

Contact: LaVerne Lewis, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607-0756, telephone (757) 247-2261, toll-free 1-800-541-4646 or (757) 247-2292/TTY ☎

BOARD OF MEDICAL ASSISTANCE SERVICES

June 13, 2000 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 E. Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Leah D. Hamaker, Board Liaison, Department of Medical Assistance Services, 600 E. Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-4626 or FAX (804) 371-4981.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Pharmacy Liaison Committee

June 26, 2000 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia. ♿

A meeting to conduct regular business.

Contact: Marianne Rollings, R.Ph., Coordinator, Department of Medical Assistance Services, 600 E. Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 786-1680, (800) 343-0634/TTY ☎, e-mail mrollings@dmas.state.va.us.

Provider Advisory Council

† June 22, 2000 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 E. Broad Street, Richmond, Virginia. ♿

A meeting to discuss medical assistance services policy and discuss issues of interest to Medicaid health care providers.

Contact: Leah D. Hamaker, Legislative Coordinator, Department of Medical Assistance Services, 600 E. Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-4626 or FAX (804) 371-4981.

BOARD OF MEDICINE

June 8, 2000 - 8 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Conference Room 2, 5th Floor, Richmond, Virginia. ♿

A meeting to review public participation guidelines regulations and to consider other items as may come before it. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

Informal Conference Committee

† June 15, 2000 - 9 a.m. -- Open Meeting
Central Park Hotel, 2801 Plank Road, Fredericksburg, Virginia. (Interpreter for the deaf provided upon request)

† June 22, 2000 - 9:30 a.m. -- Open Meeting
Wyndham Roanoke Hotel, 2801 Hershberger Road, Roanoke, Virginia. (Interpreter for the deaf provided upon request)

July 13, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 of the Code of Virginia. Public comment will not be received.

Contact: Peggy Sadler or Renee Dixon, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎

VIRGINIA MUSEUM OF FINE ARTS


Executive Committee

† June 15, 2000 - Noon -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. ♿


A meeting to approve the budget for the next fiscal year and to receive staff and committee reports. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Avenue, Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.


BOARD OF NURSING

June 5, 2000 - 8:30 a.m. -- Open Meeting
June 6, 2000 - 8:30 a.m. -- Open Meeting
June 8, 2000 - 8:30 a.m. -- Open Meeting
June 14, 2000 - 8:30 a.m. -- Open Meeting
June 15, 2000 - 8:30 a.m. -- Open Meeting
June 19, 2000 - 8:30 a.m. -- Open Meeting
† **June 27, 2000 - 8:30 a.m.** -- Open Meeting
† **August 1, 2000 - 8:30 a.m.** -- Open Meeting
† **August 2, 2000 - 8:30 a.m.** -- Open Meeting
† **August 3, 2000 - 8:30 a.m.** -- Open Meeting
† **August 7, 2000 - 8:30 a.m.** -- Open Meeting
† **August 8, 2000 - 8:30 a.m.** -- Open Meeting
† **August 14, 2000 - 8:30 a.m.** -- Open Meeting
† **August 30, 2000 - 8:30 a.m.** -- Open Meeting
† **September 7, 2000 - 8:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Rooms 3 and 4, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)


A Special Conference Committee, comprised of two or three members of the Virginia Board of Nursing, will conduct informal conferences with licensees or certificate holders. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.


BOARD OF NURSING HOME ADMINISTRATORS

June 7, 2000 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 W. Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia 

An informal hearing will be held in accordance with § 9-6.14:11 of the Code of Virginia. No public comments will be heard.


Contact: Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad Street, Suite 403, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail sbooker@dhp.state.va.us.

BOARD FOR OPTICIANS


June 9, 2000 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

An open meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. Any persons desiring to attend the meeting and requiring special accommodations or interpretative services should contact the department at 804-367-8590


or 804-367-9753/TTY at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.


Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad Street, 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail opticians@dpor.state.va.us.

BOARD OF PHARMACY

June 13, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Fifth Floor, Conference Room 2, Richmond, Virginia. 

