

Educational Agency Relations

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Title of Regulation:

Regulation No.: 43-300

ACCREDITATION CRITERIA

Effective Date: 06/27/14

Constitutional and Statutory Provisions:

Section(s):

59-5-60(1).

General powers of [State] Board.

59-25-110.

System for examination and certification of teachers.

59-26-10, *et seq.*

Training, Certification and Evaluation of Public Educators

Code of Laws of South Carolina, 1976.

20 U.S.C. 6301 *et seq.*

No Child Left Behind Act of 2001

US Code of Laws

State Board Regulation:

43-300. Accreditation Criteria.

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

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

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

Defined Minimum Program for the John de la Howe School

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

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

Defined Minimum Program for the South Carolina Department of Juvenile Justice

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

SCDE's Annual Report of the Accreditation of School Districts in South Carolina to the State Board of Education.

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

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

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

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

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

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

Accredited/Warned indicates that a district or school is not in compliance with the standards for a defined program and with all current statutes and regulations as prescribed by the State Board of Education and General Assembly for a second year. Districts that have a Warned accreditation classification are required to make substantial progress toward removal of deficiencies before submitting accreditation data the subsequent school year or the district's accreditation will be placed on Probation.

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

Accreditation Denied indicates that the district or school is not in compliance with the standards for a defined program and with all current statutes and regulations as prescribed by the State Board of Education and General Assembly for a fourth year and does not merit accreditation. If the accreditation of a high school is denied, that school cannot issue State high school diplomas subsequent to the school year in which the accreditation is denied. Schools which have been classified as Accreditation Denied by the defined program accreditation procedures shall not be eligible for funding in the following fiscal year until an acceptable plan to eliminate the deficiencies is submitted and approved by the State Board of Education.

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

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

IV. Additional Requirement for Career and Technical Education:

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

V. On-Site Verification Visits by State Accountability Team

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

Title of Regulation:

Regulation No.:

R 43-302

**PALMETTO GOLD AND SILVER
AWARDS PROGRAM**

Effective Date:

03/28/03

Constitutional and Statutory Provisions:

Section(s):

59-18-1100.

Palmetto Gold and Silver Awards Program established; criteria;
eligibility of schools for academically talented.

Code of Laws of South Carolina, 1976.

State Board Regulation:

Palmetto Gold and Silver Awards Program.

A. Program Implementation

The Palmetto Gold and Silver Awards Program is established to recognize and reward schools for academic achievement. Awards will be established for schools attaining high levels of absolute performance and for schools attaining high rates of improvement. The program shall be operated by the State Department of Education in accordance with program criteria established by the Division of Accountability of the Education Oversight Committee.

B. Expenditure of Award Funds

Award funds are to be used to improve and/or maintain exceptional student academic performance according to the school's renewal plan. Funds may be utilized for professional development support. Allowable costs include equipment, materials and supplies, contractual services, substitutes, and travel. Specific guidelines for the expenditure of award funds will be provided to each school receiving an award. An expenditure report specifying the manner in which those monies were expended must be submitted to the Department of Education at the conclusion of the grant period.

Title of Policy:

Policy No.:

R 43-303

**FLEXIBILITY THROUGH
DEREGULATION PROGRAM**

Effective Date:

06/25/04

Constitutional and Statutory Provisions:

Section(s):

| | |
|-------------|--|
| 59-5-60. | General powers of [State] Board. |
| 59-18-1110. | Grant of flexibility of receiving exemption from regulations; criteria; continuation of and removal from flexibility status. |
| 59-18-1120. | Grant of flexibility of exemption from regulations and statutes to school designated as unsatisfactory while in such status; extension to other schools. |

Code of Laws of South Carolina, 1976.

State Board Policy:

Flexibility Through Deregulation Program.

I. Program Implementation

The Education Accountability Act, S.C. Code Ann. Sections 59-8-1110 and 59-18-1120 (2002), provide for the recognition of schools based on student performance. Schools that continually receive recognition are rewarded by exemptions from regulations and statutes (59-18-1110). Special provisions also allow exemptions from some regulations or statutes to other schools (59-18-1120).

