



**WEST VIRGINIA  
SECRETARY OF STATE**

**NATALIE E. TENNANT**

**ADMINISTRATIVE LAW DIVISION**

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OFFICE OF  
WEST VIRGINIA SECRETARY OF STATE

**FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR  
A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY Education  
RULE TYPE Legislative Exempt AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 126-  
RULE NAME Nonpublic School Accrediation (2330) 013C

CITE AUTHORITY W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

RULE IS LEGISLATIVE EXEMPT

Yes

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE EFFECTIVE DATE OF THIS RULE IS

Monday, June 10, 2013

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 126-013C



Rule Id: 8983



Document: 24769

**TITLE 126  
LEGISLATIVE RULE  
BOARD OF EDUCATION**

**SERIES 13C  
NON-PUBLIC SCHOOL ACCREDITATION (2330)**

**§126-13C-1. General.**

1.1. Scope. - This legislative rule establishes the procedure and regulations for the accreditation of non-public schools.

1.2. Authority. - W. Va. Constitution, Article 12, §2 and W. Va. Code §§18-2-5, 18-3-11, 18-5-18, 18-2E-5 and 18-2-6(d).

1.3. Filing Date. – May 10, 2103

1.4. Effective Date. - June 10, 2013

1.5. Repeal of Former Rule. - This legislative rule repeals and replaces W. Va. 126CSR13C “Non-public School Accreditation” (2330) filed August 17, 1990 and effective September 28, 1990.

**§126-13C-2. Purpose.**

2.1. The purpose of this policy is to establish guidelines for the accrediting of non-public schools. Accreditation for the purpose of this policy is defined as the process by which a non-public school [W. Va. Code §18-8-1(b) (hereinafter exemption b) and W. Va. Code §18-8-1(k) (hereinafter exemption k)] assesses its entire educational program, seeks independent confirmation (through an approved accrediting organization) that it has substantially achieved its goals and objectives, and demonstrates quality teaching and learning as evidenced by student achievement.

2.2. Accreditation for non-public schools is voluntary and is not a condition for continuing exemption b or exemption k status.

2.3. A non-public school which has been accredited through a national or regional accreditation agency, approved by the West Virginia Board of Education (hereinafter WVBE), shall be accepted to meet the criteria for West Virginia non-public school accreditation. The state superintendent and West Virginia Department of Education (hereinafter WVDE) shall maintain a list of approved accrediting organizations.

2.4. Accreditation in this manner shall satisfy the normal expectation for transfer of grade level and/or course credit for West Virginia non-public school students transferring into West Virginia public schools.

**§126-13C-3. General Responsibilities.**

3.1. The responsibility for the accrediting of non-public schools is shared as follows:

3.1.a. Responsibility of the WVBE: The WVBE has the responsibility of approving accrediting organizations for the purpose of this policy.

3.1.a.1. the procedures for approving accrediting organizations shall be communicated to local boards of education, exemption b schools, and exemption k schools.

3.1.a.2. At a minimum, the approved accrediting organization must include the following components as part of the accreditation process and review:

3.1.a.2.A. professionally qualified faculty members and administrators

3.1.a.2.B. curriculum, instruction, and assessment,

3.1.a.2.C. student achievement

3.1.a.2.D. library/media and technology resources and support

3.1.a.2.E. leadership and continuous improvement

3.1.a.2.F. parent/community outreach and communication

3.1.a.2.G. health, safety, facilities, and transportation

3.1.b. Responsibility of the WVDE: The WVDE has the primary responsibility for:

3.1.b.1. maintaining the list of the WVBE approved accrediting organizations

3.1.b.2. verifying continued accreditation status for applicable schools; and

3.1.b.3. publishing an annual list of all registered non-public schools, including the identification of those accredited by WVBE approved organizations

3.1.b.3.A. schools may be added to the published list as they achieve accreditation

3.1.b.3.B. schools may be removed from the published list in the event the accreditation organization revokes the accreditation status

3.1.c. Responsibility of the Non-public School: The applicable exemption b or exemption k school has the primary responsibility for:

3.1.c.1. notifying the WVBE when they have completed the accreditation process through one of the WVBE approved accrediting organizations and communicating the result of that process

3.1.c.2. providing to the WVDE annual verification from the accrediting organization that the school's accreditation process is continued

**§126-13C-4. Severability.**

4.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.