The board will consider the strategy plan arising from the April workshop, adopt emergency regulations for pilot projects and regulations for radiopharmaceuticals, and consider other agenda items as may be presented. Public comment will be received at the beginning of the meeting.


Contact: Elizabeth Scott Russell, R.Ph., Executive Director, Board of Pharmacy, Southern States Bldg., 6606 W. Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY , e-mail erussell@dhp.state.va.us.

† **June 14, 2000 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 W. Board Street, 5th Floor, Conference Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A Special Conference Committee will hear informal conferences. Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313.

POLYGRAPH EXAMINERS ADVISORY BOARD

June 13, 2000 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

An open meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. Any persons desiring to attend the meeting and requiring special accommodations or interpretative services should contact the department at 804-367-8590 or 804-367-9753/TTY at least 10 days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

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Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY 📞, e-mail polygraph@dpor.state.va.us.

VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

June 22, 2000 - 11 a.m. -- Open Meeting
Department for the Aging, 1600 Forest Avenue, Conference Room, Richmond, Virginia. 🗿 (Interpreter for the deaf provided upon request)

A meeting of the Bylaws Committee to discuss proposed changes to the bylaws.

Contact: Kimlah Hyatt, Administrative Staff Assistant, 1600 Forest Avenue, Suite 102, Richmond, VA 23229, telephone (804) 662-9318, FAX (804) 662-9354, (804) 662-9333/TTY 📞, or e-mail: khyatt@vdh.state.va.us.

September 18, 2000 - 11 a.m. -- Open Meeting
Department for the Aging, 1600 Forest Avenue, Conference Room, Richmond, Virginia. 🗿 (Interpreter for the deaf provided upon request)

A regular quarterly meeting.

Contact: Kimlah Hyatt, Administrative Staff Assistant, 1600 Forest Avenue, Suite 102, Richmond, VA 23229, telephone (804) 662-9318, FAX (804) 662-9354, (804) 662-9333/TTY 📞, or e-mail: khyatt@vdh.state.va.us.

VIRGINIA RACING COMMISSION

June 14, 2000 - 9:30 a.m. -- Open Meeting
Tyler Building, 1300 East Main Street, Richmond, Virginia. 🗿

A monthly meeting, including a segment for public participation. The commission will also hear a report from Colonial Downs regarding the live racing meets for the year 2000.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Rd., New Kent, VA 23124, telephone (804) 966-7404 or FAX (804) 966-7418.

VIRGINIA RESOURCES AUTHORITY

June 13, 2000 - 9 p.m. -- Open Meeting
Norfolk Sheraton Waterside, Norfolk, Virginia.

A regular meeting of the Board of Directors to (i) review and, if appropriate, approve the minutes from the most recent monthly meeting; (ii) review the authority's operations for the prior month; (iii) review applications for loans submitted to the authority for approval; (iv) consider loan commitments for approval and ratification under its various programs; (v) approve the issuance of any bonds; (vi) review the results of any bond sales; and (vii) consider such other matters and take such other actions

as it may deem appropriate. Various committees of the Board of Directors may also meet immediately before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting and any committee meetings will be available at the offices of the authority one week prior to the date of the meeting. Any person who needs any accommodation in order to participate in the meeting should contact the authority at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Benjamin Hoyle, Virginia Resources Authority, 707 East Main Street, Suite 1350, Richmond, Virginia 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bhoyle@vra.state.va.us.

SMALL BUSINESS FINANCING AUTHORITY

† **September 27, 2000 - 10 a.m.** -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor, Main Board Room, Richmond, Virginia. 🗿 (Interpreter for the deaf provided upon request)

A meeting of the Board of Directors to review applications for loans submitted to the authority for approval. Contact the authority for confirmation of meeting time.

Contact: Cathleen M. Surface, Executive Director, Virginia Small Business Financing Authority, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8254 or FAX (804) 225-3384.