The State Department of Education (SDE) will operate the program in accordance with program guidelines developed by the State Board of Education (SBE) in consultation with the Education Oversight Committee (EOC). The guidelines shall include eligibility criteria, operation procedures, related monitoring activities, reporting requirements, and state statutes and regulations exempted under the program. Approved program guidelines will be made available by the SDE upon request. The SBE may revise program guidelines on an annual basis in consultation with the EOC. Current guidelines will be posted on the SDE Web site.

Schools deregulated under former flexibility through deregulation statute, S.C. Code Ann. Section 59-18-15 (repealed), and former State Board of Education Regulation 43-303 (amended) must re-qualify for flexibility status under these regulations.

II. Eligibility Criteria

A. Eligibility for flexibility begins in February 2005.

B. A school may be eligible in one of three ways. Special conditions apply to each type of eligibility.

1. Criteria for Deregulated Schools

Each of the following criteria must be met during the three-year period prior to the school year in which the school is given flexibility status.

- a. The school has twice been a recipient of either a Palmetto Gold or Silver Award.
- b. The school has met annual improvement standards for subgroups of students in reading and mathematics.
- c. The school must have exhibited no recurring accreditation deficiencies.

2. Criteria for Unsatisfactory Schools

An unsatisfactory school may be given flexibility status when each of the following conditions are met:

- a. The statutes or regulations exempted must deal with the core academic areas.
- b. The External Review Team (ERT) recommends specific regulations and statutes for flexibility to the SBE in the ERT report.
- c. If recommended by the ERT, the school plan must be amended to explain how the exemption will improve school and student performance.

3. Criteria for Schools through School Plans

Schools may receive flexibility status when each of the following conditions are met:

- a. The school has met annual improvement standards for subgroups of students in reading and mathematics.
- b. Amendments to the school renewal plan must explain why exemptions are expected to improve the academic performance of the students.
- c. The plan meets the approval by the SBE.

III. Stability of School Grade Organization

Changes in grade structure that result in less than a majority of grades being maintained from the preceding school year will cause a school to be removed from flexibility status. The flexibility status is not transferable to another school if the school that has such status is closed or consolidated with another school.

IV. Notification of Schools and School Districts

The SDE will annually determine schools that are eligible to receive flexibility status based on meeting criteria as deregulated, meeting SBE criteria through a school plan, and meeting criteria for specific exemptions recommended by the ERT. The SBE must approve flexibility status for schools meeting SBE criteria through a school plan and for schools meeting criteria for specific exemptions recommended by the ERT. Flexibility status will be in effect immediately upon determination of deregulated schools or approval by the SBE of other schools. The local boards of trustees, district superintendents, and principals of the schools will be notified by the SDE of their flexibility status.

V. Nonacceptance of Flexibility Status

A. A local board of trustees may notify the SBE of its decision not to accept the flexibility status of an deregulated school within the district. Written notification by the local board of trustees will result in the school's immediate removal from flexibility status and the restoration of all statutory and regulatory requirements. Written notification for nonacceptance must be received within sixty days of the declaration of flexibility status.

B. Subsequent monitoring by the SDE in a school that is removed from flexibility status will not include a review of program records for the exempted period.

VI. Continuation of Flexibility Status

A. A deregulated school initially given flexibility status will be eligible to continue in that status provided that annually the following conditions are met:

1. The school exhibits improvement at or above the state average as computed in the Palmetto Gold and Silver Awards Program pursuant to S.C. Code Ann. Section 59-18-1100 (2002).
2. The school must meet the gains required for subgroups of students in reading and mathematics.
3. The school must have exhibited no recurring accreditation deficiencies.

B. An unsatisfactory school initially given flexibility status through an approved ERT report will be eligible to continue in that status provided that annually the following conditions are met:

1. The ERT reviews the overall improvement as outlined in the amended plan and recommends continuation.
2. The school must meet the gains required for subgroups of students in reading and mathematics.
3. The school must have exhibited no recurring accreditation deficiencies.