STATE BOARD OF SOCIAL SERVICES

June 9, 2000 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled: **22 VAC 40-600-10 et seq. Food Stamp Program - Administrative Disqualification Hearings.** Changes to the procedures for administrative hearings include that the decisions of the hearing officer is the final action, that notices may be sent by regular mail, and that the hearing may be held when the mail is returned to the agency.

Statutory Authority: §§ 63.1-25 and 63.1-124.2 of the Code of Virginia.

Contact: Patricia Duva, Food Stamp Program Manager, Division of Temporary Assistance Programs, Department of Social Services, 730 E. Broad Street, Richmond, VA 23219, telephone (804) 692-1712 or FAX (804) 692-1704.

BOARD FOR PROFESSIONAL SOIL SCIENTISTS

June 15, 2000 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 🗿 (Interpreter for the deaf provided upon request)

A meeting of the Regulatory Review Committee to discuss and review the current edition of their regulations. The department fully complies with the Americans with Disabilities Act. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Kelley L. Hellams.

Contact: Kelley L. Hellams, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230-3917, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail soilscientist@dpor.state.va.us.

June 29, 2000 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to address policy and procedural issues and other business matters which may require board action. The meeting is open to the public, however, a portion of the board's business may be discussed in a closed meeting. The department fully complies with the Americans with Disabilities Act. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Kelley L. Hellams.

Contact: Kelley L. Hellams, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230-3917, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail soilscientist@dpor.state.va.us.

COUNCIL ON TECHNOLOGY SERVICES

June 6, 2000 - 9 a.m. -- Open Meeting
Location to be announced.

A regular monthly organizational meeting of the council.

Contact: Jamie Breeden, Administrative Staff Specialist, Secretary of Technology, 110 S. 7th Street, 3rd Floor, Richmond, VA 23219, telephone (804) 371-5506, FAX (804) 371-5273, e-mail jvbreeden@dit.state.va.us.

VIRGINIA TOURISM AUTHORITY

† **June 20, 2000 - 10 a.m.** -- Open Meeting
901 East Byrd Street, 19th Floor, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Board of Directors to consider the Cooperative Marketing Program and the board's bylaws and articles of incorporation.

Contact: Winston Evans, Administrative Assistant, Virginia Tourism Authority, 901 E. Byrd Street, Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919, (800) 828-1120/TTY ☎, e-mail wevans@virginia.org.

BOARD FOR THE VISUALLY HANDICAPPED

July 18, 2000 - 1 p.m. -- Open Meeting
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the board to review information regarding department activities and operations, review expenditures from the board's endowment fund, and discuss other issues raised for board members.

Contact: Katherine C. Proffitt, Administrative Staff Assistant, Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail proffikc@dvh.state.va.us.

DEPARTMENT FOR THE VISUALLY HANDICAPPED

Statewide Rehabilitation Council for the Blind

June 10, 2000 - 10 a.m. -- Open Meeting
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular quarterly meeting to advise the department on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

Contact: James G. Taylor, VR Program Director, Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3111, FAX (804) 371-3351, toll-free (800) 622-2155, (804) 371-3140/TTY ☎

VIRGINIA WASTE MANAGEMENT BOARD

June 6, 2000 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Training Room, Glen Allen, Virginia. ♿

A meeting of the technical advisory committee assisting the department in the development of proposed amendments to 9 VAC 20-130-10 et seq., Regulations for the Development of Solid Waste Management Plans, for the Virginia Waste Management Board's consideration.

Contact: Robert G. Wickline, Virginia Waste Management Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4213, e-mail rgwickline@deq.state.va.us.


June 15, 2000 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia.

A meeting of the ad hoc advisory group assisting the Virginia Waste Management Board in the development of proposed amendments to 9 VAC 20-70-10 et seq.,

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Financial Assurance Regulations for Solid Waste Facilities.

Contact: Melissa Porterfield, Virginia Waste Management Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4238, e-mail msporterfi@deq.state.va.us.

June 26, 2000 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, 1st Floor Conference Room, Richmond, Virginia. 

A meeting of the advisory committee established to assist the department in the development of amendments to 9 VAC 20-140-10 et seq., Certification of Recycling Machinery and Equipment for Tax Exemption Purposes.


Contact: Dan Gwinner, Virginia Waste Management Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4218, FAX (804) 698-4327, e-mail dsgwinner@deq.state.va.us.


June 29, 2000 - 9 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 

A public meeting to receive comments on the Notice of Intended Regulatory Action to amend 9 VAC 20-120-10 et seq., Regulated Medical Waste Management Regulations.

Contact: Michael Dieter, Virginia Waste Management Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4146, e-mail mjdieter@deq.state.va.us.

STATE WATER CONTROL BOARD

June 5, 2000 - 7 p.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

June 8, 2000 - 7 p.m. -- Public Hearing
Hampton City Council Chambers, 22 Lincoln Street, Hampton, Virginia. 

June 23, 2000 - Public comments may be received until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **9 VAC 25-630-10 et seq. Virginia Pollution Abatement General Permit Regulation for Poultry Waste Management.** The purpose of the proposed amendments is to establish requirements for the proper storage, management and tracking of poultry waste.

Affected Locality: The regulation will be applicable statewide and will not affect any one locality disproportionately.

Question and Answer Period: A question and answer period will be held one-half hour prior to each of the public hearings at the same locations. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that


time. The board reserves the right to limit oral presentations at the public hearings to three minutes per speaker.

Accessibility to Persons with Disabilities: The public hearings will be held at facilities believed to be accessible to persons with disabilities. Any person with questions should contact Mr. Richard W. Ayers, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240-0009, telephone (804) 698-4075. Persons needing interpreter services for the deaf should notify Mr. Ayers no later than April 28, 2000.

Request for Comments: The board is seeking written comments from interested persons on both the proposed regulatory action and the draft permit. Comments are also solicited regarding alternative approaches that meet the statutory mandate given by the General Assembly. Written comments on the proposed issuance of the permit and on the proposed regulation must be received no later than 4 p.m. on Friday, June 23, 2000, and should be submitted to Mr. Ayers. Comments shall include the name, address, and telephone number of the writer and contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered by the board.


Statutory Authority: § 62.1-44.17:1.1 of the Code of Virginia.

Contact: Richard W. Ayers, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4075 or FAX (804) 698-4032.

June 21, 2000 - 9 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 


A meeting of the advisory committee established to assist the department in the development of amendments to 9 VAC 25-110-10 et seq., General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal To 1,000 Gallons Per Day.

Contact: Lily Choi, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4054, FAX (804) 698-4032, e-mail ychoi@deq.state.va.us.


June 21, 2000 - 10 a.m. -- Open Meeting
Department of Environmental Quality, 429 East Church Street, Kilmarnock, Virginia 

A meeting of the advisory committee established to assist the department in the development of amendments to 9 VAC 25-115-10 et seq., General VPDES Permit for Seafood Processing Facilities.


Contact: Michael B. Gregory, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065, FAX (804) 698-4032, e-mail mbgregory@deq.state.va.us.


June 28, 2000 - 9 a.m. -- Open Meeting
July 10, 2000 - 9 a.m. -- Open Meeting
August 10, 2000 - 9 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the advisory committee assisting the department in the development of General VWP Permits for Activities Impacting Wetlands regulations and in amendments to 9 VAC 25-210-10 et seq., Virginia Water Protection Permit Regulation.


Contact: Ellen Gilinsky, Virginia Water Protection Permit Program Manager, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, telephone (804) 698-4375, FAX (804) 698-4032, (804) 698-4021/TTY , e-mail egilinsky@deq.state.va.us.