C. A school initially given flexibility status through an amended school plan will be eligible to continue in that status provided that annually the following conditions are met:

1. The school must exhibit overall improvement as outlined in the amended plan.
2. The school must meet the gains required for subgroups of students in reading and mathematics.
3. The school must have exhibited no recurring accreditation deficiencies.

VII. Application for Extension of Flexibility Status

A school that does not re-qualify for flexibility status may apply to the SBE for an extension of the status for one year, provided extenuating circumstances exist that account for its inability to meet the requirements to maintain that status. The district superintendent and school principal must make the application for extension to the SBE within thirty (30) days of the receipt of notification of the school's removal from flexibility status.

A school no longer unsatisfactory may apply for a one-year extension of flexibility status for those exemptions approved in the ERT report provided the district superintendent and school principal make the application for extension to the State Board of Education within thirty days (30) of the receipt of notification of the school's removal from unsatisfactory status.

VIII. Exemptions from Requirements

Schools receiving flexibility status are exempted from those regulatory and statutory provisions governing the defined program including, but not limited to, class scheduling, class structure, and staffing. Specific standards exempted appear in an appendix of the SBE-approved guidelines.

IX. Resumption of Statutory and Regulatory Requirements

A school removed from flexibility status will be subject to regulatory and statutory provisions exempted under this program at the beginning of the school year following notification of the change in status by the SDE. Nonacceptance of flexibility status requires compliance with all regulatory and statutory provisions immediately. Subsequent monitoring by the SDE in a school that is removed from flexibility status will not include a review of program records exempted under program guidelines for the period that the school was given flexibility status.

Title of Policy:

Regulation No.:

R 43-307

**ALIGNMENT OF ASSESSMENT AND
ACCOUNTABILITY WITH THE NO CHILD
LEFT BEHIND ACT**

Effective Date

06/27/03

Constitutional and Statutory Provisions:

Section(s):

59-5-60.

General powers of [State] Board

Code of Laws of South Carolina, 1976.

20 U.S.C. §107, et seq.

No Child Left Behind Act 2002

U.S. Code of Laws

State Board Policy:

Alignment of Assessment and Accountability Elements with the No Child Left Behind Act.

I. The reauthorization of the Elementary and Secondary Education Act of 2001, Public Law 107-110, also known as the No Child Left Behind Act, requires each state to align its assessment and accountability elements with the measures mandated by federal law. The following steps are taken to align the elements of the Education Accountability Act of 1998 with those of the No Child Left Behind Act.

A. Assessment System

1. The assessment system, as mandated by the Education Accountability Act and further specified in the State Accountability Workbook, required by the No Child Left Behind Act, applies to all public schools and districts in the state and holds all students to the same academic achievement criteria and performance standards.

2. The annual school, district, and state report cards, as mandated by the Education Accountability Act and as further specified in the State Accountability Workbook, will include the data required by the No Child Left Behind Act.

B. Accountability System

1. Adequate Yearly Progress. This measure is calculated as specified in the State Accountability Workbook and is included as a measure of accountability and progress of the public schools. Adequate yearly progress will be reported on the front of the Education Accountability Act mandated report card.

2. Subgroups for Accountability. The subgroups identified for measuring the progress on adequate yearly progress are: economically disadvantaged students, major racial and ethnic groups, students with disabilities, and students with limited English proficiency. All students in the school are considered to be an additional subgroup. The definitions of the subgroups are specified in the South Carolina Department of Education Test Administration Manual and the No Child Left Behind Act.

3. Other Indicators of Performance. Attendance is the additional required indicator for elementary and middle schools. This indicator's threshold and adequate yearly progress criteria are specified in the State Accountability Workbook. For high school, the additional indicator is required to be graduation rate. This indicator's threshold and adequate yearly progress criteria are specified in the State Accountability Workbook.

II. The Elementary and Secondary Education Act of 2001, Public Law 107-110, also known as the No Child Left Behind Act, requires schools and districts not meeting adequate yearly progress for two consecutive years to move into needs improvement status and for Title I schools missing adequate yearly progress more than two consecutive years to progress through the levels of consequences specified in federal law.

III. The State Board of Education authorizes the South Carolina Department of Education to develop and amend the State Accountability Workbook as necessary to meet USDE approval.