VIRGINIA WORKFORCE COUNCIL

† **June 6, 2000 - 1 p.m.** -- Open Meeting
Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

† **June 7, 2000 - 10 a.m.** -- Open Meeting
Virginia Commonwealth University, 907 Floyd Avenue, University Student Commons, Commonwealth Rooms A and B, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A regular meeting of the WIA and Coordinated Planning Committee to discuss (i) the National Governor's Association workforce development presentation; (ii) Virginia Community College System workforce training centers; and (iii) WIA areas on youth councils, training provider certification, individual training accounts, youth vision statement, local board purpose and staffing, VIRGINIA WORKFORCE.com, public participation and local five-year strategic plans. Public comment will be received at 11 a.m. and will be limited to three minutes per person. A written copy of comments must be provided.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 225-2190 or (804) 371-8050/TTY 

† **July 20, 2000 - 9 a.m.** -- Open Meeting
Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)


A meeting of the Existing Workforce and the Hard-to-Employ Committee to consider policies on local board purpose and staffing, VIRGINIA WORKFORCE.com, public participation and local five-year strategic plans. Public comment will be received at 1 p.m. and will be limited to three minutes per person. A written copy of comments must be provided.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond,

VA 23218-1358, telephone (804) 225-3070, FAX (804) 225-2190 or (804) 371-8050/TTY 

LEGISLATIVE


VIRGINIA CODE COMMISSION

† **June 20, 2000 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, 6th Floor, Senate Conference Room, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A meeting to review the commission's 2000 work plan and review 2000 legislation pertaining to the commission. Other items related to the commission's responsibilities may be discussed. An opportunity for public comment will be provided at the end of the meeting.

Contact: Jane D. Chaffin, Registrar of Regulations, General Assembly Building, 910 Capitol Street, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or e-mail jchaffin@leg.state.va.us.


VIRGINIA HOUSING STUDY COMMISSION

† **June 7, 2000 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 

An organizational meeting to include discussion of the commission's 2000 work plan, including HJR 253 (including HJR 224, 236, 254, 255, 256, 257); HB 606, 607, 933, 1083, 1145; and SB 449, 465, 721.

Contact: Nancy D. Blanchard, Virginia Housing Study Commission, 601 South Belvidere Street, Richmond, VA 23220, telephone (804) 343-5565.

JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION

† **June 12, 2000 - 10 a.m.** -- Open Meeting
General Assembly Building, 910 Capitol Street, Senate Room A, Richmond, Virginia. 

A meeting for staff briefings on the Virginia Housing Development Authority and internal service fund requests.

Contact: Phillip A. Leone, Director, Joint Legislative Audit and Review Commission, General Assembly Building, 910 Capitol Street, Suite 1100, Richmond, VA 23219, telephone (804) 786-1258.

Calendar of Events

CHRONOLOGICAL LIST

OPEN MEETINGS

June 5

Environmental Quality, Department of
- Water Resources Committee
Nursing, Board of
- Special Conference Committee

June 6

Environmental Quality, Department of
- Technical Advisory Committee
Hopewell Industrial Safety Council
Nursing, Board of
- Special Conference Committee
Technology Services, Council on
Waste Management Board, Virginia
† Workforce Council, Virginia
- WIA and Coordinated Planning Committee

June 7

Contractors, Board for
† Housing Study Commission, Virginia
† Library Board, State
Local Emergency Planning Committee - Alexandria
Local Emergency Planning Committee - Winchester
Nursing Home Administrators, Board of
- Special Conference Committee
† Workforce Council, Virginia

June 8

Agriculture and Consumer Services, Department of
- Virginia Charity Food Assistance Board
Medicine, Board of
Nursing, Board of
- Special Conference Committee

June 9

Agriculture and Consumer Services, Department of
- Virginia Aquaculture Advisory Board
Health Professions, Department of
- Health Practitioners' Intervention Program
Opticians, Board for

June 10

Visually Handicapped, Department for the
- Statewide Rehabilitation Council for the Blind

June 12

† Legislative Audit and Review Commission, Joint

June 13

† Aviation Board, Virginia
† Corrections, Board of
- Correctional Services Committee
- Liaison Committee
Dentistry, Board of
- Special Conference Committee
Medical Assistance Services, Board of
Pharmacy, Board of
Polygraph Examiners Advisory Board
Resources Authority, Virginia
- Board of Directors

June 14

Agriculture and Consumer Services, Department of
- Virginia Marine Products Board
† Aviation Board, Virginia
† Corrections, Board of
Historic Resources Board and State Review Board
Interagency Coordinating Council, Virginia
Nursing, Board of
- Special Conference Committee
† Pharmacy, Board of
- Special Conference Committee
Racing Commission, Virginia

June 15

† Fire Services Board, Virginia
- Administration and Policy Committee
- Finance Committee
- Fire Education and Training Committee
- Fire Prevention and Control Committee
Labor and Industry, Department of
- Virginia Apprenticeship Council
† Longwood College
- Board of Visitors
† Medicine, Board of
- Informal Conference Committee
† Museum of Fine Arts, Virginia
- Executive Committee
Nursing, Board of
- Special Conference Committee
Soil Scientists, Board for Professional
Waste Management Board, Virginia
- Ad Hoc Advisory Committee

June 16

† Agriculture and Consumer Services, Department of
- Consumer Affairs Advisory Committee
† Longwood College
- Board of Visitors

June 19

Barbers, Board for
† Chesapeake Bay Local Assistance Board
Cosmetology, Board for
† Emergency Planning Committee, Local
- Prince William County, Manassas City, and
Manassas Park
† Library Board, State
Nursing, Board of
- Special Conference Committee

June 20

† Code Commission, Virginia
† Housing Development Authority, Virginia
- Board of Commissioners
† Tourism Authority, Virginia
- Board of Directors

June 21

Water Control Board, State

June 22

† Education, Board of
† Environmental Quality, Department of
† Medical Assistance Services, Department of

- Provider Advisory Council
- † Medicine, Board of
- Informal Conference Committee
- Public Guardian and Conservator Advisory Board, Virginia
- By-Laws Committee

June 26

- Medical Assistance Services, Department of
- Pharmacy Liaison Committee
- Waste Management Board, Virginia

June 27

- † Compensation Board
- Marine Resources Commission
- † Nursing, Board of
- Special Conference Committee
- † Small Business Financing Authority, Virginia
- Board of Directors

June 28

- At-Risk Youth and Their Families, Comprehensive Services for
- State Executive Council
- Waste Management Board, Virginia

June 29

- Soil Scientists, Board for Professional
- Waste Management Board, Virginia

July 6

- Conservation and Recreation, Department of
- Virginia Agricultural BMP Implementation Advisory Committee

July 10

- Water Control Board, State

July 11

- Hopewell Industrial Safety Council

July 12

- † Independent Living Council, Statewide

July 13

- Medicine, Board of
- Informal Conference Committee

July 18

- † Environmental Quality, Department of
- Ground Water Protection Steering Committee
- Board for the Visually Handicapped

July 20

- † Game and Inland Fisheries, Board of
- † Workforce Council, Virginia
- Existing Workforce and the Hard-to-Employ Committee

July 27

- Agriculture and Consumer Services, Department of
- Virginia Small Grains Board

August 1

- Hopewell Industrial Safety Council
- † Nursing, Board of
- Special Conference Committee

August 2

- † Nursing, Board of
- Special Conference Committee

August 3

- † Nursing, Board of
- Special Conference Committee

August 7

- † Nursing, Board of
- Special Conference Committee

August 8

- † Nursing, Board of
- Special Conference Committee

August 10

- Water Control Board, State

August 14

- † Nursing, Board of
- Special Conference Committee

August 30

- † Nursing, Board of
- Special Conference Committee

September 5

- Hopewell Industrial Safety Council

September 7

- † Nursing, Board of
- Special Conference Committee

September 18

- Public Guardian and Conservator Advisory Board, Virginia

PUBLIC HEARINGS

June 5

- Water Control Board, State

June 8

- Water Control Board, State

June 14

- Air Pollution Control Board, State

June 21

- Funeral Directors and Embalmers, Board of

June 29

- † Environmental Quality, Department of
